



**CITY OF  
ASHLAND**  
**TREE COMMISSION AGENDA**  
**May 5, 2016**

**I. CALL TO ORDER**

6:00 p.m. in the Siskiyou Room of the Community Development and Engineering Services Building located at 51 Winburn Way.

**II. APPROVAL OF MINUTES**

Approval of April 7, 2016 meeting minutes.

**III. ANNOUNCEMENTS & LIAISON REPORTS**

- City Council Liaison
- Parks & Recreation Liaison
- Community Development Liaison

**IV. PUBLIC FORUM**

Welcome Guests

**V. TYPE I REVIEWS**

**PLANNING ACTION:** PA-2016-00593

**SUBJECT PROPERTY:** 852 Cypress Point Loop

**OWNER/ APPLICANT:** Thomas and Carolyn Kennedy

**DESCRIPTION:** The Planning Division has received a request for a permit to remove an approximately 75' Black Oak tree from the building envelope to allow for the development of a single-family residence at the aforementioned address. The removal will be mitigated by planting three new trees at the rear of the property. Issuance of a Certificate of Occupancy is conditioned upon successful completion and inspection of mitigation efforts.

**COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential;

**ZONING:** R-1-10 **ASSESSOR'S MAP:** 39 1E 3CB; **TAX LOT:** 7300.

**PLANNING ACTION:** PA-2016-00625

**SUBJECT PROPERTY:** 759 South Mountain Avenue

**APPLICANTS:** Heartwood Tree Service

**OWNERS:** Gunnar L. Nashlund and Stephanie L. Sceva

**DESCRIPTION:** A request to remove two Ponderosa Pine trees from the property located at 759 South Mountain Avenue. The trees were previously identified to be preserved and protected as part of the Mountain Pines Subdivision (PA #2004-00105) but have now been determined to be dying from pine beetle infestation by the applicant's tree care professional.

**COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-10; **ASSESSOR'S MAP:** 39 1E 16AD; **TAX LOT:** #3403.

## **VI. TYPE II HEARINGS**

**PLANNING ACTION #:** 2016-00209

**SUBJECT PROPERTY:** 25 North Main Street

**OWNERS:** Ashland Holdings, LLC

**APPLICANT:** Allan Sandler

**DESCRIPTION:** A request for Site Design Review approval for a balcony addition for the property located at 25 North Main Street. The application includes a request for two Exceptions to the Site Development and Design Standards: 1) to allow a balcony on the front of the building extending into the North Main Street right-of-way where the Downtown Design Standards in AMC 18.4.2.060.C.2 prohibit projecting balconies in a street facing elevation; and 2) to allow an addition on a primary façade or elevation that is visually prominent from a public right-of-way or that obscures character defining features where the Historic District Design Standards in AMC 18.4.2.050.B.12 direct that such additions are to be avoided. The application also proposes to remove and replace the two street trees in front of the building.

**COMPREHENSIVE PLAN DESIGNATION:** Commercial Downtown; **ZONING:** C-1-D; **ASSESSOR'S MAP:** 39 1E 09 BB; **TAX LOT:** 70000.

**PLANNING ACTION #:** 2016-00230

**SUBJECT PROPERTY:** 188 Garfield Street

**OWNER/APPLICANT:** Rivergate Assembly of God Church of Ashland

**DESCRIPTION:** A request for Site Design Review and Conditional Use Permit approval to construct a new church for the property located at 188 Garfield Street. The application involves demolition of the existing Rivergate Assembly of God church building and the construction of a new approximately 4,978 square foot/100-seat church building near the corner of Garfield and Iowa Streets. The application also involves: a Solar Setback Exception to allow the proposed church to cast a greater shadow on the lot to its north (also under church ownership) than would be cast by a six-foot fence on the north property line; an Exception to Street Standards to retain the existing curbside sidewalk and street trees; a Tree Removal Permit to remove one tree greater than six-inches in diameter at breast height, and a Property Line Adjustment.

**COMPREHENSIVE PLAN DESIGNATION:** High Density Multi-Family Residential; **ZONING:** R-3; **ASSESSOR'S MAP:** 39 1E 10CB; **TAX LOTS:** 2100, 2101.

## **VII. DISCUSSION ITEMS**

- **Earth Day 2016 Debrief.**
- **James Urban's Visit – Next Steps**

## **VIII. ADJOURNMENT**

**Next Meeting:** June 2, 2016



# CITY OF ASHLAND



## TREE COMMISSION AGENDA

April 7, 2016

### **CALL TO ORDER**

Vice Chair John called the meeting to order at 6:00 p.m. in the Siskiyou Room of the Community Development and Engineering Services Building located at 51 Winburn Way.

### **ROLL CALL:**

John, Oxendine, and Neff were present, along with Council Liaison Voisin, Parks Liaison Baugman, and Community Development Liaison Severson. Commissioners Batistella and Roland were absent.

Severson introduced Cory Darrow, the new Assistant Planner in the Community Development Department who was hired to replace Zechariah Heck.

### **APPROVAL OF MINUTES**

**Oxendine/Neff m/s to approve the minutes of the March 11, 2016 special “make-up” meeting. *(There was no regular meeting on March 3<sup>rd</sup> due to a lack of a quorum.)* Voice vote: All AYES. Motion passed.**

### **ANNOUNCEMENTS & LIAISON REPORTS**

City Council Liaison Voisin gave the Council Liaison report with updates regarding the downtown plan and associated changes to parking in and around the downtown; the increase in parking ticket fines to \$22; and the Union Pacific Railroad property clean-up.

Parks & Recreation Liaison Baughman reported that the Parks Department will remove five trees for the water play area at Garfield Park.

Community Development Liaison Severson reported on upcoming appointments to the Commission by the Mayor and noted that typically, the Commission would delay the election of officers until the new members were seated and everyone was present. Severson also briefly discussed the redesigned Street Tree Removal Permit form that was included in packets.

### **PUBLIC FORUM**

No one present wished to speak during public forum.

### **TYPE II HEARINGS**

**PLANNING ACTION:** PA-2016-00410

**SUBJECT PROPERTY:** 475 University Way

**OWNER/APPLICANT:** State of Oregon/Southern Oregon University

**DESCRIPTION:** A request for Site Design Review, Conditional Use Permit and Tree Removal Permit approvals to allow the renovation of 15,147 square feet of the existing Southern Oregon University (SOU) Theater Building; a 13,238 square foot addition to the Theater Building to accommodate new teaching facilities; and a 6,468 square foot addition to

accommodate relocation of the Jefferson Public Radio (JPR) program for the property located at 475 University Way on the SOU campus. A Conditional Use Permit is required because the adopted SOU Master Plan currently identifies a different location on campus for the JPR program, and a Tree Removal Permit is required because the request includes the removal of 25 trees, including eight significant trees which are over 18-inches in diameter at breast height (d.b.h.) and therefore require Tree Removal Permits.

**COMPREHENSIVE PLAN DESIGNATION:** Southern Oregon University; **ZONING:** SO; **ASSESSOR'S MAP& TAX LOT:** 39 1E 10CC Tax Lot #5700 and 39 1E 09DD Tax Lot #7900

Oxendine recused himself, but at staff direction to retain a quorum participated in the hearing as a no vote. There was a brief staff report and presentation by the applicants.

**Neff/John m/s to approve Planning Action #2016-00410 with the recommendation that the applicants' architect and civil engineer work with the Fire Marshal to look at the island and parking lot configuration for modifications to preserve Redwood #2. Voice vote: Neff and John, YES. Oxendine, NO. Motion passed 2-1.**

#### **TYPE I REVIEWS**

**PLANNING ACTION:** PA-2016-00322

**SUBJECT PROPERTY:** 125 North Second Street

**APPLICANT:** Carrie Mertzluft

**OWNER:** Schultz & Associates Inc.

**DESCRIPTION:** A request to remove a black locust tree at the subject property. The tree is approximately 58 feet tall and 24 inches in diameter at breast height. The tree is located approximately three feet of the asphalt parking lot to the west and two feet from the sidewalk to the north. The arborist notes that the tree has major structural issues due to included bark throughout the entire crown. In addition, the tree has been losing limbs frequently and is located in a high traffic area for both vehicles and pedestrians.

**COMPREHENSIVE PLAN DESIGNATION:** Commercial; **ZONING:** C-1; **ASSESSOR'S MAP:** 39 1E 09BA; **TAX LOT:** 9700.

Tree Commissioners noted that they had visited the site, and that the tree was one of the largest in the area, seemed robust and healthy, and was established and used to the existing paved environment. In the Commissioners' assessment, the tree could be pruned and remediation measures utilized to address any hazard without necessitating its removal. Commissioners specifically noted that "*dynamic cobra cables*" could be used to hold the canopy together, and that the trunk could be drilled with a "*ship auger*" and bolted together to support the two sections of the trunk, and that the tree would grow to conceal these supports.

**Oxendine/Neff m/s to deny the application with the recommendations that the applicant instead explore options including pruning, cabling of the canopy and/or bolting the trunk together with an arborist specializing in hazard mitigation. Voice vote: All AYES. Motion passed.**

#### **STREET TREE PERMIT REMOVAL**

**SUBJECT PROPERTY:** 505 Helman St.  
**OWNER:** Reynolds/Artisan Tree Care  
**DESCRIPTION:** A request to remove two street trees for the property located at 505 Helman Street, one tree is a Walnut and the other is a Locust. They are approximately 30 feet in height and each has an approximate canopy of 25 feet.  
**COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-5; **ASSESSOR'S MAP:** 39 1E 04CA; **TAX LOT:** 3800.

Severson noted that the Electric Department has indicated that they are supportive of the two trees' removal as one is in very poor condition and both are directly under the city's three phase main business feeder power line and have the possibility to cause damage or outages if not addressed by removal. The Electric Department's tree trimmer had assessed the trees and determined that they were buckling the sidewalk and posing a tripping hazard; low hanging branches over the street do not meet code-required clearances; they have extensive weight in their canopies and are leaning over a barn and other structures and trimming to reduce this weight and curb clearance will spur new growth exacerbating utility/tree encroachment issues and interference. The Electric Department tree trimmer also noted that one tree was completely dead and posed a safety threat to the sidewalk users, and that the other was susceptible to sunscald. He further explained that previous pruning and incorrect cuts from years ago have been detrimental to the trees' health, and that the extensive ivy growth makes things worse. He noted that he was not working on the applicant's behalf, and that it would be advisable for the applicant to obtain an assessment by a certified private arborist.

Based on the Electric Department Tree Trimmer's assessment and the photos of the trees provided with the application, Commissioners felt it was clear that one tree was dead and the other in very poor condition and both pose potential hazards to sidewalk users and public facilities.

**Neff/Oxendine m/s to approved the Street Tree Removal Permit request. Voice vote: All AYES. Motion passed.**

### **DISCUSSION ITEMS**

**Earth Day 2016** – Severson noted that the Earth Day Event was April 23<sup>rd</sup> from 11:00 a.m. to 4:00 p.m. and that Commissioners John, Oxendine and Roland had agreed to represent the Commission. John noted that he would pick up materials on April 22<sup>nd</sup> and order a Dutch Auger.

**Debrief on Arbor Week 2016/James Urban's Visit** – The Commission discussed James Urban's visit and the steps that would be involved in incorporating his recommendations into Ashland's ordinances.

### **ADJOURNMENT**

The meeting was adjourned at 7:25 p.m. Severson reminded commissioners of the upcoming Earth Day event on the 23<sup>rd</sup> and that the next regular meeting on May 5, 2016



## NOTICE OF APPLICATION

**PLANNING ACTION:** PA-2016-00593

**SUBJECT PROPERTY:** 852 Cypress Point Loop

**OWNER/APPLICANT:** Thomas and Carolyn Kennedy

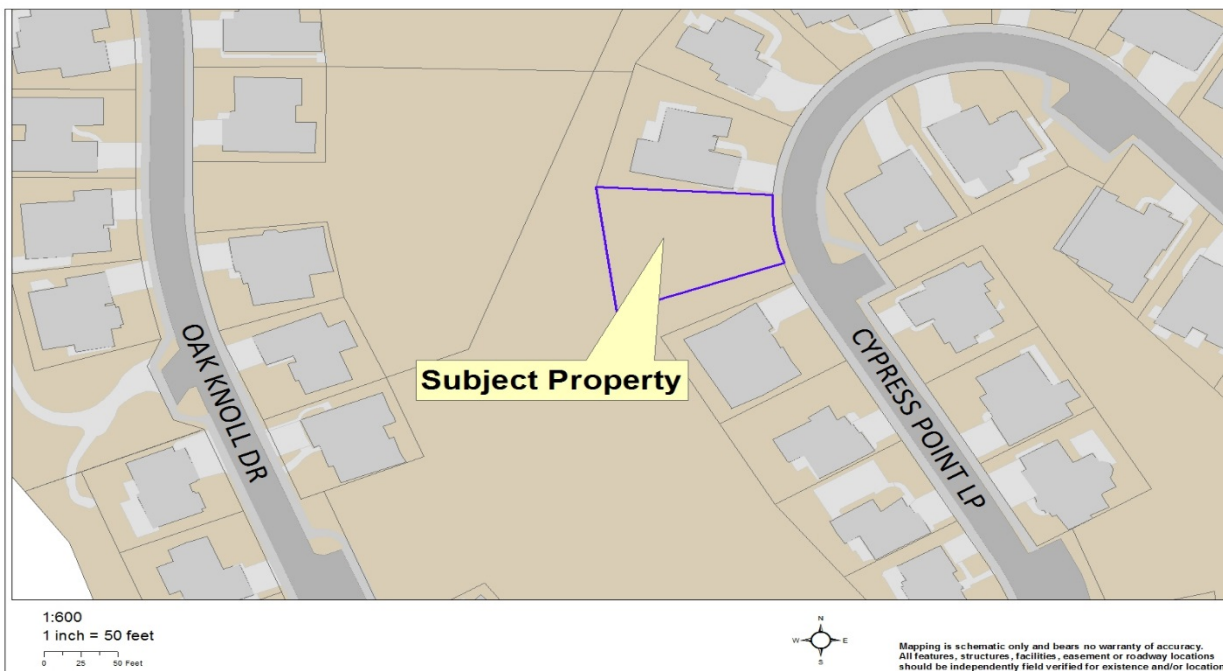
**DESCRIPTION:** The Planning Division has received a request for a permit to remove an approximately 75' Black Oak tree from the building envelope to allow for the development of a single-family residence at the aforementioned address. The removal will be mitigated by planting three new trees at the rear of the property. Issuance of a Certificate of Occupancy is conditioned upon successful completion and inspection of mitigation efforts. **COMPREHENSIVE**

**PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-10 **ASSESSOR'S MAP:** 39 1E 3CB **TAX LOTS:** 7300

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, May 5, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION:** April 20, 2016

**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** May 4, 2016



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.108.040)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## TREE REMOVAL PERMIT

### 18.5.7.040.B

2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
  - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
  - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
  - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
  - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

To: City of Ashland Building Department

March 22, 2016

Attention: Brandon

Re: Thomas and Carolyn Kennedy, lot at 852 Twin Pines Circle, Ashland, Ore.

Subject: Tree Removal

Hello:

We understand the City of Ashland's desire, and our's, to recognize the reluctance and importance of determining the thought of removing an existing tree.

The tree in mention is designated by the attached drawing and is designated as tree #1.

It is a black oak, approximately 75 feet tall. It is located at 41 feet from the front property line.

It is our desire to build a 1500 square foot floor plan house on the lot, of which the dimensions are on the attached drawing.

The lot is better suited for the structure to be towards the front of the lot, rather than the rear, because of the drop in elevation toward the rear.

The tree designated as tree #2 on the attached drawing will be pruned and left intact.

The removal of tree #1 will not have an impact on erosion, (the new home will be constructed on the current tree site), or will it effect soil stability, or flow of surface waters, nor will it effect protection of neighboring trees or change in windbreaks.

The land is almost flat where tree # 1 is located.

We plan on planting 3 trees behind the proposed structure. They will be hardwood deciduous trees, per the Grange Co-op recommendations.

Thank for your consideration.

Tom & Carolyn Kennedy.

**RECEIVED**

MAR 30 2016

City of Ashland

From: [kylee@beavertree.net](mailto:kylee@beavertree.net) [kylee@beavertree.net](mailto:kylee@beavertree.net)  
Subject: FW: Report for 852 Cypress Point Loop  
Date: March 30, 2016 at 8:47 AM  
To: [tbkennedy@mind.net](mailto:tbkennedy@mind.net)

K

**From:** [kylee@beavertree.net](mailto:kylee@beavertree.net) [mailto:[kylee@beavertree.net](mailto:kylee@beavertree.net)]  
**Sent:** Thursday, March 24, 2016 1:31 PM  
**To:** 'tbkennedy@mind.net' <[tbkennedy@mind.net](mailto:tbkennedy@mind.net)>  
**Subject:** Report for 852 Cypress Point Loop

If you have any question about the repost please feel free to call us. Susie will send you an invoice for the report when she returns to the office on Monday, March 28<sup>th</sup>. I also wanted to let you know we are a full service tree company if you are wanting the work done. I got your voicemail and tried to call you back.

Kylee Ellis  
Office Assistant  
Beaver Tree Service Inc.

FAMILY  
OWNED  
AND  
OPERATED



**BEAVER**  
**TREE SERVICE**



PROMPT  
PROFESSIONAL  
TREE CARE  
SINCE 1984

March 24, 2016

Client:  
Tom Kennedy  
209 Crowsen Rd  
Ashland, OR 97520

To whom it may concern:

**Re:** Concerning tree at 852 Cypress Point Loop, Ashland, OR 97520

**Trees:** This is a vacant lot. Owner is submitting plans to build home on this lot. Concerning lot has 3 Black Oaks (*Quercus velutina*) on it that we have numbered 1, 2, and 3, with corresponding pictures.

**Black Oak #1** DBH 36"  
**Black Oak #2** DBH 4' 6"  
**Black Oak #3** DBH 24"

**Evaluation:** Black Oak #1 needs to be removed for it's in the envelop of the house site. Black Oak #2 and Black Oak #3 will have a fence around it 8 feet from the trunk. Any roots encountered outside the fence during excavation will be properly cut and covered with wet burlap until back filled.

**RECEIVED**

MAR 30 2016

City of Ashland

Sincerely,

  
Clarence Wangle  
Certified Arborist# PN 0518A  
Beaver Tree Service, Inc.

**RECEIVED**

**MAR 30 2016**

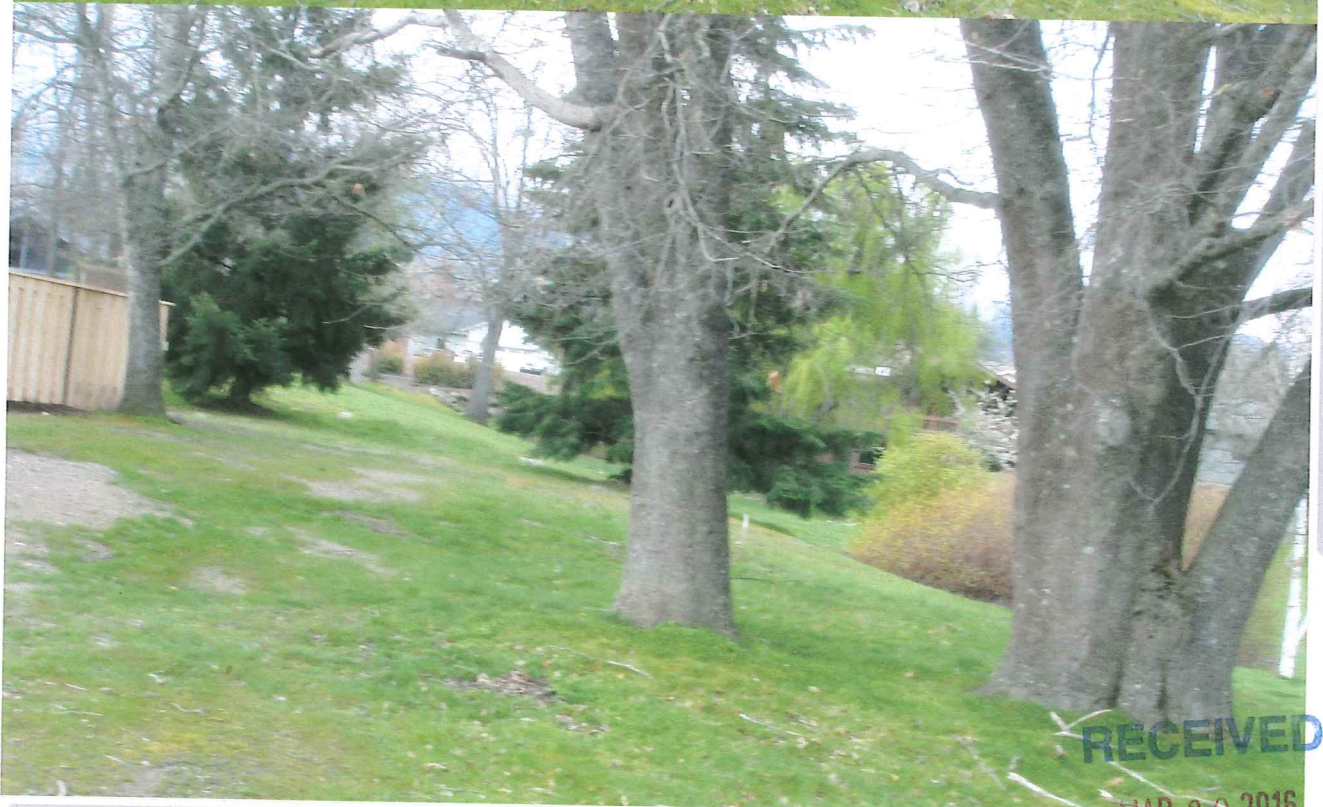
**City of Ashland**

Beaver Tree Service Inc.  
CCB # 173614  
Tax ID # 20-5639553  
[info@beavertree.net](mailto:info@beavertree.net)

Portland Metro Office:  
7085 SW 175<sup>th</sup> Ave  
Beaverton, OR 97007  
[joel@beavertree.net](mailto:joel@beavertree.net)  
(503) 224-1338

Corporate Office:  
270 Wilson Rd.  
Central Point, OR 97502  
[suzie@beavertree.net](mailto:suzie@beavertree.net)  
(541) 779-7072

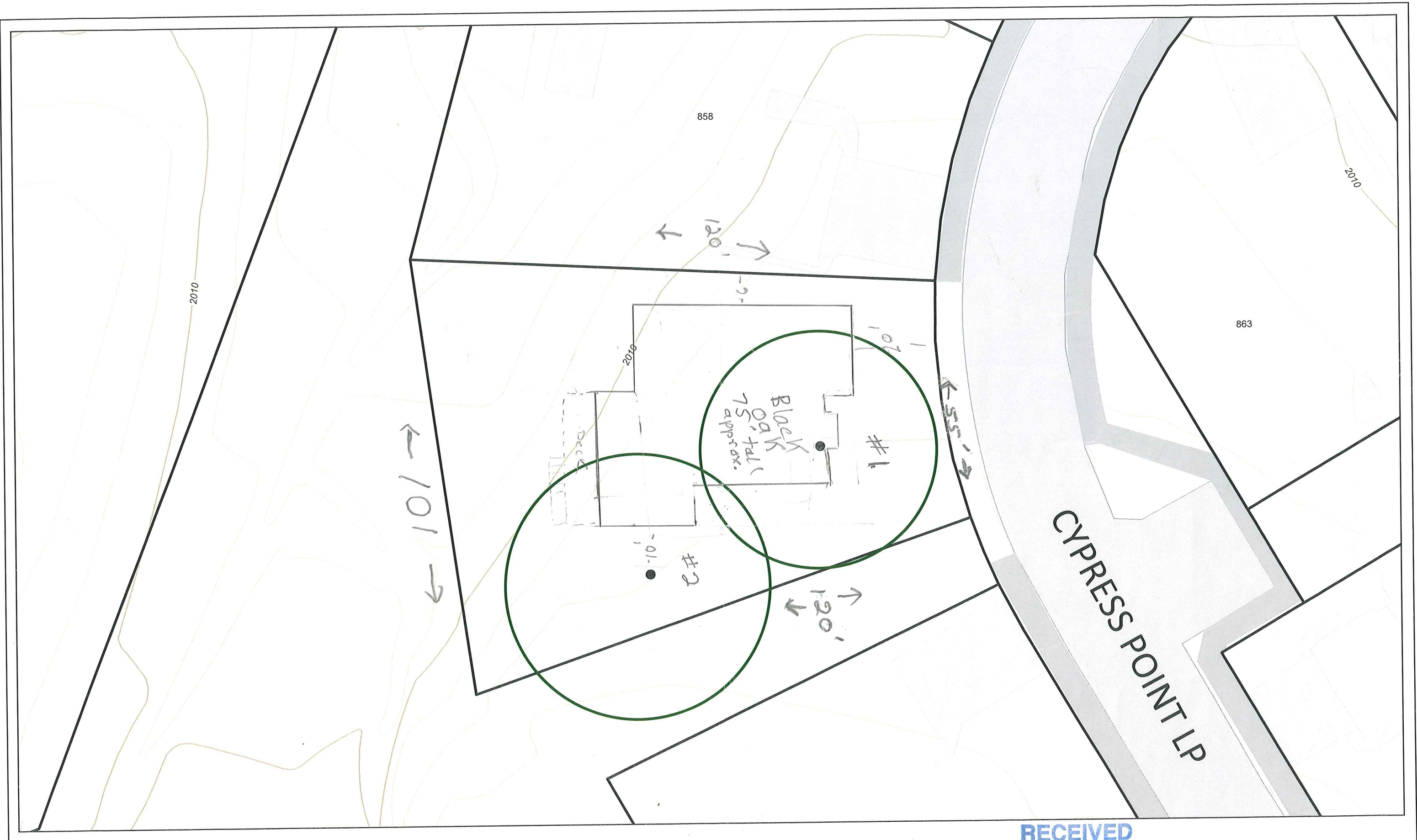




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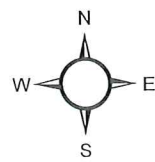
MAR 30 2016

City of Ashland



20 10 0 20 Feet

1:240 1 inch = 20 feet



Mapping is schematic only and bears no warranty of accuracy.  
All features, structures, facilities, easement or roadway locations  
should be independently field verified for existence and/or location.

RECEIVED

MAR 30 2016

City of Ashland



## NOTICE OF APPLICATION

**PLANNING ACTION:** PA-2016-00625

**SUBJECT PROPERTY:** 759 S. Mountain Ave

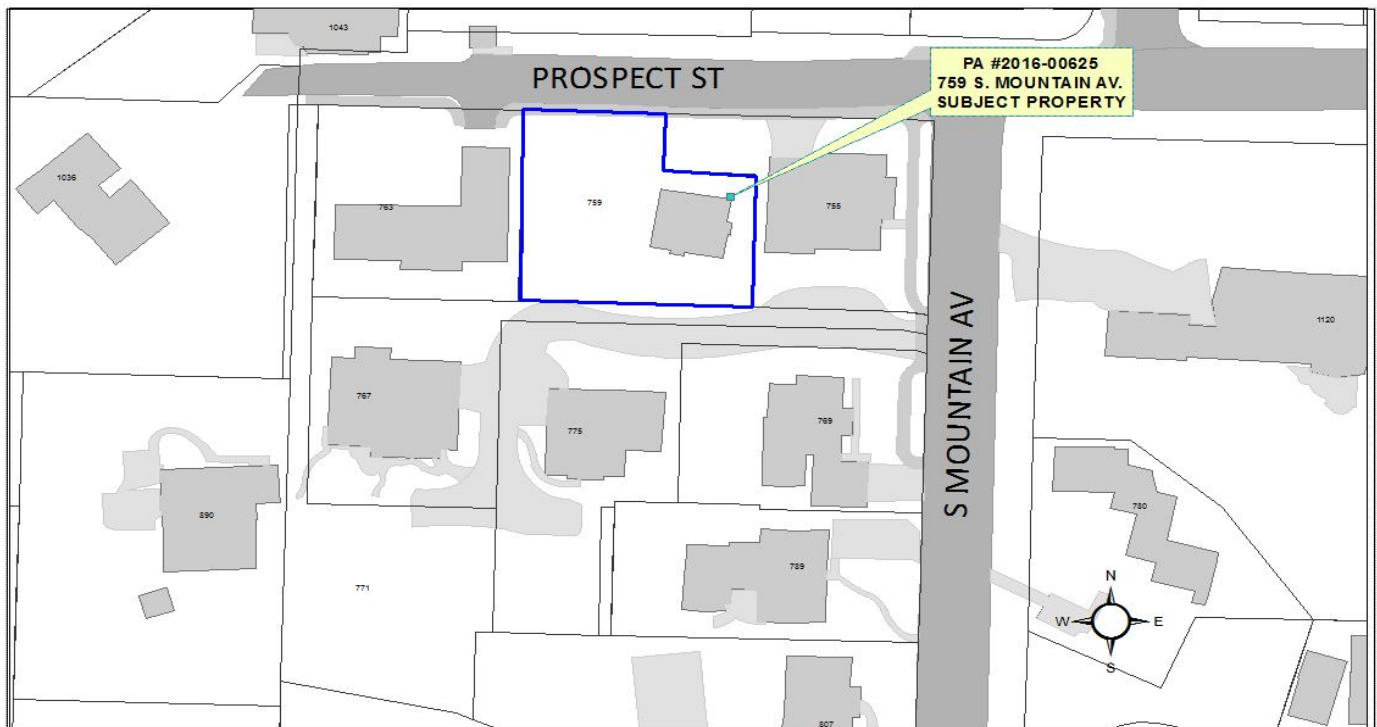
**OWNER/APPLICANT:** Gunnar L. Nashlund & Stephanie L. Seeva/Heartwood Tree Service

**DESCRIPTION:** A request to remove two Ponderosa Pine trees from the property located at 759 South Mountain Avenue. The trees were previously identified to be preserved and protected as part of the Mountain Pines Subdivision (PA #2004-00105) but have now been determined to be dying from pine beetle infestation by the applicant's tree care professional. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-10; **ASSESSOR'S MAP:** 39 1E 16AD; **TAX LOT:** #3403

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, May 5, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION:** April 18, 2016

**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** May 2, 2016



The Ashland Planning Division Staff has received a complete application for the property noted above.

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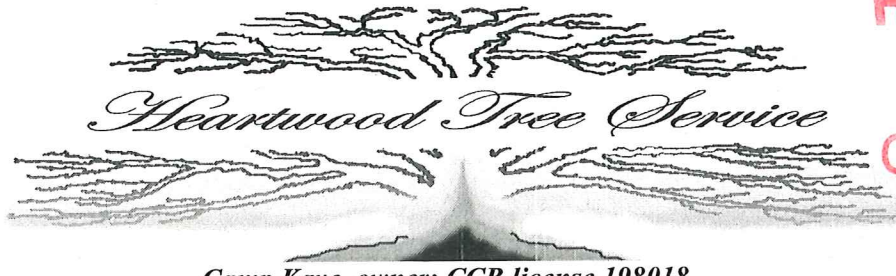
A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## TREE REMOVAL PERMIT

### **18.5.7.040.B**

1. Hazard Tree. A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.
  - b. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.
2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
  - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
  - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
  - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures or alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
  - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.



*Camp Kaye, owner; CCB license 198018  
P.O. Box 1173, Ashland, OR, 97520-0040  
(541) 840-5546  
Heartwood@jeffnet.org*

**RECEIVED**

**APR 04 2016**

**City Of Ashland**

Date: March 28th, 2016

Re: Tree removal.

Site owner and location:  
Lars Nashlund  
759 S. Mountain  
Ashland, OR

To whom it may concern:

At the property cited above two Ponderosa pine trees are dying. They are currently infested with pine beetles.

Tree #1 (on west edge of property next to 763 S. Mountain), 18" DBH, approximately 70' tall, is exhibiting approximately 60% brown needles in solid mass from the top down. Due to the time of year the remaining green on the tree will almost certainly turn brown when the weather warms. In this case the beetle activity has spread to the lower bole and it's my estimation the tree will not survive.

Tree #2 (on the south edge of the property just below the access drive), 30" DBH, approximately 110' tall, has browned from the top down approximately one-third of the tree height. We are considering either leaving the top in this tree or just topping it -- taking out the browned section -- and waiting long enough to be sure the tree is dying. There is no noticeable beetle activity in the lower bole, the still green section. Though the tree may well continue to degenerate, the owner and I are discussing the risks and merits of giving it a chance. With that being said, this permit is to allow full removal of Tree #1 and to OK full removal of Tree #2 with the option of topping of Tree #2 if that proves a valid consideration over the next couple of months.

It's my opinion, though it's desirable to remove beetle infested wood whenever possible, leaving the top in Tree #2 temporarily will not pose a significant risk to the surrounding trees in the area. The interface around Ashland is well populated with beetles and those wintering in the top of Tree #2, upon emergence, should not overwhelm healthy trees in the area. The owner and I are actively discussing the possibility of removing the top of Tree #2, but have not finished our discussion on it at this time. I wanted to get the permit process going ASAP.

As to the trees' decline the most obvious cause would point to the recent houses built in the past few years and the access drive leading to them. The root zones of the trees have been directly impacted by the construction and the surface and ground water to the root zone affected. It appears protection of the root zone to the drip line was not established in both cases. Even with protection to the drip line, that is not always sufficient mitigation when large areas of rainfall are removed via roofs, gutters, roads and storm sewers.

As all the native trees in the Ashland interface are already under stress from the long-term drought affecting the area any additional stressors can easily tip them into a degenerative state leading to the inability of the trees to repel beetle attacks.

("Beetle-kill", as you may already know, is a misnomer. Fully healthy trees are rarely killed by beetles. Prior stressors are usually the cause and only allow the beetles to infest a tree.)

The trees -- or dead portions -- will gradually become hazards as the wood begins to degrade.

Both trees are flagged with yellow flagging. Attached is a rough map of the trees to be removed on the property in question.

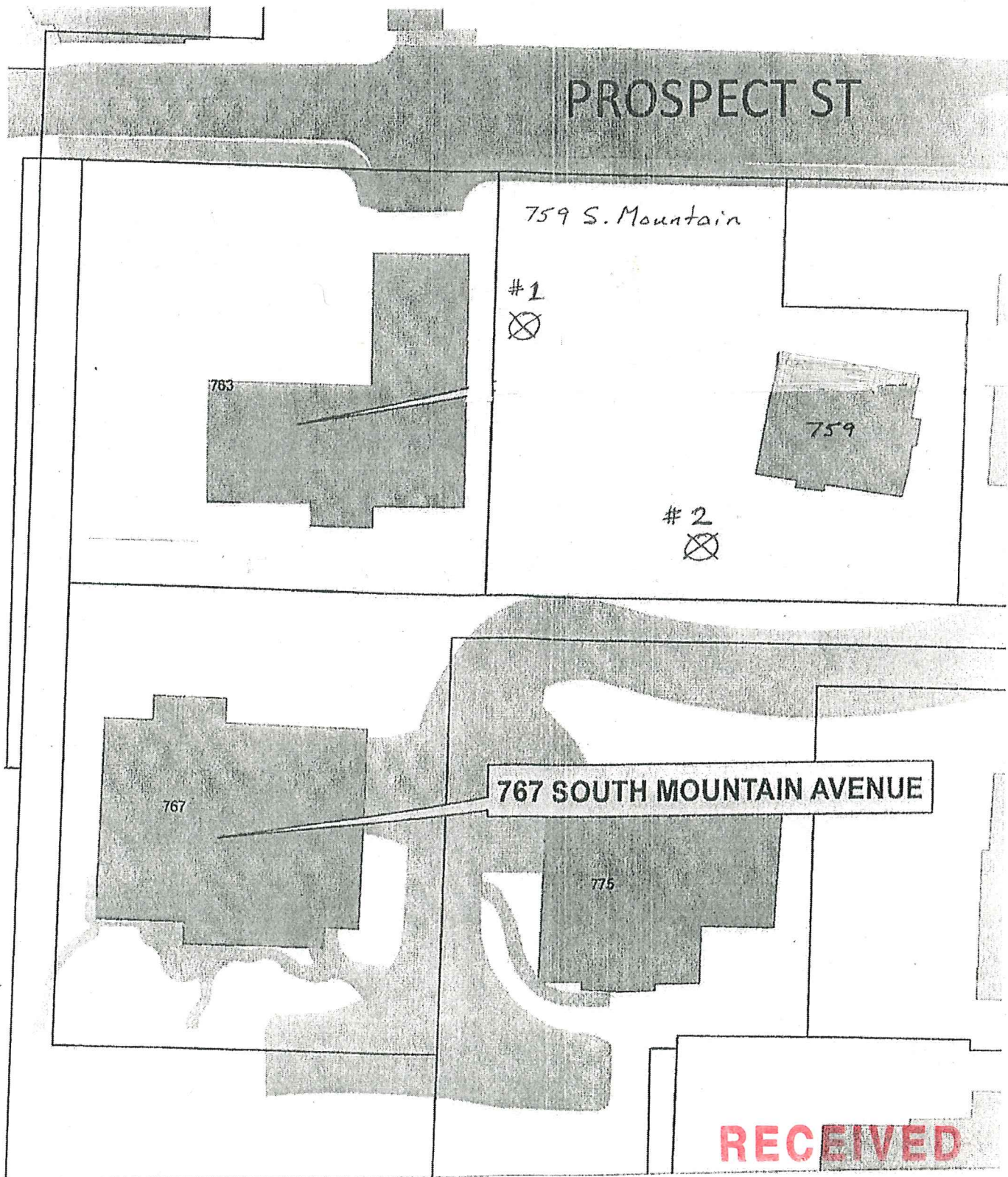
Please contact me with any further questions.

Respectfully submitted,

Camp Kaye  
Heartwood Tree Service  
P.O. Box 1173, Ashland, OR 97520  
(541)840-5546  
CCB Lic. # 198018

# 759 SOUTH MOUNTAIN TREE REMOVAL MAP

⊗ TREES TO BE REMOVED



APR 01 2016

City Of Ashland



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April 25, 2016

## **RATIONALE FOR PROVIDING PROPOSED SEISMIC UPGRADES TO THE EXTERIOR OF THE MASONIC BUILDING**

A few years ago there was a moderately-sized earthquake that shook downtown Seattle. The damage to modern buildings was pretty minimal, but damage to older masonry structures, even ones that had been extensively renovated and hardened was surprisingly severe. What was learned was that unreinforced masonry structures built before earthquakes were the concern they are today can be susceptible to losing their facades, even if they have been modified to harden their structural integrity.

That can make them the possible cause of other damage – both to pedestrians and vehicles located in front. In the case of the Masonic Building, it was extensively hardened and renovated in the 1980s, but that was before the Seattle earthquake and what was learned from that incident. The Owner of the Masonic Building would like to reduce the risk of bodily damage to pedestrians outside the building in the event of a major earthquake striking Ashland. Because the building was extensively renovated in the 1980s it is not physically possible to tear into the building in such a that it would be financially possible to add more structure to the building. More importantly, adding to the building structure from behind would still not prevent the façade from dislocating from the main structure of the building.

So the only real solution is to provide another layer of protection to the exterior of the buildings. We want to do it in a way that is sensitive to the historic character of the building and the plaza, in a way that the Owner can recoup some of his costs and in a way that will make the building less hazardous in a seismic event.



**PLANNING ACTION: 2016-00209**

**SUBJECT PROPERTY: 25 North Main Main**

**OWNER/APPLICANT: Ashland Holdings LLC/Allan Sandler**

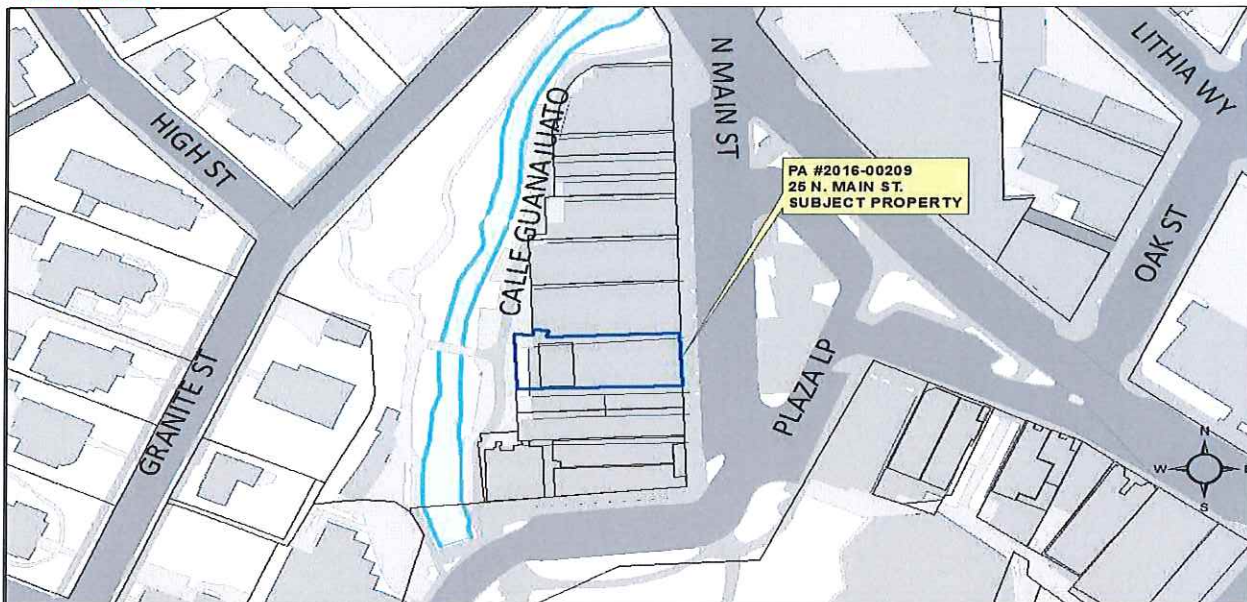
**DESCRIPTION:** A request for Site Design Review approval for a balcony addition for the property located at 25 North Main Street. The application includes a request for two Exceptions to the Site Development and Design Standards: 1) to allow a balcony on the front of the building extending into the North Main Street right-of-way where the Downtown Design Standards in AMC 18.4.2.060.C.2 prohibit projecting balconies in a street facing elevation; and 2) to allow an addition on a primary façade or elevation that is visually prominent from a public right-of-way or that obscures character defining features where the Historic District Design Standards in AMC 18.4.2.050.B.12 direct that such additions are to be avoided. The application also proposes to remove and replace the two street trees in front of the building. **COMPREHENSIVE PLAN DESIGNATION:**

**Commercial Downtown; ZONING: C-1-D; ASSESSOR'S MAP: 39 1E 09 BB; TAX LOT: 70000**

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, May 5, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTE:** The Ashland Historic Commission will also review this Planning Action on **Wednesday May 4, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**ASHLAND PLANNING COMMISSION MEETING: May 10, 2016 at 7:00 PM, Ashland Civic Center, 1175 East Main Street**



Notice is hereby given that a PUBLIC HEARING on the following request with respect to the ASHLAND LAND USE ORDINANCE will be held before the ASHLAND PLANNING COMMISSION on meeting date shown above. The meeting will be at the ASHLAND CIVIC CENTER, 1175 East Main Street, Ashland, Oregon.

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, either in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. A copy of the Staff Report will be available for inspection seven days prior to the hearing and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Department, Community Development and Engineering Services, 51 Winburn Way, Ashland, Oregon 97520.

During the Public Hearing, the Chair shall allow testimony from the applicant and those in attendance concerning this request. The Chair shall have the right to limit the length of testimony and require that comments be restricted to the applicable criteria. Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting. (28 CFR 35.102.-35.104 ADA Title I).

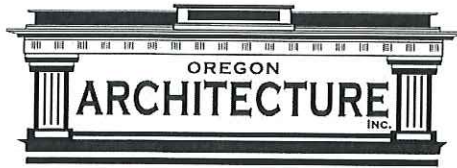
If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division, 541-488-5305.

## SITE DESIGN AND USE STANDARDS

### 18.5.2.050

The following criteria shall be used to approve or deny an application:

- A. Underlying Zone: The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.
- B. Overlay Zones: The proposal complies with applicable overlay zone requirements (part 18.3).
- C. Site Development and Design Standards: The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.
- D. City Facilities: The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.
- E. **Exception to the Site Development and Design Standards.** The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.
  - 1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or
  - 2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.



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January 7, 2016

REVISED March 2016

**APPLICATION FOR APPROVAL OF AN EXTERIOR BALCONY ON THE MASONIC BUILDING LOCATED AT 25  
NORTH MAIN STREET**

**NARRATIVE**

The Owner proposes to construct a freestanding balcony, independently supported, at the third floor level on the Plaza side of the existing Masonic Building located at 25 North Main Street. The vertical elements will encroach a couple of inches into the public Right-of-Way (into the public sidewalk) and the balcony deck will be as much as 7 feet into the existing public Right-of-Way, although it will be approximately 30 feet above sidewalk grade. We have provided a building section showing the details of this encroachment with this application, which will detail to the inch the amount of encroachment.

To minimize the encroachment of the vertical elements some of the existing façade treatment will be modified (specifically the brick wainscot at ground level). The elements of the construction will be designed to meet City of Ashland standards for the historic district. The building itself is not listed on the National Register independent of the District. Please see the attached design drawings to see the various elements.

The Owner wishes to make this change in the interests of public safety. When the building was renovated in the early 1980s not much was known about how historic structures fared in seismic events. Now much more is known. The potential exists for the façade to crumble into the street, potentially causing property and physical damage and injury other than to the building itself. This new structure will be tied to the building and act as additional bracing/reinforcing for the exterior façade.

To be clear, the building meets all current safety and Building Code (OSSC) related construction system requirements in place when the building was extensively renovated. The building Owner is willing to go the extra mile to assure public safety beyond what is Code required, partly because he can, and partly as a demonstration project to show other owners how such modifications are possible. However, this element cannot be constructed in a vacuum. It will be an expensive project to construct and can only be evaluated in the light of what additional revenue can be generated by this modification.

The existing building facade is between 8-12 inches behind the property line, depending on the corner of the property. To minimize the impact in the public ROW, we are proposing to remove three brick pilasters at the base of the existing exterior wall and the stucco pilasters that extend up to the horizontal cornice/sign band element above the first floor storefronts. We propose to install three steel I beam columns and a horizontal cross beam to tie the system together. These four elements would be covered by a new stucco pilaster and cornice elements. We propose to leave the existing building finish intact elsewhere on the ground floor (although the pilasters would be removed) and install the new columns in front of the original building structure and let the façade finish wrap around it all. The new columns would be detailed to look like the original pilasters. The cornice treatment would be more ornate than what exists at present.

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Above the new cornice new steel columns would run vertically between the existing windows of the façade to support the deck. These columns would be finished in stucco and reflect the original design of the building. Again, the existing pilasters between the windows would be removed so the new steel can be installed. The net effect is there would be more definition (depth) to the pilasters at the second floor façade.

The deck structure is entirely new, but in keeping with the design parti of the original building. The deck would be supported on brackets fashioned and detailed to be sympathetic to the original building detailing.

The supporting structure for the steel columns will be a combination of piers drilled into the bedrock below the building/plaza and a concrete slab, whose surface will be the public sidewalk. The new concrete sidewalk is expected to be no more than 12 inches thick, so no impact is expected on any public utilities which may be running under the sidewalk, as they typically run a minimum of 36 inches below finished grade.

#### **APPLICABLE SECTIONS OF THE LAND DEVELOPMENT CODE**

**Section 18.2.2.030 – Allowed Uses.** The land is currently zoned C-1-D, downtown commercial. All the uses in the building, which is fully occupied and is expected to remain so, are allowed by the Code in the C-1-D zone. This proposed building change will provide additional square footage for an existing approved use.

**Section 18.2.3 – Special Uses Standards.** There are no special uses proposed within this building.

**Section 18.3.12.030 – Detail Site Review Overlay.** This Section does not apply. The proposed addition is less than 10,000 sf or less than 100 feet in any direction.

**Section 18.3.12.040 – Downtown Design Standards Overlay.** This Section does not apply. The proposed addition is less than 2,500 sf.

**Section 18.3.12.050 – Historic District Overlay.** This Section is applicable. See Section 18.4.2.050 below for a further description of the criteria and how they have been addressed.

**Section 18.3.12.060 - Pedestrian Place Overlay.** This Section does not apply. This property does not lie within a designated Pedestrian Places Overlay on the Site Design Zone maps.

#### **Section 18.4.2.010 – Purpose.**

Paragraphs A, C, and D speak to issues not relevant to this project.

**Paragraph B - Provide a business environment that is safe and comfortable, and natural surveillance of public spaces, or “eyes on the street,” for crime prevention and security.** The addition of a balcony will enhance the surveillance of public spaces; provide a business environment that is safe and comfortable.

**Paragraph E - Require high quality development that makes a positive contribution to the streetscape and maintains a sense of place that is distinctly Ashland.** This will be high quality development that will add to the richness of the streetscape and the distinctiveness of Ashland.

**Section 18.4.2.020 – Applicability.** This property is subject to the Site Design Review criteria established in Section 18.5.2. and Exceptions and Variances criteria in Section 18.5.2.050.

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**Section 18.4.2.030 – Residential Development.** This Section does not apply to this project.

**Section 18.4.2.040 – Non-Residential Development.**

*Paragraph A - Purpose and Intent.* Commercial and employment developments should have a positive impact upon the streetscape. The intent of this addition is to provide a positive impact of the façade of the building and the Plaza.

*Paragraph B – Site Standards.* This Paragraph is not applicable to this project.

*Paragraph C – Detailed Review Standards.*

*Paragraph C.1 – Orientation and Scale:*

- a. *Minimum FAR.* Not applicable This Paragraph is not applicable to this project.
- b. *Walls within 30 feet of a street frontage.* This Paragraph is not applicable to this project.
- c. *Buildings shall incorporate changes in mass.* This addition to the face of the façade will provide additional detail and greater depth to detail over the existing building massing.
- d. *Infill building.* This is an infill project.
- e. *Buildings shall incorporate arcades, roofs, alcoves, porticoes, and awnings that protect pedestrians from the rain and sun.* This project will create a projection over the sidewalk that will protect pedestrians from rain and sun.

*Paragraph C.2 – Streetscape.* This Paragraph is not applicable to this project.

*Paragraph C.3 – Buffering and Screening.* This Paragraph is not applicable to this project.

*Paragraph C.4 – Building materials.* Buildings shall include changes in relief such as cornices, bases, fenestration, and fluted masonry, for at least 15 percent of the exterior wall area. The proposed addition will utilize pilaster bases, fenestration and other architectural elements to enhance the appearance of this addition. The existing façade has three pilasters rising from a plane at the ground level supporting a cornice. From that cornice spring six different pilasters that rise two stories to support the cornice about the third floor windows. The proposed design will work from the existing design elements. The pilasters rising from the ground plane will increase in depth from 2 inches to 10 inches. The cornice will increase in depth by 12 inches. The six existing pilasters rising from the cornice will increase in depth by 8 inches only up to the level of the deck. The deck will be supported on brackets designed to fit with the new pilasters. The deck balustrade will have six posts reflecting the same width as the pilasters, with an open railing between. The six of the existing third floor windows will remain intact. One will be modified to create a doorway onto the deck, with the existing window trim remaining to frame the opening. The proposed addition meets this criterion.

**Section 18.4.2.050 – Historic District Development**

*Paragraph A – Purpose and Applicability.* This site lies within the Downtown Historic District Overlay, so the standards of this section are applicable to this project.

*Paragraph B – Historic District Design Standards*

*Paragraph B.1 – Transitional Area.* This site is not located in a transitional area, or in another overlay district. This paragraph is not applicable to this project.

*Paragraph B.2 – Height.* The proposed height of the addition is less than the height of the existing building and within the range of adjacent buildings and other construction on the plaza. The proposed addition meets this criterion.

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*Paragraph B.3 – Scale.* The scale and massing of this addition are in keeping with the design ethic of the original structure and provides lots of detail to break up any large volumes. The proposed addition fits with the character of the parent building and its adjacent neighbors. The proposed addition meets this criterion.

*Paragraph B.4 – Massing.* The massing of the proposed addition is in keeping with adjacent structures. It is not monolithic, but highly detailed. The proposed addition meets this criterion.

*Paragraph B.5 – Setback.* At its base the proposed addition will be no further away from the main face of the building than the existing brick pilaster bases. At its base the proposed addition will not encroach into the public ROW any further than the existing brick pilaster bases. The deck will encroach up to seven feet (depending on the side of the building, which is not square to the property line), but that is approximately 28 feet above the sidewalk. The proposed addition meets this criterion.

*Paragraph B.6 – Roof.* This proposed addition has no roof, but rather will have a deck open to the weather. The deck surface will be of solid construction. Rain water hitting the deck will be collected and drain to the street through an internal downspout that will run inside a column and under the sidewalk. The proposed addition meets this criterion.

*Paragraph B.7 – Rhythm of Openings.* The new pilasters supporting both the new cornice structure and the deck above will replicate the face dimension of the existing pilasters on the building – three at ground level and six from the cornice to the deck at the third floor level. In this regard the proposed structure will match the rhythm of existing building fenestration. The proposed addition meets this criterion.

*Paragraph B.8 – Base or Platforms.* The existing pilasters at the ground level have a brick base that extend up approximately three feet vertically from the sidewalk plane and are approximately 12 inches out horizontally from the primary plane of the façade (dimensions vary slightly from pilaster to pilaster). For this proposal we want to remove the brick from the pilaster and return the base to something more in keeping with the original construction period for this building, finished in stucco. The change would redefine the base part of the pilaster and make it a more defined and unified part of the whole pilaster order. The proposed addition meets this criterion.

*Paragraph B.9 – Form.* The emphasis of this proposed addition is verticality, which is in harmony with the existing façade and in keeping with the façade configuration of adjacent buildings. The proposed addition meets this criterion.

*Paragraph B.10 – Entrances.* The proposed addition does not impact the existing entrances in any way. This paragraph is not applicable to this project.

*Paragraph B.11 – Imitation of Historic Features.* The proposed detailing will be a modern interpretation of the detailing on the building. Based on the amount of detail found above the third floor windows, it is a reasonable assumption there could have been additional detailing on the first floor elements. We are not proposing to mimic the styling, but to add to the richness of what could have been. The proposed addition meets this criterion.

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*Paragraph B.12 – Additions.* The stated purpose for this addition is the protection of the public and private property with the placement of additional reinforcing on the exterior of the existing façade. While technically this is an addition to the building, it is not possible to locate it anywhere else and still have it function as intended. It is not possible to locate behind the main structure as recommended by this Paragraph. An Exception is requested to this standard. See discussion of this later in this Narrative.

*Paragraph B.13 – Garage Placement.* No garages are proposed to be constructed with the application. This paragraph is not applicable to this project.

*Paragraph C – Rehabilitation Standards for Existing Buildings and Additions.* These standards are meant to apply to residential properties. This paragraph is not applicable to this project.

**Section 18.4.2.060 – Downtown Ashland**

*Paragraph A – Purpose and Intent.* The standards of this section are applicable to this project.

*Paragraph B – Applicability.* This site lies within the Downtown Design Standards Overlay of the City of Ashland.

*Paragraph C – Downtown Design Standards.*

*Paragraph C.1 – Height.* The height of the proposed deck railing is below the height of the existing building and is not congruent with adjacent neighboring buildings in that the deck does not extend the entire width of the property. The proposed addition meets this criterion.

*Paragraph C.2 – Setback.* This paragraph recommends a zero setback from the street frontage property line, as well as no projections over the public sidewalk of verandas, balconies or porches. The proposed addition has a support structure that projects from the main face of the façade, as well as a usable deck some 28 feet above the sidewalk that encroaches as much as seven feet into the public right-of-way. The projection of the structure is a necessary for safety reasons as identified above, and the deck space is needed to pay for the construction of the safety structure (through additional building rent). The deck surface is as minimal as possible, limited by building code requirements for the occupancy count and the distance to exits from the deck. An Exception is requested to this standard. See discussion of this later in this Narrative.

*Paragraph C.3 – Width.* The width of the proposed project will run from property line to property line along the base of the existing structure. It will run within the façade above the cornice line between the first and second floors in order to make this addition less obtrusive and more in keeping with the original design lines of the structure. The proposed design meets the intent of the language of this paragraph.

*Paragraph C.4 – Openings.* The proposed addition makes no changes to the existing opening in the façade of this building. This paragraph does not apply to this application.

*Paragraph C.5 – Horizontal Rhythms.* The existing façade has one primary horizontal line across it. There is a sign band above the first floor storefront line that terminates in a cornice detail. The proposed addition will maintain that sign band and increase the size and detailing of the cornice to make it more of a design feature. The cornice band will also extend out from the building further than the existing band, providing a greater shadow line across the façade and more visual interest. The proposed addition meets this criterion.

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*Paragraph C.6 – Vertical Rhythms.* Vertical rhythms have been established with the existing pilasters – three at ground level and six from the first floor cornice to the top of the third floor windows. The proposed design takes those established pilasters and deepens them at the first and second floors, utilizing the additional space to conceal the structure of the façade reinforcement. The original pilasters will remain at the third floor level and above. The proposed addition meets this criterion.

*Paragraph C.7 – Roof Forms.* Sloped roofs are discouraged. This is a roofless deck with a flat walking surface. The proposed addition meets this criterion.

*Paragraph C.8 – Materials.* Exterior materials shall be those found within the downtown area. The proposed addition will utilize stucco as the finish material, with the railing for the balcony to be black iron, the same material used on the railings for the building constructed by this same owner last year. Both materials are found on the façade of the existing building and are consistent with other locations within the downtown. The proposed addition meets this criterion.

*Paragraph C.9 – Awnings, Marquees or Similar Pedestrian Shelters.* Although this is a deck structure, it meets all the requirements of this paragraph of the Code: it does not obscure the building's architectural details, it has a prominent horizontal line, and it spans between pilasters/columns. The proposed addition meets this criterion.

*Paragraph C.10 – Other.*

- a. *Alley Façade.* The proposed addition is on the front of the building. This paragraph is not applicable to this project.
- b. *Visual Integrity.* The visual integrity of the existing building is maintained with this addition, which reinforces the vertical and horizontal elements of the original structure. The proposed addition meets this criterion.
- c. *Remodeling projects shall incorporate original design elements.* The detailing on the vertical elements of the original structure will be reinforced and the bases of the ground floor pilasters will be restored to something more akin to what was on the building when it was originally constructed. The horizontal sing band and cornice will also be reinforced and will be reconfigured and reinterpreted to a design element more in keeping with the period of the building's original construction. The proposed addition meets this criterion.
- d. *Parking lots.* Parking is not a part of the scope of this project. This paragraph is not applicable to this project.
- e. *Pedestrian elements should be provided where feasible.* The addition of a dek on the front of this building will have the effect of providing an awning for weather protection across the entire front of the building. The proposed addition meets this criterion.
- f. *Exclusive automotive use.* Automotive uses are not a part of the scope of this project. This paragraph is not applicable to this project.

*Paragraph C.11 – Exceptions to the Standards.* Exceptions to certain Downtown Design Standards are being requested. See additional information following.

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**Section 18.4.3 – Parking, Access and Circulation.** This Section does not apply to this project.

**Section 18.4.4 – Landscaping, Lighting and Screening.** This Section only applies for lighting. The Owner intends to install permanent lighting at the top of each balustrade along the balcony railing. These will be small fixtures only to provide minimum light levels on the balcony. The Owner intends to have custom fixtures fabricated that will be similar to the fixtures installed on the rear balcony/patio of the same building.

**Section 18.4.5 – Tree Preservation.** By all considerations the existing street trees will not survive the construction. The Owner plans to replace the existing trees, which are in poor shape with more suitable new trees at the completion of the construction project.

**Section 18.4.6 – Public Facilities.** The existing sidewalk will be removed during the construction and replaced as part of the scope of this project. Patterning will match the adjacent sidewalk patterns at either end of the property. The proposed addition meets this criterion.

**Section 18.4.7 - Signs.** No change is proposed in current signage. This paragraph is not applicable to this project.

**Section 18.4.8 – Solar Access.** This paragraph is not applicable to this project.

**Section 18.4.9 – Disc Antennas.** This paragraph is not applicable to this project.

**Section 18.4.10 – Wireless Communication Facilities.** This paragraph is not applicable to this project.

**Section 18.5.2.050 – Exception Approval Criteria.**

**A. Underlying Zone.** The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards. Nothing in this proposal will affect the underlying base zone for the property.

**B. Overlay Zones.** The proposal complies with applicable overlay zone requirements (part 18.3). See discussion above regarding the Overlay Zones that apply to this site.

**C. Site Development and Design Standards.** The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below. Please see the discussion on the Site Design Standards above in responses to criteria of Section 18.4.

**D. City Facilities.** The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property. This project will have minimal impact the city services identified above.

**E. Exception Request to the Site Development and Design Standards Sections.** The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist. 1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated

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*purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or 2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.*

The Owner is seeking an exception from the standards of Section 18.4.2.050.B.12 and Section 18.4.2.060.C.2. To paraphrase these two standards, the Code requires additions to be placed on the rear of a building, and it does not allow encroachments into the sidewalk or projections of balconies over them. I believe the Exceptions can be granted under the conditions of either (1) or (2) above.

The impetus for the Owner to undertake this improvement to the building is his desire to make this building safer. The building was extensively renovated in the 1980s, but codes have changed and much more is known about seismic forces on existing masonry structures. The building cannot be relocated; the property line cannot be moved and it is a contributing building to the historic Plaza area of Ashland, so demolition is not a viable option. That leaves reinforcing the exterior of the façade on the exterior.

The proposed system will encroach into the public right-of-way, but it will encroach at the ground level less than the existing brick pilasters that were added sometime previous to the 1980s renovation. The proposed structure will be covered with stucco and the steel section required for the reinforcement is as narrow as can be allowed given the mass of the existing building. And pilasters are being proposed, rather than columns, which also reduces the depth of structure. The proposed cornice detail (at approximately 14 feet above the sidewalk) will encroach approximately 6 inches into the public right-of-way. This is, however, above the sidewalk and is as thin as good structural engineering practice will allow. These modifications are the minimum possible. The ground level pilasters will be located where there are currently three existing pilasters, the cornice will be located where there is current a cornice, and the six upper floor pilasters will be located in the location of existing decorative pilasters.

However, there is a significant cost to this improvement. While the change is motivated by altruism, the building does meet the requirements for seismic reinforcement that were in place when the renovations were undertaken, and reinforcement is not required. To pay for this addition the Owner needs to create additional lease space in the form of a balcony on the front of the building at the third floor level. Just increasing the rent on existing spaces will not produce enough revenue to pay for this upgrade. The proposed balcony is the minimum depth possible to provide a useable (rentable) space and the length is the minimum necessary to connect all the pilasters along the second floor façade. Further, it has been designed to meet all the design requirements identified in Code Section 18 that are applicable to this Application.

Staff can find that this proposed addition meets the stated requirements of 18.5.2.050, subsection 1: there is a demonstrable difficulty in meeting the specific Design Standards due to the unique nature of the existing structure and the proposed addition, the proposed exception will not substantially negatively impact adjacent properties, the approval is consistent with the intent of the Standards, and the proposed exception is the minimum which would alleviate the difficulty.

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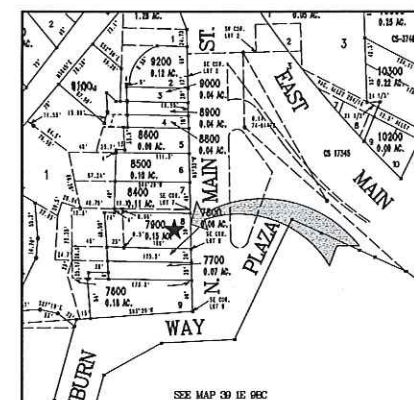
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## BUILDING CODE SUMMARY

GOVERNING AUTHORITY: City of Ashland	
<u>APPLICABLE CODES:</u>	
BUILDING :	2004 OREGON STRUCTURAL SPECIALITY CODE (IBC)
PLUMBING :	2005 OREGON STATE PLUMBING SPECIALTY CODE
MECHANICAL :	2004 OREGON STATE MECHANICAL SPECIALTY CODE
ELECTRICAL :	2005 NATIONAL ELECTRICAL CODE

CONSTRUCTION TYPE:	III-A
PARCEL NUMBER:	39-1E-09-BB TAX LOT 7900
ZONE CLASSIFICATION:	C-1
SITE AREA:	.15 ACRES
OCCUPANCY GROUP:	A
OCCUPANCY SEPARATION:	2 HOUR
SPRINKLERS:	NO
<u>ALLOWABLE AREA:</u>	
BASIC AREA (Table 503):	14,000 SF
<u>BUILDING &amp; SITE AREAS:</u>	
SITE AREA:	6,534 SF (0.15 ACRES)
BUILDING SITE COVERAGE:	5,443 SF (83%)
PAVED AREA:	1,041 SF (16%)
PAVED AREA:	50 SF (1%)
TOTAL FLOOR AREA:	10,484 SF
ADDITION:	375 SF (Footprint) 2%

 APPROXIMATE LOCATION OF EXISTING TREES TO REMAIN UNBOtherEDVICINITY  
LOCATION MAP

PROJECT LOCATION

TRAVERSA EXT. ELEVATIONS  
at  
GRANITE TAPHOUSE  
23 Main Street - Ashland, OR 97520

Approval Signature \_\_\_\_\_ Date \_\_\_\_\_

REVISIONS	BY
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DESIGN	
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OTH	PLOT DATE: 3/30/16
	PHASE:

AND  
DRAWN BY: R. M. KETCHIE

EAS SHEET:

EID SHEET:  
SITE PLAN

CHIT

**A 100**

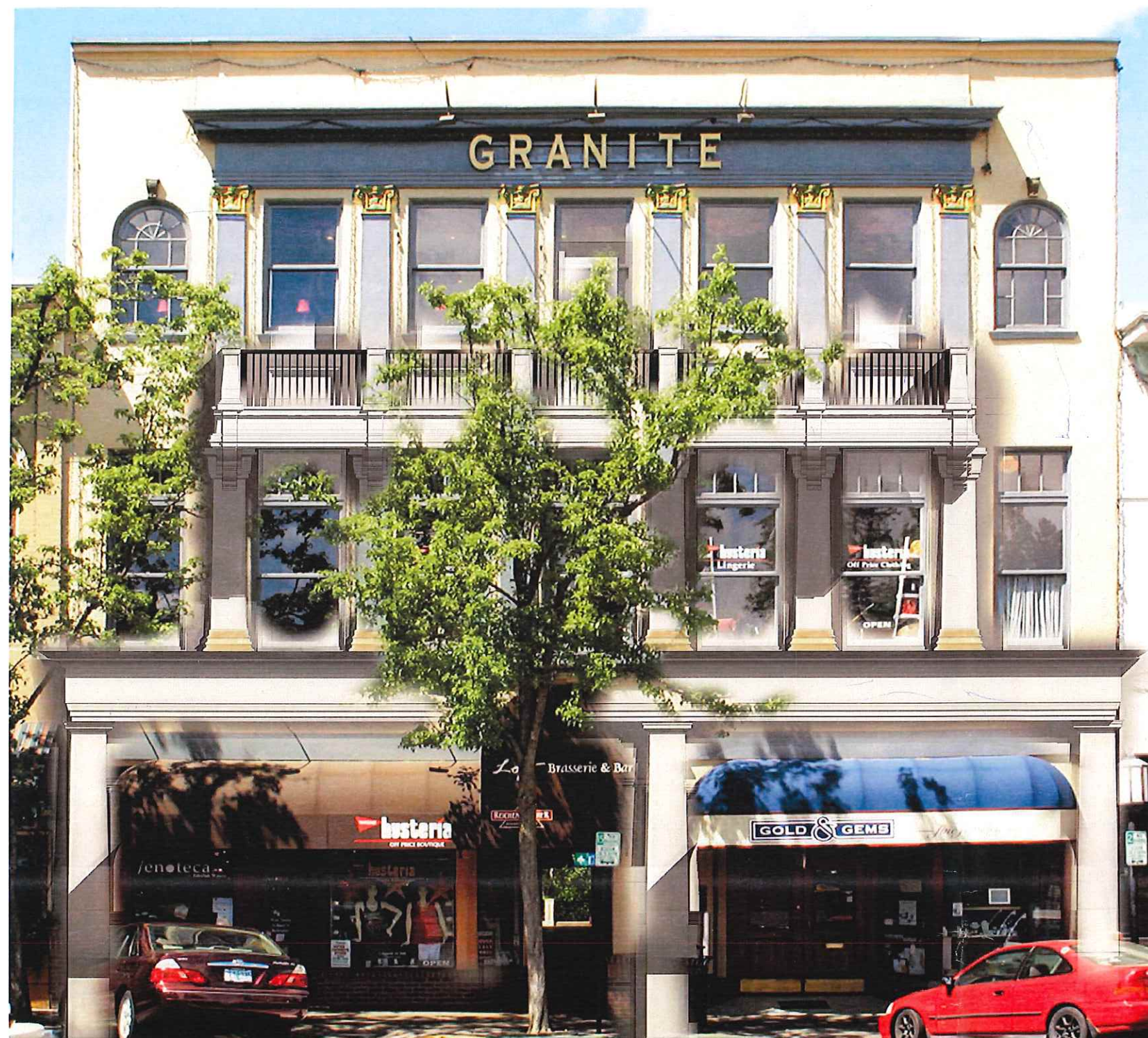
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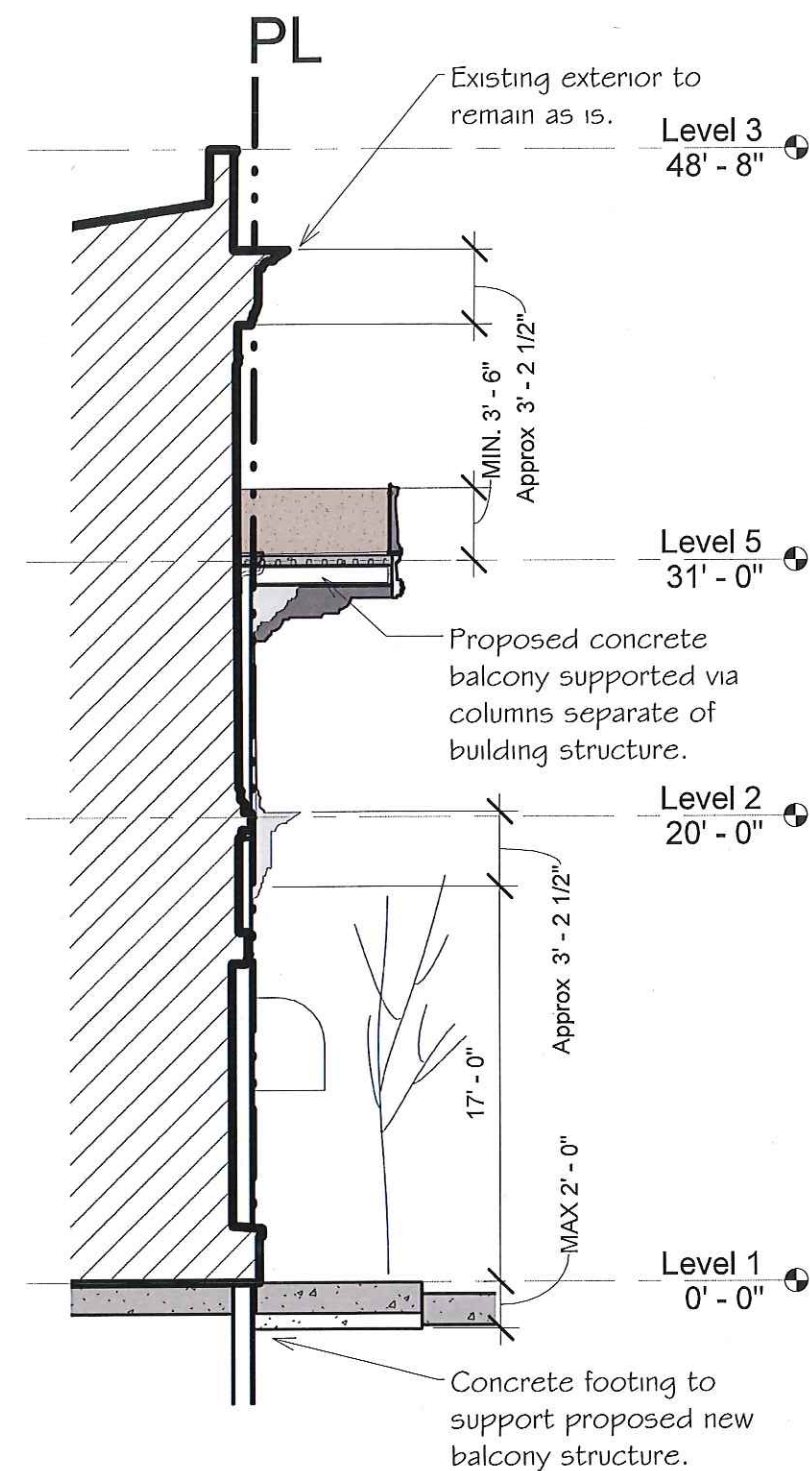
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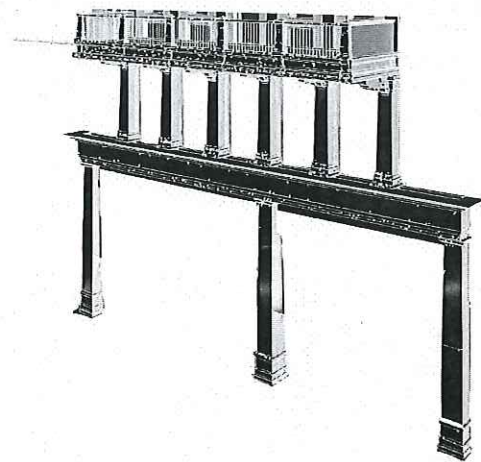
**-Conceptual Render**  
Not to Scale



Section at Proposed Balcony  
1/8" = 1'-0"



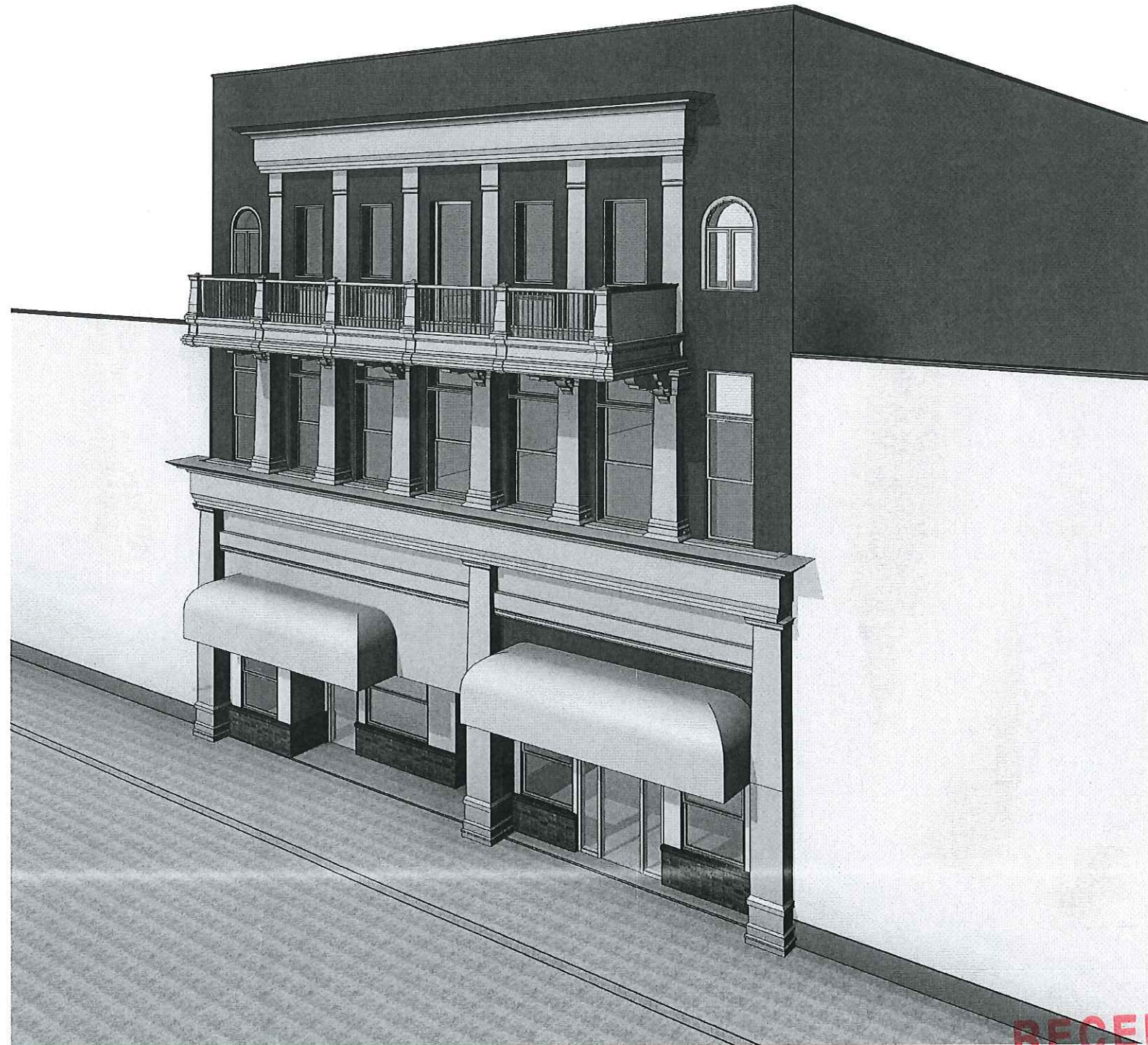
**EXISTING**



**PORPOSED ADDITION**

### 3D View 2

TO VERIFY FULL SCALE  BAR SHOULD MEASURE ONE INCH BY ONE/SIXTEENTH INCH



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at  
GRANITE TAPHOUSE  
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THIS DOCUMENT THE IDEAS AND THE DESIGN	Approval Signature		Date
	REVISIONS		BY
PLOT DATE:		05/05/15	
DRAWN BY:		Author	
SHEET			
3D-ELEVATION			

**A-103**



(E) BLUE AND GOLD MOLDED BANDS

(E) BLUE AND GOLD COLUMNS

(E) WINDOWS TO REMAIN

(P) NEW RAILING

(P) NEW BALASTER WITH CLASSIC MOLDING TO MATCH EXISTING

(P) NEW BALCONY WITH MOLDING TO MATCH EXISTING CLASSICAL PERIOD

(P) NEW COLUMN IN LINE WITH EXISTING, TO MATCH COLOR AND MATERIAL

(E) BLUE AND GOLD BAND MOLDING

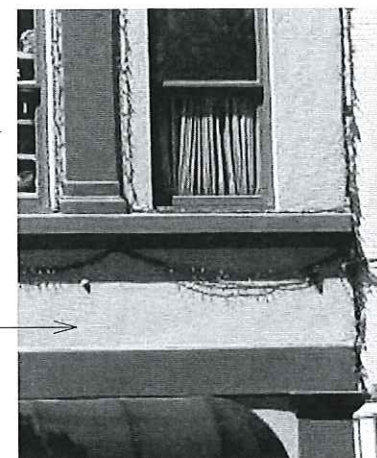
(E) TAN

(P) NEW BAND TO MATCH FACADE VERNACULAR

(P) NEW CAPITAL TO MATCH

(E) BLUE AND GOLD BAND

(P) NEW COLUMN



3D View 3

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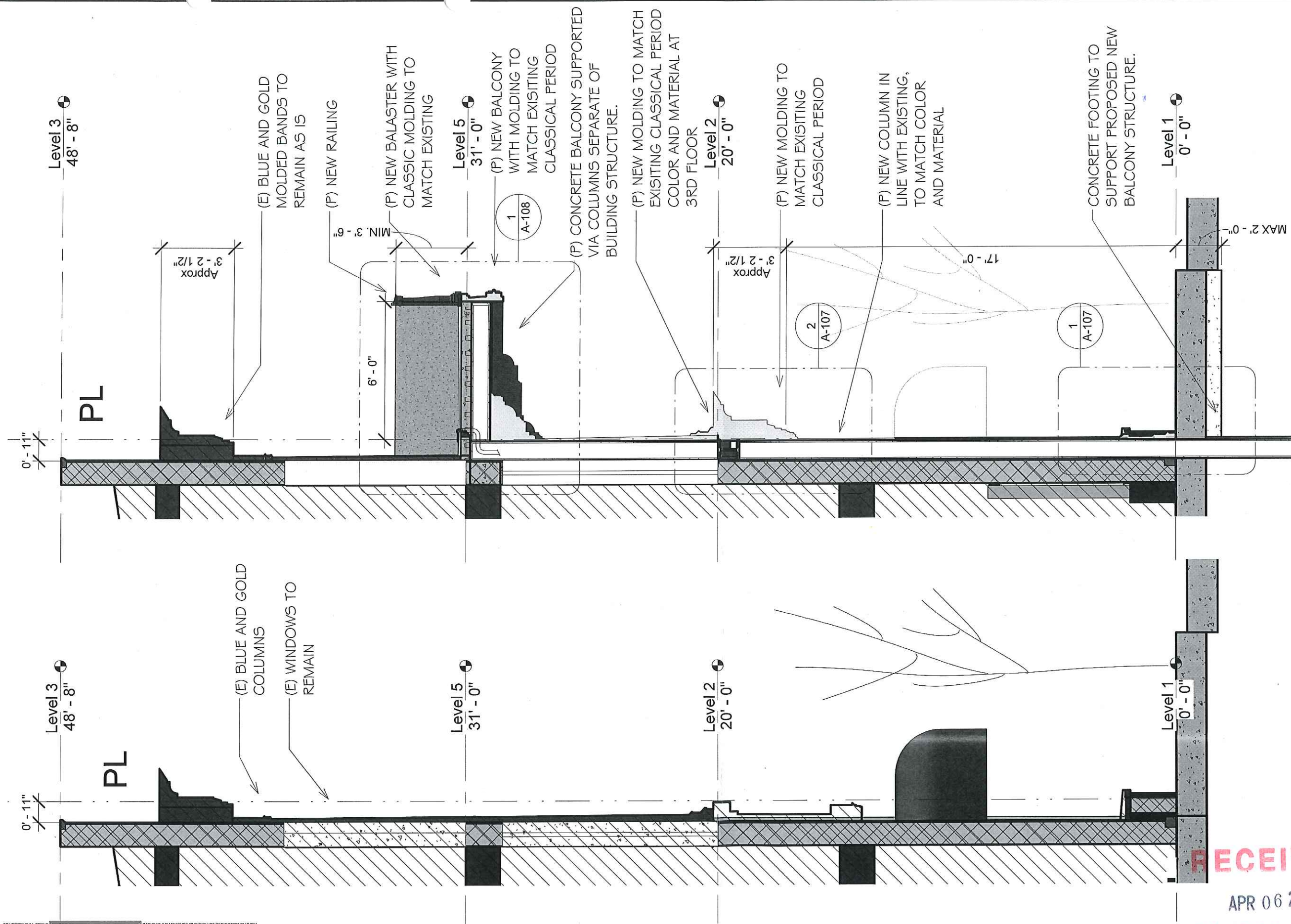
**OREGON ARCHITECTURE**  
 221 West 10th Street  
 Medford Oregon 97501  
 PH. 541 772-4372 | OREGONARCHITECTURE.BIZ

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 23 Main Street Ashland, OR 97520

Approval Signature	Date
REVISIONS	BY
PLOT DATE:	04/05/15
DRAWN BY:	P. Mokechne
SHEET	
3D-ELEVATION	

**A-104**





-Section of Existing Facade -1/4  
1/4" = 1'-0"

-Section of Proposed Balcony-1/4  
1/4" = 1'-0"

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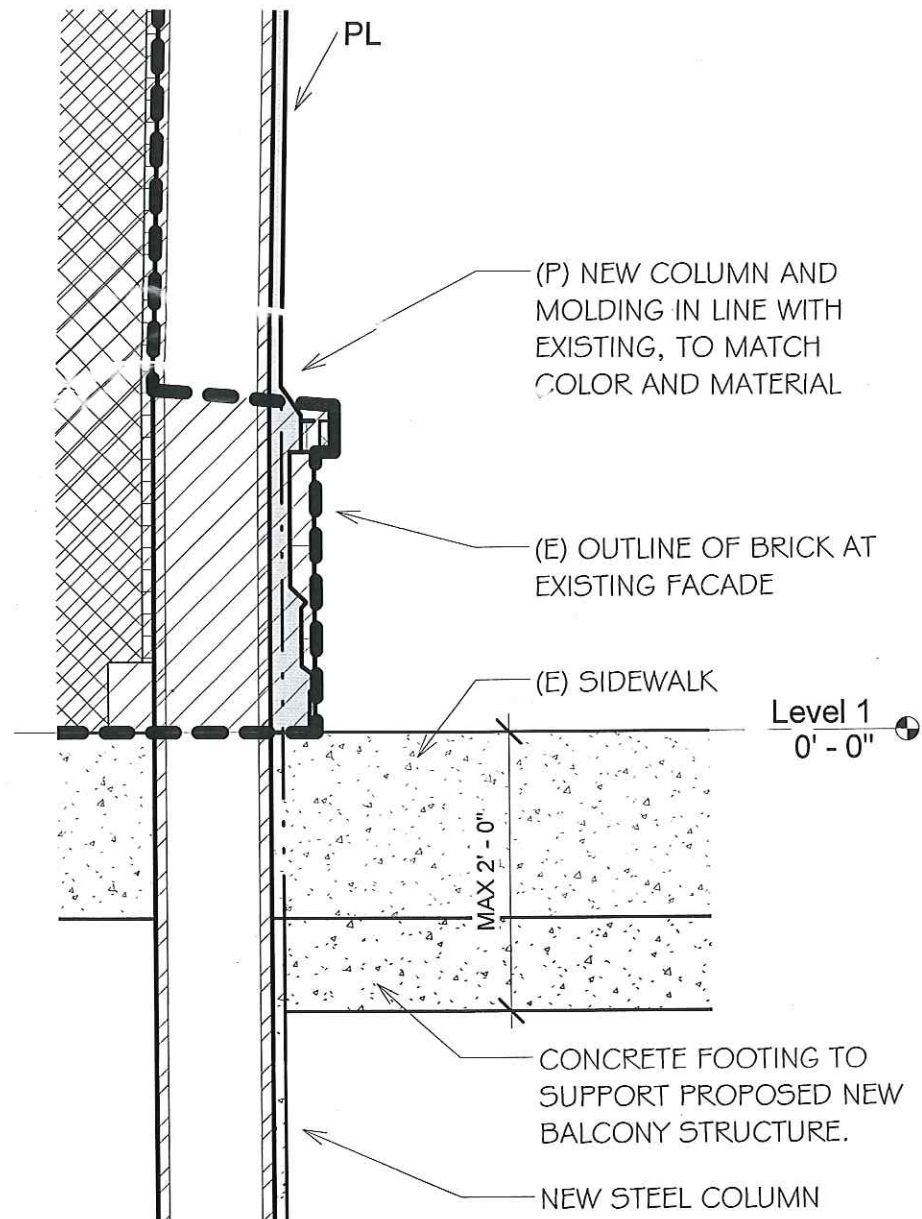
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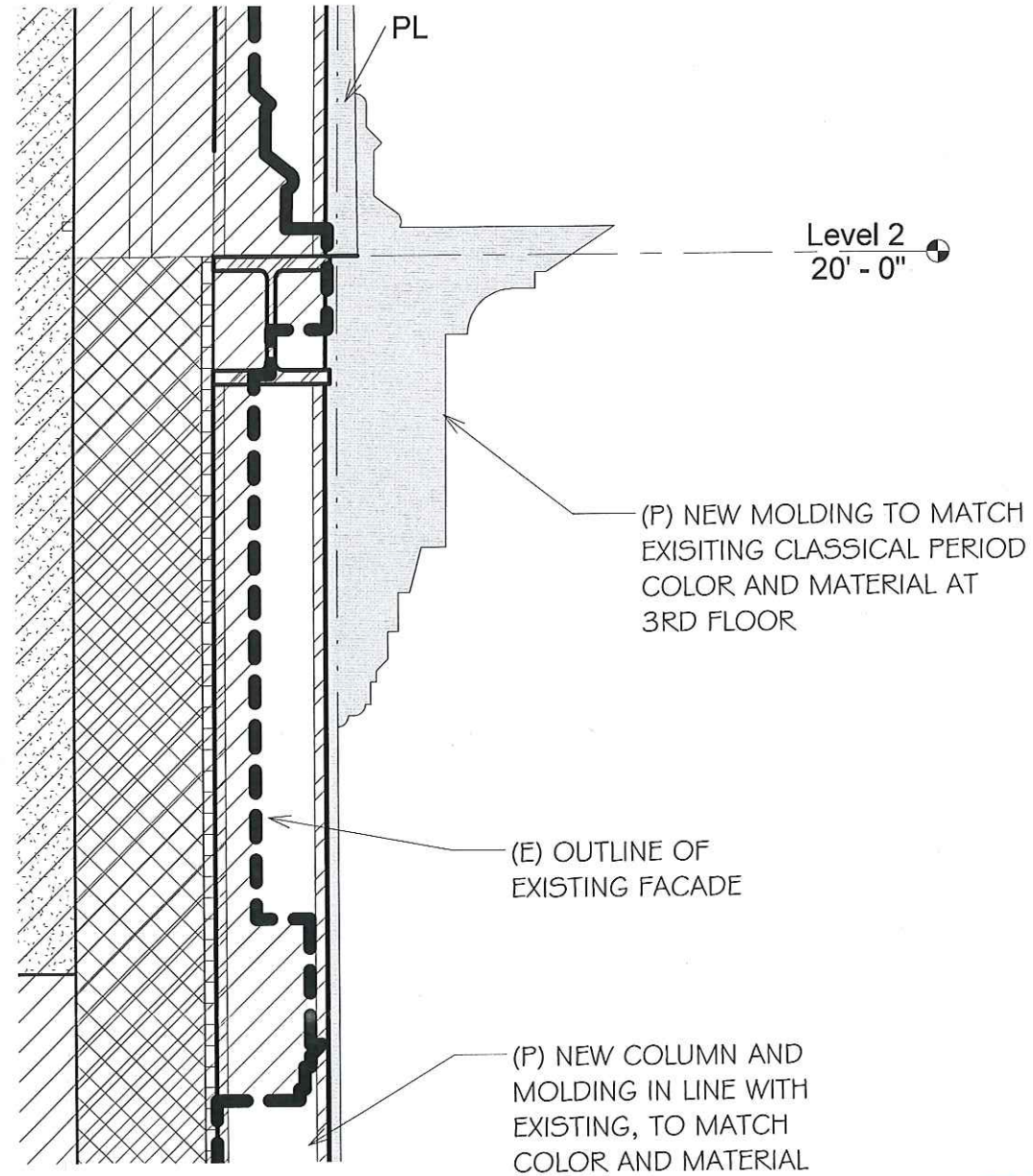
Approval Signature	Date
REVISIONS	BY

PLOT DATE: 09/29/16  
DRAWN BY: Author  
SHEET  
BEFORE / AFTER  
SECTION

A-106

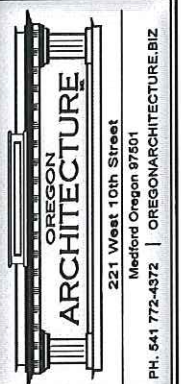


-Section of Proposed Balcony Base  
3/4" = 1'-0"



-Section of Proposed Balcony Mid  
3/4" = 1'-0"

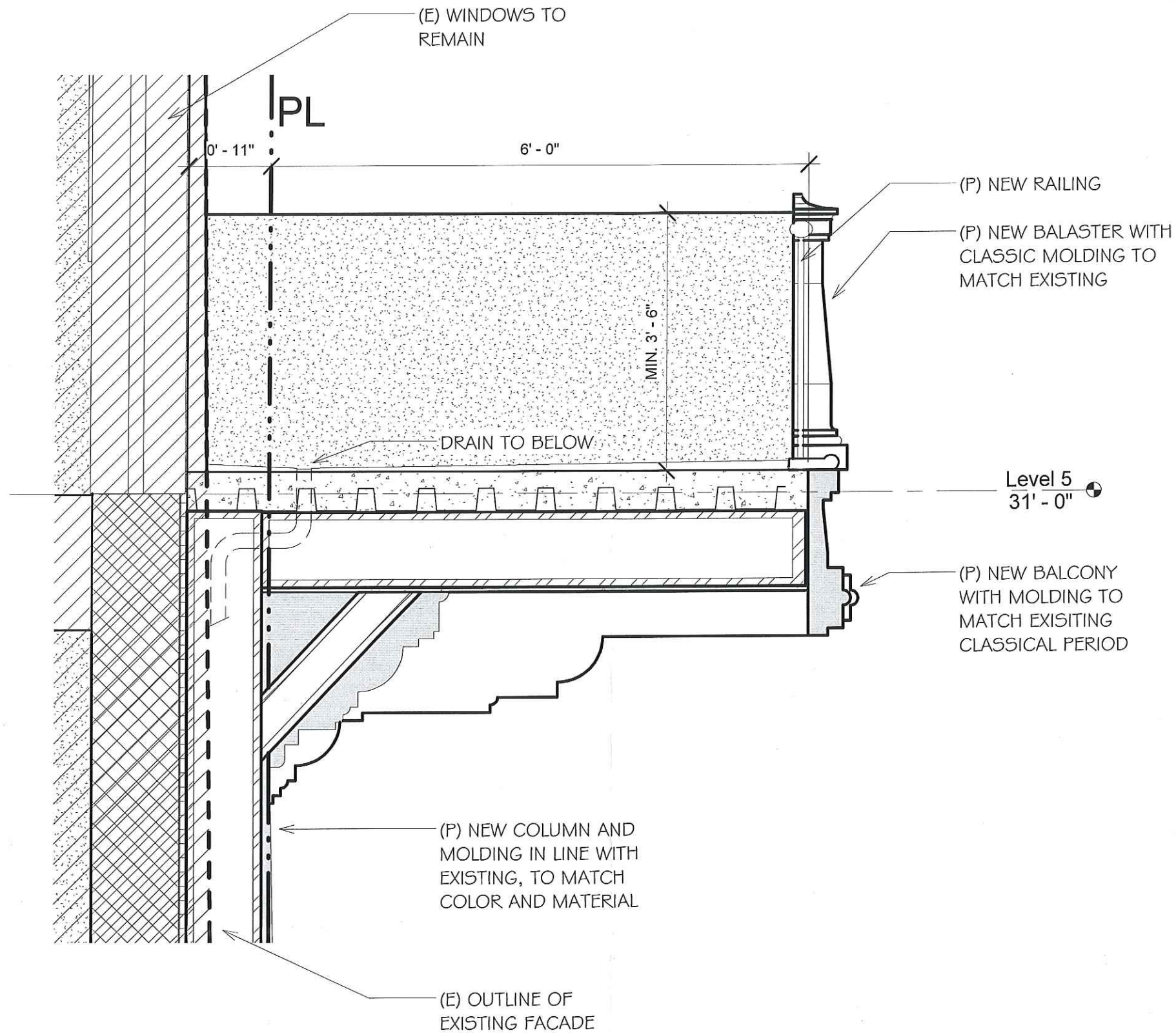
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PLOT DATE:	05/11/15
DRAWN BY:	Author
SHEET	
SECTION DETAILS	

**A-107**



-Section of Proposed Balcony Top  
3/4" = 1'-0"

TO VERIFY FULL SCALE: BAR SHOULD MEASURE ONE INCH BY ONE SIXTEENTH INCH.

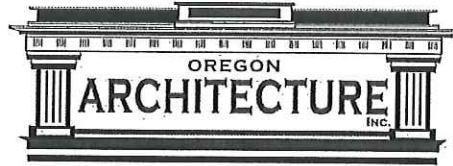
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SECTION DETAILS	

**A-108**



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January 7, 2016

**APPLICATION FOR APPROVAL OF AN EXTERIOR BALCONY ON THE MASONIC BUILDING LOCATED AT 25 NORTH MAIN STREET**

**NARRATIVE**

The Owner proposes to construct a freestanding balcony, independently supported, at the third floor level on the Plaza side of the existing Masonic Building located at 25 North Main Street. The vertical elements will encroach a couple of inches into the public Right-of-Way (in the sidewalk) and the balcony deck will be as much as 7 feet into the existing public Right-of-Way, although it will be approximately 30 feet above sidewalk grade.

To minimize the encroachment of the vertical elements some of the existing façade treatment will be modified (specifically the brick wainscot at ground level. The elements of the construction will be designed to meet City of Ashland standards for the historic district. The building itself is not listed on the National Register independent of the District. Please see the attached design drawings to see the various elements.

The Owner wishes to make this change in the interests of public safety. When the building was renovated a number of years ago not as much was known about how historic structures fared in seismic events. Now much more is known. The potential exists for the façade to crumble into the street potentially causing property and physical damage and injury other than to the building itself. This new structure will be tied to the building and act as additional bracing/reinforcing for the exterior façade.

**APPLICABLE SECTIONS OF THE LAND DEVELOPMENT CODE**

**Section 18.3.12.030** – This Section does not apply. The proposed addition is less than 10,000 sf or less than 100 feet in any direction.

**Section 18.3.12.040** – This Section does not apply. The proposed addition is less than 2,500 sf.

**Section 18.3.12.050** – This Section is applicable. See 18.4.2.050 below.

**Section 18.4.2.010** – Paragraphs B. and E. are applicable to this application. The addition of a balcony will enhance the surveillance of public spaces, provide a business environment that is safe and comfortable. This will also be high quality development that will add to the richness of the streetscape and the distinctiveness of Ashland.

**Section 18.4.2.020** – This paragraph is applicable.

**Section 18.4.2.030** – This Paragraph does not apply.

**Section 18.4.2.040** – Of this Paragraph, only sub-Paragraphs C.1.d, C.1.e, C.1.f and C.4 apply. This addition will provide additional changes in mass and surface configuration; it is in-fill construction and it will provide additional cover over the sidewalk for pedestrians. The proposed addition will utilize column bases, fenestration and other architectural elements to enhance the appearance of this addition.

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**Section 18.4.2.050** – Of this Paragraph only sub-Paragraphs B.7, B.8, B.9 and B.11 apply. For B.7 the rhythm of the existing third floor windows has been repeated in the use of the balusters along the balcony edge. For B.8 Column bases are utilized at the sidewalk level. Also the balusters utilize the same column design. The existing cornice at the first floor level above the existing storefronts will be replicated to conceal horizontal steel. For B.9 the form of the addition is compatible with adjacent structures. For B.11 the detailing of the new work is intended to complement the existing decorative elements on the building.

**Section 18.4.2.060** – Of this Paragraph only sub-Paragraphs C.2, C.3, C.5, C.6, C.8, and C.11 apply. The balcony cannot run from property line to property line because of Building Code limitations, although the supporting structure does run to the edges of the property. Horizontal and vertical rhythms of the proposed structure are in keeping with similar rhythms found along the Main Street frontage. The primary finish material for the proposed structure is stucco, which is in keeping with the requirements of this Paragraph. An Exception is requested, as provided in C.11 because this project does not meet the requirements of C.2. See below.

**Section 18.4.3** - This Section does not apply.

**Section 18.4.4** - This Section only applies for lighting. The Owner intends to install permanent lighting at the top of each balustrade along the balcony railing. These will be small fixtures only to provide minimum light levels on the balcony. The Owner intend to have custom fixtures fabricated that will be similar to the fixtures installed on the rear balcony/patio of the same building.

**Section 18.4.5** - This Section does not apply.

**Section 18.4.6** - This Section does not apply.

**Section 18.4.7** - This Section does not apply. No change is proposed in current signage.

**Section 18.4.8** - This Section does not apply.

**Section 18.4.9** - This Section does not apply.

**Section 18.4.10** - This Section does not apply.

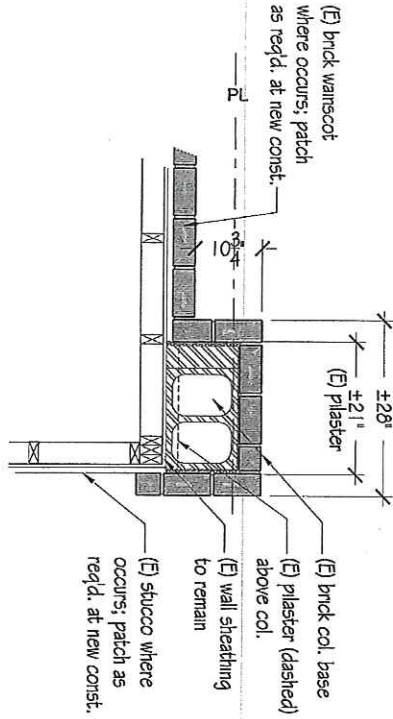
**Section 18.5.2.050** – Approval Criteria for an Exception. Section 18.4.2.060.C.2 does not allow projections over the public Right-of-Way (which is allowed under the Building Code, under certain conditions). The Owner is seeking an exception to this standard. The proposal meets all the other criteria for development, the property is correctly zoned for the existing and proposed uses, and all other conditions have been met. Under Section 18.5.2.050.E, an exception can be granted if there is demonstrated difficulty in meeting the design standards.

The impetus for this improvement to the building is to meet the seismic requirements of the current Oregon Structural Specialty Code (Building Code) on an existing historic building. The building cannot be relocated, the property line cannot be moved. To reinforce the façade an exterior system needs to be employed, which encroaches into the public way. The exception will allow the façade of the building to be reinforced, and will provide a better design solution than a strict adherence to the Municipal Code would allow.

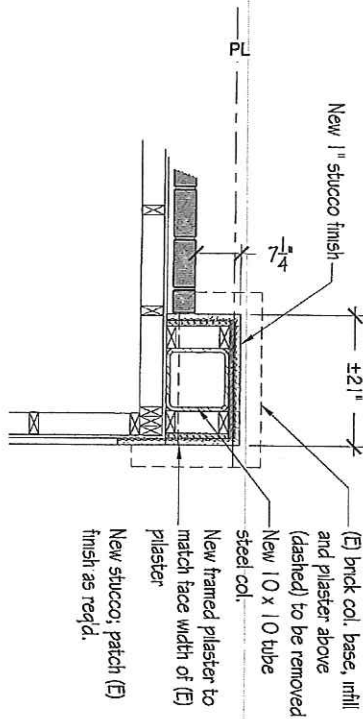
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EXISTING BRICK COLUMN BASE  
SCALE: 1/8" = 1'-0"



PROPOSED STUCCO PLASTER  
SCALE: 1/8" = 1'-0"

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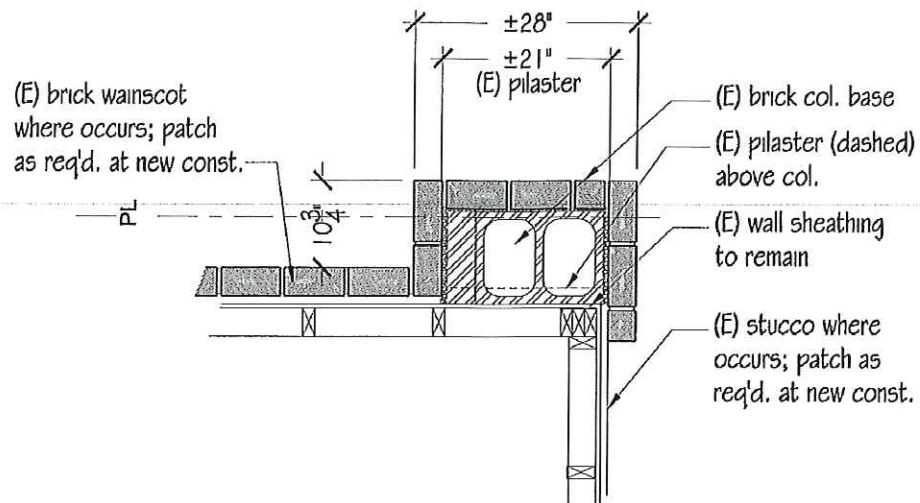
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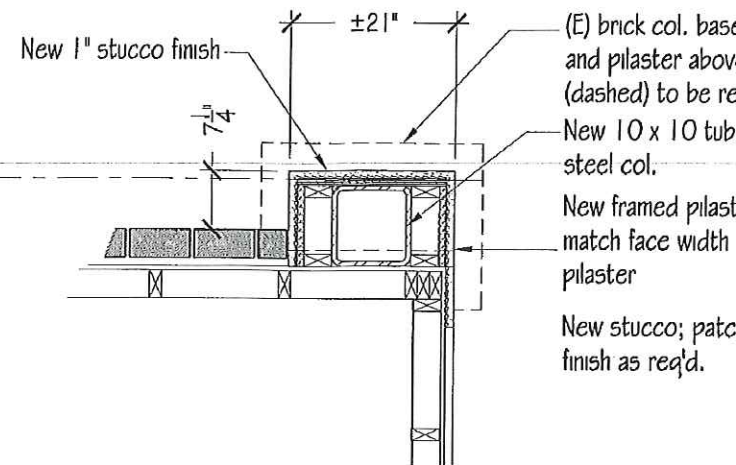
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BY	ASH
CHECKED BY	ASH
APPROVED BY	ASH
DATE	2/3/16
BY	ASH
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APPROVED BY	ASH
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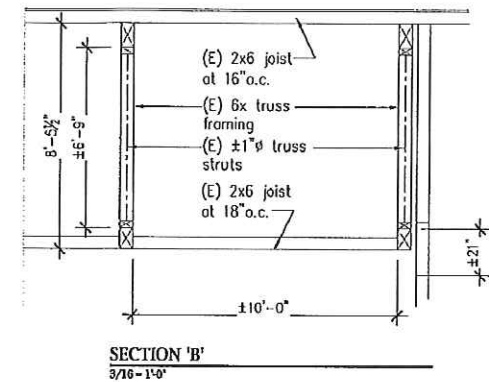
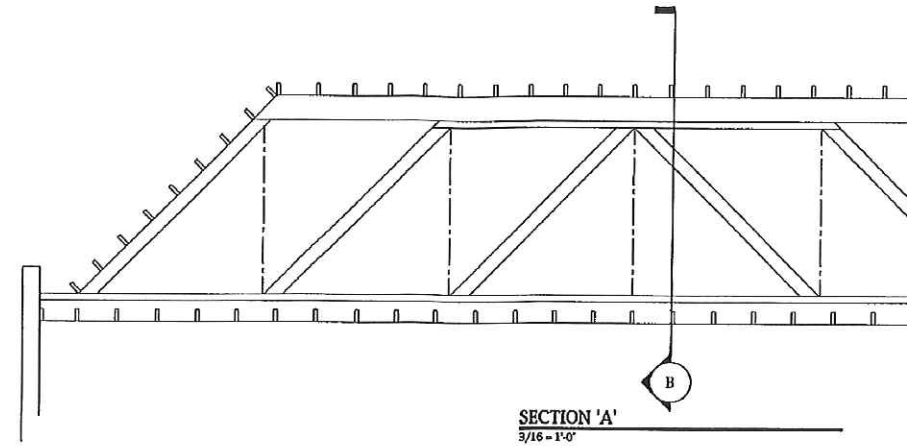
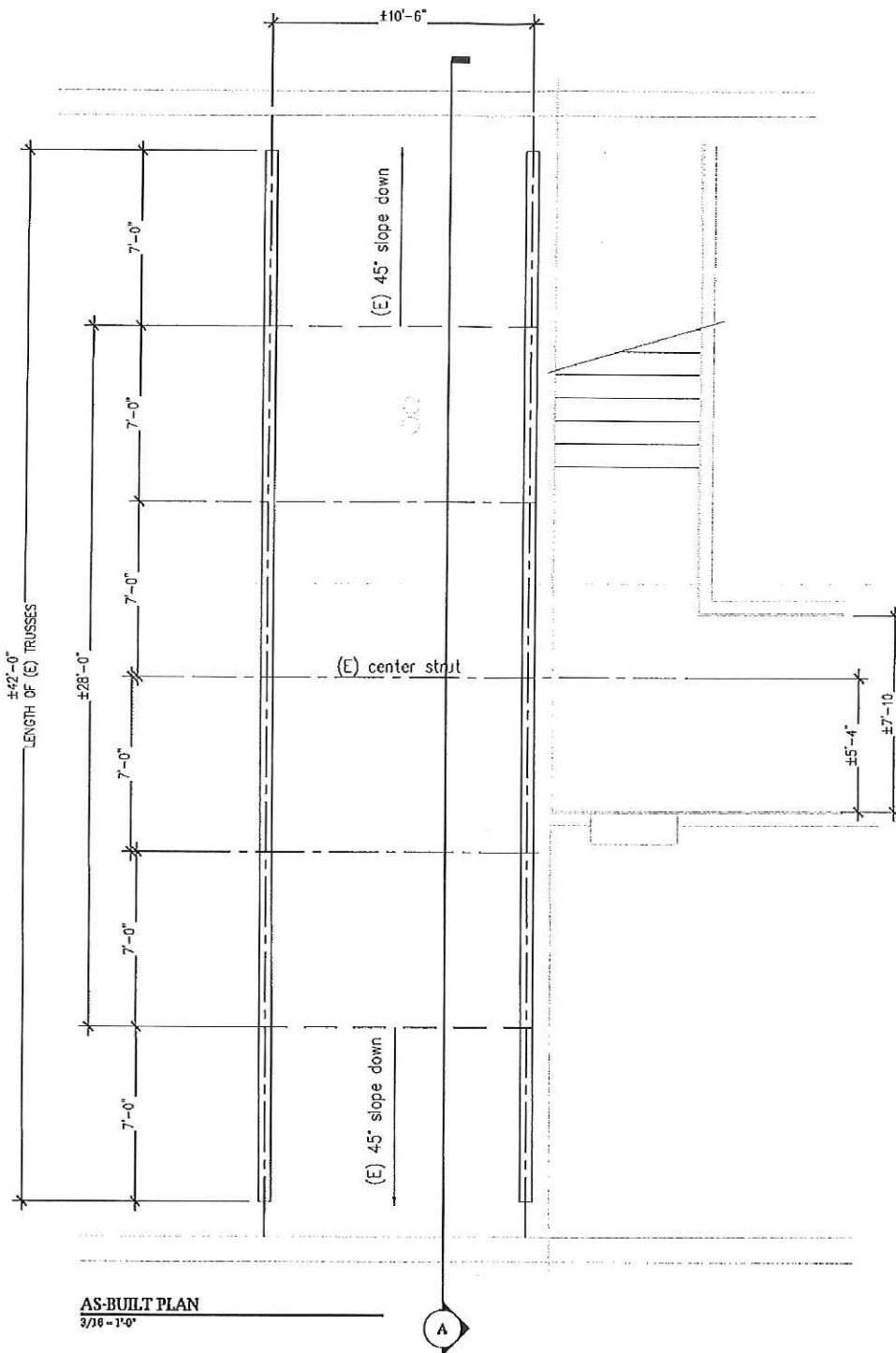
EXISTING BRICK COLUMN BASE

SCALE: 1 1/2" = 1'-0"



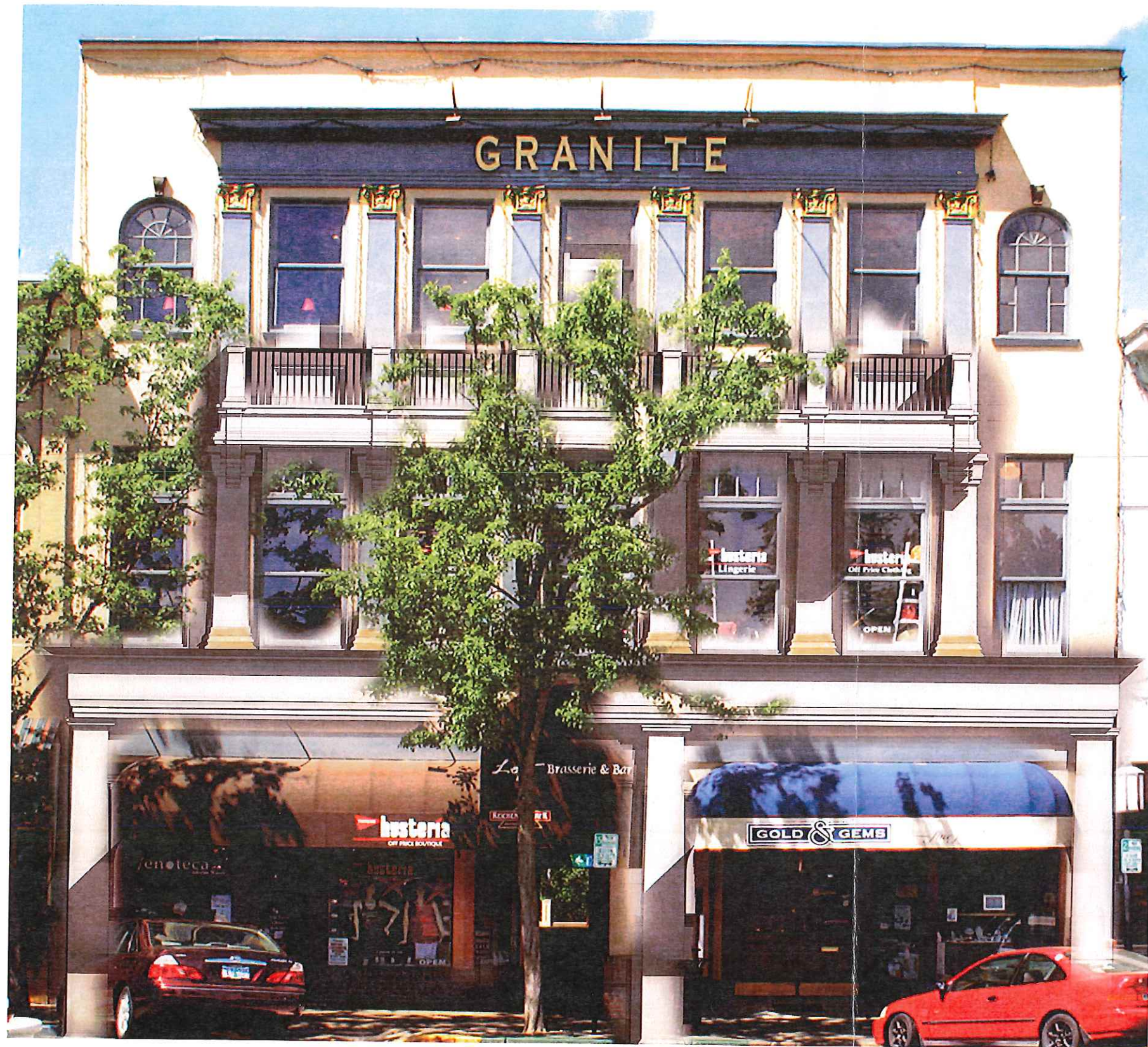
PROPOSED STUCCO PILASTER

SCALE: 1 1/2" = 1'-0"

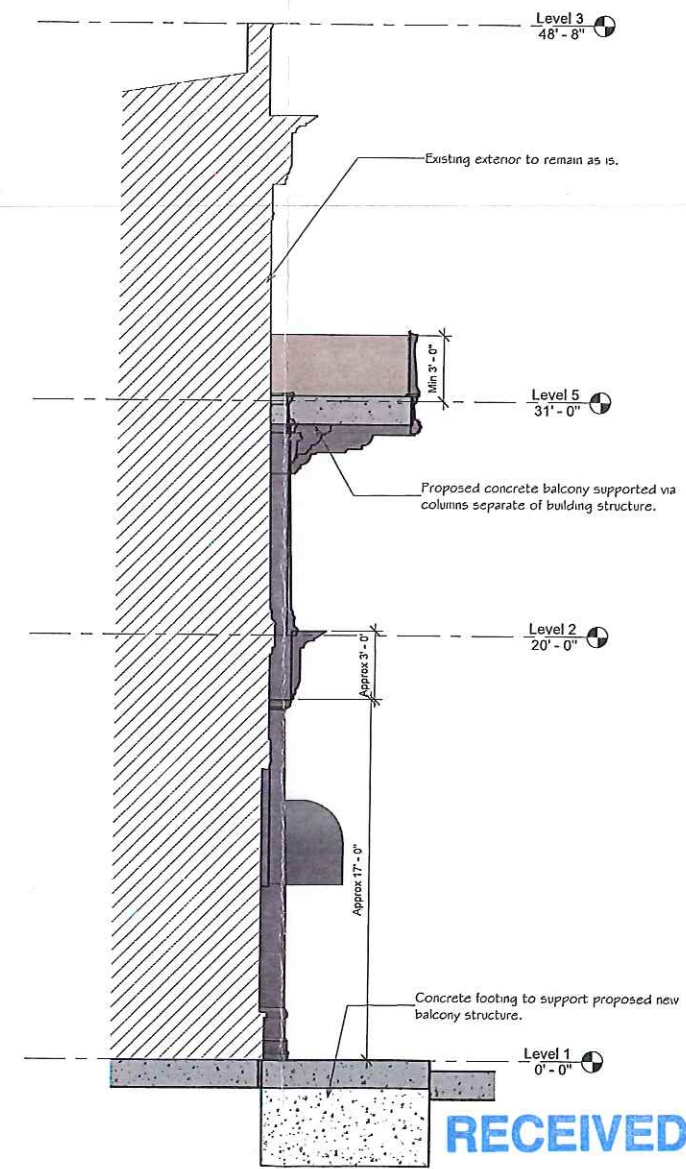


# AS-BUILT FOR 3RD FLOOR ATTIC MASONIC BUILDING

22 JANUARY 2016



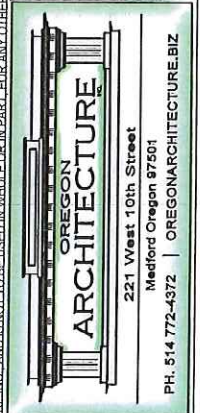
② Conceptual Render  
Not to Scale



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Approval Signature Date

REVISIONS BY

PLOT DATE:

DRAWN BY: P. McKechnie  
SHEET

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① North  
1:30



Level 1  
0' - 0"

Level 2  
20' - 0"

Level 5  
31' - 0"

Level 3  
48' - 8"

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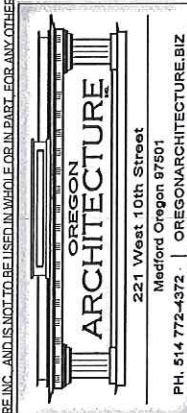
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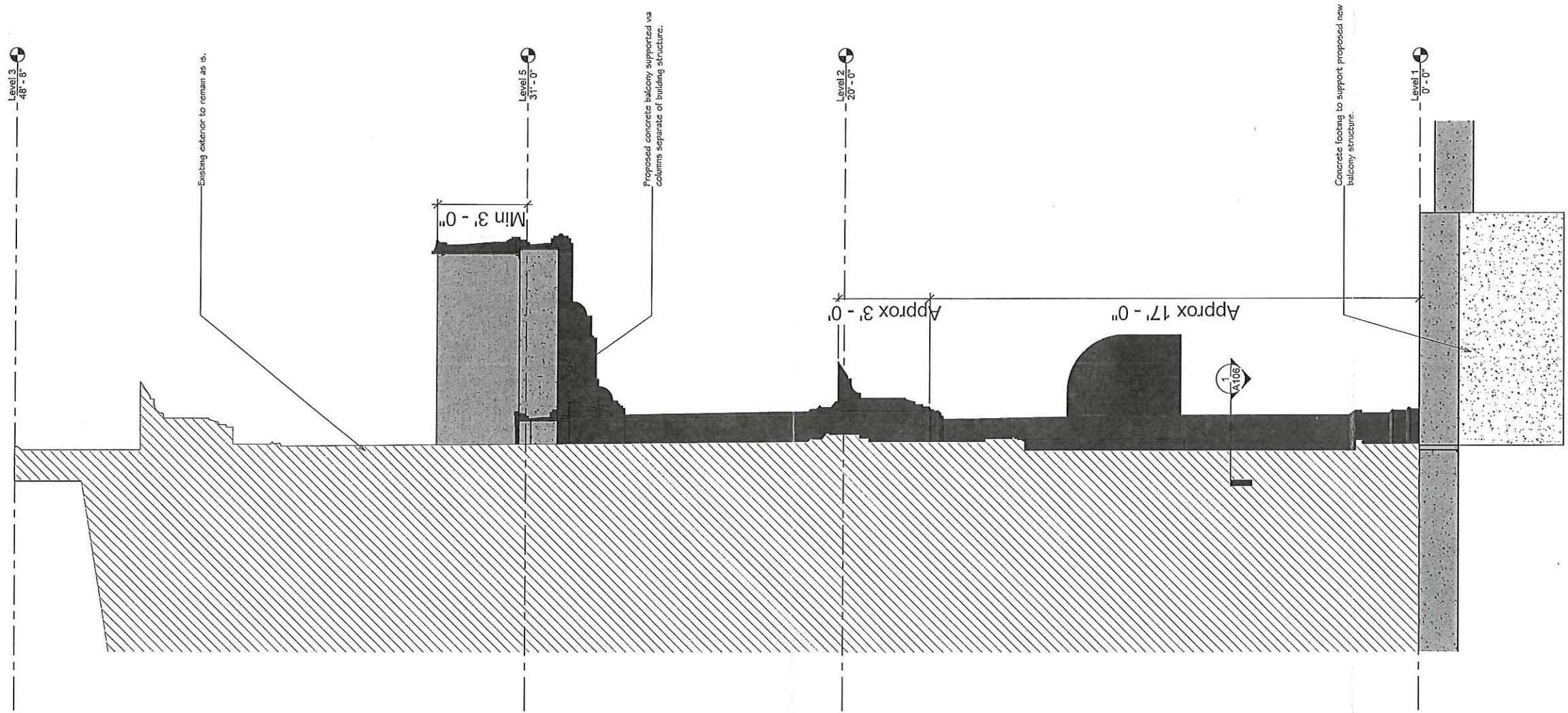
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1 Section 1 -  
1" = 4'-0"

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**FEB 03 2016**  
**City of Ashland**

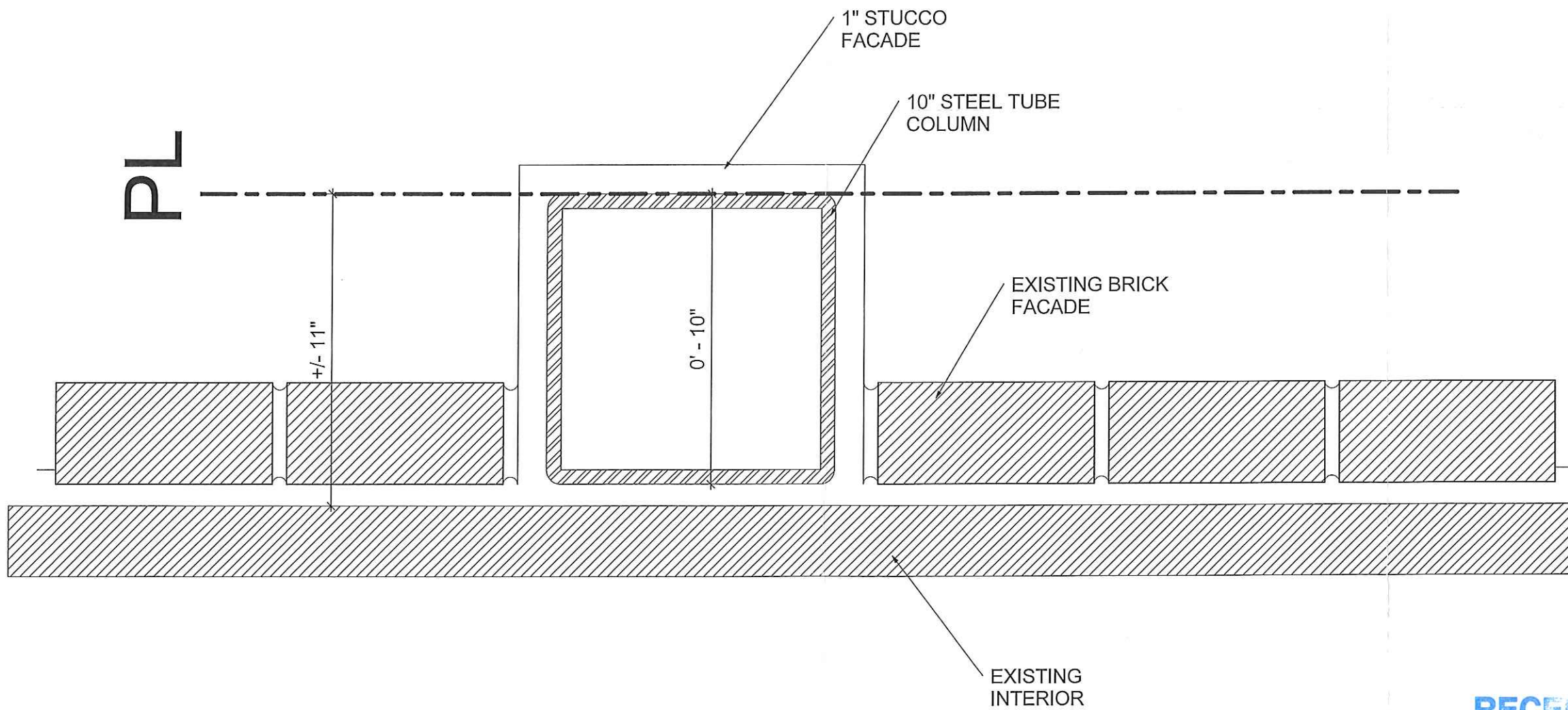
**OREGON ARCHITECTURE**  
221 West 10th Street  
Medford Oregon 97501  
PH. 514 772-4372 | OREGONARCHITECTURE.BIZ

**Traversa Ext. Elevations**  
23 North Main Street, Ashland,  
OR 97520

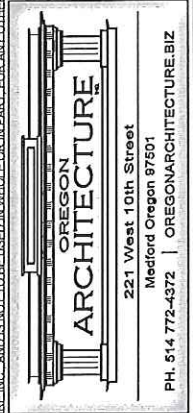
Approval Signature	Date
REVISIONS	BY
PLOT DATE:	
DRAWN BY:	Author
SHEET	

**A105**

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Traversa Ext. Elevation

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OR 97520

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Approval Signature Date  
REVISIONS BY

PLOT DATE:

DRAWN BY: Author  
SHEET  
Unnamed

A106

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of sustainability. To go about rashly installing hundreds upon hundreds of houses not based on sustainable practices seemed very contrary. He was thinking of getting a license to handle Glyphosate to spray noxious weeds the City and surrounding towns were responsible for allowing to grow.

### **CONSENT AGENDA**

- 1. Minutes of boards, commissions, and committees**
- 2. Appointment of George Schoen to the Airport Commission**
- 3. Contingent approval of an airspace license for Plaza Condo Unit Owners Association, Inc.**

Councilor Voisin pulled Consent Agenda item #3 for discussion. City Administrator Dave Kanner clarified the airspace license was contingent upon the property owner getting all the land use requirements and approvals and included review by both the Planning and Historic Commissions. The applicant was asking for proof the City would enter into a license agreement once they secured all the required permits.

Council would not review the project unless it came before them as an appeal. Mr. Kanner did not know of any codified criteria for airspace. The City had granted an airspace license to the balcony in front of Martino's restaurant.

An airspace license allowed a property owner to build a projection from a building over a public right of way. The license protected the City from liability. Granting a license was not a land use action and did not involve the Planning Commission or the Historic Commission. Only Council could grant a license. City Attorney Dave Lohman explained the definition of license in this situation was giving someone written permission. Mr. Kanner further clarified the license was not a land use matter. The construction of the balcony on the front of the building was a land use matter. A citizen could object to the balcony through the Planning Commission and Historic Commission. The property owner wanted to do this project to make the building seismically sound. The proposed balcony was part of the seismic remodel. The owner would not be able to do the seismic upgrade without building the balcony.

### **Councilor Morris/Marsh m/s to approve Consent Agenda item #3.**

**DISCUSSION:** Councilor Morris explained the license had nothing to do with historic standards or trees in front of the building. It was permission to use airspace. The Planning Commission and Historic Commission would review the application, and if the design standards did not meet the downtown design, they would deny the project. He did not see a problem with the request. Councilor Marsh was confident the application would receive careful review as it went through the regular City process. Councilor Voisin asked if the application would go to the Tree Commission. Mr. Kanner did not think removal of street trees was part of the land use application. Mr. Lohman reiterated the project involved changes to the structure of the front of building. One piece of the project was use of airspace for the balcony. The entire project would go before the Planning Commission and the Historic Commission. If there were decisions that effected trees, it would go to the Tree Commission as well. Staff wrote the license as a contract. Councilor Seffinger wanted to know if the approval process for the

project would consider the balcony causing shadows on the property below the airspace. Mr. Lohman thought the Planning Commission would review shadows. With the exception of blocking solar rays, the City did not have a provision in the code that restricted casting a shadow on a neighbor's property. **Roll Call Vote: Councilor Voisin, Morris, Seffinger, Rosenthal, and Marsh, YES. Motion passed.**

**Councilor Rosenthal/Voisin m/s to approve Consent Agenda items #1 and #2. Voice Vote: all AYES. Motion passed.**

**PUBLIC HEARINGS** (None)

**UNFINISHED BUSINESS** (None)

**NEW AND MISCELLANEOUS BUSINESS**

**1. Plastic bag ban – one-year review**

Management Analyst Adam Hanks and Conservation Commission Chair Mark Weir provided history on the plastic ban. The goal was eliminate plastic bags in Ashland and reduce the usage of paper bags. The ordinance had three primary components. It banned plastic bags at business retail checkouts, requested businesses use a minimum of 40% recycled content in paper bags, and required businesses to charge .10-cents for each paper bag used at check out.

City staff and the Conservation Commission put together three surveys and questionnaires. Results indicated a general acceptance of the plastic bag ban but tended not to support the .10-cent fee. Grocery stores did not experience a negative impact to their businesses and noted a significant reduction in their paper bag stocks after the ordinance went into effect. The Open City Hall survey responses showed a strong acceptance of the ban and the .10-cent fee.

Chair Weir noted charging the .10-cent fee for paper bags was a problem with some retail businesses. Manufacturing 1,000 paper bags resulted in 2,112 gigajoules of additional energy that equated to approximately 58,000-kilowatt hours or providing power to eleven homes. Additionally, 1,000 paper bags used 3,600 liters of water to produce. That was the reason the Conservation Commission recommended a .25-cent fee. The Chamber of Commerce requested removing the .10-cent on small paper bags.

Mayor Stromberg explained the executive director of the Chamber of Commerce contacted him earlier and had learned that some of the positions stated in the information before Council did not accurately represent some of their members. The executive director wanted to revise the information and submit it later.

Chair Weir continued and explained the Conservation Commission recommended retaining the .10-cent fee and reevaluating changes later with the understanding that every 1,000-paper bags made created a significant environmental impact. The Commission was concerned a transition from plastic bags to paper bags would result in an increased environmental impact. Paper bags were five times more energy intensive than plastic bags, had three times more carbon emissions

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section Number: 7 Page: 26

Ashland Downtown Historic District, Ashland, OR

The new bank building will be the handsomest business house in Ashland. The front of the first story will consist of ironwork and plate glass in large single panes, for the windows and the doors. The upper story will be nicely ornamented also. (*Tidings*, 2-Apr-1884)

The completed building cost an estimated \$6,800. As constructed, the bank was a two-story brick volume with highly detailed window surrounds on the three-part second floor and heavy projecting cornice band and a traditional recessed entryway. Historic photos in the pre-WWI era show the building essentially as built, with a vertically mounted projecting sign over the door. In 1914 the bank became the U. S. National Bank of Ashland and in 1939 the operation was consolidated into First National of Portland and this location was closed. In 1948 the upper floor was in use as an apartment and the store front was vacant according to the city directory. Historic images show the storefront modified with large aluminum-framed glazing by the early 1950s. At some later point this was removed in favor of the present split-faced stone and horizontal wood siding of the present storefront design. A series of leased uses, such as Laurentide Finance Corporation in 1964, have occupied the first floor. Today, as for many years, a children's bookstore is located in the space.

Although the first floor storefront of the Bank of Ashland Building, as currently configured, bears little connection to the building's original design, the upper story retains a high degree of integrity in all aspects, relating the building original character and its association with the prominent Bank of Ashland. The Bank of Ashland Building retains sufficient integrity to relate its historic period of development and the associations for which it is significant.

**ID# 24.0** *Survey #275,*

**ASHLAND MASONIC LODGE BUILDING**

**25 MAIN ST N**

**Architect: Clark, Frank Chamberlain**

**Historic Period: Colonial**

**1879/1929**

**391E09BB 7900**

**Builder: Marsh, L. S. P. (Stuart, R. I.)**

**Primary Contributing [NR-Listed]**

The lower two stories of this large three-story masonry volume were built following the major fire of March 1879 that destroyed most of the Plaza's buildings. In August 1879 noted contractor L.S.P. Marsh (builder of the Jacksonville Courthouse), was on hand as the cornerstone was laid for the new Lodge building, which historic images reveal as an elegant volume with closely spaced arched windows and storefront openings below a pedimented cornice. In 1909 a rear addition and substantially remodeling was built by R. I. Stuart from designs by Frank Chamberlain Clark.

The second floor plans call for a large main lodge room, 58' x 36', with a commodious banquet room...In addition, more room is provided for anterooms, etc.

United States Department of the Interior  
National Park Service

## National Register of Historic Places Continuation Sheet

Section Number: 7 Page: 27

Ashland Downtown Historic District, Ashland, OR

The expenditure required under the building plan to carried out cost from \$8,000 to \$10,000....(*Tidings*, 11-Nov-1909, 1:4)

In 1913 the two storefronts were modernized, with large plate glass windows below heavy prismatic-glass transom bands as twin recesses flanking a central stairwell door that lead to the upper, lodge-related, use. (*Tidings*, 25-August-1913) In 1929 the lodge was again expanded, with the addition of a third floor over the original volume. Again designed by architect Clark, this remodeling unified the facade and in large measure resulted in the present stucco-clad exterior with rectangular window openings and a modest cornice line. Construction was completed by late 1928.

In 1928 the storefronts were leased to both the Plaza Café and the Ashland branch of the post office, both long-term tenants in the building. The Plaza Café substantially remodeled its portion at the north of the first floor in 1950, installing a large neon sign over the transom band and installing a coursed stone veneer. (*Tidings*, 12-May-1950) The post office moved from its site on south of the first floor in 1954. (See Site ID #73.00) Other changes to the south bay resulted in the present glass block and stone exterior. The Plaza Café space was remodeled by the present jewelry shop in the late 1990s.

The Ashland Masonic Lodge Building represents a series of additions, remodeling and alteration that effectively mirror of the history of that fraternal organization. The building retains high integrity and effectively relates its historic period of development. The Ashland Masonic Lodge Building was individually listed on the National Register of Historic Places in 1992.

### ID# 25.0 Survey #276

**ASHLAND IMPROVEMENT COMPANY BUILDING**

**27-29 MAIN ST N**

**Architect: Clark, Frank Chamberlain**

**Historic Period: Classical [Greek & Roman]**

**1904**

**391E09BB 8400**

**Builder: Veghte, Charles**

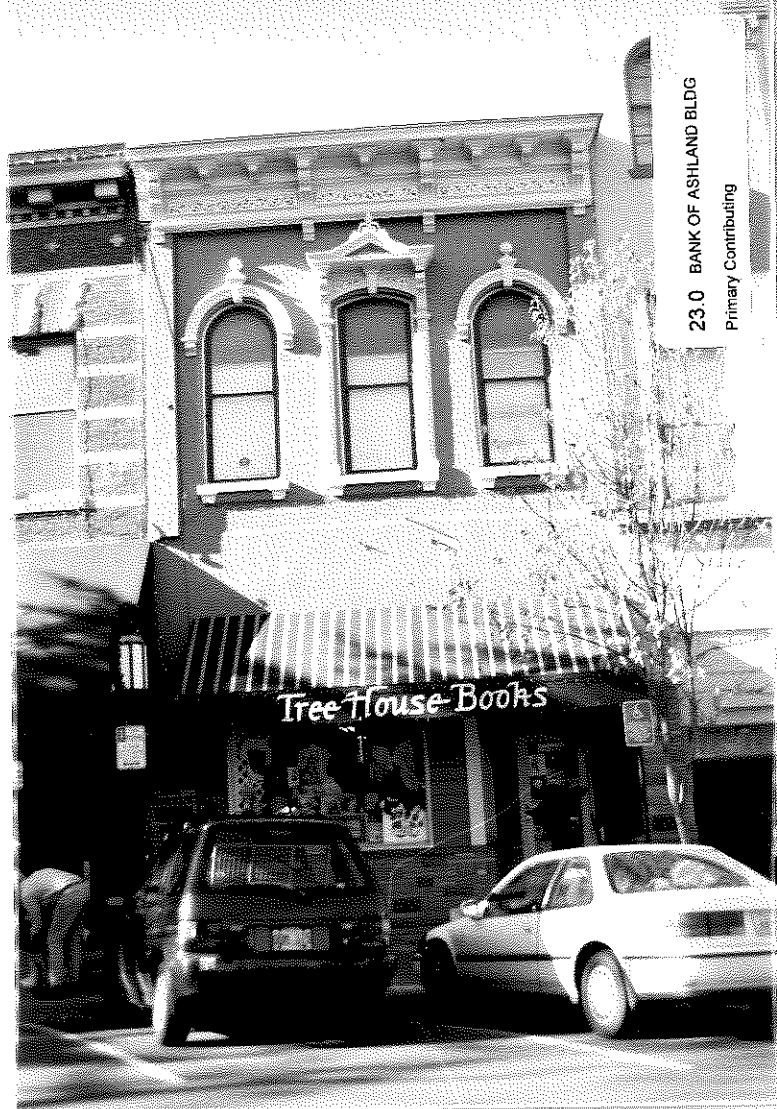
**Primary Contributing**

Built by contractor Charles Veghte in 1904 from designs by architect Frank Chamberlain Clark, the Ashland Improvement Company Building is a two story brick building with elaborate surface detailing on the second floor facade and a heavy projecting cornice band. The developer, the Ashland Improvement Company, was headed by successful businessman and civic leader Gwin S. Butler.

There are rumors of a new modern two story brick business block on the Atkinson estate lots on Main street, to be connected with the Masonic and McCall bricks, having a frontage of 40 feet...the new block will cost in the neighborhood of \$10,000. (*Tidings*, 31-March-1904, 3:2)



22.0 BANK OF ASHLAND EXTN BLDG  
Primary Contributing



23.0 BANK OF ASHLAND BLDG  
Primary Contributing



24.0 ASHLAND MASONIC BLDG  
Primary Contributing [NR-Listed]



**Exterior Elevation**  
1/4" = 1'-0"

19990225 BS08-el\_S4.dwg  
© COPYRIGHT 1998 ARCHITECTURAL DESIGN WORKS

Synthetic Plaster

Brick

Ceramic Tile

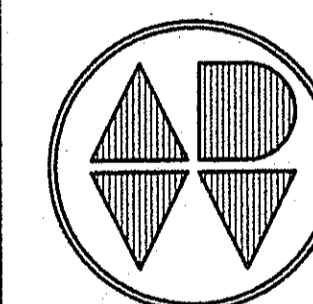
Alum. Windows

Exg. Window Trim

Rear Awning

**Old Masonic Building**

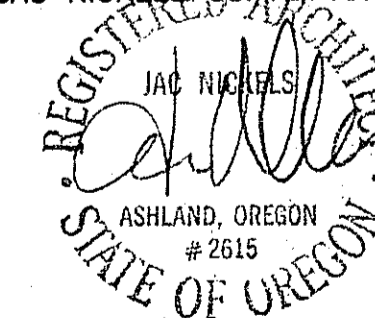
ASHLAND, OREGON



**Architectural Design Works**

1105 Siskiyou Blvd  
P. O. Box 1348  
Ashland, Oregon 97520  
(541)488-0719

DAVID RICHARDSON AIA ARCHITECT  
JAC NICKELS DSI AIA ARCHITECT



Consultants

Sheet Title • Exterior Elevation

Date 02/20/99 Drawn JR

Job No. BS08 96 Checked WDR

Revisions  
01 00/00/98

01 OF 03



**PLANNING ACTION:** PA-2016-00230

**SUBJECT PROPERTY:** 188 Garfield Street

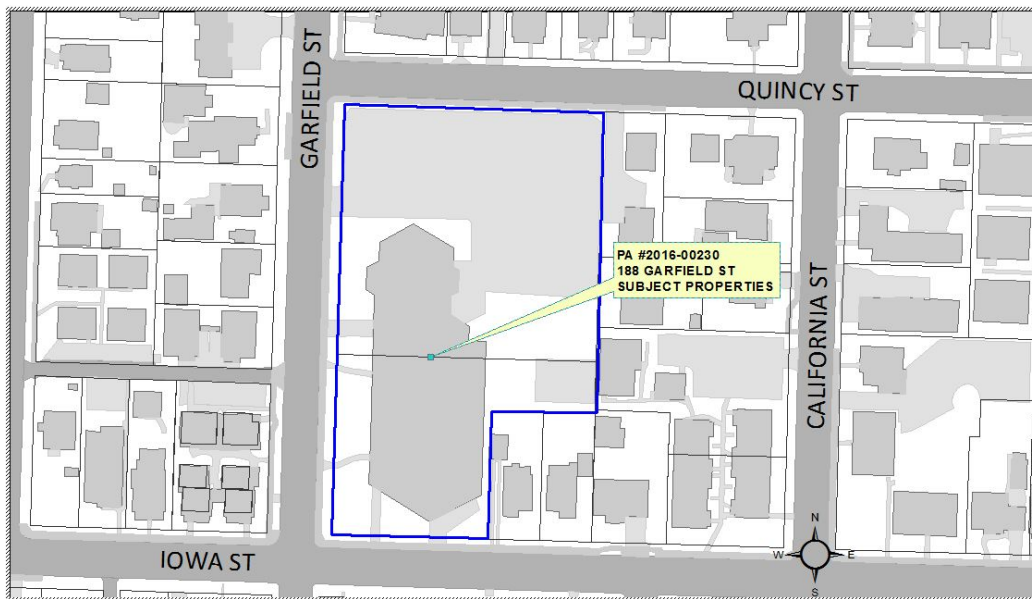
**OWNER/APPLICANT:** Rivergate Assembly of God Church of Ashland

**DESCRIPTION:** A request for Site Design Review and Conditional Use Permit approval to construct a new church for the property located at 188 Garfield Street. The application involves demolition of the existing Rivergate Assembly of God church building and the construction of a new approximately 4,978 square foot/100-seat church building near the corner of Garfield and Iowa Streets. The application also involves: a Solar Setback Exception to allow the proposed church to cast a greater shadow on the lot to its north (also under church ownership) than would be cast by a six-foot fence on the north property line; an Exception to Street Standards to retain the existing curbside sidewalk and street trees; a Tree Removal Permit to remove one tree greater than six-inches in diameter at breast height, and a Property Line Adjustment.

**COMPREHENSIVE PLAN DESIGNATION:** High Density Multi-Family Residential; **ZONING:** R-3; **ASSESSOR'S MAP:** 39 1E 10CB; **TAX LOTS:** 2100, 2101.

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, May 5, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**ASHLAND PLANNING COMMISSION MEETING:** *Tuesday, May 10, 2016 at 7:00 PM, Ashland Civic Center, 1175 East Main Street*



Notice is hereby given that a **PUBLIC HEARING** on the following request with respect to the **ASHLAND LAND USE ORDINANCE** will be held before the **ASHLAND PLANNING COMMISSION** on meeting date shown above. The meeting will be at the **ASHLAND CIVIC CENTER**, 1175 East Main Street, Ashland, Oregon.

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, either in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. A copy of the Staff Report will be available for inspection seven days prior to the hearing and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Department, Community Development and Engineering Services, 51 Winburn Way, Ashland, Oregon 97520.

During the Public Hearing, the Chair shall allow testimony from the applicant and those in attendance concerning this request. The Chair shall have the right to limit the length of testimony and require that comments be restricted to the applicable criteria. Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting. (28 CFR 35.102-.35.104 ADA Title I).

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division, 541-488-5305.

## SITE DESIGN AND USE STANDARDS

### 18.5.2.050

The following criteria shall be used to approve or deny an application:

- A. Underlying Zone: The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.
- B. Overlay Zones: The proposal complies with applicable overlay zone requirements (part 18.3).
- C. Site Development and Design Standards: The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.
- D. City Facilities: The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.
- E. **Exception to the Site Development and Design Standards.** The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.
  1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or
  2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

## EXCEPTION TO STREET STANDARDS

### 18.4.6.020.B.1

Exception to the Street Design Standards. The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.

- a. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.
- b. The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable.
  - i. For transit facilities and related improvements, access, wait time, and ride experience.
  - ii. For bicycle facilities, feeling of safety, quality of experience (i.e., comfort level of bicycling along the roadway), and frequency of conflicts with vehicle cross traffic.
  - iii. For pedestrian facilities, feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway.
- c. The exception is the minimum necessary to alleviate the difficulty.
- d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.

## CONDITIONAL USE PERMITS

### 18.5.4.050.A

A Conditional Use Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.
3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.
  - a. Similarity in scale, bulk, and coverage.
  - b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
  - c. Architectural compatibility with the impact area.
  - d. Air quality, including the generation of dust, odors, or other environmental pollutants.
  - e. Generation of noise, light, and glare.
  - f. The development of adjacent properties as envisioned in the Comprehensive Plan.
  - g. Other factors found to be relevant by the approval authority for review of the proposed use.
4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.
5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.
  - a. WR and RR. Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.

- b. R-1. Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.
- c. R-2 and R-3. Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.
- d. C-1. The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.
- e. C-1-D. The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 1.00 gross floor to area ratio, complying with all ordinance requirements.
- f. E-1. The general office uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.
- g. M-1. The general light industrial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, complying with all ordinance requirements.
- h. CM-C1. The general light industrial uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.50 gross floor to area ratio, complying with all ordinance requirements.
- i. CM-OE and CM-MU. The general office uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.60 gross floor to area, complying with all ordinance requirements.
- k. CM-NC. The retail commercial uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.60 gross floor to area ratio, complying with all ordinance requirements.
- l. HC, NM, and SOU. The permitted uses listed in chapters 18.3.3 Health Care Services, 18.3.5 North Mountain Neighborhood, and 18.3.6 Southern Oregon University District, respectively, complying with all ordinance requirements.

## **EXCEPTION TO SOLAR SETBACKS**

### **18.4.8.020.C**

- C. Exceptions and Variances.** Requests to depart from section 18.4.8.030 Solar Setbacks are subject to 18.4.8.020.C.1 Exception to the Solar Setback, below. Deviations from the standards in section 18.4.8.050 Solar Orientation Standards are subject to subsection 18.5.2.050.E Exception to the Site Development and Design Standards.
1. **Solar Setback Exception.** The approval authority through a Type I review pursuant to section 18.5.1.050 may approve exceptions to the standards in 18.4.8.030 Solar Setbacks if the requirements in subsection a, below, are met and the circumstances in subsection b, below, are found to exist.
    - a. That the owner or owners of all property to be shaded sign, and record with the County Clerk on the affected properties' deed, a release form supplied by the City containing all of the following information.
      - i. The signatures of all owners or registered leaseholders holding an interest in the property in question.
      - ii. A statement that the waiver applies only to the specific building or buildings to which the waiver is granted.
      - iii. A statement that the solar access guaranteed by this section is waived for that particular structure and the City is held harmless for any damages resulting from the waiver.
      - iv. A description and drawing of the shading which would occur.
    - b. The approval authority finds all of the following criteria are met.
      - i. The exception does not preclude the reasonable use of solar energy (i.e., passive and active solar energy systems) on the site by future habitable buildings.
      - ii. The exception does not diminish any substantial solar access which benefits a passive or active solar energy system used by a habitable structure on an adjacent lot.
      - iii. There are unique or unusual circumstances that apply to this site which do not typically apply elsewhere.

## **TREE REMOVAL PERMIT**

### **18.5.7.040.B**

1. **Hazard Tree.** A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.
  - b. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.
2. **Tree That is Not a Hazard.** A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
  - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.

- c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
- d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
- e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

## **PROPERTY LINE ADJUSTMENT**

### **18.5.3.120.B**

The Staff Advisor shall approve or deny a request for a property line adjustment in writing based on all of the following criteria.

1. **Parcel Creation**. No additional parcel or lot is created by the lot line adjustment.
2. **Lot Standards**. Except as allowed for nonconforming lots, pursuant to chapter 18.1.4, or as required by an overlay zone in part 18.3, all lots and parcels conform to the lot standards of the applicable zoning district, including lot area, dimensions, setbacks, and coverage, per part 18.2. If a lot does not conform to the lots standards of the applicable zoning district, it shall not be made less conforming by the property line adjustment. As applicable, all lots and parcels shall identify a buildable area free of building restrictions for physical constraints (i.e., flood plain, greater than 35 percent slope, water resource protection zones).
3. **Access Standards**. All lots and parcels conform to the standards in section 18.4.3.080 Vehicle Area Design. Lots and parcels that do not conform to the access standards shall not be made less conforming by the property line adjustment.

## Applicant's Statement of Completeness

*(To be completed by the Applicant and returned to the City of Ashland)*

Re: PA-2016-00230, 188 Garfield St.

Date Application Expires: August 3, 2016

Date Received

RECEIVED

MAR 11 2016

City of Ashland

(to be completed by staff)

Pursuant to an Incompleteness Determination, I, the undersigned applicant or agent for the applicant, elects one of the three options below by initialing:

*(Lg)* **1. Submit All of the Missing Information**  
*(Initial if elected)*

I am submitting all of the information requested in the Incompleteness Determination letter.

Unless checked below, I am requesting that the City of Ashland Planning Division review this additional information within 30 days of submission to determine whether the application is complete. I understand that this 30-day review for completeness period for the new information preserves my opportunity to submit additional materials, should it be determined that the application is still incomplete after the second review. **(Note: The 120-day period for the City of Ashland's final determination of compliance with applicable criteria does not commence until the additional review for completeness period is completed.)**

*Check if desired*

- ☐ I waive further review of the information submitted for completeness and direct review of the information submitted for compliance with the Community Development Code criteria, regardless of whether the application is, in fact, later determined by the staff to be incomplete.

I understand that by checking the above statement the application will be evaluated based upon the material submitted and no notice of any missing information will be given. If material information is missing from the application, the application will fail to meet the burden of showing that all criteria are met, and the application will be denied.




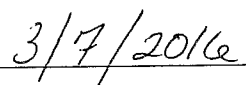
( ) 2. **Submit Some of the Requested Information:**  
(Initial if elected) **Decline to Provide Other Information**

I am submitting some of the information requested and declining to submit other information requested in the Incompleteness Determination letter. I understand that by declining to submit all information the City of Ashland believes necessary, the Ashland Planning Division may conclude that the applicable criteria are not met and a Denial will be issued or recommended.

( ) 3. **Decline to Provide any of the Requested Information**  
(Initial if elected)

I decline to provide any of the information requested. I understand that the Community Development Department may conclude that the applicable criteria are not met and a Denial will be issued or recommended.

  
\_\_\_\_\_  
**Signed and Acknowledged**  
(Applicant or Applicant's Agent)

  
\_\_\_\_\_  
**Date**

**Return to:**  
City of Ashland  
Planning Department  
Attn: Derek Severson, *Associate Planner*  
c/o 20 East Main Street  
Ashland, OR 97520



CANOPY LLC

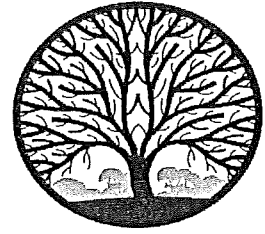
The Care of Trees

canopyarborcare.com

157 Max Loop

Talent, OR 97540

(541) 631-8000



March 10, 2016

Kistler + Small + White  
66 Water St, Ste 101  
Ashland, OR 97520

RE: Tree protection plan at Rivergate

I have inspected the site of the proposed building project on the corner of Garfield and Iowa. Below are some guidelines tailored to the preservation of these trees during construction.

Of greatest concern is the ability of the multiple sweetgum, *Liquidamber styraciflua* (trees #5 - #10), to withstand the construction process. It appears that the excavation will take place just beyond the driplines of these trees. Care should be taken to strictly adhere to the root pruning guidelines (as outlined below). I think these trees would withstand as small amount of encroachment into the dripline/protection zone if necessary.

I suggest the same guidelines for the two mulberries (#3 and #4). It looks as though tree #4 especially will be encroached upon. But I find this species to be especially hardy and able to withstand disturbance. Though care should be taken not to remove (large 2.5" + diameter) roots where possible due to stability concerns.

The large Siberian elm, *Ulmus pumila* (tree #2) appears to be of good-moderate health and should by all means be protected and preserved. It is my understanding that a minimal amount of shallow excavation is to be done in this area, 2 feet beyond the existing driveway, which should be fine. I would however, advise that any digging done within the protection zone of this tree be supervised by an arborist or landscape professional.

The Leyland cypress, *Cupressus x lelandii*, (tree #1) is the least desirable tree on the property due to its characteristic growth and fire hazard rating. But following the guidelines below, should withstand construction activities.

The maple, *Acer spp.*, (tree #1) is extremely close to the building envelope and for which removal is recommended.

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Construction Management

**Tree Protection Zone:** It is recommended that a tree protection zone be established around the root zone of these trees before any construction, excavation, land clearing, or grading begins. This zone should be established at or beyond the dripline of each tree where feasible (some of these driplines extend into the street). This zone should be delineated with temporary 6' tall fencing and remain in place through project completion.

**Soil Compaction:** To avoid soil compaction, heavy materials should not be stored, vehicles maneuvered or parked, grade changed, or paved surfaces constructed within the tree protection zone. If for construction ease, it is necessary for vehicles or machinery to access the area, a layer of mulch (6"-12" deep) should be applied for vehicles to drive on. This mulch layer should be reduced to a depth of 3"-4" upon project completion.

**Tree Care:** If injury should occur to any tree during construction, it should be inspected by an arborist or landscape professional for evaluation and treatment recommendations. Tree pruning required during construction should be performed by a qualified arborist and not by construction personnel.

**Root Protection:** If excavation is necessary at or near the tree protection area, avoid cutting roots over 1" diameter where possible. If larger roots are severed during construction at the protection area, it is recommended that they be cut "cleanly" with a saw or bypass pruners at a 90 degree angle (as opposed to being left "torn" by machinery). If pruning of roots over 2" diameter are encountered, consultation with the landscape architect or arborist is advised. If excavation or trenching needs to occur in the protection area, it is recommended that you contact myself or another certified arborist for additional evaluation and options.

**Water:** If construction is occurring during the driest months of June thru September, it is recommended that the trees receive a deep watering throughout their root zone 3-4x per month. Water should permeate to a depth of 30".

If there are any further questions, feel free to contact us.

Sincerely,

Christopher John  
Arborist, Canopy LLC  
ISA Certification #WE-9504A

SOLAR ACCESS WAIVER AGREEMENT  
EXHIBIT A  
PLANNING ACTION PA-2016-00230

**ADDRESS & LEGAL DESCRIPTION:**

**OWNER:**

Rivergate Assembly of God Church of Ashland  
188 Garfield Street  
Ashland, OR 97520

**ARCHITECTS:**

Kistler Small & White  
66 Water Street  
Ashland, OR 97520  
541.488.8200

**LAND USE PLANNING:**

Kistler, Small & White  
66 Water Street  
Ashland, OR 97520  
541.499.7333

**PROJECT LANDSCAPE:**

Kistler Small & White  
66 Water Street  
Ashland, OR 97520  
541.488.8200

**CURRENT OWNER AND OCCUPANT:**

Rivergate Assembly of God Church of Ashland

**ADDRESS:** 188 Garfield Street  
Development on Proposed Lot Area 2101

**MAP AND TAX LOT:**

Requesting Solar waiver 391e 10cb, Tax Lot 2101  
Agreeing to Solar waiver 391e 10cb, Tax Lot 2100

**EXISTING LOT AREA:**

Tax Lot 2100 60,112 sf (1.38 acre)  
Tax Lot 2101 31,363 sf (.72 acre)  
Total Area: 91,475 square feet

**PROPOSED LOT AREA:**

Tax Lot 2100 72,820 sf (1.67 acre)  
Tax Lot 2101 18,654 sf ( 0.43 acre)  
Total Area 91,474 square feet



# CITY OF ASHLAND

Community Development - Planning Department  
20 East Main Street, Ashland, OR 97520  
Phone 541-488-5303 Fax 541-488-6006

## SOLAR ACCESS WAIVER AGREEMENT

Planning Action # PA-2016-00230

For County Use

Address of Property Requesting Solar Waiver 188 Garfield Street, Ashland OR 97520

Tax Lot # of Property Requesting Solar Waiver 2101

Address of Property Agreeing to Solar Waiver 2100

Legal Description of Property Agreeing to Solar Waiver (Attach, if necessary) 391e 10cb. Lot 2100

The undersigned, for themselves, their heirs, successors and assigns, consent to permit obstruction of their solar access rights described in Chapter 18.4.8.020 of the Ashland Municipal Code on that portion of property in Township 39, Range 1 East, Section 391e 10cb Tax Lot # 2100, further described by legal description in the attached Exhibit "A".

The undersigned certify and agree to the following:

1. This agreement shall be binding upon their heirs, successors and assigns and shall run with the land.
2. The undersigned are the owners of the property described on Exhibit "A".
3. This waiver applies only to the specific building(s) noted in the attached Exhibit "B"; and to the shadow(s) cast by such building(s) as noted in Exhibit "B".
4. The solar access rights described in Chapter 18.4.8 of the Ashland Municipal Code are waived only for that buildable space shown on Exhibit "B" and the City of Ashland is indemnified and shall be held harmless for any damages resulting to any person or property resulting from this waiver.
5. The consideration for this agreement is \$1.00 and other good and valuable consideration, the receipt of which is acknowledged by the undersigned.

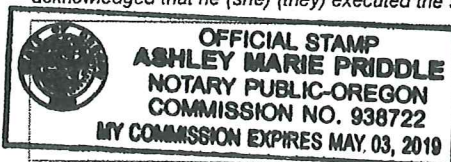
Property Owner(s) Agreeing to Solar Waiver RIVERGATE/Ron Timen, Pres.

Signature Rivergate/Ron Timen, Pres. Date March 10, 2016

Signature \_\_\_\_\_ Date \_\_\_\_\_

State of Oregon )  
County of Jackson )

On this 10<sup>th</sup> day of March, 2016, before me personally appeared, Ron Timen, whose identity was proven to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she) (they) executed the same.



[Signature]  
Notary Public for Oregon

May 3 2019  
Commission Expiration Date

Approved by City of Ashland Planning Staff \_\_\_\_\_

RECEIVED  
Date \_\_\_\_\_

City of Ashland

# EXHIBIT B

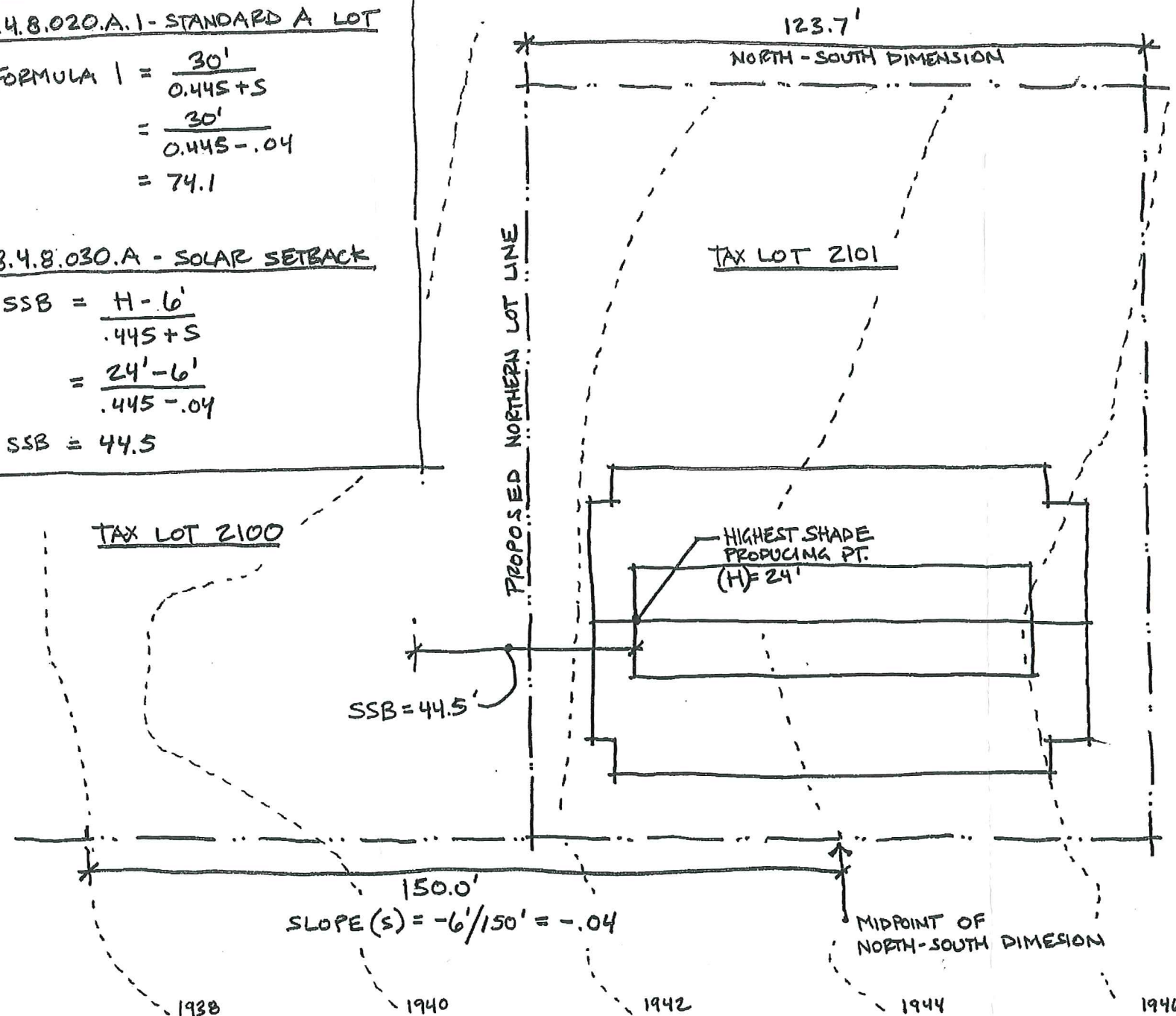
NOTE: NOT TO SCALE  
With 1" margin

## 18.4.8.020.A.1 - STANDARD A LOT

$$\begin{aligned} \text{FORMULA 1} &= \frac{30'}{0.445 + S} \\ &= \frac{30'}{0.445 - .04} \\ &= 74.1 \end{aligned}$$

## 18.4.8.030.A - SOLAR SETBACK

$$\begin{aligned} \text{SSB} &= \frac{H - 6'}{.445 + S} \\ &= \frac{24' - 6'}{.445 - .04} \\ \text{SSB} &= 44.5 \end{aligned}$$



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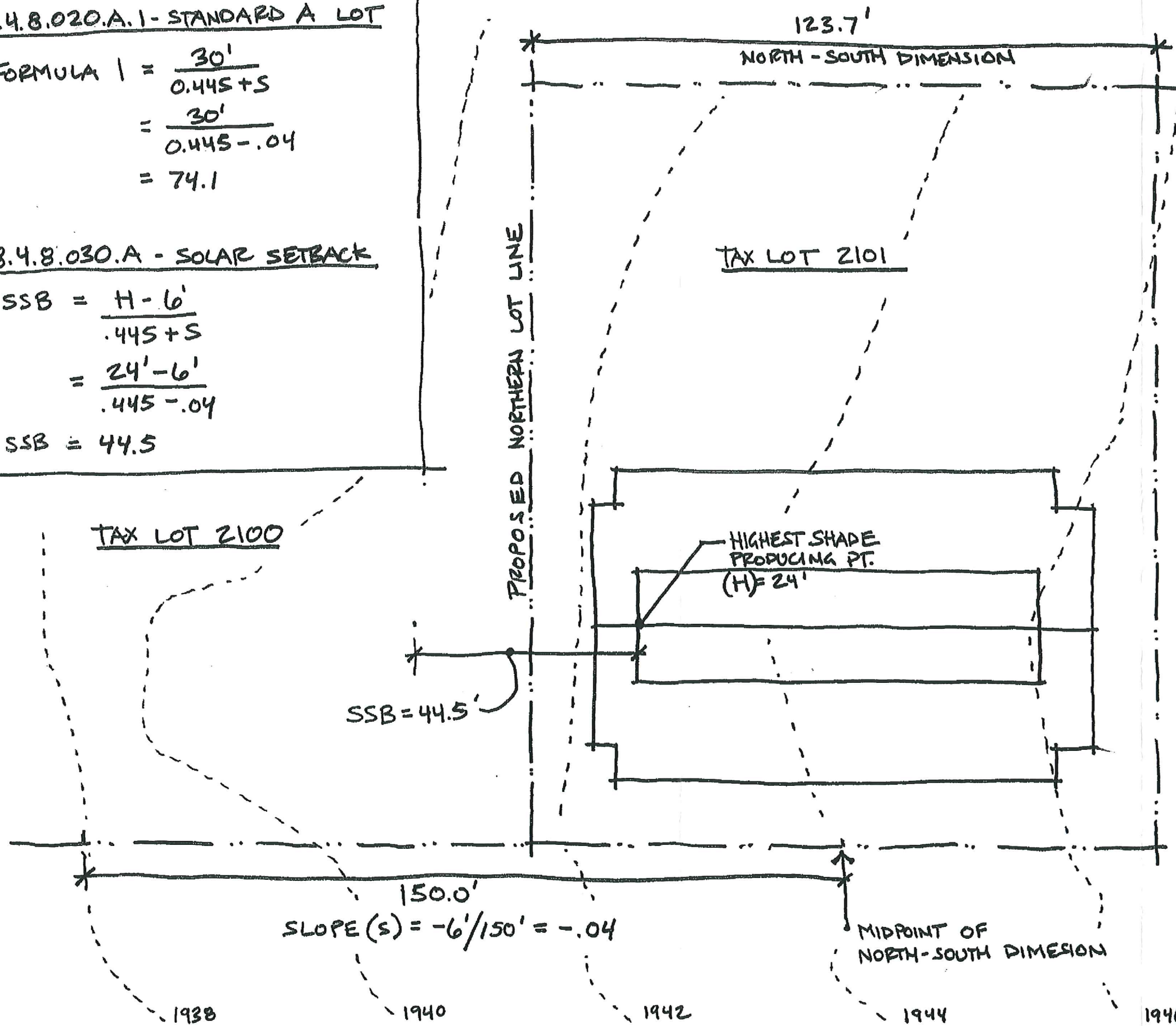
SOLAR ACCESS DIAGRAM ①  
11/17: 3/01 = 1.60"  
NOT TO SCALE

18.4.8.020.A.1 - STANDARD A LOT

$$\begin{aligned}\text{FORMULA } I &= \frac{30'}{0.445 + S} \\ &= \frac{30'}{0.445 - .04} \\ &= 74.1\end{aligned}$$

18.4.8.030.A - SOLAR SETBACK

$$\begin{aligned}\text{SSB} &= \frac{H - 6'}{.445 + S} \\ &= \frac{24' - 6'}{.445 - .04} \\ \text{SSB} &= 44.5\end{aligned}$$



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Kistler + Small + White  
66 Water Street  
Ashland, Oregon 97520

March 11, 2016

**Supplemental Findings of Fact for PA-2016-00230 Rivergate Assembly of God Church of Ashland**

**FINDING OF FACT - Reply to Incompleteness Determination**

The following information has been provided by the applicants as a response to the Determination of Incompleteness for PA-2016-00230. The applicants have submitted the missing information as promptly as possible and hope the application will not be subject to delay.

For clarity reasons, the City's comments are listed in *italicized* font and the applicant's response is **Bold**.

- *"Type II" Fee & Procedure: Because the proposal has changed to now include demolition of the existing church building and the construction of a new building for the church, it is subject to a Type II procedure. Conditional Use Permits involving new buildings require a Type II procedure which involves a public hearing before the Planning Commission. To request a Type II Conditional Use Permit, an additional Type II application fee of \$1,020 would need to be paid. (The \$1,012 fee paid on February 5 was for "Type I" Conditional Use Permit review; the \$1,020 amount is the difference between the \$1,012 'Type I' fee and the \$2,032 'Type II' fee.)*

***The applicant would request that this additional fee be waived because the proposed use is not changing from the current use. The proposed building use will be used by the same organization which has been in operation on this site since the 1960's, before zoning in Ashland even made this a "Conditional Use". Secondly, the "Conditional-use" is 75% smaller in scale than the existing church and parking lot.***

- *Site Design Review Findings: While the materials provided include written findings speaking to the Site Development and Design Standards, there are no written findings addressing the approval criteria. Findings addressing the Site Design Review criteria below from AMC 18.5.2.050 are also needed:*

*18.5.2.050 - Approval Criteria*

*An application for Site Design Review shall be approved if the proposal meets the criteria in subsections A, B, C, and D below. The approval authority may, in approving the application, impose conditions of approval, consistent with the applicable criteria.*

- A. *Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to:*

*building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.*

**The proposal complies with the provisions of the underlying zone R-3.**

- B. Overlay Zones. The proposal complies with applicable overlay zone requirements (part 18.3).*

**The proposal complies with any applicable overlay zone requirements.**

- C. Site Development and Design Standards. The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*

***The proposal complies with the applicable Site Development and Design Standards of part 18.4. except as provided by subsection E, below.***

- D. City Facilities. The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.*

***The proposal complies with the applicable standards in section 18.4.6 Public Facilities and adequate capacity of City Facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation are provided to the subject property.***

- E. Exception to the site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.*

- 1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or*

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2. *There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.*

**Applicant will request an exception to 18.4.3.080.C.3.b, Controlled Access. The exception request will be based on subsection 2: "Granting the exception will result in a design that better achieves the stated purpose of the Site Development and Design Standards.", and is also discussed in detail below.**

**In addition, the applicant will request an exception to 18.4.8, Solar Access. A solar access waiver agreement will be submitted, and is also discussed in detailed below.**

- *Scalable Drawings: The elevation drawings provided are not drawn to scale, and the site plan is not drawn to the scale indicated. Required Site Design Review information in AMC 18.5.2 includes scalable drawings. Scalable drawings, drawn to a standard architects or engineers scale with the correct scale noted on the plans and a graphic scale illustrated need to be provided for the plans to be deemed complete.*

**Drawings have been updated to be scalable.**

- *On-Street parking: As noted in the last pre-application conference, with the recent code changes associated with the Unified Land Use Ordinance, on-street parking credits are no longer guaranteed and are considered within the neighborhood context of each project. Staff are uncertain that the Planning Commission would be willing to grant these credits for a Conditional Use given the existing intensity of residential development and parking in the neighborhood. Historically, it has not often been looked on favorably to put the burden of parking, one of the most significant impacts of any Conditional Use, onto the surrounding neighborhood streetscape when approval of Conditional Use is contingent upon successfully demonstrating that the Conditional Use will have no greater impact on the surrounding area than development of the property to the target use. In this instance, if eight residential units would require 16 parking spaces, and 17 are to be provided on site here with a Conditional Use and the neighborhood is to be required to absorb the additional eight required spaces in the public realm, the proposal is putting 32 percent more impact onto the surrounding area than would be expected with the target use.*

**Parking is such a critical consideration for this project and all projects; "form follows parking" is the saying. The lack of a definitive ruling regarding the allowance of street credit parking after two pre-application conferences begs a conversation regarding the difficulty of designing anything if the parking availability is undetermined by Planning Staff. If Staff determines at the 11th hour not to allow curbside parking credit, then a substantial amount of time and money was spent unnecessarily designing a building as if we had normal parking allowance. Also the applicant wonders why, in a progressive city, street parking credit is not an acceptable strategy in reducing the square footage dedicated to parking lots.**

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Staff's comment points out how the parking standards, (i.e. the parking required for a religious institution is one space per 4 seats, and that it will have "no greater impact on the surrounding area than development of the property to the target use") are in conflict on this project.

If using the "no greater impact standard" the requirement is 16 spaces for 8 dwelling units target density of R-3. If using the one space per 4 seats the requirement would be 25 spaces, a difference of 9 spaces. The parking area has been designed with 17 spaces (utilizing the 10% allowable increase) leaving 8 spaces. This is a 32% conflict created by the code requirements.

The simple resolution to this conflict is to allow the street credit which provides a balance to the conflicting standards. The 8 street credits are less than 75% of the available spaces (if you include the deed restricted playground area street frontage)\*.

While the applicant is requesting a seat capacity of 100, the average congregation size is around 20-25 members during a typical service. Of these members, not all are arriving by car. Given the convenient centralized location of the church, several members of the congregation are able to use alternative modes of transportation such as walking and biking. The actual parking requirement will be more than adequate with the 17 spaces proposed. The request for 100 seat capacity is determined by the total of 25 available spaces, with the hope for congregation growth to 100 capacity.

It is possible that the city, in an effort to comply with the different codes, will say that the seating capacity of the Church needs to be reduced. We would argue that the seating capacity of 100, as designed, is appropriate to an approximately 5000 sf facility which is appropriate to the 18,654 sf site. To require less capacity would be an unreasonable constriction for this site when a solution is available, i.e. allowing the street credit. This project aims to maximize the versatility of the new construction while minimizing the adverse environmental and microclimatic impacts of surface parking.

*\*It should be noted, that approval of this project predicates the envisioned development of the remaining site, an infill project that will provide the rental housing inventory that is in much demand in the City of Ashland. The development also brings the majority of this block into compliance with the target zone.*

*The current plan for the development of the adjacent property has all parking required on site, freeing up the additional street frontage along Garfield for street parking. This is included as information only as it is understood that this site development will be approved independently.*

- *Traffic Impacts: The application indicates that the vehicle trip counts for a church are 9.32 trips per day, versus 51+ trips for an eight-unit multi-family development. In staff's research into the Institute of Transportation Engineers (ITE) Trip Generation Manual, the actual vehicle trips for a church are significantly more than suggested. Depending on the day of the week, the ITE manual indicates a variation between 9.11 average daily trips (ADT) trips per 1,000 square feet on weekdays, 10.37 ADT per 1,000 square feet or 0.9 ADT per seat on Saturdays and 36.63 ADT per 1,000 square feet or 1.53 ADT per seat on Sundays. This would put the weekday daily trips at*

46.60 ADT, and the weekend trip counts up as much as 90 ADT on Saturday and 187 ADT on Sunday, with a daily average for a typical week at about 72.86 trips. The application may wish to clarify the anticipated traffic impacts.

While the applicant regrets unintentionally understating the ADT statistics, the assumptions made by the ITE are based on National data and clearly not applicable to Ashland Oregon or the Rivergate Church. The average daily trips, exclusively for the Church, are actually approximately 8 a day. This figure is not theoretical but represents the actual use of the Rivergate Church, and it is much lower than the trips for the equivalent 8 multifamily units.

If the ITE statistics are to be referenced, they should not be averaged. Given the proposed church is 4978 sf, the weekday average daily trips (ADT) would be 45.35, the ADT on Saturday's would be 51.62 and the Sunday trips would be 182.34. On six days of the week the ADT would be equal to or less than the trips generated by the 8 residential units. The trips would spike only on Sunday mornings and that spike would correspond to a decrease in the Neighborhood traffic which serves as a route between Ashland High School and Ashland Middle school, which do not operate on the weekends. And by nature of the scheduled church services the trip increase would be only for span of minutes at the beginning and ending of services in a 2 hour window in the morning. Also the applicant questions how these vehicle trips are calculated by the I.T.E. and have determined it must be for church's that have 2-3 services on Sundays.

This impact standard should also be used to compare the existing capacity to the proposed capacity. Applying the calculations that arrive at an average of 72.86 trips per day for the proposed building (4,978 sf) to the existing building (21,436 sf) the average trips per day would equal 679 (assuming a weekday average of 9.11 per 1,000 square feet, Saturday average of 10.34 per square feet, and Sunday average of 36.63 square feet). This project reduces the size of the building by over 75% and therefore it follows that the impact, using the ITE, standards would also be reduced by the same ratio, if and when either the existing or replacement church were at capacity. Therefore, the project is an overall positive impact and not a negative impact. In addition, a day care currently operates on the site which will not be the case in the new facility.

- *Parking Lot Area Design: AMC 18.4.3.080.B5 requires that parking areas "be designed to minimize the adverse environmental and microclimatic impacts of surface parking through design and material selection," and all parking areas of more than seven parking spaces are required to meet the following standards: 1) Design parking lots and other hard surface areas in a way that captures and treats runoff with landscaped medians and swales; and 2) use at least one or more of the strategies below for the surface parking (or put 50 percent of the parking area surface; i) use of light colored paving materials with a high solar reflectance (Solar Reflective Index (SRI) or at least 29) to reduce heat absorption for a minimum of 50 percent of the parking area surface; ii) Provide porous solid surfacing or an open grid pavement system that is at least 50 percent pervious for a minimum of 50 percent of the parking area surface; iii) provide at least 50 percent shade from tree canopy over the parking area surface within five*

years of project occupancy; iv) provide at least 50 percent shade from solar energy generating carports, canopies or trellis structures over the parking area surface. The application will need to demonstrate how these requirements are addressed in the proposed parking lot, or request an Exceptions to the Site Design and Use Standards based on the following approval criteria in AMC 18.5.050:

1. *There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or*
2. *There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.*

**The parking lot will provide an open grid pavement system that is over 50 % pervious for a minimum of 50% of the parking area surface. (See Site Plan)**

- *Pedestrian Access and Circulation (AMC 18.4.3.090) - Developments other than single family residences on individual lots and associated accessory structures are now required to provide a continuous walkway system to provide for safe, direct, and convenient pedestrian access and circulation extending throughout the development site and connecting to all future phases of development, to existing or planned off-site adjacent sidewalks, trails, public parks, open space areas and to adjacent streets and private properties. To be deemed complete, the application will need to address this standard by illustrating how bicycle and pedestrian circulation is to be provided between the church property, neighboring residential development and adjacent streets.*

**The site design offers multiple pedestrian access points and redundant circulation routes. The primary pass through pedestrian pathway has been noted along the East side of the Church (see site plan). This route, along with an envisioned path through the playground/open space, provides future development pedestrian and bicycle access to both Iowa Street and Garfield Street. These paths have been designed to be safe, direct, and convenient.**

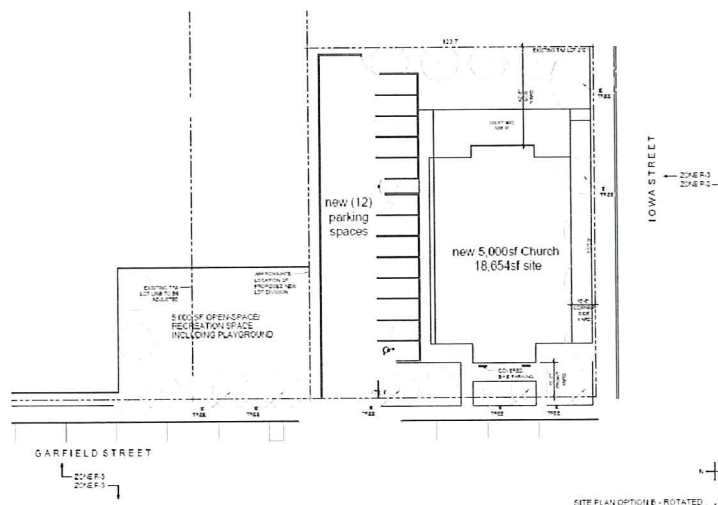
- *Controlled Access: The application's vehicular access is based on the use of what appears to be a largely un-used curb cut on Iowa Street. As noted in the pre-application comments, Iowa Street is classified as an Avenue/Collector in Ashland's Transportation System Plan and is subject to controlled access standards in AMC 18.4.3.080.C.3 which governs the distance between driveways and between driveways and intersections. Driveway curb cuts need to be at least 50 feet from the intersection on Iowa Street and then spaced 75 feet apart as measured between*

the bottoms of the apron wings. The submitted site plan shows the intensification of use of a driveway on Iowa Street located roughly 28 feet from the eastern property line and the driveway for the neighboring parcel at 1273 Iowa Street. This does not comply with the standard of 75 feet between driveways on avenue/collector streets; the use of an access which does not comply with the controlled access standards in AMC 18.4.3.080.C.3 requires a Variance, and would need to include the submittals of an additional fee of \$2,032 along with written findings addressing the following approval criteria from AMC 18.5.050.

- A)1. The variance is necessary because the subject code provision does not account for the special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.
2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.
3. The proposal's benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.
4. The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as a result of a property line adjustment or land division approval previously granted to the applicant.
- B) In granting a variance, the approval authority may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the City as a whole.

Both the Land Use Ordinance and Comprehensive Plan direct that wherever possible, access should be taken from the lower order street, and in staff's view, access from Iowa Street - particularly from a driveway that does not meet controlled access standards - would not be the preferred option here.

The applicant is requesting a variance because the proposal's benefits will be greater than any negative impacts. The architect has considered a rotated access (see figure 1) as preferred by staff, and believes the "greater good" is served by the proposed orientation.



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Figure 1. Alternate 1, Site Plan

The reasons for conclusion are as follows:

1. This rotated option would bring the building out of compliance with 18.4.2.040.B.1.e "Where a building is located on a corner lot, its entrance shall be oriented toward the higher order street or to the lot corner at the intersection of the streets. The building shall be located as close to the intersection corner as practicable.
2. In the rotated option the parking lot would require the parking lot to be a less efficient single load option. Increasing the amount of paved square footage and decreasing the number of available parking spaces. This increases the difficulty in complying with the parking requirements of the Land Use Ordinance Chapter 18.4.3.
3. One of the very nice features of this development is the additional playground included by a deed restricted agreement. This orientation would place a driveway between the Church and the playground. This would greatly reduce the use and benefit of the playground to the Church, and would create a temptation for children to cross the playground unattended.
4. There is an existing curb cut, it is used infrequently but it does exist and therefore this parking lot design might be considered the level of an administration adjustment rather than a variance.

It is the applicant's assertion that, taken as a whole, the benefits to the "Iowa St Orientation" far outweigh the negative impacts of a curb cut being less than 75 feet apart from a neighboring driveway.

An even more repugnant alternative, yet compliant with the street standard, is pictured below.

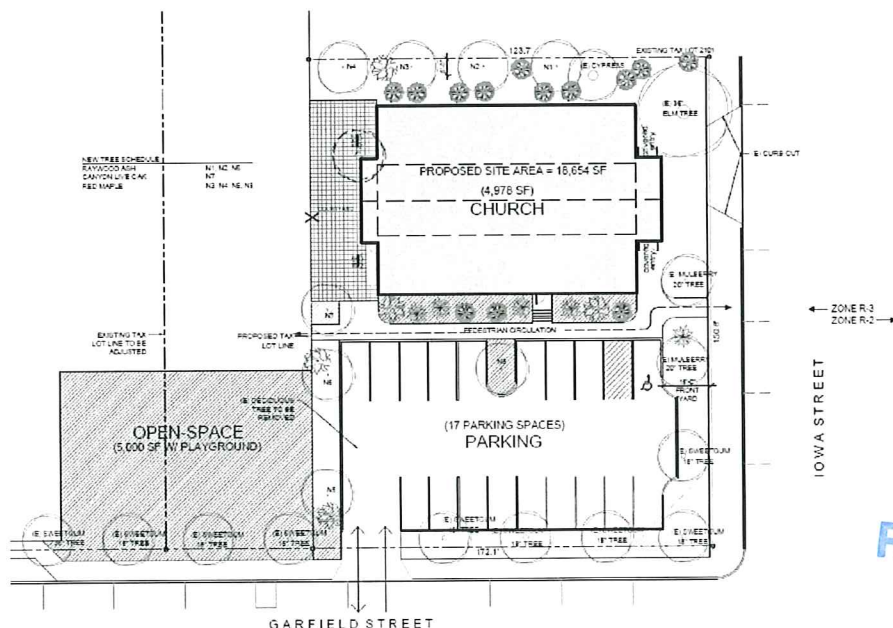


Figure 2. Alternate 2, Site Plan

It is curious that the applicant is charged a substantial fee for submitting a design that is in the greatest overall benefit, and for a driveway curb-cut that already exists, but would not be charged a fee if the clearly substandard, yet compliant, design were submitted...?

The applicant requests an approval of the variance, to controlled access standard in AMC 18.4.3.080.C.3, based on the following approval criteria.

- A)1. *The variance is necessary because the subject code provision does not account for the special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.*

**The variance is necessary because a special circumstance of the adjacent development. The special circumstance of the adjacent development is a 5000 square foot open and recreation space.**

2. *The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.*

**The variance is the minimum necessary to address the special circumstance, and allows the development to be more in compliance with other code requirements.**

3. *The proposal's benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.*

**The proposal's benefits will be much greater than any negative impacts and further the purpose and intent of this ordinance and the Comprehensive Plan of the City, as approval of this project will clear the way for the development of the adjacent property which is a high density infill project in line with the target use of this zone.**

4. *The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as a result of a property line adjustment or land division approval previously granted to the applicant.*

**The variance is not self-imposed as the East Property line was in existence and not adjusted.**

- B) *In granting a variance, the approval authority may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the City as a whole.*

**The variance requested is exactly the type of situation that acknowledges the Land Use Ordinance is comprehensive but cannot anticipate all circumstances. A variance is**

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the process by which the planning commission ensures a project is in the best interest of the property owners, the neighborhood, and the City as a whole.

- *Solar Access Issues" If the application is to include an Exception request to not comply with Solar Access requirements, then an application, findings from AMC 18.4.8.020.C drawing and the applicable \$1,012 Exception fee would need to be provided. The required Solar Access waiver agreement is attached, and would need to be provided. The required Solar Access waiver agreement is attached, and would need to be signed by the affected neighbor(s) before a notary and would ultimately be recorded onto the affected properties' deeds. (if the application is instead seeking to say that the playground is unbuildable as a common area and can be shaded based on the definition of what constitutes a northern property line in AMC 18.6.1, there would need to be additional materials provided with the applicant from the adjacent property owner giving written assurance that they understand the proposed impact to their property from the shading and are willing to enter into a deed restriction which will render this portion of the site unbuildable in perpetuity. Because this approach would involve the property in the current application, the owner would also need to sign the application form - if the ownership of the property to the north has already changed hands. Such a restriction on vacant property may pose a concern for the Planning Commission, given that the ultimate development of the property to the north remains uncertain until an application is approved.)*

**A Solar Access waiver Agreement will be in submitted. The Rivergate Church is currently the owner of both tax lots, 2100 and 2101. Tax lot 2100 will not be sold until a planning action for the building of the new facility is approved. The property will be sold with the deed restriction that the area affected by the solar access waiver will not be buildable. This deed restriction will not be available until the planning action is approved. The restriction on the vacant property should not be a concern for the Planning Commission because the area will serve as recreation space for the future development and is only 8 % of tax lot 2100.**

- *Plan Submittal Requirements: To be deemed complete, a Site Design Review application must include utility details (18.5.040.C.2), preliminary grading and drainage plans (18.5.2.040.B.5), and erosion control plans (18.5.2.040.B.6) as detailed in the pre-application materials previously provided.*

**Adequate public facilities are available to this site. The capacity of the proposed building is much less than that of the existing building. The applicants will work with the various utility companies to ensure both existing and proposed utilities are available to provide the necessary services.**

**An Electric Utility Plan will be developed in consultation with the City's Electric Department, Dave Tygerson, to ensure not only capacities can be accommodated, but to also minimize aesthetic impact to the proposed building. All electrical services will be provided from Iowa and/or Garfield Street where the service currently exist. All electrical work will be completed under the direction of the Ashland Electric and Building Departments. Further, all improvements within the adjacent rights-of-way, including construction detouring, will be completed under the direction of the Ashland Engineering Department.**

Applicants have addressed or will address at the time of the building permit all code issues relating to the Ashland Fire Department. A fire hydrant on the corner of the property (on the corner of Iowa and Garfield) with adequate pressure to service the building. All work will be completed under the direction of the Ashland Building and/or Fire Departments.

Preliminary grading, drainage plans and erosion control plans will be provided in drawing C1, utility, drainage, and erosion control plan in the attached drawings.

- *Tree Protection Details: AMC 18.4.5.030.B requires "an inventory of the health and hazard of each tree on site, and recommendations for treatment for each tree" and seeks details of the trenching, grading, utility and paving installation to occur relative to the trees to be preserved and their ability to tolerate such disturbance. For the maple trees to be preserved and protected, an assessment from a certified arborist speaking to their condition and ability to tolerate the proposed disturbance from demolition and construction along with specific recommendations for their protection need to be included with the application submittals, particularly if these trees are to be the basis for an Exception to Street Standards request.*

An inventory and assessment of the trees will be provided by Christopher John, Owner-Arborist of Canopy will be included with the submittals. Specific recommendation for their protection will be included. Note, the trees identified as maples in the application are Gum trees, and have been corrected on the Landscape Plan.

- *Tree Removal Permit Findings: Written findings addressing the approval criteria for a Tree Removal Permit from AMC 18.5.7.040 will need to be provided before the application can be deemed complete. The application should make clear whether one or three trees are proposed for removal, and should include supporting materials from a certified arborist.*

One of the 10 existing trees is proposed for removal. This tree is being removed because it is too near the foot print of the proposed building to survive construction. If this application is approved the deed restricted playground area will be heavily landscaped with trees so the over amount and diversity of trees will be increased.

2. *Tree that is Not a Hazard. A tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*
  - a. *The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in par 18.4 and Physical and Environmental Constraints in part 18.10.*

The tree will be removed in order to permit the application to be consistent with the other applicable Land Use Ordinances.

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- b. *Removal of the tree will not have a significant negative impact on erosion, soil stability flow of surface waters, protection of adjacent trees, or existing windbreaks.*

**The removal of the tree will not have a significant negative impact on erosion, soil stability flow of surface waters, protection of adjacent trees, or existing windbreaks.**

- c. *Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.*

**The removal of the tree is only one of 10 on the site and will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property.**

- d. *Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on the trees, so long as the alternatives continue to comply with the other provisions of this ordinance.*

**The residential density is not affected.**

- e. *The City shall require the applicant for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*

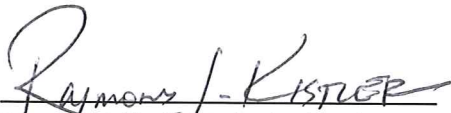
**Replacement Tree will be proposed, see landscape plan, L2 included in submittals.**

- *Lot line Adjustment: A plan illustrating both lots proposed for adjustment and clearly identifying the existing property line and proposed adjustment(s) is needed before the application can be deemed complete.*

**The existing and proposed property lines are identified on the Site Plan, A0.5 included in the submissions.**

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Respectfully submitted by:

  
Raymond Kistler, Principal Architect  
Kistler Small + White, Architects

3/11/16  
Date

Enclosures: Drawings:  
Applicant's Statement of Completeness  
Solar Access Waiver w/ Attachments  
Perspective - SW Corner: A0.1  
Site Plan: A0.5  
Floor Plan- LVL 1: A3.1  
Floor Plan-LVL 2: A3.2  
Elevation Renderings: A6.1  
Utility & Drainage Plan: C1  
Tree Protection Plan: L1  
Landscape Plan: L2  
Arborist Tree Protection Plan

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PERSPECTIVE - SW CORNER

1

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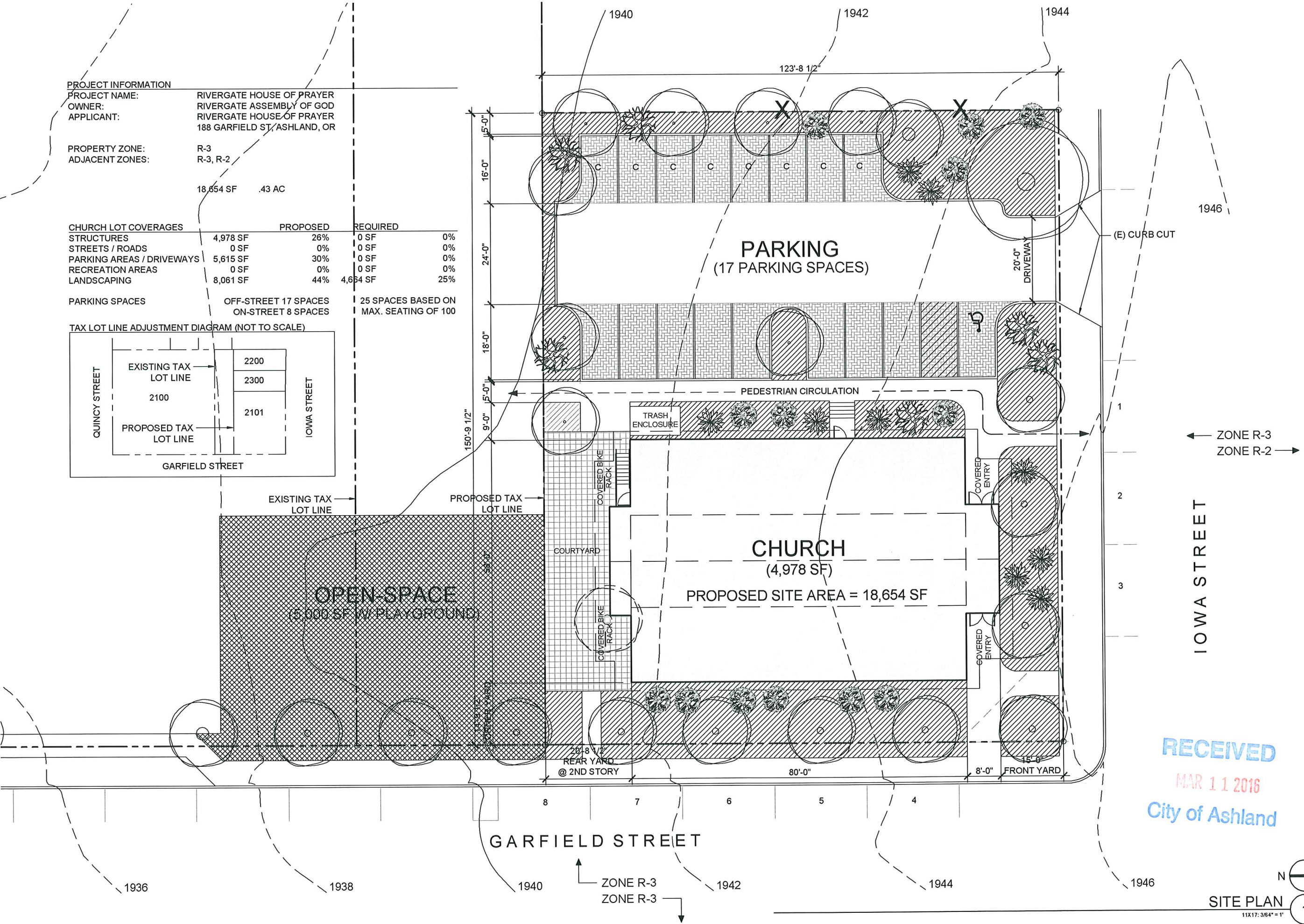
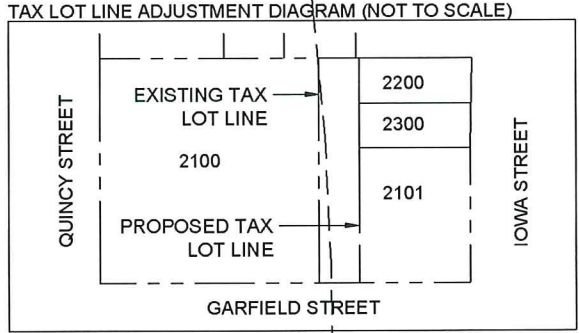
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PROJECT INFORMATION  
PROJECT NAME: RIVERGATE HOUSE OF PRAYER  
OWNER: RIVERGATE ASSEMBLY OF GOD  
APPLICANT: RIVERGATE HOUSE OF PRAYER  
188 GARFIELD ST, ASHLAND, OR

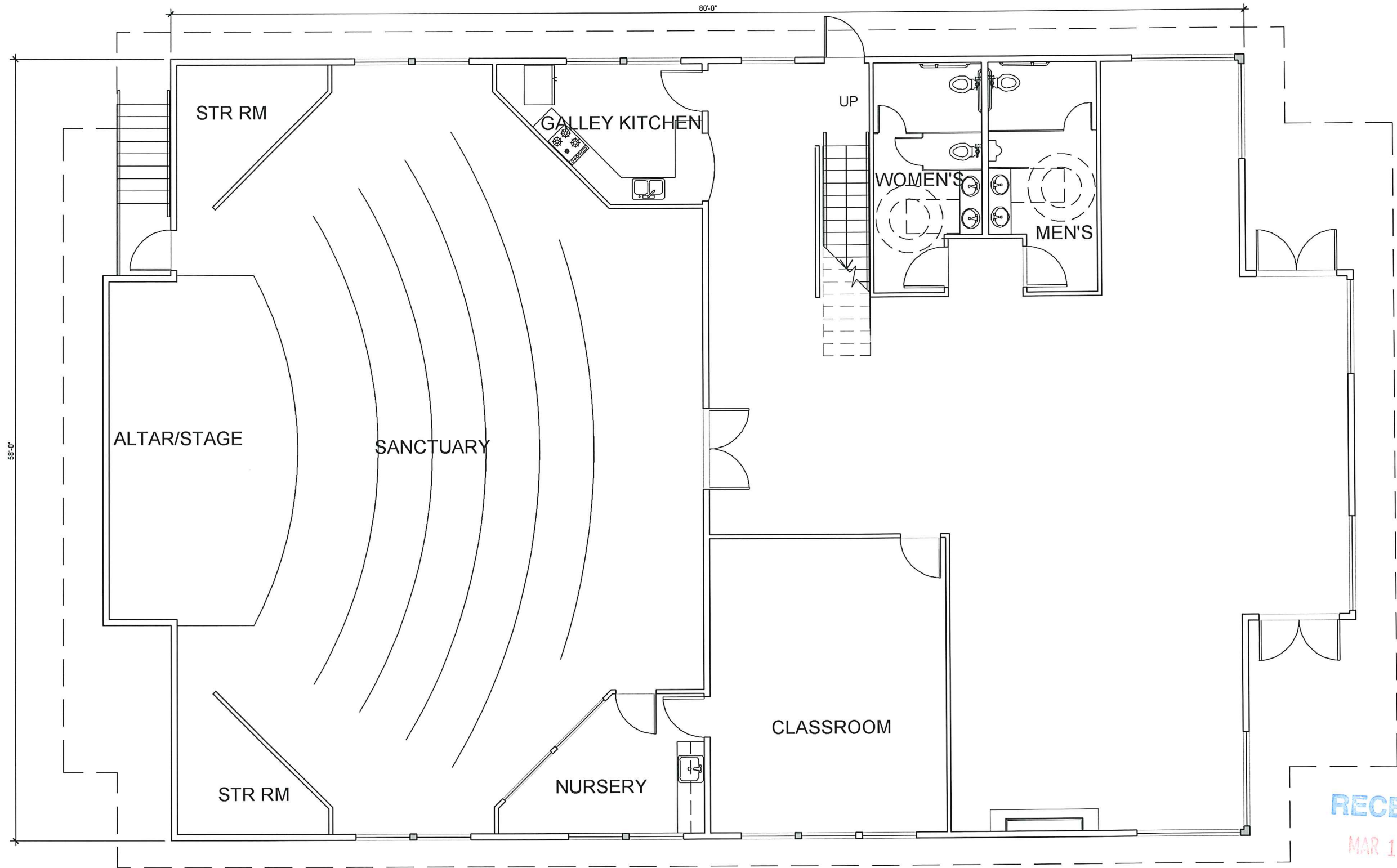
PROPERTY ZONE: R-3  
ADJACENT ZONES: R-3, R-2  
  
18,654 SF .43 AC

CHURCH LOT COVERAGES		PROPOSED	REQUIRED	
STRUCTURES	4,978 SF	26%	0 SF	0%
STREETS / ROADS	0 SF	0%	0 SF	0%
PARKING AREAS / DRIVEWAYS	5,615 SF	30%	0 SF	0%
RECREATION AREAS	0 SF	0%	0 SF	0%
LANDSCAPING	8,061 SF	44%	4,654 SF	25%

PARKING SPACES  
OFF-STREET 17 SPACES  
ON-STREET 8 SPACES  
25 SPACES BASED ON  
MAX. SEATING OF 100



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# FLOOR PLAN - LVL 1

11X17: 1/8" = 1'-0"

1

kistler+  
small  
+white

66 WATER STREET  
SUITE 101  
ASHLAND, OR  
97520  
TEL.: 541.488.8200

RIVERGATE HOUSE OF PRAYER

ASHLAND, OREGON

188 GARFIELD STREET.

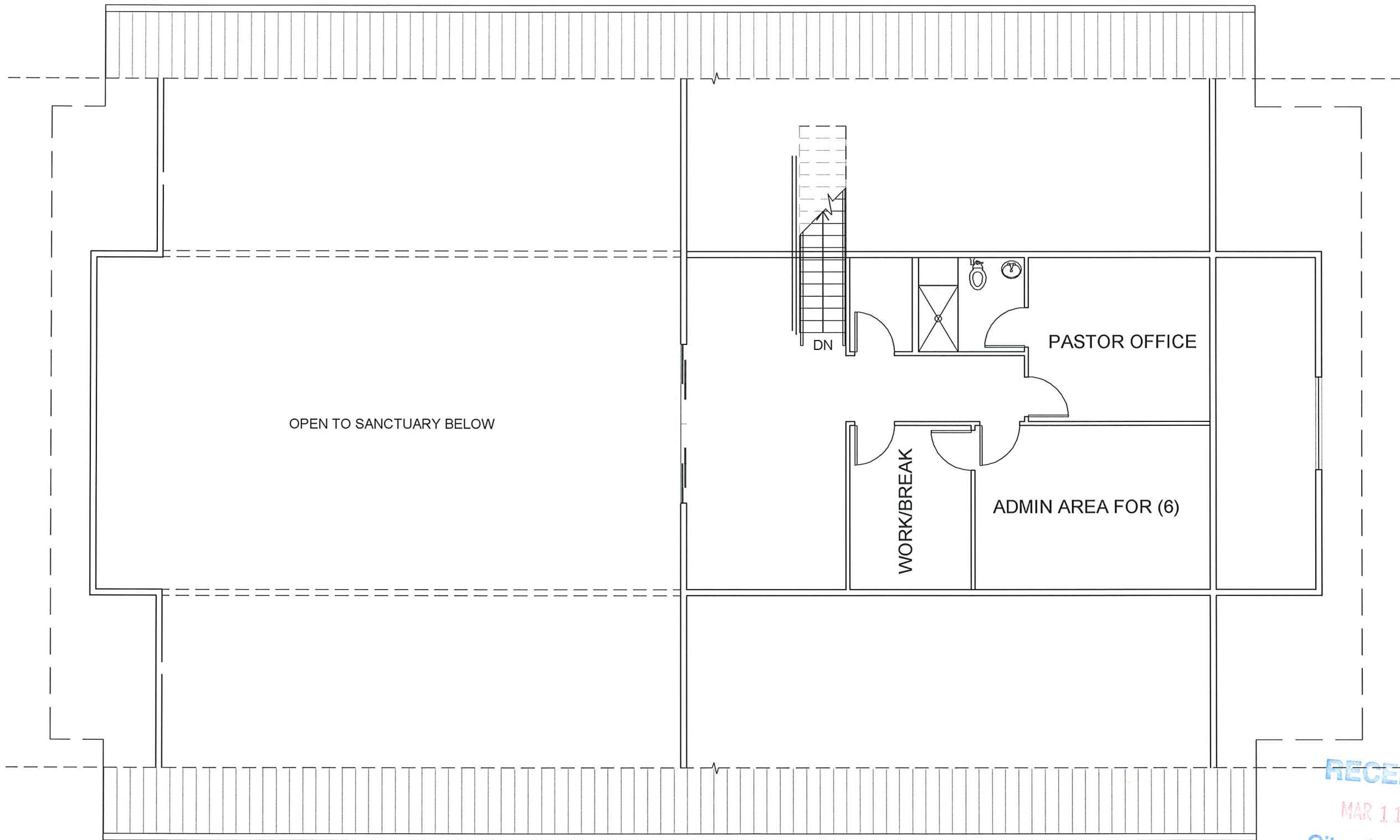
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FLOOR PLAN -  
LVL 1

PROJECT: 15-009  
ISSUE DATE: 03/11/2016  
SHEET:

A3.1

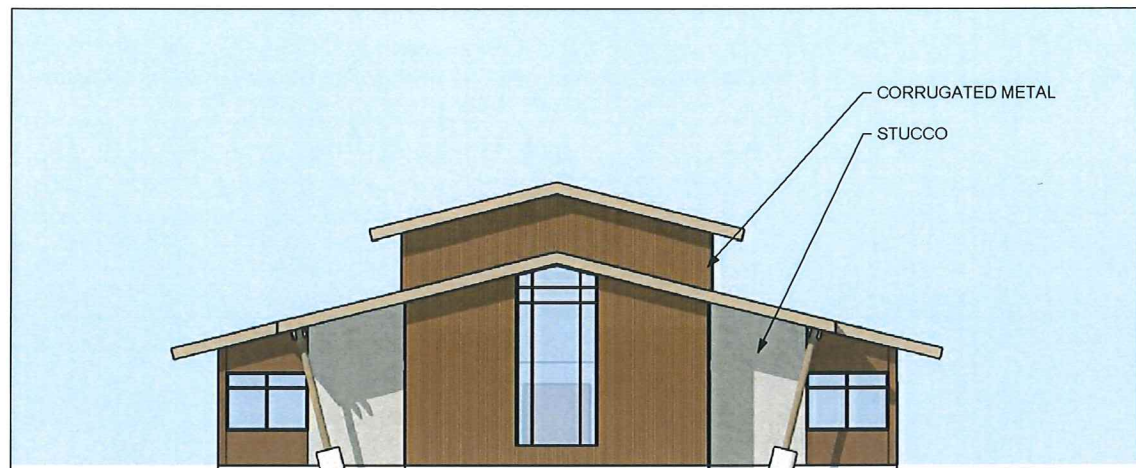
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## FLOOR PLAN - LVL 2

11X17: 1/8" = 1'-0"

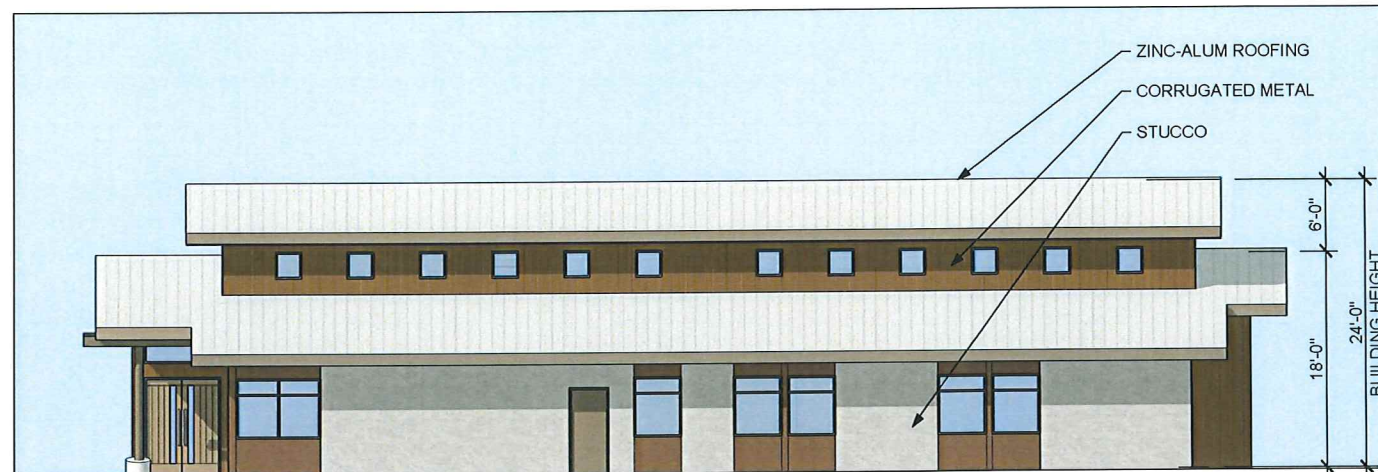
1



ELEVATION - SOUTH

11X17: 1/16" = 1'-0"

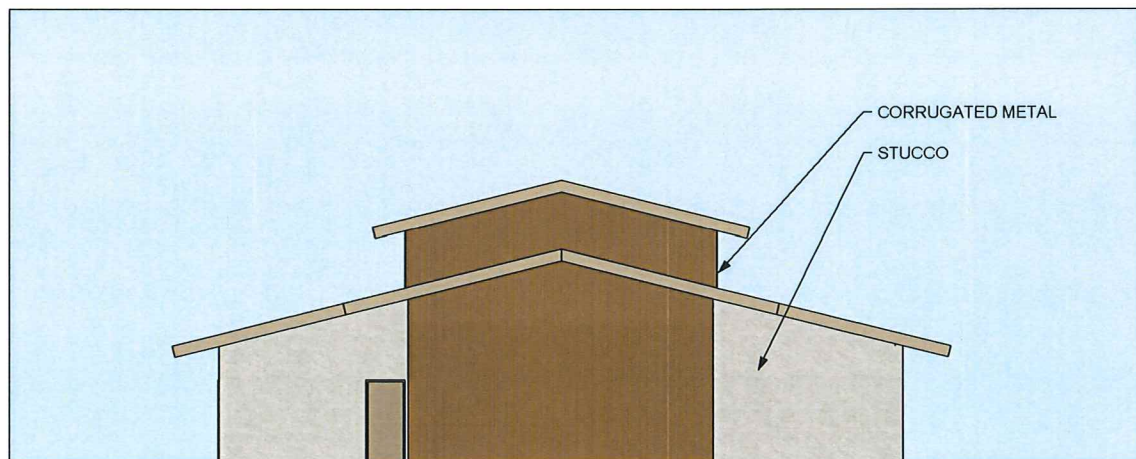
3



ELEVATION - EAST

11X17: 1/16" = 1'-0"

1



ELEVATION - NORTH

11X17: 1/16" = 1'-0"

4



ELEVATION - WEST

11X17: 1/16" = 1'-0"

2

RIVERGATE HOUSE OF PRAYER  
ASHLAND, OREGON  
188 GARFIELD STREET.

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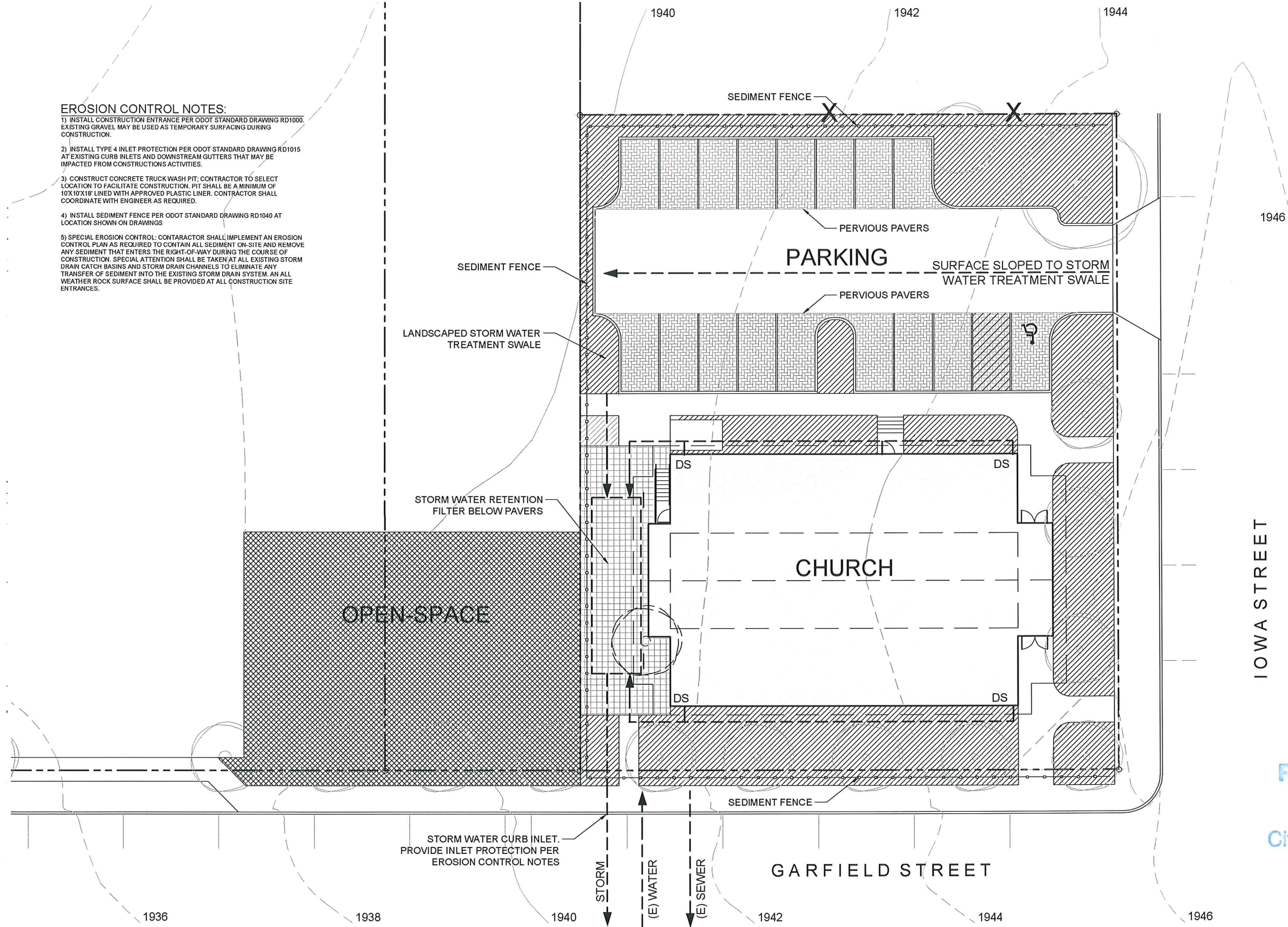
EXTERIOR  
ELEVATIONS

PROJECT: 15-009  
ISSUE DATE: 03/11/2016  
SHEET:

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- EROSION CONTROL NOTES:**
- 1) INSTALL CONSTRUCTION ENTRANCE PER ODOT STANDARD DRAWING RD1000. EXISTING GRAVEL MAY BE USED AS TEMPORARY SURFACING DURING CONSTRUCTION.
  - 2) INSTALL TYPE 4 INLET PROTECTION PER ODOT STANDARD DRAWING RD1015 AT EXISTING CURB INLETS AND DOWNSTREAM GUTTERS THAT MAY BE IMPACTED FROM CONSTRUCTIONS ACTIVITIES.
  - 3) CONSTRUCT CONCRETE TRUCK WASH PIT; CONTRACTOR TO SELECT LOCATION TO FACILITATE CONSTRUCTION. PIT SHALL BE A MINIMUM OF 10'X10' LINED WITH APPROVED PLASTIC LINER. CONTRACTOR SHALL COORDINATE WITH ENGINEER AS REQUIRED.
  - 4) INSTALL SEDIMENT FENCE PER ODOT STANDARD DRAWING RD1040 AT LOCATION SHOWN ON DRAWINGS
  - 5) SPECIAL EROSION CONTROL: CONTRACTOR SHALL IMPLEMENT AN EROSION CONTROL PLAN AS REQUIRED TO CONTAIN ALL SEDIMENT ON-SITE AND REMOVE ANY SEDIMENT THAT ENTERS THE RIGHT-OF-WAY DURING THE COURSE OF CONSTRUCTION. SPECIAL ATTENTION SHALL BE TAKEN AT ALL EXISTING STORM DRAIN CATCH BASINS AND STORM DRAIN CHANNELS TO ELIMINATE ANY TRANSFER OF SEDIMENT INTO THE EXISTING STORM DRAIN SYSTEM. AN ALL WEATHER ROCK SURFACE SHALL BE PROVIDED AT ALL CONSTRUCTION SITE ENTRANCES.



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UTILITY, DRAINAGE & EROSION CONTROL PLAN  
11X17: 3/64" = 1'-0" 1

kistler+  
small  
+white

66 WATER STREET  
SUITE 101  
ASHLAND, OR  
97520  
TEL.: 541.488.8200

RIVERGATE HOUSE OF PRAYER

ASHLAND, OREGON

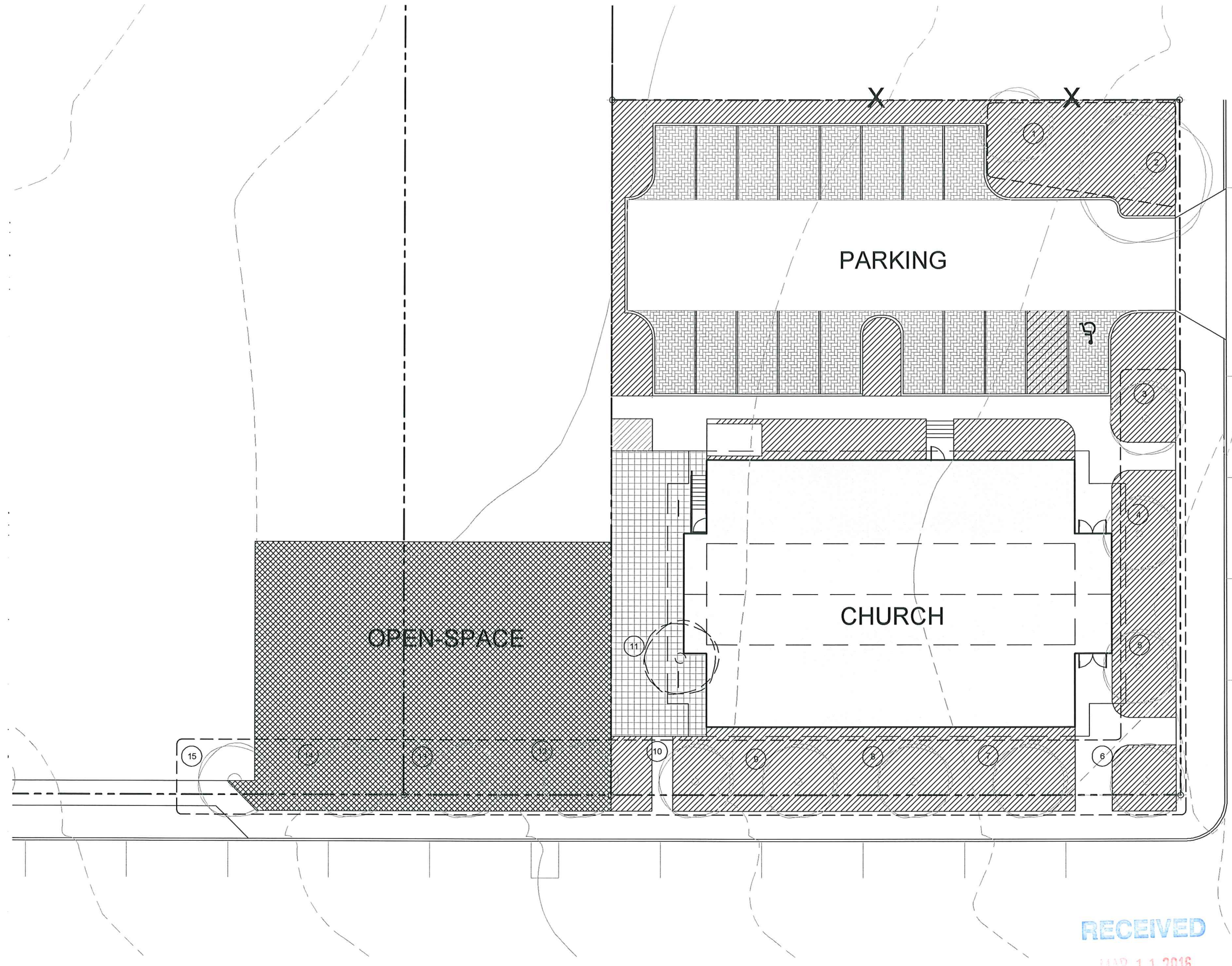
188 GARFIELD STREET.

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UTILITY &  
DRAINAGE PLAN

PROJECT: 15-009  
ISSUE DATE: 03/11/2016  
SHEET:

C1



GENERAL NOTES - TREE PROTECTION

1. ALL REMAINING TREES ON THE SITE TO BE INDIVIDUALLY PROTECTED PER 18.4.5.030C
2. PROVIDE A TREE PROTECTION ZONE AROUND THE ROOT ZONE OF TREES TO REMAIN BEFORE ANY CONSTRUCTION. EXCAVATION, LAND CLEARING, OR GRADING BEGINS. THE TREE PROTECTION SHOULD BE ESTABLISHED AT OR BEYOND THE DRIPLINE OF EACH TREE WHERE FEASIBLE. THIS ZONE SHOULD BE DELINEATED WITH TEMPORARY FENCING 6' TALL AND REMAIN IN PLACE THROUGH PROJECT COMPLETION.
3. TO AVOID SOIL COMPACTION, HEAVY MATERIALS SHOULD NOT BE STORED, VEHICLES MANEUVERED OR PARKED, GRADE CHANGED, OR PAVED SURFACES CONSTRUCTED WITHIN THE TREE PROTECTION ZONE.
4. IF INJURY SHOULD OCCUR TO ANY TREE DURING CONSTRUCTION, IT SHOULD BE INSPECTED BY AN ARBORIST OR LANDSCAPE PROFESSIONAL FOR EVALUATION AND TREATMENT RECOMMENDATIONS. TREE PRUNING REQUIRED DURING CONSTRUCTION SHOULD BE PERFORMED BY A QUALIFIED ARBORIST AND NOT BY CONSTRUCTION PERSONNEL.
5. IF EXCAVATION IS NECESSARY AT OR NEAR THE TREE PROTECTION ZONE, AVOID CUTTING ROOTS OVER 1" DIAMETER WHERE POSSIBLE. IF LARGER ROOTS ARE SEVERED DURING CONSTRUCTION AT THE PROTECTION ZONE, IT IS RECOMMENDED THAT THEY BE CUT CLEANLY WITH A SAW OR BYPASS PRUNERS AT A 90 DEGREE ANGLE.
6. IF CONSTRUCTION IS OCCURRING DURING THE DRIEST MONTHS OF JUNE THRU SEPTEMBER, IT IS RECOMMENDED THAT THE TREES RECEIVE A DEEP WATERING THROUGHOUT THEIR ROOT ZONE 3-4 TIMES PER MONTH. WATER SHOULD PERMEATE TO A DEPTH OF 30".

EXISTING TREE LEGEND

- |                                     |                                       |
|-------------------------------------|---------------------------------------|
| 1 (E) 31" LEYLAND CYPRESS TO REMAIN | 8 (E) 10" SWEETGUM TO REMAIN          |
| 2 (E) 45" ELM TO REMAIN             | 9 (E) 11" SWEETGUM TO REMAIN          |
| 3 (E) 16.5" MULBERRY TO REMAIN      | 10 (E) 11" SWEETGUM TO REMAIN         |
| 4 (E) 18.5" MULBERRY TO REMAIN      | 11 (E) 17" SILVER MAPLE TO BE REMOVED |
| 5 (E) 13" SWEETGUM TO REMAIN        | 12 (E) 11" SWEETGUM TO REMAIN         |
| 6 (E) 16.5" SWEETGUM TO REMAIN      | 13 (E) 13.5" SWEETGUM TO REMAIN       |
| 7 (E) 14" SWEETGUM TO REMAIN        | 14 (E) 12.5" SWEETGUM TO REMAIN       |
|                                     | 15 (E) 20" SWEETGUM TO REMAIN         |

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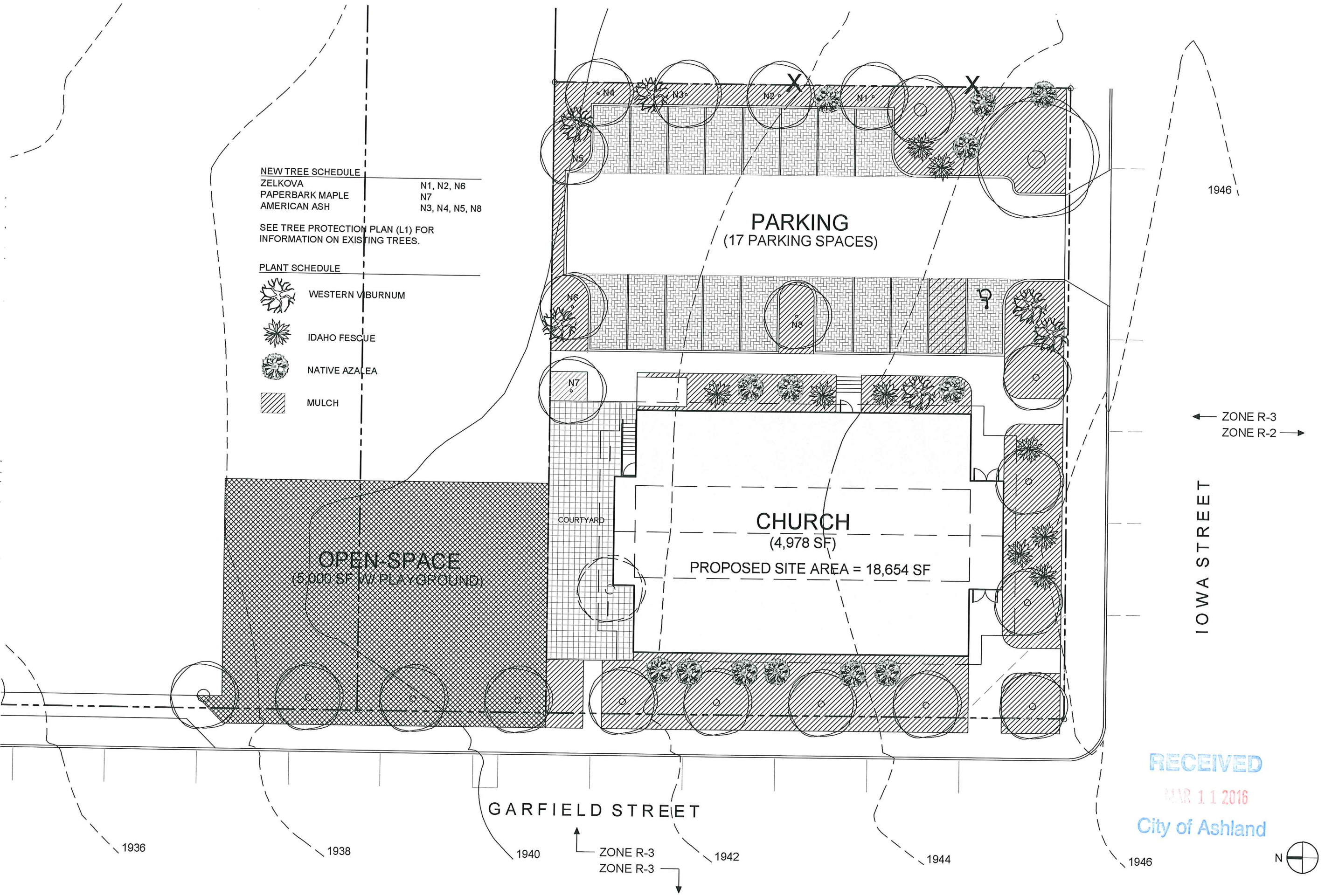
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TREE PROTECTION PLAN





11X17: 3/64" = 1'-0"

1



NEW TREE SCHEDULE	
ZELKOVA	N1, N2, N6
PAPERBARK MAPLE	N7
AMERICAN ASH	N3, N4, N5, N8

SEE TREE PROTECTION PLAN (L1) FOR  
INFORMATION ON EXISTING TREES.

PLANT SCHEDULE	
	WESTERN VIBURNUM
	IDAHO FESCUE
	NATIVE AZALEA
	MULCH

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# Memo

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**DATE:** May 5, 2016

**TO:** Ashland Tree Commissioners

**FROM:** Derek Severson, *Associate Planner*  
Department of Community Development Staff Liaison

**RE:** Urban Tree & Soil Planting Details & Specifications

As discussed last month, during his presentation James Urban recommended that the city adopt the planting details and specifications which are available on-line at [http://www.urbantree.org/details\\_specs.shtml](http://www.urbantree.org/details_specs.shtml).

The website explains that standard tree planting language was established through publication of the ANSI A300 transplanting standard, which encourages members of the profession to write detailed planting specifications, few have become readily available or recognized. As a result, many of those in the “green industry” are using out-of-date specifications. To address this issue, James Urban, FASLA teamed up with Dr. Ed Gilman from University of Florida, Brian Kempf and Tyson Carroll of the Urban Tree Foundation to develop a modern, up-to-date and peer-reviewed set of details and specifications for the “green industry”. These details and specifications are designed specifically for landscape architects, engineers, architects, contractors, urban foresters, arborists, municipalities and state agencies. All are open source, free and can be edited by the user.

In initial review of a number of these details and specifications, it appears that they are more aimed at incorporation into contract documents for projects and less at providing code language for ordinance adoption. With the volume of material presented, rather than printing hundreds of pages, staff would recommend that the Commissioners review the items on-line at [http://www.urbantree.org/details\\_specs.shtml](http://www.urbantree.org/details_specs.shtml) and come to the meeting prepared to discuss the details and specifications and how to best approach their adoption from here.

