

Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please rise and, after you have been recognized by the Chair, give your name and complete address for the record. You will then be allowed to speak. Please note that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

**ASHLAND PLANNING COMMISSION
REGULAR MEETING
MAY 10, 2016
AGENDA**

- I. **CALL TO ORDER:** 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street
- II. **ANNOUNCEMENTS**
- III. **AD-HOC COMMITTEE UPDATES**
- IV. **CONSENT AGENDA**
A. **Approval of Minutes**
1. April 12, 2016 Regular Meeting.
2. April 26, 2016 Study Session.
- V. **PUBLIC FORUM**
- VI. **UNFINISHED BUSINESS**
A. **Adoption of Findings for PA-2016-00229, 87 W. Nevada St.**
B. **Adoption of Findings for PA-2016-00410, 475 University Way.**
- VII. **TYPE II PUBLIC HEARINGS**
A. **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.
- B. **PLANNING ACTION: PA-2016-00209**
SUBJECT PROPERTY: 25 North Main Street
OWNERS: Ashland Holdings, LLC
APPLICANT: Allan Sandler

**CITY OF
ASHLAND**



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 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 1).

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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.

VIII. OTHER BUSINESS

- A. Election of Officers.
- B. Planning Commission Attendance Report.

IX. ADJOURNMENT

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CITY OF ASHLAND

ASHLAND PLANNING COMMISSION REGULAR MEETING MINUTES APRIL 12, 2016

CALL TO ORDER

Chair Melanie Mindlin called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Troy J. Brown, Jr.
Michael Dawkins
Debbie Miller
Melanie Mindlin
Haywood Norton
Roger Pearce
Lynn Thompson

Staff Present:

Bill Molnar, Community Development Director
Derek Severson, Associate Planner
April Lucas, Administrative Supervisor

Absent Members:

None

Council Liaison:

Greg Lemhouse, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar announced the commission's May meeting will include two Type II public hearings. He also stated the City Council has initiated three new items that will come before the commission in the next few months: 1) an amendment to the comprehensive plan to remove the Citizen's Planning Advisory Committee, 2) amending a condition regarding the cleanup of the railroad property, and 3) a proposed zone change for a parcel on Pioneer Street.

AD-HOC COMMITTEE UPDATES

Commissioner Dawkins provided a brief update on the Downtown Parking Management & Circulation Committee and noted the City Council held a study session on the recommendations. He added a recent article in the Daily Tidings has set off a firestorm of comments from downtown business owners.

CONSENT AGENDA

A. Approval of Minutes.

1. March 8, 2016 Regular Meeting.

Commissioners Miller/Brown m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed 6-0. Commissioner Thompson abstained.

PUBLIC FORUM

No one came forward to speak.

TYPE III PUBLIC HEARING

A. PLANNING ACTION: PA-2016-00229

SUBJECT PROPERTY: 87 W. Nevada St., 811 Helman St. & 127 Alameda Dr.

OWNERS: Wilma, LLC (Greg & Valri Williams)

APPLICANTS: Verde Village Development, LLC/KDA Homes, LLC

DESCRIPTION: A request for modification of the Outline Plan approval and Development Agreement, and Final Plan approval for the Verde Village Subdivision located at 87 West Nevada Street, 811 Helman Street and 127 Alameda Dr. The modifications proposed involve changes to the property lines; building envelopes; the number of detached and attached units; the approved landscaping plan; and the approved public/private space plan for Phase II, the single family portion of the Verde Village Subdivision. **COMPREHENSIVE PLAN DESIGNATION:** Suburban Residential & Single Family Residential; **ZONING:** R-1-3.5, R-1-5 and R-1-7.5; **ASSESSOR'S MAP:** 39 1E 04B; **TAX LOTS:** 1100, 1400, 1418 and 1419.

Commissioner Mindlin read aloud the public hearing procedures for land use hearings.

Ex Parte Contact

Commissioners Norton, Thompson, Pearce, and Brown conducted site visits. No ex parte contact was reported.

Staff Report

Associate Planner Derek Severson provided the background information on this project. He stated in 2007 the City did a land exchange, annexation, Comprehensive Plan map and zoning map change, and a number of other approvals for this 68-unit residential development. The 15 affordable unit development called Rice Park has been completed and is occupied; Phase 1 is the cottages and the applicants are in the process of installing civil improvements; and the current request is to modify the outline plan approval for Phase 2 which is the single family portion of the development.

Mr. Severson provided an overview to the requested changes, which would modify the existing approval to:

- Add property lines around 25 of the 28 single family lots.
- Add building envelopes in the new property lines.
- Detach 4 of the 6 previously attached units.
- Set a maximum house size for the proposed homes.
- Modify the open space treatment.
- Clarify the solar access for the proposed homes.

Mr. Severson commented on the project's original approval and asked the commission to consider whether the changes to the open space would alter the fundamental character of the original subdivision approval. He stated staff has some concerns that maximizing the building envelopes and having the potential to move the buildings closer together has the potential to enclose the open space and lose a lot of that character. He added other issues the commission may wish to discuss are: 1) Are the standard setbacks appropriate or is more openness necessary? 2) Are the pathways and open space landscaping treatment acceptable? 3) Is a 4 ft. fence height along the open space appropriate? 4) Is the "Millpond Standard" for solar access acceptable? 5) Does the allocation of coverage from open space keep with the purpose and intent of the Performance Standards?

Questions of Staff

Commissioner Mindlin stated she is unclear on what the applicants are proposing for setbacks. Mr. Severson clarified they are proposing 10 feet, which is the standard requirement, but they have not stated whether this will be 10 feet per story for 2-story homes.

Mr. Molnar commented on the Millpond solar standard which limits shadows to not more than 4 ft. on buildings to the north, but stated if there is no building to the north this could lead to greater shading of yard areas that could otherwise be used for garden space.

Mr. Severson commented on the original approval and explained the initial plan had conceptual footprints and it was understood that these would need to be fine-tuned at final plan. However the area between the structures is changing by more than 10% which is why the applicants are needing a modification. He noted there were a variety of building

sizes shown on the original approval and the applicants are seeking flexibility, but questioned the impact if every new home pushes the limit and builds up to the 2,500 sq.ft. proposed max.

Mr. Severson clarified staff's primary concern is that the proposed changes could change the way the open space functions within the development. If the buildings are much closer to it and there is fencing along the back and a pathway down the middle, it changes this from a place to gather to a thoroughfare.

Applicant's Presentation

Greg and Valri Williams/744 Helman/Stated they are proud of this project and believe it is the future of what housing should be. Mr. Williams stated they want to attract a wide variety of residents and have an engaging neighborhood that shares in a vision for sustainability. Mr. Williams commented on the open space that will be provided, but stated they also want people to have private space and the ability to grow their own food or raise chickens. Ms. Williams stated Phase 2 is the single family portion and these have always been envisioned as traditional lots. The homes will be energy efficient and they want to make sure the housing placement will accomplish their goals. Ms. Williams stated this is a great project a long time in the making and asked for the commission's support.

Mark Knox/604 Fair Oaks/Reviewed some of the elements of the project and stated any reference to this project losing its creativity is incorrect. Mr. Knox stated they are proposing to improve on Phase 2 and commented on the orientation of the proposed houses. He stated it is preferred to orient them to the public realm, and not just the front but the back as well. He clarified they are proposing property lines and building envelopes that will give them the flexibility to work with a buyer who may wish to alter the footprint slightly. He noted because of the original agreement any minor modification such as a one or two foot adjustment from one side to the other would require hearings in front of the Planning Commission and City Council. He stated the building envelopes proposed serve as a placeholder and allow for that flexibility. Mr. Knox clarified the setbacks will be 10 feet per story, and commented on the landscaping plan for the open space. Mr. Knox stated this development will have a solar reserve area, all homes will be photovoltaic ready, and there will be vehicle charging stations in every garage. He noted they are committed to Earth Advantage Platinum and believes their proposal improves on an application that was already impressive to start with. He stated they meet all the criteria and asked for the commission's approval.

Questions of the Applicant

Commissioner Brown commented that the original concept was undoable and unrealistic and asked why that was originally presented. Mr. Williams stated it is not that it was unfeasible, but rather this is a big project and there were items that were not taken into account at that stage.

Mr. Williams commented on the building envelopes and stated they would like the flexibility to put a smaller home there, but they will never be bigger than shown. He stated they were surprised to find out a lot of people wish to downsize and they would like to provide this flexibility.

Commissioner Mindlin asked what will be included in the development's CC&Rs. Mr. Knox stated the treatment of fences, the responsibility of the open space, as well as any conditions of approval placed by the City will be included. Mindlin also asked what the applicants are proposing for the garage size. Mr. Knox acknowledged that this had not been clarified and stated a 540 sq.ft. limit would be appropriate.

Mr. Knox clarified the proposed building envelopes provide flexibility to make the houses smaller or shift them from one side to another. Mr. Knox was asked if it would be possible to place a 2,500 sq.ft. house with a 540 sq.ft garage on each of the lots and he responded that a number of the lots are smaller and while it might be possible to have a 2,500 sq.ft. house it would have to be two-stories and they would still have to meet the solar requirements.

Public Testimony

Fred Gant/715 Sunrise/Stated he is a state licensed energy assessor and certifies Earth Advantage Homes and stated he is in full support of this project. Mr. Gant stated it is very exciting to see what has been put together and stated this would be the first Earth Advantage subdivision in southern Oregon. He stated the applicants are bringing a lot of environmental and sustainable benefits by going from gold to platinum and stated this project is a great design and will be good for the people and good for the city.

Shawn Schreiner/330 E Hersey/Stated he is the owner of True South Solar and gave his support for the project. Mr. Schreiner stated it is very unique to have solar readiness and this is the exactly the sort of thing Ashland needs. He noted that his company does a lot of retrofits and many clients aren't able to accomplish their goals, and stated this development won't have any of those problems.

Applicant's Rebuttal

Mr. Knox stated this is a unique project and there has never before been a residential development in Ashland that meets this level of effort. He stated they meet all the approval criteria and asked for the commission's support.

Deliberations & Decision

Commissioner Brown commented that the modifications are a large change from what was originally anticipated; the changes are not right or wrong but they do change how this project was originally laid out. Commissioner Miller stated this plan makes more sense than the previous one. Commissioner Pearce agreed and stated while this is a big change he believes it meets the standards and criteria. Commissioner Norton commented that the houses will be significantly bigger and have fences and stated the flow and feel that was originally approved is not there anymore. Commissioner Thompson stated it does not fail to comply with the standards, but questioned if there was a quid pro quo earlier in the process that it would be done differently. Commissioner Dawkins stated there is nothing undetailed about this project and commented on the overall concept. He stated he does not have a problem realigning it but there was a land trade, annexation, and a number of amendments that were made and believes this is a policy decision that needs to be made by the City Council. Staff clarified the Planning Commission's role is to make a land use decision based on the performance standards criteria with a recommendation on whether the City Council should incorporate it into their final decision. The City Council will have to decide if the proposal is still true to the overall annexation and development agreement. Commissioner Thompson stated they could find the proposal meets the performance standards but they question whether it meets the implied or expressed assumptions and understandings that were part of the development agreement; that is the purview of the City Council and they encourage them to take a close look at this decide from a policy perspective if they are comfortable allowing these changes. Commissioner Mindlin stated she does not recall the open space being a big part of the original decision, it was more about energy efficiency, green building standards, solar capacity, green streets, etc. She stated it is appropriate to highlight this change to the City Council, but does not believe it destroys the whole sense of the project. Mindlin added she is not in favor of the allocation of open space coverage requested by the applicant and stated this limitation will keep the home sizes down and reduce impervious surface.

Commissioners Pearce/Thompson m/s to approve the application for the modification of the outline approval with the follow conditions: 1) to not approve the allocation of open space coverage to individual lots, 2) to add a condition that they include in their CC&Rs for no solar blocking, 3) add a condition for a 540 sq.ft. limit for garage space for each lot, 4) add a condition that the streetscapes be maintained by the homeowners association, 5) add a condition that the applicant maintain solar standard A, and 6) all other conditions recommended by staff. The Commission also recommends the City Council consider whether this meets the Council's understanding and intent of the development agreement. DISCUSSION: Commissioners Thompson, Brown, Dawkins, Pearce, Miller, and Mindlin, YES. Commissioner Norton, NO. Motion passed 6-1.

TYPE II PUBLIC HEARING

A. 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.

Ex Parte Contact

Commissioners Dawkins, Miller, Brown, Mindlin, Pearce, Thompson, and Norton declared site visits. No ex parte contact was reported.

Commissioners Dawkins/Pearce m/s to extend meeting to 10 p.m.

Staff Report

Associate Planner Derek Severson reviewed the proposal to add a 13,238 sq.ft. addition to accommodate new teaching facilities for the university and add a 6,468 addition to accommodate the relocation of Jefferson Public Radio. He stated the application includes substantial regarding of the parking area to address ADA and displayed the applicant's renderings and drawings. Mr. Severson reviewed the tree removal and planting plan and stated both staff and the Tree Commission are recommending against the removal of the redwood tree located in the parking lot island, and staff would like to see the cedar tree retained as well. He stated staff is recommending approval with the conditions as listed, which includes the recommendation from the Tree Commission.

Applicant's Presentation

Mandy Butler, TVA Architects/Kerry KenCairn, KenCairn Landscaping/Ms. Butler stated this project increases the capacity for theater education on SOU's campus and she is very happy to be a part of this project. Ms. KenCairn stated the main issue seems to be the trees and explained the intent is to have visual connectivity from Mountain Street to the new building and the three evergreens blocked that. She stated they will retain one redwood, but the other redwood with the split trunk will only last 5-10 more years and the cedar must be removed because it is located in the path of the driveway. Ms. Butler explained that changing the island creates a gateway and invokes the public into that space. She added the building's design allows activity on the inside to be visible outside and will engage the public in a way that does not currently exist. Ms. Butler clarified the renderings in the application did not include the trees because it blocked the view of the building, however the large evergreen will still be there as well as the other trees listed on the planting plan. She clarified their proposal is to remove one evergreen and one cedar and keep the other redwood. The redwood with the split trunk will be removed and this will allow the other tree room to grow.

Commissioner Mindlin closed the hearing and the public record at 9:50 p.m.

Questions of Staff

Mr. Severson commented on the recent visit from James Urban who provided a presentation on Urban Trees in Ashland and concurred with the applicant's statement. Mr. Urban found that Ashland has too many trees planted close together and we should be giving them more room to grow.

Deliberations & Decision

Commissioners Dawkins/Thompson m/s to approve PA-2016-00410 and remove condition #4 which accepts the Tree Commission's recommendation. Roll Call Vote: Commissioners Miller, Dawkins, Thompson, Brown, Norton, Pearce, and Mindlin, YES. Motion passed 7-0.

ADJOURNMENT

Meeting adjourned at 9:55 p.m.

*Submitted by,
April Lucas, Administrative Supervisor*

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
STUDY SESSION
MINUTES
APRIL 26, 2016

CALL TO ORDER

Chair Melanie Mindlin called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Troy J. Brown, Jr.
Michael Dawkins
Melanie Mindlin
Haywood Norton
Roger Pearce
Lynn Thompson

Staff Present:

Bill Molnar, Community Development Director
Maria Harris, Planning Manager
April Lucas, Administrative Supervisor

Absent Members:

Debbie Miller

Council Liaison:

Greg Lemhouse, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar stated the City Council passed first reading of the airport code amendments and announced there will be two public hearings at the May meeting. He highlighted the 25th anniversary of the city's housing program and stated the City Council held a study session to discuss permanent strategies for the housing trust fund. Mr. Molnar also announced the wildfire ordinance discussion has been postponed in order for more outreach to occur with the other commission chairs and to evaluate if there are opportunities aside from a regulatory approach.

PRESENTATION

A. Tiny Home Presentation by Andrew Morrison.

Community Development Director Bill Molnar introduced Andrew Morrison and provided some background information on the tiny house movement.

The commissioners and staff left the council chambers to take a short tour of a tiny house model parked outside.

Mr. Andrew Morrison gave a presentation on tiny houses. He explained a tiny house is a self-contained dwelling unit that has electrical, plumbing, and hvac systems and can be hooked up to standard sanitation systems. Tiny houses are being used by college students, first time home buyers, couples, families, retirees, caretakers, disabled home owners, and for transitional housing. Mr. Morrison stated the existing problems in the housing sector has created a disparity between what people can afford and what is out there. He stated tiny houses can have fine details and fine craftsmanship and can be a beautiful addition to neighborhoods. He stated health and safety standards can be met, at least in intent, and there is a movement to change the building codes at the national level. He stated tiny homes minimize the need to expand urban growth boundaries and are a good way to deal with lots that are odd shaped or difficult to build on. Tiny houses also protect view corridors, limit solar shading, reduce permanent lot impacts, and are perfect for infill development.

Commissioner Questions

- *How do you envision tiny houses being utilized in Ashland?* Mr. Morrison stated they could be used as accessory dwelling units on existing home sites, utilized to increase density, or used by faith based organizations to provide transitional housing.
- *Why would someone build/purchase a tiny home instead of building a standard ADU on their lot?* Mr. Morrison stated the big difference is that tiny houses give people the flexibility to move or relocate the tiny home in the future.

- *Other than design, how are tiny houses different from a mobile home or RV?* Mr. Morrison explained that RVs are not designed for full-time living and tiny houses are built and insulated the same as a stick frame house. They are different from manufactured housing in size and are too small to be considered by HUD, and you are required to purchase manufactured homes from a facility, you cannot build one yourself.
- *What about the building code minimum space requirements?* Mr. Morrison stated the space requirements can be satisfied and noted the code has been revised to establish a minimum room size of 70 sq.ft. which can include everything but the bathroom.
- *How important is it that they have wheels, is this critical to the whole concept?* Mr. Morrison stated it depends on who you ask. Some people want that flexibility and others just want a home they can afford.
- *What types of modifications would be needed to our existing code?* Mr. Morrison stated there are some construction/building code issues that pose challenges and then there is the bigger issue of zoning. How do you deal with the fact that it is not technically permanent? How do you tax it? Do you charge SDCs and how does that impact the concept of affordable housing? Mr. Molnar explained tiny houses are not currently permissible and are considered recreational vehicles. They can be parked in a mobile home park but they need to be on a foundation and hooked up to sewer and water. He added these issues can be addressed, but there are a number of conflicts that would need to be worked through.

Public Input

David Ludwig/480 Gate 5 Rd, #122, Sebastopol, CA/Stated he is an architect and has lived in a tiny house for the last 10 years. Mr. Ludwig stated affordable housing often quickly becomes unaffordable and the advantage of tiny houses is that in most cases they are owner occupied and the only real cost is the creation of the pad. He stated the city has an opportunity to be visionary and support this movement and stated the types of individuals he has encountered are very inspirational and are the type of people you want in your neighborhood. Mr. Ludwig stated the city could create tiny house villages or use them as infill and allow secondary dwelling units on properties. He added that he encourages his clients to have wheels but also be able to attach the tiny house to foundations until they know where they will settle, that way they can convert from wheels to foundation and stay compliant with the rules of wherever they locate.

DISCUSSION ITEMS

A. Cottage Housing Standards.

Planning Manager Maria Harris stated the revised land use ordinance has been in effect for 13 months but before the City Council adopted it they pulled out the part about cottage housing and referred it back to the Planning Commission for additional discussion. Council's concerns included the size of the units, the design standards and height, and the separation requirements. Ms. Harris explained cottage housing developments can already be done in R-2 and R-3 zones under the performance standards options, and outlined possible standards the city could adopt for the R-1 single family zone.

Commissioner Mindlin stated it is hard to picture where there is enough land to make one of these developments feasible in Ashland. Mr. Molnar commented on cottage housing possibilities on a 10,000 sq.ft. lot and the commission discussed the need to develop a strategy that results in cottage housing actually being built. Mr. Molnar stated if this is something the city wants to encourage and provide opportunities for they might have to reexamine the density table and create a unique table for cottage housing. He added this type of development won't be for everyone, but the city can do its part by providing as many options in the toolbox as they can.

Sue Crader/2957 Barbara/Stated she is the former director of Ashland Supportive Housing & Community Outreach and is interested in cottage housing to provide housing to adults with developmental disabilities. Ms. Crader stated the individuals she works with want to live in their own home, but this is very difficult for anyone who is low income and especially difficult for people who need assistance. She shared her vision for a cottage housing development with several small homes and a communal space that houses a staff person during the day, laundry facilities, etc. She encouraged the city to allow this type of development and noted a 1.5 or 2-story height requirement may pose difficulties for anyone with mobility issues.

Gil Livni/2532 Old Mill Hwy/Stated he owns several acres of property in Ashland and is interested in this concept. He suggested an 800 sq.ft. cottage house would be a very nice 2-bedroom one story unit, and they could go smaller for one-bedroom units. Mr. Livni stated something small could be very high quality and energy efficient, although he cautioned that if the houses are too small people start living outside (couches and furniture outside, etc). He stated he is looking forward to the

city creating clear regulations on this type of development and stated he is one of the people in town who has the space to do this.

ADJOURNMENT

Meeting adjourned at 8:30 p.m.

Submitted by,

April Lucas, Administrative Supervisor

BEFORE THE PLANNING COMMISSION
May 10, 2016

IN THE MATTER OF PLANNING ACTION #2016-00229, A REQUEST FOR A)
MODIFICATION OF THE OUTLINE PLAN APPROVAL AND DEVELOPMENT)
AGREEMENT, AND FINAL PLAN APPROVAL FOR PHASE II, THE 28-UNIT)
SINGLE FAMILY PORTION OF THE VERDE VILLAGE SUBDIVISION)
LOCATED AT 87 WEST NEVADA STREET, 811 HELMAN STREET AND 127)
ALMEDA DRIVE. THE MODIFICATIONS PROPOSED INVOLVE CHANGES) **FINDINGS,**
TO THE PROPERTY LINES; BUILDING ENVELOPES; THE NUMBER OF) **CONCLUSIONS**
ATTACHED AND DETACHED UNITS; THE APPROVED LANDSCAPING) **& ORDERS**
PLAN; AND THE APPROVED PUBLIC/PRIVATE SPACE PLAN FOR PHASE)
II, THE SINGLE FAMILY PORTION OF THE VERDE VILLAGE SUBDIVISION.)
)
APPLICANTS: Verde Village Development, LLC/KDA Homes, LLC)

RECITALS:

- 1) Tax lots #1100, #1400, #1418 and #1419 of Map 39 1E 04B are located on contiguous parcels at 87 West Nevada Street, 811 Helman Street and 127 Alameda Drive and are zoned R-1-3.5 (Suburban Residential), R-1-5 (Single Family Residential) and R-1-7.5 (Single Family Residential).
- 2) The applicants are requesting Modification of the Outline Plan approval and Development Agreement, and Final Plan approval for Phase II, the 28-unit single family portion, of the Verde Village Subdivision located at 87 West Nevada Street, 811 Helman Street and 127 Alameda Dr. The modifications proposed involve changes to the property lines; building envelopes; the number of detached and attached units; the approved landscaping plan; and the approved public/private space plan for Phase II, the single family portion of the Verde Village Subdivision. Site improvements are outlined on the plans on file at the Department of Community Development.
- 3) The criteria for Outline Plan subdivision approval or modification through the Performance Standards Options Chapter are described in AMC 18.3.9.040.A.3 as follows:
 - a. *The development meets all applicable ordinance requirements of the City.*
 - b. *Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.*
 - c. *The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas.*

- d. *The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.*
- e. *There are adequate provisions for the maintenance of open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.*
- f. *The proposed density meets the base and bonus density standards established under this chapter.*
- g. *The development complies with the Street Standards.*

4) The criteria for Final Plan subdivision approval or modification through the Performance Standards Options Chapter are described in AMC 18.3.9.040.B as follows:

- 5. **Approval Criteria for Final Plan.** *Final Plan approval shall be granted upon finding of substantial conformance with the Outline Plan. This substantial conformance provision is intended solely to facilitate the minor modifications from one planning step to another. Substantial conformance shall exist when comparison of the outline plan with the final plan meets all of the following criteria.*
 - a. *The number of dwelling units vary no more than ten percent of those shown on the approved outline plan, but in no case shall the number of units exceed those permitted in the outline plan.*
 - b. *The yard depths and distances between main buildings vary no more than ten percent of those shown on the approved outline plan, but in no case shall these distances be reduced below the minimum established within this Ordinance.*
 - c. *The open spaces vary no more than ten percent of that provided on the outline plan.*
 - d. *The building size does not exceed the building size shown on the outline plan by more than ten percent.*
 - e. *The building elevations and exterior materials are in conformance with the purpose and intent of this ordinance and the approved outline plan.*
 - f. *That the additional standards which resulted in the awarding of bonus points in the outline plan approval have been included in the final plan with substantial detail to ensure that the performance level committed to in the outline plan will be achieved.*
 - g. *The development complies with the Street Standards.*
 - h. *Nothing in this section shall limit reduction in the number of dwelling units or increased open space provided that, if this is done for one phase, the number of dwelling units shall not be transferred to another phase, nor the open space reduced below that permitted in the outline plan.*

6. Any substantial amendment to an approved Final Plan shall follow a Type I procedure in section 18.5.1.050 and be reviewed in accordance with the above criteria.

6) The original Subdivision approval and Development Agreement envisioned that Final Plan approval for each of the two phases of the development could be processed, like any other Final Plan applications, through administrative review by staff, and in fact the Final Plan approvals for both Rice Park and the Cottages in Phase I were approved administratively.

However, the approval criteria for Final Plan in AMC 18.3.9.040 provide that building locations and sizes, open space areas, and yard depths may vary no more than ten percent over those approved in the original Outline Plan and the current request includes buildings which were previously shown as being 25-26 feet apart now illustrated as envelopes that are only 12 feet apart. The building on Lot 46 had a footprint illustrated at approximately 900 square foot (exclusive of garage) in the original approval, while the “viable footprint” is now illustrated at 2,432 square feet. Because these changes significantly exceed the ten percent threshold allowed between Outline and Final Plan, modification of the original Outline Plan approval, and thus the Development Agreement, is necessary.

Procedurally speaking, the Development Agreement requires in 21.2 that, “Amendment... of this agreement shall be made by adoption of an Ordinance.... The procedures and requirements for amendment...are the same as for approval of a Development Agreement, currently notice and hearing before the Council with a recommendation from the Planning Commission.” The current request is therefore for a land use decision by the Planning Commission as to whether the proposal complies with the applicable approval criteria detailed above for Outline and Final plan approvals, and a recommendation from the Planning Commission to the City Council with regard to the modification of the Development Agreement.

7) The Planning Commission, following proper public notice, held a public hearing on April 12, 2016 at which time testimony was received and exhibits were presented. Subsequent to the closing of the hearing, the Planning Commission approved the application subject to conditions pertaining to the appropriate development of the site.

Now, therefore, the Planning Commission of the City of Ashland finds, concludes and recommends as follows:

SECTION 1. EXHIBITS

For the purposes of reference to these Findings, the attached index of exhibits, data, and testimony will be used.

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

Hearing Minutes, Notices, Miscellaneous Exhibits lettered with an "M"

SECTION 2. CONCLUSORY FINDINGS

2.1 The Planning Commission finds that it has received all information necessary to make a decision based on the Staff Report, public hearing testimony and the exhibits received.

2.2 The Planning Commission finds that the proposal for modification of the Outline Plan approval and Final Plan approval meets all applicable criteria for Outline Plan approval as described in Chapter 18.3.9.040.A and for Final Plan approval as described in Chapter 18.3.9.040.B.

2.3 The Planning Commission finds that the proposal meets all applicable ordinance requirements of the City of Ashland with the attached conditions of approval. The Site Plan provided delineates the proposed building location, design and associated site improvements. The Planning Commission further finds that the application involves requests to modify the original land use approval and the associated Development Agreement for the Verde Village Subdivision by making changes to the property lines, building envelopes and number of detached and attached units, and by making changes to the approved landscaping and public/private space plans for Phase II, the single family portion of the subdivision.

2.4 The Planning Commission finds that the Verde Village Subdivision was originally approved in December of 2007 and consisted of an 11.64 acre site comprising five parcels on the site of the old Ashland Greenhouses at 87 West Nevada and 811 Helman Streets. That original application involved numerous approval by the City, including:

- An Annexation, Comprehensive Plan and Zoning Map changes from Jackson County Rural Residential (RR-5) to City of Ashland Single Family Residential (R-1) and Suburban Residential (R-1-3.5)
- Outline Plan approval to develop the property as a 68-unit residential development
- Site Review approval for multi-family development
- Physical and Environmental Constraints Review Permit to locate a multi-use path in the Ashland Creek Riparian Preservation Area.
- A Tree Removal Permit
- Exceptions to the Street Standards to install a curbside sidewalk on one side of a proposed street, to not locate a street adjacent to natural features and to not connect two of the proposed streets.
- Variances to reduce the on-street parking requirement from 78 to 38 spaces, to reduce the rear yard setback requirement for six of the townhomes in the northwestern corner of the site from 20 feet to 12, 14 and 16 feet, and to reduce the required distance between buildings for the 27 cottages in the southwestern corner of the site.
- An Administrative Variance to the Site Design and Use Standards to have the primary orientation of the buildings to the south, rather than to the street, in order to maximize the use of solar energy.

- A land exchange with the City of Ashland dedicating 2.78 acres adjacent to Ashland Creek to the city for parks purposes in exchange for approximately 1.54 acres of the Dog Park in the area of the access and to the south of the existing parking area.
- A Development Agreement with the City of Ashland which governed the requirements for development of the subdivision to completion, including a detailed timeline. This development agreement was adopted by Ordinance #2945 on December 19, 2007.

Subsequent to the 2007 approval, the original applicants dedicated property to the Rogue Valley Community Development Corporation (RVCDC) to develop 15 affordable units as part of Phase I of Verde Village to satisfy the affordability requirements of the annexation. Utilities and infrastructure, including a partial extension of Alameda Street, were completed to serve these units, which are now built and occupied as “Rice Park at Verde Village.”

The applicants obtained Final Plan and Site Review approval for the remainder of the Phase I, the multi-family cottage housing portion of the subdivision, in 2009. Prior to the installation of infrastructure or commencement of the remainder of the first phase of the development, the national economy suffered a major downturn which made it difficult for projects with approvals in place to obtain financing.

To date, the city has approved three timetable extensions in response to difficulties associated with the economy and availability of financing, and in 2014 approved requested modifications of the Development Agreement including: clarifications of the project phasing to make clear which improvements would be required with each phase and to allowing either phase to occur first; changing the energy efficiency requirements of the development so that all units will be constructed to at least Earth Advantage Gold standards and will be “Photovoltaic Ready”; and changing the landscaping requirements associated with construction of the multi-use path.

In 2015, a request for modifications (PA #2015-00825) including partitioning the property to be consistent with the approved phasing plan, to adjust the property lines for Lots #3-#9 and #15-#17, and to modify Exhibit E, Condition #30 of the approved Development Agreement as it relates to the construction and timing of street improvements for both Perozzi Street and Alameda Drive was approved. The Phase I portion of the development has been sold to Verde Village Development, LLC (*the current applicants*) and infrastructure installation for the first phase is now well underway.

2.5 The Planning Commission finds that the application explains that the number of dwelling units proposed, street pattern, and public improvements associated with the extension of the bikepath and new street system are to remain as proposed and that the modifications requested are limited to: adding property lines around 25 of the 28 single family lots in Phase I; adding building envelopes within the new property lines for 25 of the 28 single family lots in Phase I; modifying the open space treatment; detaching four of the six previously attached units; and clarifying the maximum house size of the proposed homes.

With regard to adding property lines around 25 of the 28 single family lots in Phase I, the application explains that the originally approved Outline Plan did not include property lines for 25 of the 28 proposed single family residences. The applicants now desire to add clear property line boundaries in order to delineate ownership boundaries and avoid confusion between property owners. They note that the

previous plan did not consider pet control issues, ownership values, privacy concerns or neighborly interaction.

With regard to adding building envelopes within the new property lines for 25 of the 28 single family lots in Phase I, the applicants similarly note that the original Outline Plan approval did not include building envelopes but instead presented conceptual house footprints. The applicants are now requesting to add building envelopes within the property lines in order to identify potential home construction boundaries and provide future home owners some flexibility in designing their homes. The applicants emphasize that building envelopes are not proposed house footprints, but instead boundary limitations that are necessary to retain private open space, provide for solar access and address spatial sensitivity and that there are numerous factors that limit the actual size of a home within the envelope including lot coverage, setbacks, solar access, owner preferences, and the 2,500 square foot limitation committed to with the application.

With regard to detaching four of the six previously attached units, the applicants note that the original approval identified six attached units, and the current request proposes to reduce this to four noting that this change would be more in course for the subdivision and would create a more balanced approach when it comes bringing a mixture of housing types to the market.

With regard to clarifying the maximum house size of the proposed homes, the applicants note that the original application narrative stated that, "small is beautiful" and that philosophy remains today. However, they emphasize that it has always been the applicants' intention to exclude the units' garage square footage from the 2,500 square foot limitation described in the original application and as such, the current request seeks to clarify that units will be limited to 2,500 square feet not including garages or porches. They suggest that only a few of the homes would likely broach this level, but desire the flexibility in design in order to offer a variety of house types and sizes to remain competitive in the marketplace.

With regard to modifying the open space treatment, the applicants suggest that there is no clear indication in the plans or narrative for the Outline Plan approved indicating the purpose of the site's open spaces and that it appears to be partially planted and unplanted passive open space with no trails or central focus points for neighborly interaction apparent. They suggest that it was unclear whether this space was to be public or private, and that it was unclear how wall, window and door placement adjacent to open space was to be treated to determine whether the homes turned their backs onto the open space. The applicants propose to define the plantings for the project open spaces, and where paths are provided to grant public easements. A small focal point is proposed to anchor the large central space and provide a neighborhood interaction point. The applicants suggest that building envelopes will have standard rear yard setbacks to reduce building massing around the open space. The applicants also propose fence height restrictions to be included in the project CC&R's that would prohibit fence heights exceeding four feet so that the common open space areas retain a sense of openness. Overall, the applicants contend that the proposed modifications to the treatment of the open space areas provide far more open space than originally planned and do so in a more useable manner with homes that now face the open space and the street and provide eyes on the open space for a comfortable, enjoyable recreational experience.

With regard to clarification of the solar access for the proposed homes, Condition #22 of the original approval required that all homes in the development comply with Solar Access Standard A and cast no

more shadow than would be cast by a six-foot fence on the north property line. The applicants explain that because the property lines are de-emphasized to enhance the sense of community, the applicants propose to comply with this standard based on a hypothetical six-foot fence built at a six-foot setback rather than based on the private lot lines proposed. This is similar to the shading that has been allowed in other Performance Standards developments such as the Millpond Subdivision, and would limit the shadow cast to no more than would be cast by a six-foot fence built six feet south of the home to the north's wall. The applicants emphasize that the subdivision's original efforts to maximize solar orientation remain unchanged, and that they would provide Earth Advantage® Platinum homes (currently Gold is required) that are Photo-Voltaic Ready with conduit and circuit breakers installed; homes designed with optimum roof pitch and area for solar, and include an identified solar reserve area on building plans; and an outlet with a 240-watt circuit breaker in each garage to accommodate an electric car charger. The application materials include solar studies as Sheets A2-A5 illustrating how this shading would work, and all building permits would include demonstration of compliance with the standard.

The applicants conclude with the assertion that the modifications proposed will notably improve upon a neighborhood that will be more desired and valued by its tenants. They suggest that the previous plan was conceptual and not fully vetted nor the criteria fully understood by the applicants as the previously approved plans *"would have created a development that felt like a government designed communal housing project that would have had little life and or individual expression."*

2.6 The Planning Commission finds that the current request involves modification of the approved Outline Plan, and is subject to the same approval criteria used for the initial project approval, except that the scope of review is limited to the modification request as provided in AMC 18.5.6.030.C. The Commission further finds that the modifications requested can be found to comply with the Outline Plan approval criteria. The development will continue to meet applicable ordinance requirements of the City; the provision of adequate key city facilities and treatment of natural features are not proposed to be altered; the proposed changes will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan; there are adequate provisions of the maintenance of open space and common areas; and the proposed density and streetscape treatment are to remain unchanged.

2.7 The Planning Commission finds that the number of dwelling units are not to vary from the number shown in Outline Plan herein and will not exceed the number of units in the original approval; that with the yard depths, open spaces, building sizes, elevations and materials are to remain consistent with the modifications considered herein; that the modifications proposed remain consistent with the standards which resulted in the awarding of bonus points in the original approval; and that the development continues to comply with the Street Standards except in those areas where Exceptions were previously approved

2.8 With regard to modification of the Development Agreement, the Planning Commission recommends that the Council carefully consider whether the current proposal meets the Council's understanding of the intent of the original Development Agreement. Planning staff have noted concerns that the proposed modifications alter the fundamental character of the original subdivision. While the

applicants suggest that the original subdivision gave no clear indication of the purpose of the site's open spaces, that it was unclear whether the open space was to be public or private, and that it was unclear how the proposed homes would relate to the open space, staff believes that the original approval articulated a clear vision of the proposed development which provided one basis for the original approval by the Planning Commission and Council not merely for the subdivision, but for the property exchange, Annexation, Comprehensive Plan and Zoning Map amendments and Development Agreement. The original approval included 11 conceptual drawings for single family homes with a range of square footages, and a "Proposed Public/Private Space" Plan (original Sheet P1) made explicitly clear the footprints of the homes proposed and delineated how the homes were to be clustered around a central "passive open space and play area" with an open, fluid edge and a clearly defined area of single family private space adjacent to each home. These private spaces were to be the responsibility of individual property owners, with the remainder serving as a common green. With the proposed redefinition of the property lines, building envelopes and the public/private space delineation, staff believes that the fluid, open-edged common green that was literally and figuratively the center of the single-family phase of the subdivision has the potential to be confined and privatized to a degree that substantially alters the character of the original Verde Village.

The Performance Standards Options Chapter (AMC 18.3.9) seeks to allow an option for more flexible design than is permissible under the conventional zoning codes in exchange for energy efficiency, architectural creativity, and innovation that use the natural features of the landscape to their greatest advantage, provide a quality of life equal to or greater than that provided in standard developments, are aesthetically pleasing, provide for more efficient land use, and reduce the impact of development on the natural environment and neighborhood. The original proposal was exemplary in pursuing energy efficiency, architectural creativity and innovation that incorporated the natural features of the site for the benefit of the neighborhood and broader community. The application spoke to the "*creation of community by design,*" noting that "*'small is beautiful' as well as sustainable and affordable,*" and proposing to limit unit sizes to from 800-1,200 square feet for the cottages; 900-1,200 square feet for the townhomes, and to a maximum of 2,500 square feet for the single family residential homes while seeking to build the most energy efficient homes in Oregon. All homes in the development were to be clustered around a common green with small areas of private space around the buildings, and all remaining areas as fluid common space. This original neighborhood design, negotiated through Ashland's Annexation process and presented in the original Outline Plan approval, embraced architectural and site planning creativity suggested in the Performance Standards Option. The result was a plan layout that was open and airy, focusing on spacious yard areas and open spaces central to the project and surrounding residences.

Staff have indicated that the proposed changes dramatically deviate from this approach, as well as the desired purpose of the Performance Standards Option, through the standardization of building envelope orientation and size, as well proposing predictable yard spaces between residences, and in staff's opinion, the new layout undermines the creativity found in the original design in order to substitute a more conventional subdivision plan. Staff believes that the changes proposed could be found to be consistent with the approval criteria for Outline Plan, but also believes that these changes have the potential to fundamentally alter the character that defined of the original neighborhood envisioned as Verde Village

and should therefore be carefully considered.

The original Verde Village project envisioned a unique mix of housing types and energy conserving housing that Ashland has not seen before – or since - in a subdivision, and included connectivity improvements to better serve the now-constructed affordable housing in Rice Park, the Dog Park, the Bear Creek Greenway and the surrounding community. The merits of the project remain years following its approval and it is unfortunate that the economic downturn of the “Great Recession” jeopardized realization of the original vision. In the interest of keeping the subdivision viable in the current economy, the Council has previously approved changes in the energy efficiency proposed from a net-zero performance standard to more readily implementable Earth Advantage® standards as well as changes to the property lines and open space for the cottage portion in Phase I. The current request proposes to modify the open space areas in Phase II to create a more marketable development, but in so doing proposes to redefine the delineation of public and private spaces envisioned with the original Verde Village substantially.

Staff has concerns that this redefinition has the potential to fundamentally change the development’s approach to site planning, resulting in a much more conventional subdivision with larger homes and more enclosure of the open space instead of a community of smaller homes clustered around an open, common green with a more open, fluid edge. The approved Development Agreement calls for the Final Plan to speak to community access and usability of the open space, and staff believes it is important that the change from the more fluid, open common green of the original proposal to a more conventional, enclosed treatment of the open space proposed be carefully considered. Staff is specifically concerned with the significant reduction in the side yard areas between residences, especially for those lots abutting the Ashland Creek Corridor and future public multi-use pathway. In staff’s judgment, this will result in the elimination of the generous view corridors designed to provide a visual connection to the natural area beyond. The original neighborhood design negotiated through Ashland’s annexation process and presented in the outline plan approval embraced architectural and site planning creativity suggested in the Land Use Ordinance’s Performance Standards Option. The result was a plan layout that was open and airy, focusing on spacious yard areas and open spaces central to the project and surrounding residences. In Staff’s judgment, the proposed changes dramatically deviate from this approach, as well as the desired purpose of the Performance Standards Option, through the standardization of building envelope orientation and size, as well proposing predictable yard spaces between residences, and this new layout undermines the creativity found in the original design in order to substitute a more conventional subdivision plan.

The Planning Commission finds that the proposed changes are in keeping with the approval criteria for a modification of the Outline Plan approval, and approval of the Final Plan, however the Commission also recognizes that the changes proposed are a significant deviation from the project as originally approved and need to be considered by the Council not simply as a change to the Outline Plan, but more broadly in terms of whether the changes requested meet the implied or expressed assumptions and understandings that were behind the land exchange, annexation and other approvals that lead to the approval of the original Verde Village Development Agreement.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the proposal for Modification of the Outline Plan approval including changes to the property lines; building envelopes; the number of detached and attached units; the approved landscaping plan; and the approved public/private space plan, and Final Plan approval for Phase II, the 28-unit single family portion, of the Verde Village Subdivision is supported by evidence contained within the whole record.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve Planning Action #2016-00229. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2016-00229 is denied. The following are the conditions and they are attached to the approval:

- 1) That all conditions of the applicant shall be conditions of approval unless otherwise specifically modified herein, including but not limited to:
 - a. That fencing adjacent to the open space be limited to no more than four feet in height and that these fences shall be of an open construction which does not obscure views from the open space area.
 - b. That the development's CC&Rs shall make clear that there is to be no blocking of solar access by vegetation.
 - c. That homes in Phase II shall not exceed 2,500 square feet exclusive of standard garages and porches.
 - d. That the allowed garage space for each lot shall not exceed 540 square feet.
 - e. That the proposed attached units shall obtain Site Design Review approval prior to approval of building permits.
 - f. That the homes in Phase II shall be constructed to Earth Advantage Platinum Standards; be Photovoltaic Ready; be designed with optimum roof pitch and area for solar, and include an identified solar reserve area on building plans; and include electrical vehicle charging stations in each garage as proposed by the applicants. Building permit submittals shall include evidence of compliance with these requirements, and evidence of Earth Advantage Platinum/Photo-Voltaic Ready certification for each unit shall be provided by the applicants prior to the issuance of certificates of occupancy for each home.

- 2) That all conditions of the previous land use approvals and the approved Development Agreement and subsequently approved modifications shall remain conditions of approval unless otherwise specifically modified herein, including but not limited to the requirement that safe and free public access, and associated temporary public access easements, to the Dog Park and Bear Creek Greenway be maintained during development.

- 3) That lots adjacent to open space shall provide standard side and rear yard setbacks for the zoning district as a minimum appropriate transition between the public and private spaces.
- 4) The single-family zoned Lots #66-68 in Phase II shall be included in the homeowners' association and subject to the CC&R's and all subdivision requirements.
- 5) The applicants proposed allocation of additional lot coverage from the open space to individual lots is not approved. Lot coverage calculations shall be provided with each building permit demonstrating that each lot complies with the lot coverage limitations of the underlying zoning.
- 6) That the streetscapes, including the park row planting strips/bio-swales, shall be maintained by the homeowners association and this obligation shall be reflected in the CC&Rs.
- 7) That homes within Phase II shall not cast a shadow on the south wall of the home(s) to the north greater than would be cast by a six-foot fence constructed six feet south of the wall. Building permit submittals shall clearly illustrate compliance consistent with Solar Standard A.

Planning Commission Approval

May 10, 2016
Date

BEFORE THE PLANNING COMMISSION
May 10, 2016

IN THE MATTER OF PLANNING ACTION #2016-00410, 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 THEATRE)
BUILDING; A 13,238 SQUARE FOOT ADDITION TO THE THEATRE)
BUILDING TO ACCOMMODATE NEW TEACHING FACILITIES; AND A)
6,468 SQUARE FOOT ADDITION TO ACCOMMODATE RELOCATION OF)
THE JEFFERSON PUBLIC RADIO PROGRAM FOR THE PROPERTY LOCATED)
AT 475 UNIVERSITY WAY ON THE SOUTHERN OREGON UNIVERSITY) **FINDINGS,**
CAMPUS. A CONDITIONAL USE PERMIT IS ALSO REQUIRED BECAUSE THE) **CONCLUSIONS**
ADOPTED SOU MASTER PLAN CURRENTLY IDENTIFIES A DIFFERENT) **& ORDERS**
LOCATION ON CAMPUS FOR THE JEFFERSON PUBLIC RADIO 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)
AND THEREFORE REQUIRE TREE REMOVAL PERMITS.)
)
APPLICANT: Southern Oregon University (SOU), *owner*)

RECITALS:

- 1) Tax lot #5700 of Map 39 1E 10CC and Tax Lot #7900 of Map 39 1E 09DD are located at 475 University Way and are zoned SO (Southern Oregon University).

- 2) The applicants are requesting 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) Theatre Building; a 13,238 square foot addition to the Theatre 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. Site improvements are outlined on the plans on file at the Department of Community Development.

- 3) The Southern Oregon University Campus SOU Plan Update (“the SOU Plan”) was adopted by the Ashland City Council in June of 2010 to achieve compliance with Oregon Statewide Planning Goal #2 (Land Use Planning) as well as Chapter 197 of the Oregon Revised Statutes which requires that the planning activities of Southern Oregon University be coordinated with the City of Ashland to ensure compatibility with the City’s Comprehensive Plan and local land use ordinances. The SOU Plan

provides both a conceptual framework and design guidelines for the on-going development of the 164-acre Southern Oregon University campus, which is zoned SO (Southern Oregon University). Zoning regulations within this district are found in AMC 18.3.6, which generally provides that those uses which are directly related to the educational functions of SOU, which are indicated and located in conformance with the adopted SOU Plan, and which are greater than fifty (50) feet from privately owned property are permitted outright subject to Site Design Review approval, while allowing a measure of flexibility to the adopted SOU Plan where project-specific site planning varies from the larger conceptual framework by providing that any “*use, site design, or construction or alteration of same*” not agreed upon in advance is subject to discretionary review as a Conditional Use Permit.

4) The criteria for Site Design Review approval are described in AMC 18.5.2.050 as follows:

- 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.*

- 5) The criteria for Conditional Use Permit approval are described in AMC 18.5.4.050.A as follows:
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.*

6) The criteria for a Tree Removal Permit to remove a “Tree That is Not a Hazard” are described in Chapter 18.5.7.040.B.2 as follows:

- 1. 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.*
- 2. 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.

3. *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.*
4. *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.*
5. *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.*

7) The Planning Commission, following proper public notice, held a public hearing on April 12, 2016 at which time testimony was received and exhibits were presented. Subsequent to the closing of the hearing, the Planning Commission approved the application subject to conditions pertaining to the appropriate development of the site.

Now, therefore, the Planning Commission of the City of Ashland finds, concludes and recommends as follows:

SECTION 1. EXHIBITS

For the purposes of reference to these Findings, the attached index of exhibits, data, and testimony will be used.

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

Hearing Minutes, Notices, Miscellaneous Exhibits lettered with an "M"

SECTION 2. CONCLUSORY FINDINGS

2.1 The Planning Commission finds that it has received all information necessary to make a decision based on the Staff Report, public hearing testimony and the exhibits received.

2.2 The Planning Commission finds that the proposal for Site Review, Conditional Use and Tree Removal permit approvals meets all applicable criteria for Site Review approval as described in Chapter 18.5.2.050, for Conditional Use Permits as described in Chapter 18.5.4.050.A, and for Tree Removal Permits as described in Chapter 18.5.7.040.B.2.

2.3 The Planning Commission finds that the proposal meets all applicable ordinance requirements of the City of Ashland with the attached conditions of approval. The Site Plan provided delineates the proposed building location, design and associated site improvements. The Planning Commission further finds that the application involves requests 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) Theatre Building; a 13,238 square foot addition to the Theatre 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.

2.4 The Planning Commission finds that the Site Design Review component of the request involves: the renovation of 15,147 square feet of the existing Southern Oregon University (SOU) Theatre Arts building, a 13,238 square foot addition to the Theatre Arts building to accommodate new teaching facilities, and a 6,468 square foot addition to accommodate relocation of the Jefferson Public Radio (JPR) program.

The Commission further finds that the current SOU Campus Master Plan notes on page 35 that an expansion of the Theatre Arts complex was identified in the 2000 Master Plan as a priority project, based on enrollment being three times the design capacity of the space. Since that plan, enrollment has grown to four times the facility's design capacity, and the current plan notes that a conceptual design for renovation and modest expansion was completed, with fundraising underway. The plan explains that work at Theatre Arts will include a much-needed upgrade of the facilities, and should also include exterior elements to improve the qualities of the area between Theatre and Music to make a more welcoming gateway for visitor attending events here and daily campus users. Among academic building projects, the plan notes this is considered a top priority project for both the Oregon University System and private funding.

The first approval criterion for Site Design Review is that, *"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 Commission finds that the SOU District is not addressed through the underlying zone regulations in part 18.2 and is instead guided by the special district provisions in AMC 18.3.6 and the SOU Campus Master Plan, which provide specific guidance for the development of the campus through an adopted map detailing proposed developments as well as through specific site and building design standards applicable to the SOU District. Compliance with these standards is considered under the next approval criterion.

The second Site Design Review approval criterion is that, *“The proposal complies with applicable overlay zone requirements (part 18.3).”* The Planning Commission finds that the subject property is not within the boundaries of Site Development and Design Overlays such as the Detail Site Review Zone that covers some portions of the SOU campus and that no other overlay zone requirements exist for the property. The property is located within the Southern Oregon University (SOU) District, which is considered to be a special district as detailed in AMC 18.3.6.

The SOU district regulations provide that uses related to the educational functions of the University are considered outright permitted uses, provided that such uses are indicated and located in conformance with the adopted, city-approved SOU Campus Master Plan, and are greater than fifty (50) feet from privately owned property. In addition to the standards contained in the SOU Campus Master Plan, development on campus is also subject to the Site Review, Sign Regulations, Off-Street Parking and Tree Preservation & Protection chapters, as well as to the Conditional Use Permit chapter for any *“use, site design, or construction or alteration of same not agreed upon in advance by the city and the university in the SOU Campus Master Plan.”*

The SOU Campus Master Plan details design guidelines for campus development seeking to provide buildings at a density appropriate both to a significant university and to the scale of Ashland; to ensure that the scale and articulation of buildings enhance the “sense of place” of the campus and support walking within the campus environment; and express the permanence and long-term role of the university in the community. These goals are addressed through standards for building massing and orientation which limit new construction to four stories, strongly discourage single-story buildings, limit academic buildings to a maximum length of 300 feet and a maximum footprint of 45,000 square feet, and provide articulation guidelines which call for design elements on buildings longer than 200 feet to prevent unbroken wall lengths greater than 150 feet to include offsets or jogs in the plan or significant recessed entry or courts of at least 25 feet in width. Buildings facing major streets are to have significant, strongly articulated and clearly understandable entries to the street, and buildings facing both a significant street and a campus open space are to have entries provided to both. The SOU Campus Master Plan also includes standards calling for the use of materials and construction selected for long-term durability, with a preference noted for materials similar to the more significant buildings on campus which have typically used brick, concrete and stucco.

The Planning Commission finds that the addition is proposed to be two-stories tall, in keeping with the four-story limits of the Campus Master Plan and the design of the existing building. The application notes that the renovated theatre is proposed to be 230 feet long in its longest direction (North/South) with a new ground floor footprint of 32,948 square feet where the Master Plan provides a 300-foot limit on the length of academic buildings and a 45,000 square foot maximum footprint area. The new exterior layout is articulated so that the longest unbroken wall segment, located on the North elevation, is 105 feet which falls within the parameters for building articulation in the Master Plan. The building provides two significant entries: a new main theatre entry facing South Mountain Avenue entered off the new West plaza, and the two-story tall atrium entry aligning with the current sidewalk connecting back to South Mountain and extending through the building to University Way.

The Campus Master Plan envisions an “enhanced gateway” at the path between Theater and Music, noting “*The work at Theater Arts will include a much-needed upgrade of the facilities. It should also include exterior elements to improve the area between Theater and Music, to make a more welcoming gateway for visitors attending events here and daily campus users (p. 35).*” The Campus Master Plan also envisions the eventual closure of University Way south of the Stevenson Union to regular traffic, with the construction of a drop-off circle to create an entry at the Stevenson Union and Arts areas which would be “book-ended” with a similar circle already in place at Hannon Library.

The Planning Commission finds that the application details improvements to the façade and plaza in front of the Theatre Arts Building including small seating areas and softscaping to enhance the appearance and usability by students and the public. The applicants envision that small performances can be held in the plaza space, and the new performance room in the JPR addition includes folding doors which will open to engage this plaza space. Crosswalk improvements are proposed mid-block on Mountain Avenue and a walkway will extend from Mountain to and through the building with a two-story atrium corridor providing a connection through to University Way. The application notes that the new north façade design will provide a “lyrical and playful backdrop” for the future gateway area and the campus’s pedestrian pathway spine which will eventually be improved to connect to the envisioned University Way drop-off circle.

The Commission finds that the materials proposed for the new addition relate to the finishes used on other new campus buildings, with the primary exterior walls in light-colored brick masonry, grey and charcoal aluminum composite metal wall and fascia panels, light grey colored stucco and grey aluminum storefront window framing systems.

The third approval criterion is that, “*The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*” Generally, the Site Development & Design Standards seek to improve each project’s appearance by creating a positive, human scale relationship between proposed buildings and the streetscape to encourage bicycle and pedestrian travel while lessening the visual and climatic impacts of parking, and screening adjacent uses from the adverse impacts of development. To these ends, buildings are to have their primary orientation to the street rather than to parking areas, with visible, functional and attractive entrances oriented to the street, placed within 20 feet of the street, and accessed directly from the public sidewalk. Buildings on corner lots are to orient to the higher order street or to the corner. Sidewalks and street trees are to be provided along subject properties’ frontages, and automobile parking and circulation areas are not to be placed between buildings and the street. In-fill of parking areas between existing buildings and the street is encouraged, and non-conforming sites are expected to come proportionally into compliance with these standards as additions occur.

The Commission finds that that the theatre is an existing facility that is part of the larger SOU campus, and that the existing project reuses a large part of the existing building while adding new student and staff areas. The applications suggests that the Site Review Standards are met through the new addition which strengthens the presence of the facility toward Mountain Avenue, lengthens the building to occupy the full width of the frontage as viewed from Mountain Avenue, and provides new entries from Mountain Avenue with a new plaza and from University Way to the East. The applications emphasizes

that the new entry to the theatre building is now oriented to Mountain Avenue to reinforce the street frontage presence of the building, and the new architectural envelope also gives the building a more transparent and inviting appearance when viewed from Mountain Avenue.

The application also indicates that while sidewalks are in place on both the Mountain Avenue and University Way frontages, the project will upgrade the existing crosswalk on Mountain Avenue to address current city and university standards and comply with the Master Plan.

The Commission finds that the proposal adds teaching space to accommodate existing staff and students, but is not anticipated to create new parking demand which would necessitate the installation of additional parking. Parking is available in lots to the west and south, and on street along Mountain Avenue and University Way. With regard to bicycle parking, the application notes that one of the covered, double-decker bicycle parking structures typically used on campus will be installed to the east of the building along University Way. These units hold approximately 40 bicycles each.

The fourth approval criterion is that, *“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 Commission finds that the application materials note that the subject property and existing facilities are presently served by water, sewer, electricity, urban storm drainage, and paved access with the following details provided:

Water

The project engineers note that survey information illustrates an existing eight-inch main line within the South Mountain Avenue right-of-way, and further note that their research indicates that there is an existing on-site fire hydrant serviced from a water main from the parking lot to the south of the Theatre Arts Building (Student Commuter Lot #30). Portions of this existing line are proposed to be removed to accommodate the proposed addition, and a new fire service line is proposed to be installed to provide the building with fire sprinkler protection.

Preliminarily proposed modifications and additions to the existing water service configuration include:

- Removing the existing fire hydrant within the looped driveway;
- Adding a new six-inch fire service with double check detector assembly and fire department connection approximately 15 feet south of the existing driveway entrance;
- Adding a new six-inch fire hydrant assembly off the above referenced fire service tap, before the double check detector assembly, approximately 15 feet south of the existing driveway entrance.

The engineers indicate that they've coordinated with the City Water Department and have preliminary confirmation of the assumptions underlying the proposed water system lay-out.

Sewer

The application notes that the Theatre Arts Building is currently serviced from its east side, discharging into the existing public main line within University Way. The applicants' engineers explain that a new, second sanitary sewer service is proposed to be installed with the renovation project proposed. They propose to collect the new building additions with one private service lateral routed around the northern end of the project connecting into the existing public main line within University Way. They note that South Mountain Avenue was also considered for connection however the main line within University Way is approximately 12-feet lower in elevation.

Electricity

The materials provided by the applicant's civil engineers indicate that the existing electric service to the Theatre Arts Building is expected to generally remain the same, and that design team member Glumac has been tasked with developing a final electric service plan. Planning staff have noted that in discussing the electrical services needs for the project with the City of Ashland's Electric Department, they have indicated that some service upgrades are likely to be necessary simply based on the scale of the project, and a condition has accordingly been added below to require that the applicants provide a final electric service plan with the building permit submittals for the review and approval of the Electric, Building and Planning Departments.

Urban Storm Drainage

The application materials indicate that an existing 12-inch storm drain line runs south to north within South Mountain Avenue. Survey information illustrates an existing private service lateral connecting to the referenced line in South Mountain Avenue. The applicants intend to maintain this point of connection and all future storm system improvements will occur within the limits of the private property. They note that the proposed building modifications and impervious areas associated with the proposal may require stormwater detention. The applicants' engineers explain that all stormwater within the limits of the improved tributary basin will sheet flow to open area inlets. The storm system inlets will be collected by an underground pipe network that will discharge into the existing private stormwater lines prior to entering the existing public system. They suggest that should on-site detention be required, they anticipate the use of sub-surface storage pipes due to a lack of available surface area for swales, as well as the compactness of development in the vicinity, the number of existing trees, and the topography all of which make surface detention difficult. If detention ultimately proves necessary, they further explain that stormwater would be allowed to pass into the existing South Mountain Avenue system through a pre-cast concrete discharge control structure. Stormwater discharge would be controlled through a stepped orifice configuration in this structure, and the lower orifice would be sized to release the two-year tributary basin allowable flow rate before the upper orifice engages. Both the lower and upper orifices would combine to flow the 25-year allowable flow rate. Stormwater discharge within the limits of the area being improved would be limited to 0.25 cfs/acre peak flow rate when modeled for post-developed 25-year storm event. They further state that they would also control stormwater release rates for the tow-year event for pre-treatment purposes. The applicants conclude that if stormwater detention is determined to be required after further analysis, formal stormwater calculations would be provided with the applicants' civil drawing submittals, and a condition to this effect has been added below.

Prior to entering the existing public storm drain system, stormwater within the tributary basin as well as the entire parking lot to the south of the Theatre Arts Building (Student Commuter Lot #30) will pass through a new treatment manhole engineered for both the water quality flow rate and peak flow rate for the project. This manhole separates and traps trash, debris, sediment and hydrocarbons from stormwater run-off and also captures and retains 100 percent of floatables and neutrally buoyant debris. The application notes that in providing this manhole, they will be addressing stormwater quality and meeting LEED requirements for “Stormwater Design-Quality Control.”

Paved Access and Adequate Transportation

The property takes access from South Mountain Avenue and University Way, both of which are fully improved. The proposed addition is happening in the vicinity of an identified primary pedestrian route for the campus’s pedestrian circulation system. The Campus Master Plan calls for the eventual extension of this main campus path across Mountain Avenue to the ECOS garden and calls for the improvement of the mid-block pedestrian crossing on Mountain Avenue to provide a safer crossing for both daily users and event visitors.

The application explains that the University only anticipates a small student and staff increase in this part of the campus once the project is completed, and no increase in the theatre seating is proposed. Many of the theatre staff area already housed temporarily in the current building, and the relocation of the JPR program involves moving staff from existing office space from Central Hall, which is nearby. The application materials emphasize that the project will include upgrades to the pedestrian circulation from Mountain Avenue with the completion of mid-block crossing improvements envisioned in the Master Plan, adding bicycle parking, ADA parking upgrades, and upgraded site stairs to the parking lot to the South and a new second floor entry at the South upper parking lot. Conditions to require these proposed improvements prior to final approval of the project are attached below.

The Planning Commission finds that based on the material provided by the project engineers, the proposed redevelopment site appears to be adequately served by all major utilities without requiring the need for mainline utility extensions. The applicants have provided a “Utility and Grading Schematic” plan identifying the improvements they have determined to be necessary to serve the project, and conditions have been attached below to require that final engineered utility plans be provided for review and approval of the City prior to submittal of building permit plans.

2.5 The Planning Commission finds that the application includes a Conditional Use Permit because the adopted SOU Master Plan currently identifies a different location on campus for the JPR program. The first criterion for approval of a CUP is, *“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.”* As detailed in the Site Design Review section above, the Planning Commission finds that the use conform with the standards of the SOU district and relevant Comprehensive Plan policies.

The second approval criterion for a CUP is, *“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.”* Based upon the technical memo provided by project engineers, ZCS Engineering, the Commission finds that the subject property can be served with water, sewer, electricity, and urban storm drainage to and throughout the development.

The third criterion is, *“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; and g) other factors found to be relevant by the approval authority for review of the proposed use.”*

The Commission finds that Jefferson Public Radio (JPR) has been housed in the lower level of Central Hall since its start in 1969. Over the years, JPR’s coverage area and listener base has expanded steadily and they have outgrown their current location. In 2015, the SOU Board of Directors voted to co-locate a new JPR facility with the Theatre Arts Building as part of the emerging SOU Center for the Arts. The applicants emphasize that they do not see a major change to the surrounding areas caused by relocating this program to this portion of the campus.

They further explain that the new JPR program will have 3,634 square feet on the ground floor and 3,023 square feet on the second floor. The overall two-story massing fits within the existing two-story theatre building massing and is consistent with the two-story music building just next door. The applicants add that the additions to the theatre building are all dedicated to new teaching facilities, and that no new public components are being added. They note that the JPR program will sometimes have performances in the new, small performance room off the main new plaza to the North, but indicate that these will be for limited amounts during the year.

The application suggests that the proposed architecture is similar to other target uses within the zone, and with respect to compatibility with the impact area it is consistent with the expectations those living within the impact area would have for university buildings. There is nothing unique about the use or the overall height of the building that would be out of character with the expectations for university buildings in the impact area.

The application further suggests that nothing about the proposed building or its height will cause any air quality concerns or generation of dust or odors; all proposed lighting is to comply with current standards for the SOU campus and with the city’s light and glare standards; and the proposed project is not anticipated to produce any appreciable noise at the exterior of property boundaries of the University’s ownership. The small JPR performance space is to be used only occasionally during the year. The

applicants suggest that nothing about the project is expected to impact in any way the ability of adjacent properties that have additional development potential to develop in a manner consistent with the Comprehensive Plan's vision for the area.

The fourth criterion for the approval of a CUP is that, "*A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.*" The Commission finds that approval of the request would not have the effect of allowing any use which is prohibited or not permitted pursuant to the Land Use Ordinance. Within the SOU District, all uses which are directly related to the educational functions of the University are permitted outright, provided that such uses are indicated and located in conformance with the adopted SOU Campus Master Plan, and are greater than 50 feet from privately owned property. Any use, site design, or construction or alteration of same not agreed upon in advance by the City and SOU in the SOU Campus Master Plan is allowed conditionally. The Commission finds that in this instance, while the JPR program is identified in the SOU Campus Master Plan, it is identified in another location and the current consideration is simply to assess any adverse impacts that may be associated with the relocation. Relocation of the JPR program as proposed seems well thought out in seeking to create a Center for the Arts on the central campus, and the use would be similar and compatible with the theatre and surrounding uses despite initially being identified for placement elsewhere on campus in the Campus Master Plan.

2.6 The Planning Commission finds that the application includes a Tree Protection and Removal Plan as Sheet L100 which identifies 64 trees in the vicinity of the proposed construction which are six-inches in diameter at breast height or greater. 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. While the remaining trees are not subject to review as Tree Removal Permits, the Commission believes it is important to note that both Site Design Review and Conditional Use Permit plan requirements also call for the identification of all trees six-inches in diameter at breast height or greater which supports the need to consider the retention of as many healthy trees as possible, and projects subject to Site Design Review under AMC 18.5.2 are required to meet the Landscaping and Screening Standards of AMC 18.4.4, which include a requirement for "Tree and Shrub Retention" in AMC 18.4.4.030.C.1 which requires that, "*existing healthy trees and shrubs shall be retained.*" AMC 18.5.2.080.D gives the Planning Commission the power to amend plans to "*require the retention of existing trees...*"

The Planning Commission finds that of the significant trees proposed for removal, the majority are located in or near the new addition and its associated excavation, and the application suggests that their condition and tolerance for construction disturbance necessitates their removal.

The Commission further finds that staff and the Tree Commission had initially questioned the proposed removals of Tree #36, a 19-inch d.b.h. Sequoia Sempervirens and #38, a 24-inch d.b.h. Calocedrus Decurrens, both of which are located within the existing parking lot island and are described as being in

good condition but which are identified in the application as being removed “*for appropriate fire, ADA and traffic safety design, the existing traffic island needed to be reduced and reconfigured.*” Staff and the Tree Commission had suggested that options for addressing these issues without removal of the trees should be considered, for instance by reconfiguring the sidewalk between Mountain Avenue and the building with a mountable curb so that it could accommodate fire apparatus in the limited instances where it is necessary. During the course of the hearing, the applicants explained that given the trees’ sizes, locations and conditions within the parking lot island and relative to the proposed building renovation, they believed that the removal of the two trees would provide the best chance for the third tree to thrive in this location rather than leaving all three large specimens to compete with each other in this crowded location. Commissioners noted that one of the trees had a double trunk and would likely not thrive for long, and that the removals proposed would give the large Redwood more room to grow. The Commission finds that the removals requested seemed appropriate given the circumstances on site discussed in the hearing. Conditions have been included below to make the applicant’s proposed mitigation plan and tree protection measures conditions of the project approval.

2.7 The Planning Commission finds that the existing Theatre Arts Building is a brick structure with little articulation in its façade to engage the streetscape, and with the proposed additions and renovation, a more inviting public space is to be created in the front of the building, with new entries added to create a much stronger street presence of the building with a more transparent and inviting appearance when viewed from Mountain Avenue. The relocation of JPR, which currently operates out of Central Hall but is identified in the Master Plan to be relocated to the corner of Walker Avenue and Ashland Street, seems appropriate for the new vision of creating a Center for the Arts on the central campus, and as the applicants note any likely impacts associated with this change seem consistent with those already on the site from the theatre and within the range of what could reasonably be expected by neighbors of a university project. The Commission further finds that the removals of Tree #36, a 19-inch d.b.h. Sequoia Sempervirens and #38, a 24-inch d.b.h. Calocedrus Decurrens, located within the existing parking lot island are an appropriate attempt to let the third large Redwood tree to remain in the same island thrive. The Commission finds that Ashland is fortunate to have Southern Oregon University as a part of the community, as its presence adds diversity while enriching the local art and cultural community and strengthening the local economy. Cooperative planning efforts ensure that the University remains a strong and viable institution within the Oregon University System, while also ensuring that campus development recognizes the values and concerns of the broader community.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the proposal for Site Design Review approval to allow the renovation of 15,147 square feet of the existing Southern Oregon University (SOU) Theatre Building, a 13,238 square foot addition to the Theatre Building to accommodate new teaching facilities, and a 6,468 square foot addition to accommodate relocation of the Jefferson Public Radio (JPR) program; Conditional Use Permit approval to the relocation of the JPR program to a location not identified in the 2010 SOU Campus Master Plan; and Tree Removal Permits to remove 25 trees including eight (8) which are 18-inches in diameter-at-breast-height (d.b.h.) or greater, is supported by evidence contained within the whole record.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve Planning Action #2016-00410. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2016-00410 is denied. The following are the conditions and they are attached to the approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified herein, including but not limited to the requirement that the applicants shall submit materials to the US Green Building Council (USGBC) requesting certification of all buildings to at least a LEED® Silver status within 12 months of final occupancy, and receive final certification within 36 months; and that the two spires in front of the building shall not be used as wireless communication facilities unless requisite approvals are obtained.
- 2) That the plans submitted for the building permit shall be in conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify the Site Review, Conditional Use and Tree Removal permit approvals shall be submitted and approved prior to the issuance of a building permit.
- 3) That prior to submittal of the building permit application, the applicants shall consult with Conservation Division staff to allow for the fine-tuning of energy conservation strategies for the proposed buildings and identify any available programs for technical or financial assistance.
- 4) That prior to the installation of any signage, a sign permit shall be obtained. All signage shall meet the requirements of the Sign Ordinance (AMC 18.4.7) or the applicants shall obtain approval of a modification of the Conditional Use Permit approving a Campus Sign Program approved under Planning Action #2011-00530 to include signage for the Theatre Arts building and Jefferson Public Radio.
- 5) That building permit submittals shall include:
 - a) The identification of all easements, including but not limited to public and private utility easements and fire apparatus access easements.
 - b) The identification of exterior building materials and paint colors for the review and approval of the Staff Advisor. Very bright or neon paint colors shall not be used in accordance with the requirements of the Site Design Standards, and the colors and materials selected shall be consistent with those approved with the application.
 - c) Specifications for all exterior lighting fixtures. Exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.
 - d) Revised Landscape, Irrigation and Tree Protection Plans shall be provided for the review and approval of the Staff Advisor with the building permit submittals. This plan shall address: 1) the recommendations of the Tree Commission from their April 7, 2016 meeting where consistent with the Site Design and Use Standards and with final approval by the Staff Advisor; and 2) the required irrigation plans, including the requirements for programmable automatic timer controllers and a maintenance watering schedule with seasonal modifications. The applicants shall also obtain the required plumbing permits and inspections for installation of any required double-check valve(s) associated with the irrigation system.

- e) Storm water from all new impervious surfaces and runoff associated with peak rainfalls must be collected on site and channeled to the City storm water collection system (*i.e., curb gutter at public street, public storm pipe or public drainage way*) or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals. A revised stormwater drainage plan, including any necessary on-site detention measures, shall be provided for the review and approval of the Engineering, Building and Planning Departments with the building permit submittal. The drainage plan shall be designed to ensure that post-development peak stormwater flows are less than or equal pre-development levels as required by the Engineering Division.
 - f) That final utility, erosion and sediment control plans for the project shall be provided for the review and approval of the Engineering, Planning and Building Divisions. The utility plan shall include the location of connections to all public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Any necessary service upgrades shall be completed by the applicant at applicant's expense.
 - g) The applicant shall submit an electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric, Engineering, Building and Planning Departments prior to the issuance of demolition, excavation or building permits. Transformers, cabinets and vaults shall be located outside of the pedestrian corridor in those areas least visible from streets, sidewalks and pedestrian areas, while considering the access needs of the Electric Department. Any necessary service upgrades shall be completed by the applicant at applicant's expense.
 - h) Engineered drawings reflecting the mid-block crossing improvements on South Mountain Avenue proposed by the applicants for the review and approval of the Planning and Engineering.
 - i) That the building permit submittals shall identify all proposed mechanical equipment in the elevation drawings, as required in AMC 18.5.2.040.B.4.a., and these drawings shall include screening meeting the requirements of AMC 18.4.4.030.G.4 to limit the view of all roof-mounted mechanical equipment from public rights-of-way and adjacent residentially-zoned properties through the placement of parapets, walls or other sight-blocking features at least equal in height to the proposed mechanical equipment.
- 6) That prior to the issuance of the building, excavation, staging, storage of materials or the commencement of site work, a Tree Verification Permit shall be obtained, and tree protection measures installed, inspected and approved by Staff Advisor. The Verification Permit is to inspect the identification of trees to be removed and the installation of tree protection fencing for the trees to be retained and protected on and adjacent to the site. Tree protection measures shall be in the form of chain link fencing six feet tall, installed and maintained in accordance with the requirements of AMC 18.4.5.030.C.

- 7) That prior to the final approval of the project and issuance of a certificate of occupancy:
- a) That all hardscaping, landscaping and the irrigation system shall be installed according to the approved plan, inspected, and approved by the Staff Advisor.
 - b) All utility service and equipment installations shall be completed according to Electric, Engineering, Planning, and Building Departments' specifications, inspected and approved by the Staff Advisor.
 - c) The screening for the trash and recycling enclosure shall be installed in accordance with the approved plan, inspected and approved by the Staff Advisor. An opportunity to recycle site of equal or greater size than the solid waste receptacle shall be identified in the building permit submittals and shall be in place, inspected and approved by the Staff Advisor.
 - d) The requirements of the Ashland Fire Department relative to the approval of addressing; maintaining a firefighter access pathway; providing a fire department connection; maintaining required fire hydrant clearance; and providing a key box shall be satisfactorily addressed prior to issuance of a certificate of occupancy.
 - e) Crosswalk improvements for the proposed mid-block crossing on South Mountain Avenue shall be installed to City of Ashland standards under permit from the Public Works Department in accordance with the approved plan, inspected and approved by the Staff Advisor.
 - f) All hardscape improvements including entry plazas, fire apparatus and other accessways shall be installed according to the approved plans, inspected and approved prior to issuance of the final certificate of occupancy.
 - g) That the bicycle parking facilities shall be installed according to the approved plans, inspected, and approved by the Staff Advisor prior to the issuance of the certificate of occupancy. The building permit submittals shall verify the design and placement of bicycle parking.
 - h) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent residential properties.
 - i) That the requirements of the Building Division shall be satisfactorily addressing, including but not limited to modification of the existing property lines if necessary to avoid conflicts with code requirements which prevent construction over a property line.

Planning Commission Approval

May 10, 2016

Date

**TYPE II
PUBLIC HEARING**

**PA-2016-00230
188 Garfield St**



PLANNING ACTION: PA-2016-00230

SUBJECT PROPERTY: 188 Garfield Street

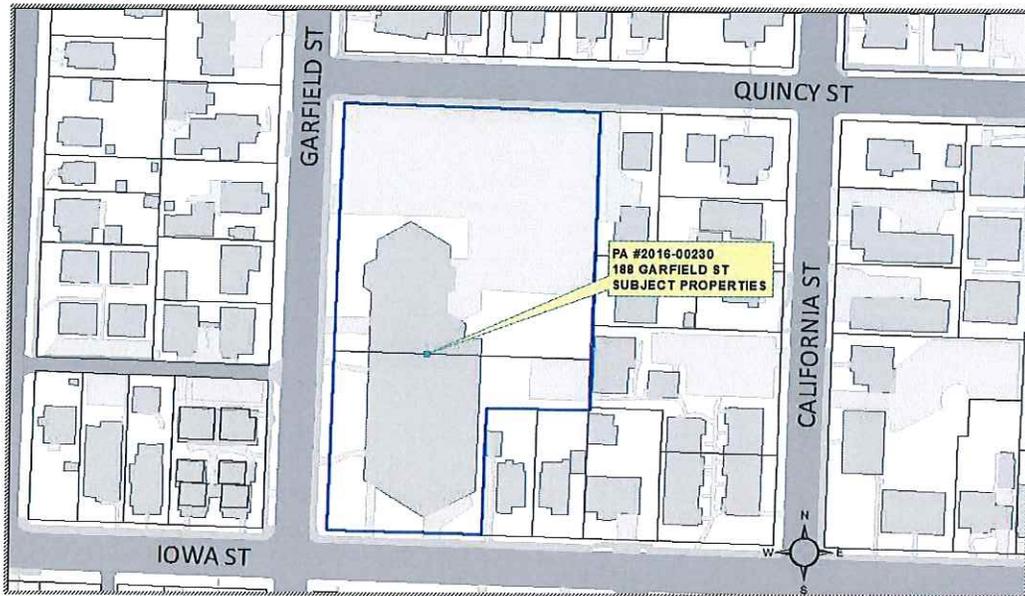
OWNER/APPLICANT: Rivergate Assembly of God Church of Ashland

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.

ASHLAND PLANNING DIVISION STAFF REPORT

May 10, 2016

PLANNING ACTION: #2016-00230

APPLICANT: Rivergate Assembly of God Church of Ashland

LOCATION: 188 Garfield Street

ZONE DESIGNATION: R-3

COMP. PLAN DESIGNATION: High Density Multi-Family Residential

APPLICATION DEEMED COMPLETE: April 30, 2016

120-DAY TIME LIMIT: August 28, 2016

ORDINANCE REFERENCE: see http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf

18.4.3 Parking, Access, and Circulation
18.4.5 Tree Preservation & Protection
18.4.6 Public Facilities
18.4.7 Signs
18.4.8 Solar Access
18.5.2 Site Design Review
18.5.3 Land Divisions and Property Line Adjustments
18.5.4 Conditional Use Permit
18.5.7 Tree Removal Permits

REQUEST: 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.

I. Relevant Facts

A. Background - History of Application

In March of 2014, Planning staff administratively approved a request for a Boundary Line Adjustment between the properties at 188 Garfield Street, 1273 Iowa Street and 1277 Iowa Street.

In November of 1993, Planning staff administratively approved a request for a Conditional Use Permit (Planning Action #1993-00049) to operate a private K-5 elementary school out of the church facilities. A request for public hearing was received from a neighboring property owner, and the Planning Commission ultimately approved the application.

In October of 1978, the Planning Commission approved a request for Site Review (Planning Action #1978-00122) and Conditional Use Permit (Planning Action #1978-00238) to construct an addition onto the existing church facilities. The addition involved the construction of classroom space to teach Christian education.

Jackson County property tax records indicate that the church was constructed around 1965.

There are no other planning actions of record for the property.

B. Detailed Description of the Site and Proposal

The Site

The parent property for the church is an approximately two-acre site bounded by Iowa, Garfield and Quincy Streets. Iowa Street is classified as an Avenue or Major Collector in Ashland's Transportation System Plan, and Quincy and Garfield Streets are designated as residential Neighborhood Streets. All three are paved with curbs, gutters, curbside sidewalks and street trees in place along the subject properties' frontages.

The subject properties are Tax Lots #2100 and #2101. Tax Lot #2100 is a roughly square parcel at the corner of Quincy and Garfield Streets with an area of approximately 1.38 acres. This property contains a portion of the church, a large paved parking lot, and associated landscaping. Tax Lot #2101 is an "L"-shaped, 0.72 acre parcel at the corner of Iowa and Garfield Streets. This property contains a portion of the church building, with a fenced play area behind, and other associated landscaping. The existing church is an approximately 23,499 square foot single-story structure which straddles the existing property line between the two tax lots. An approximately 2,117 square foot covered porch is located on the rear of the building. Extensive improvements to the property were completed in 1980 as part of the Site Review and Conditional Use Permit application filed in 1978, including the paving of the parking area, the installation of landscaping, the planting of street trees and the construction of sidewalks around the perimeter of the property. Natural features on the site appear to be limited to trees which are part of the existing landscaping installed in the 1980's.

The subject properties and those immediately west, east and north are zoned R-3 (High Density, Multi-Family Residential). Properties across Iowa Street to the south are zoned R-2 (Low Density, Multi-Family Residential). Further to the north and east are properties zoned R-1-10 (Single Family Residential) and SO (Southern Oregon University).

The Proposal

As noted above, the application requests 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.

II. Project Impact

The application includes a Conditional Use Permit for a new building, and as such, a Type II proceeding with a decision by the Planning Commission through a public hearing is required as detailed in AMC 18.5.4.030.

The application includes written findings which respond to the approval criteria for the Site Design Review, Conditional Use Permit, Solar Setback Exception, Exception to Street Standards to retain the existing curbside sidewalk and street trees; Tree Removal Permit to remove one tree greater than six-inches in diameter at breast height, and a Property Line Adjustment. For staff, there are two primary issues with the request as submitted.

Controlled Access – Iowa Street Driveway

The first issue for staff falls under the Site Design Review consideration of the Site Development and Design Standards in AMC 18.4 and the public facilities and adequate transportation considerations in 18.4.6. The proposed placement of the church's driveway and primary access to the site off of Iowa Street does not comply with the city's controlled access standards and presents a safety concern. There is an existing driveway in this location, but it does not serve parking and instead seems to function primarily for occasional loading and maintenance access to the church. With the current request, this location would be formalized as the only driveway to the church parking lot.

Of the church properties' three frontages, Iowa Street as an Avenue or Major Collector is the higher order street, while both Quincy and Garfield Streets are residential Neighborhood Streets. In the Comprehensive Plan, Transportation Element policies emphasize that "*direct driveway access onto streets designated as boulevards or avenues should be discouraged whenever an alternative can be made available (Policy #17).*" This is to avoid conflicts created between cars entering the higher order street from a driveway and pedestrians on the sidewalk, bicyclists and cars by minimizing conflict points and providing more predictability by using existing intersections. The Transportation Element calls for maintaining "*carrying capacity, safety and pedestrian, bicycle, public transit and motor vehicle movement on boulevards, avenues and neighborhood collectors through driveway and curb cut consolidation or reduction*" (Policy #16)" and requiring "*design than combines multiple driveway accesses to a single point in residential and commercial development (Policy #18).*" The policies are implemented through the Land Use Ordinance in granting the Planning Commission the power to amend plans in conjunction with Site Design Review in AMC 18.5.2.080.L to "*Require new developments to provide limited controlled access onto a major street by means of traffic signals, traffic controls and turning islands, landscaping, or any other*

means necessary to ensure the viability, safety, and integrity of the major street as a through corridor.” And in AMC 18.5.2.080.N to “*Require developments to provide access to improved City streets and, where possible, provide access to the lower order street rather than a major collector or arterial street.”* The only driveway proposed for the church is from Iowa Street, approximately 28 feet from the eastern property line and the neighboring driveway at 1273 Iowa Street, which abuts this property line. Controlled access standards in AMC 18.4.3.080.C.3 seek a minimum distance of 75 feet between driveways on Major Collectors in an effort to minimize potential conflict points created by driveways on higher order streets. The Iowa Street corridor serves Southern Oregon University, Ashland High School, and numerous multi-family residential neighborhoods in between Walker Avenue and North Mountain Avenue. In staff’s view, access from Iowa Street – particularly from a driveway that does not meet controlled access standards – should be avoided. Planning staff have spoken to Public Works/Engineering staff on this issue and they concur.

Staff Recommendation

AMC 18.4.3.080.C.4 provides that the city may require shared access where necessary for traffic safety or access management, and given that access from Garfield Street, as the lower order frontage street here, is available staff have recommended a condition below to require that the applicant’s Site Plan be modified to utilize a driveway from Garfield Street, north of the proposed church and in alignment with the alley opposite, which could serve the parking lot proposed but also be shared by any future development of the applicant’s adjacent property.

Adverse Material Impacts - On-Street Parking

The second issue with the request for staff is part of the consideration of the adverse material effects of the proposed Condition Use. Staff has some concern that the amount of on-street parking credits requested is not appropriate for a Conditional Use Permit.

Conditional Use Permit review involves a determination that the proposal will have no greater adverse material impact on the surrounding area than would development of the subject property to the target use of the R-3 zone. In this instance, the target use of the adjusted-as-proposed smaller church lot would be roughly eight residential units, which would typically generate a parking demand of 16 spaces.

The proposed church use generates a parking demand of 25 spaces and the application proposes to accommodate 17 of these on site while shifting eight spaces of the parking demand, or 32 percent of the required parking, onto the public street. The application seems to suggest that the consideration of the conditional use in relation to the target use should mean that they be required to provide no greater amount of parking than would the target use rather than that they have no greater parking impact than the target use. In staff’s view, this shifting of parking demand - one of the adverse material impacts typically of most concern in a Conditional Use Permit request - from the private parcel into the public realm makes it difficult to make a defensible finding that the proposal will have no greater adverse material impact on the neighborhood than the target residential development of the site, and staff have accordingly recommended that a condition to require a revised Site Plan which relies on no more than four on-street parking credits be attached. Staff believes that this recommendations strikes a reasonable balance between the applicants’ request, the recognition of future redevelopment opportunities in this R-3

neighborhood and the need to maintain adequate on-street capacity for guest and overflow parking.

III. Procedural - Required Burden of Proof

The criteria for Site Design Review approval are described in 18.5.2.050 as follows:

- 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.*

The criteria for Conditional Use Permit approval are described in 18.5.4.050.A as follows:

- 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.*

The criteria for an Exception to Street Standards are described in AMC 18.4.6.020.B.1 as follows:

- 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.*

The criteria for a Solar Setback Exception are described in AMC 18.4.8.020.C as follows:

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.*

The criteria for a Property Line Adjustment are described in AMC 18.5.3.120.B as follows:

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.*

The criteria for a Tree Removal Permit to remove a "Tree That is Not a Hazard" are described in AMC 18.5.7.040.B.2 as follows:

1. *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.*
2. *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.*
3. *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.*
4. *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.*
5. *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.*

IV. Conclusions and Recommendations

The application involves the demolition of the existing approximately 23,500 square foot Rivergate Church which has been in place in the neighborhood since approximately 1965; an adjustment to the existing property line configuration; and requests for Site Design Review, Conditional Use Permit, Exceptions to Solar Setbacks and Street Standards, and a Tree Removal Permit to allow the construction of a new 4,978 square foot/100 seat church at the corner of Garfield and Iowa Streets. The remainder of the property, which is also under the applicant's ownership, is not included in the current

application and with the demolition and property line adjustment will become available to develop as permitted under the existing High Density Multi-Family Residential (R-3) zoning. For staff, there are two primary issues with the request as submitted:

First, the proposed placement of the church's driveway off of Iowa Street is not in keeping with standards codified in the Transportation System Plan and Land Use Ordinance to implement policies #16, #17 and #18 of the Comprehensive Plan's Transportation Element, and thus poses a safety concern. These policies seek to increase safety by reducing conflicts automobiles exiting driveways and cyclists, pedestrians and automobiles travelling on the higher order street. Of the church properties' three frontages, Iowa Street as an Avenue or Major Collector is the higher order street, while both Quincy and Garfield Streets are residential Neighborhood Streets. The only driveway proposed for the church is from Iowa Street, and it is approximately 28 feet from the eastern property line and the neighboring driveway at 1273 Iowa Street which abuts this property line. Controlled access standards in AMC 18.4.3.080.C.3 seek a minimum distance of 75 feet between driveways on Avenues in an effort to minimize potential conflict points created by driveways on higher order streets. The Land Use Ordinance (AMC 18.5.2.080.L), Comprehensive Plan and Transportation System Plan direct that where possible, access should be taken from lower order streets rather than from Major Collectors to avoid adding conflict points to higher traffic streets, and in staff's view, access from Iowa Street – particularly from a driveway that does not meet controlled access standards – should be avoided. AMC 18.4.3.080.C.4 provides that the city may require shared access where necessary for traffic safety or access management, and given that access from Garfield, as a lower order street, is available here staff have recommended that the applicant's Site Plan be modified to utilize a driveway from Garfield Street, north of the proposed church and opposite the alley on Garfield Street, which could serve the parking lot proposed but also be shared by any future development of the applicant's adjacent property.

Second, staff has some concern that the amount of on-street parking credits requested is not appropriate for a Conditional Use Permit. Conditional Use Permit review typically involves insuring that the proposal has no greater adverse material impact on the surrounding area than would development of the subject property to the target use of the R-3 zone. In this instance, the target use of the adjusted-as-proposed smaller church lot would be roughly eight residential units, which would typically generate a parking demand of 16 spaces. The proposed church use generates a parking demand of 25 spaces and the application proposes to accommodate 17 of these on site while shifting eight spaces of the parking demand, or 32 percent of the required parking, onto the public street. In staff's view, this shifting of parking demand - one of the typical adverse impacts of most concern in a Conditional Use Permit request - from the private parcel into the public realm makes it difficult to defensibly find that the proposal has no greater adverse material impact on the neighborhood than the target residential development of the site, and staff has accordingly recommended a condition to require a revised Site Plan which relies on no more than four on-street parking credits.

Staff is otherwise generally supportive of the request and would recommend approval with the attached conditions:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified herein.
- 2) That the plans submitted for the building permit shall be in conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify the Site Review, Conditional Use and Tree Removal permit approvals shall be submitted and approved prior to the issuance of a building permit.
- 3) That all recommendations of the Ashland Tree Commission from their May 5, 2016 meeting, where consistent with the applicable ordinances and standards and with final approval of the Staff Advisor, shall be conditions of approval unless otherwise modified herein.
- 4) That prior to the installation of any signage, a sign permit shall be obtained. All signage shall meet the requirements of the Sign Ordinance and the limitations on signage for Conditional Uses in residential zones detailed in AMC 18.4.7.060.B.2.
- 5) That the requirement of the Fire Department, including approved addressing; approved fire apparatus access with approved access width, approved access approach, any necessary shared access easements; fire hydrants with requisite clearance; any required sprinklers; fire department connections; extinguishers; and a "Knox Box" key box, shall be satisfactorily addressed.
- 6) That prior to the signature of a final survey plat:
 - a. That a final survey plat shall be submitted within 12 months and approved by the City of Ashland within 18 months of this approval.
 - b. That in lieu of providing city standard frontage improvements with the current application, the property owner shall sign in favor of local improvement districts for the future street improvements, including but not limited to sidewalks, parkrow, curb, gutter and storm drainage, for Iowa and Garfield Streets prior to signature of the final survey plat. The agreement shall be signed and recorded concurrently with the final survey plat.
 - c. The applicant shall provide a revised Site Plan which identifies at least 21 off-street parking spaces on-site and which relies on no more than four on-street parking credits to meet the remaining parking demand.
 - d. That the applicant shall provide a revised Site Plan which identifies a driveway from Garfield Street rather than Iowa Street to serve the proposed parking lot for the church. No driveway shall be installed on Iowa Street, and the driveway from Garfield Street shall be located north of the church building and in alignment with the alley on the opposite side of Garfield Street. An easement shall be provided which provides for shared access from this driveway for any future development of the applicant's adjacent property to the north.

- e. Engineering construction drawings for the new driveway approach treatment on Garfield Street shall be provided, including any requisite accessibility measures, for the review and approval of the Public Works/Engineering and Planning Divisions and an approach permit obtained through the Public Works/Engineering Division. The new driveway approach shall be installed, inspected and approved, and any unused curb cuts closed, inspected and approved, prior to the signature of the final survey plat.
 - f. That the applicant shall obtain approval of a Demolition/Relocation Permit as required in AMC 15.04.210 if deemed necessary by the Building Official.
- 7) That building permit submittals shall include:
- a) The identification of all easements, including but not limited to public and private utility easements and fire apparatus access easements.
 - b) The identification of exterior building materials and paint colors for the review and approval of the Staff Advisor. Very bright or neon paint colors shall not be used in accordance with the requirements of the Site Design Standards, and the colors and materials selected shall be consistent with those identified in the application.
 - c) Specifications for all exterior lighting fixtures. Exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.
 - d) Revised Landscape, Irrigation and Tree Protection Plans shall be provided for the review and approval of the Staff Advisor with the building permit submittals. This plan shall address: 1) Any recommendations of the Tree Commission from their May 5, 2016 meeting where consistent with the Site Development and Design Standards and with final approval by the Staff Advisor; 2) The identification of a replacement tree to mitigate the tree to be removed. The mitigation tree shall be planted and irrigated according to the approved plan, inspected and approved by the Staff Advisor prior to occupancy; and 3) The required irrigation plans, including the requirements for programmable automatic timer controllers and a maintenance watering schedule with seasonal modifications. The applicants shall also obtain the required plumbing permits and inspections for installation of any required double-check valve(s) associated with the irrigation system.
 - e) Storm water from all new impervious surfaces and runoff associated with peak rainfalls must be collected on site and channeled to the City storm water collection system (*i.e., curb gutter at public street, public storm pipe or public drainage way*) or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals. A revised stormwater drainage plan, including any necessary on-site detention measures, shall be provided for the review and approval of the

Engineering, Building and Planning Departments with the building permit submittal. The drainage plan shall be designed to ensure that post-development peak stormwater flows are less than or equal pre-development levels as required by the Engineering Division.

- f) The building permit drawings shall include details demonstrating that the proposed parking area complies with the requirements of AMC 18.4.3.080.B.5 in providing an open grid pavement system which is over 50 percent pervious for a minimum of 50 percent of the parking area surface, as proposed by the applicants, and which is designed to capture and treat run-off in the landscaped medians/swales.
- g) That final utility, erosion and sediment control plans for the project shall be provided for the review and approval of the Engineering, Planning and Building Divisions. The utility plan shall include the location of connections to all public facilities in and adjacent to the development, including the locations of water lines and meter sizes to accommodate necessary water and fire services, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Any necessary service upgrades shall be completed by the applicant at applicant's expense. Meters, cabinets, and vaults shall be located outside of the pedestrian corridor in those areas least visible from streets, sidewalks and pedestrian areas, while considering the access needs of the utility departments. Any necessary service upgrades shall be completed by the applicant at applicant's expense.
- h) The applicant shall submit an electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric, Engineering, Building and Planning Departments prior to the issuance of demolition, excavation or building permits. Transformers, cabinets and vaults shall be located outside of the pedestrian corridor in those areas least visible from streets, sidewalks and pedestrian areas, while considering the access needs of the Electric Department. Any necessary service upgrades shall be completed by the applicant at applicant's expense.
- i) That the building permit submittals shall identify all proposed mechanical equipment in the elevation drawings, as required in AMC 18.5.2.040.B.4.a., and these drawings shall include screening meeting the requirements of AMC 18.4.4.030.G.4 to limit the view of all roof-mounted mechanical equipment from public rights-of-way and adjacent residentially-zoned properties through the placement of parapets, walls or other sight-blocking features at least equal in height to the proposed mechanical equipment.

- j) Lot coverage calculations including all building footprints, driveways, parking, and circulation areas. Lot coverage shall be limited to no more than 75 percent as allowed in the R-3 zoning district.
 - k) The building permit submittals shall verify that the bicycle parking spacing and coverage requirements are met in accordance with 18.4.3.070. At least one bicycle parking space shall be provided for each of five required automobile spaces. The inverted u-racks shall be used for the bicycle parking. All bicycle parking shall be installed in accordance with design and rack standards in 18.4.3.070 and according to the approved plan prior to the issuance of the certificate of occupancy.
 - l) That prior to the issuance of the building, excavation, staging, storage of materials or the commencement of site work, a Tree Verification Permit shall be obtained, and tree protection measures installed, inspected and approved by Staff Advisor. The Verification Permit is to inspect the identification of trees to be removed and the installation of tree protection fencing for the trees to be retained and protected on and adjacent to the site. Tree protection measures shall be in the form of chain link fencing six feet tall, installed and maintained in accordance with the requirements of AMC 18.4.5.030.C.
- 8) That prior to the final approval of the project and issuance of a certificate of occupancy:
- a) That all hardscaping, landscaping and the irrigation system shall be installed according to the approved plan, inspected, and approved by the Staff Advisor.
 - b) All utility service and equipment installations shall be completed according to Electric, Engineering, Planning, and Building Departments' specifications, inspected and approved by the Staff Advisor.
 - c) The screening for the trash and recycling enclosure shall be installed in accordance with the approved plan, inspected and approved by the Staff Advisor. An opportunity to recycle site of equal or greater size than the solid waste receptacle shall be identified in the building permit submittals and shall be in place, inspected and approved by the Staff Advisor.
 - d) All hardscape improvements including courtyards, walkways, driveways, fire apparatus and other accessways shall be installed according to the approved plans, inspected and approved prior to issuance of the final certificate of occupancy.
 - g) That the bicycle parking facilities shall be installed according to the approved plans, inspected, and approved by the Staff Advisor prior to the issuance of the certificate of occupancy. The building permit submittals shall verify the design and placement of bicycle parking.

- h) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent residential properties.

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:***

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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 alleviated 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 of 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.

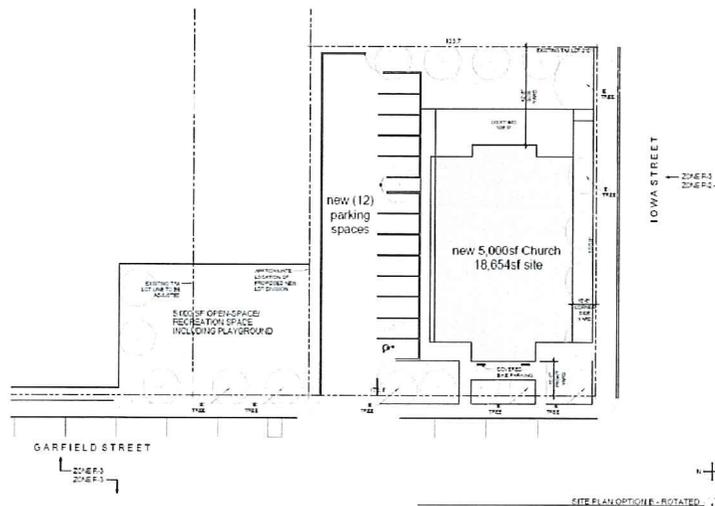


Figure 1. Alternate 1, Site Plan

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.

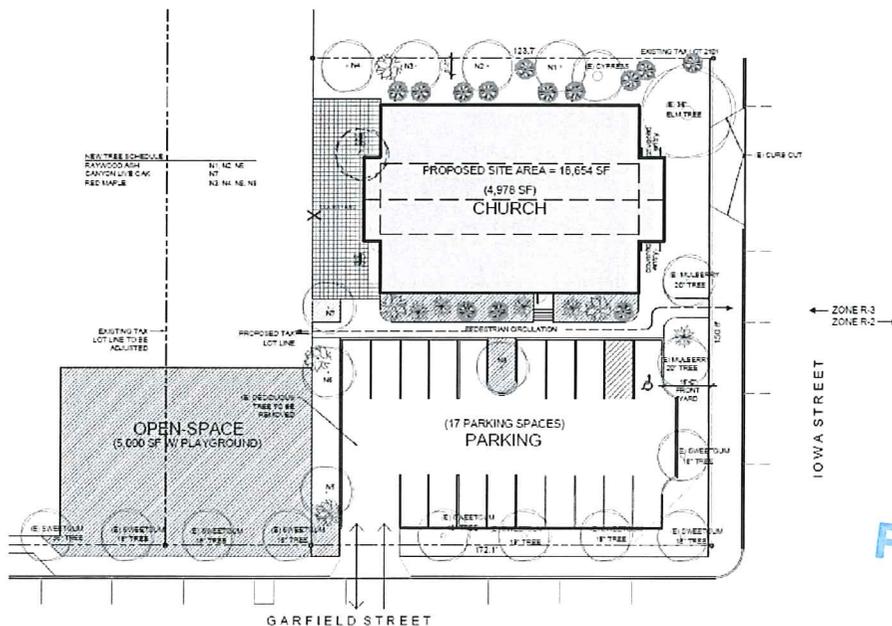


Figure 2. Alternate 2, Site Plan

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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 of 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.*

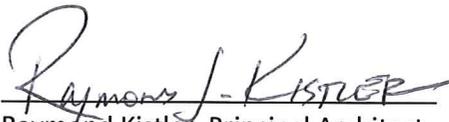
Replacement Tree will be proposed, see landscape plan, L2 included in submittals.

- *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

3/11/10
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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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

ADDENDUM: SOLAR EXCEPTION

ADDITIONAL NARRATIVE REGARDING SOLAR EXCEPTION (per comments from Derek Severson email dated March 30, 2016)

The applicant requests an approval of the exception, to Solar Access Standard in AMC 18.4.8.020.C.1.b, based on the following approval criteria.

- 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*

The exception will not preclude the reasonable use of solar energy on the site by future habitable buildings. Potential future solar energy use on this site will not be effected by this exception at all.

- 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.*

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. The proposed adjacent lot is also the property of the applicant. The total lot = 72,500 sf. The total shadow triggering the solar exception , at the worst case, is 480 sf, only 0.6% of the proposed lot. The entire shadow falls within the deed restricted open space. If the lot is developed to R-3 density, as is now intended, this area will be the open space required by code.

- iii. *There are unique or unusual circumstances that apply to this site which do not typically apply elsewhere.*

The circumstances that apply to this site which do not typically apply elsewhere is that Rivergate Church is both the granter and the requester of the waiver agreement. This exception, is a reasonable accommodation, the shadow falls within a deed restricted open space and at worst case conditions it effects less than 1% of the lot.

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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 10ch. 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 10ch 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.

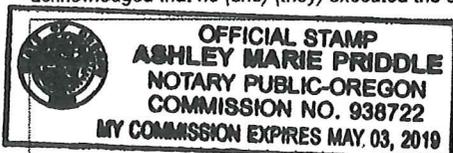
Property Owner(s) Agreeing to Solar Waiver RIVERGATE/Ron Timen, Pres.

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

Signature _____ Date _____

State of Oregon)
County of Jackson)

On this 10th 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 _____

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Date _____

City of Ashland

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 a 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

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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

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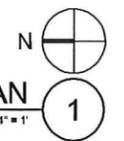
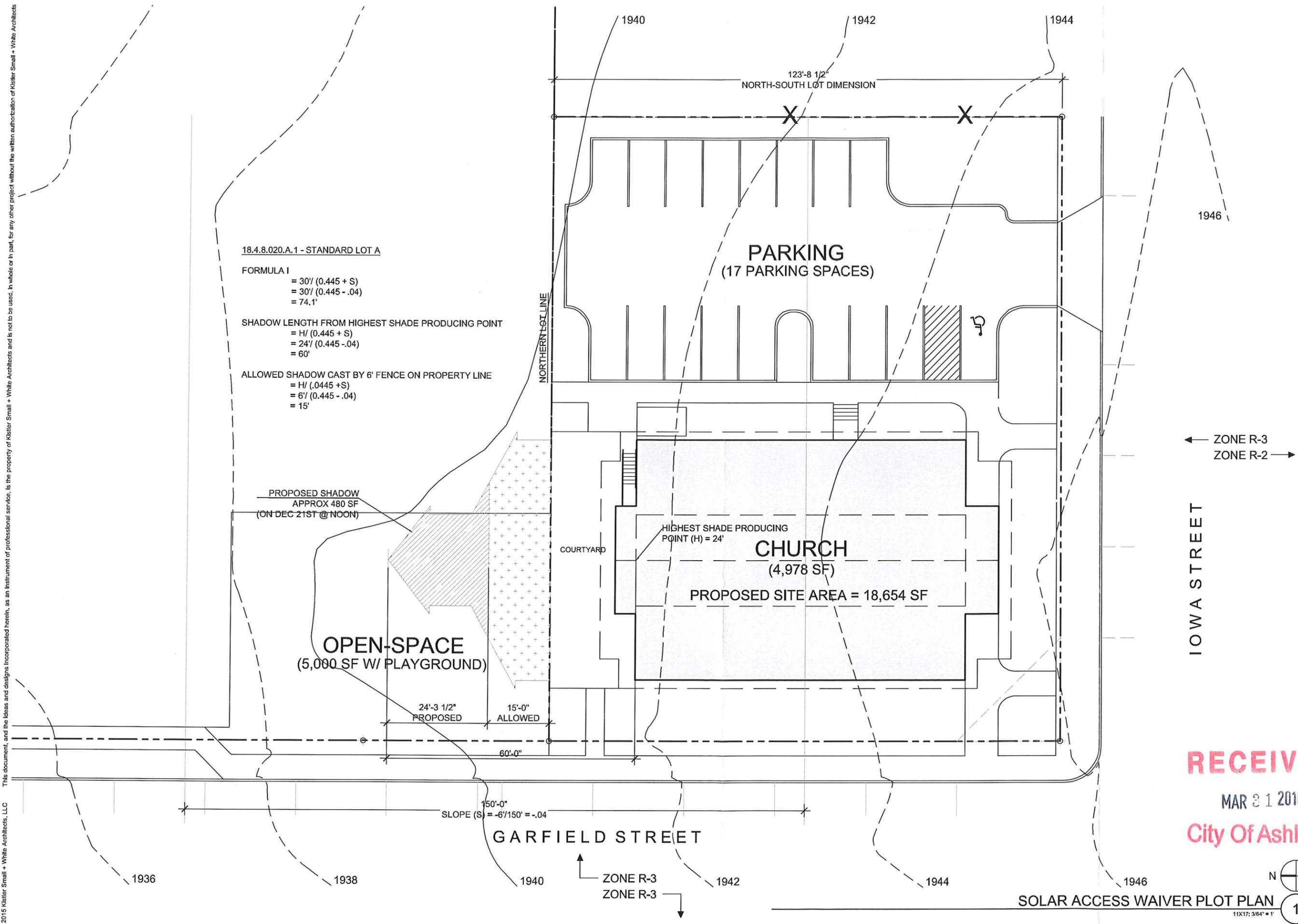


EXHIBIT B

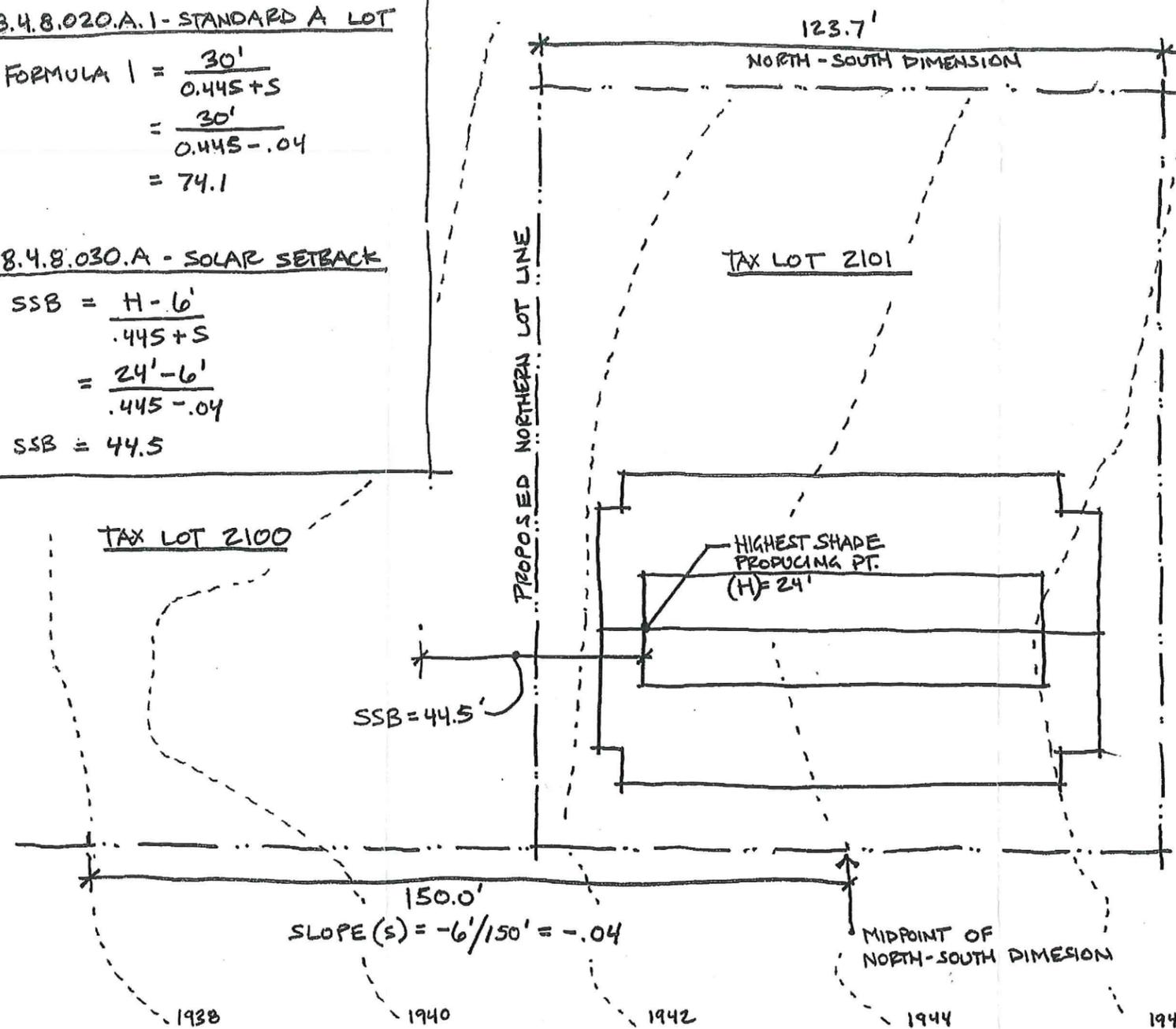
NOTE: NOT TO SCALE
With 1" margin

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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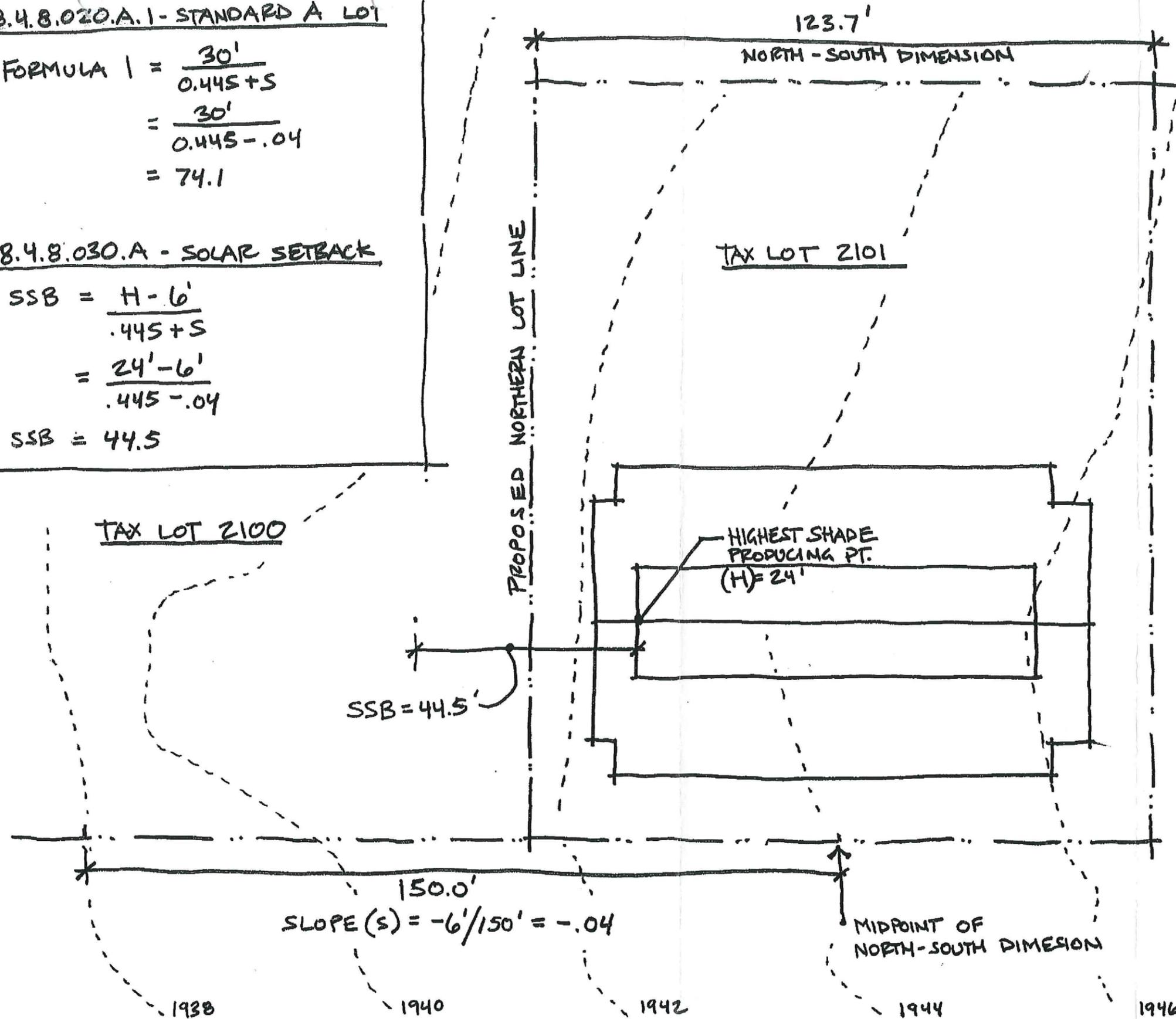
SOLAR ACCESS DIAGRAM ①
11x17: 3/6" = 1/8"
NOT TO SCALE

18.4.8.020.A.1 - STANDARD A LOT

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

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
SUITE 101
ASHLAND, OR
97520
TEL.: 541.488.8200



PERSPECTIVE - SW CORNER

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RIVERGATE HOUSE OF PRAYER
188 GARFIELD STREET.
ASHLAND, OREGON

REVISIONS

COVER

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

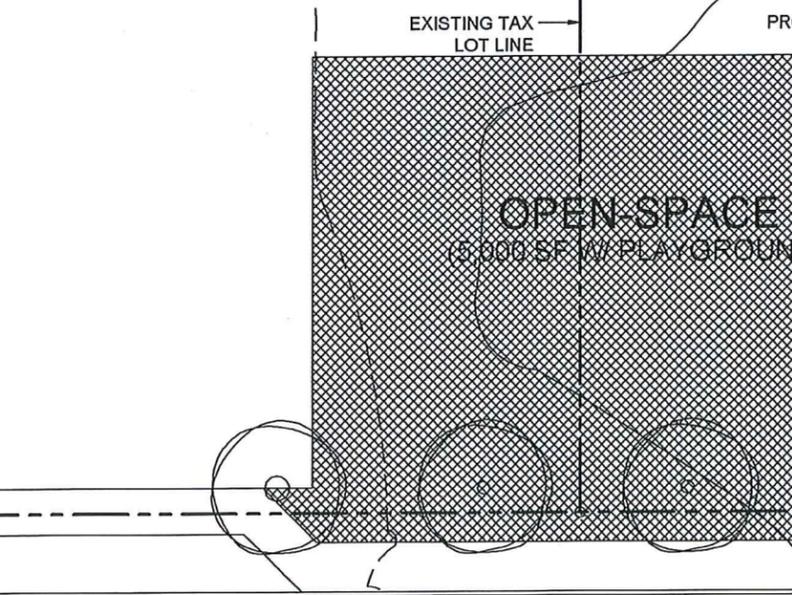
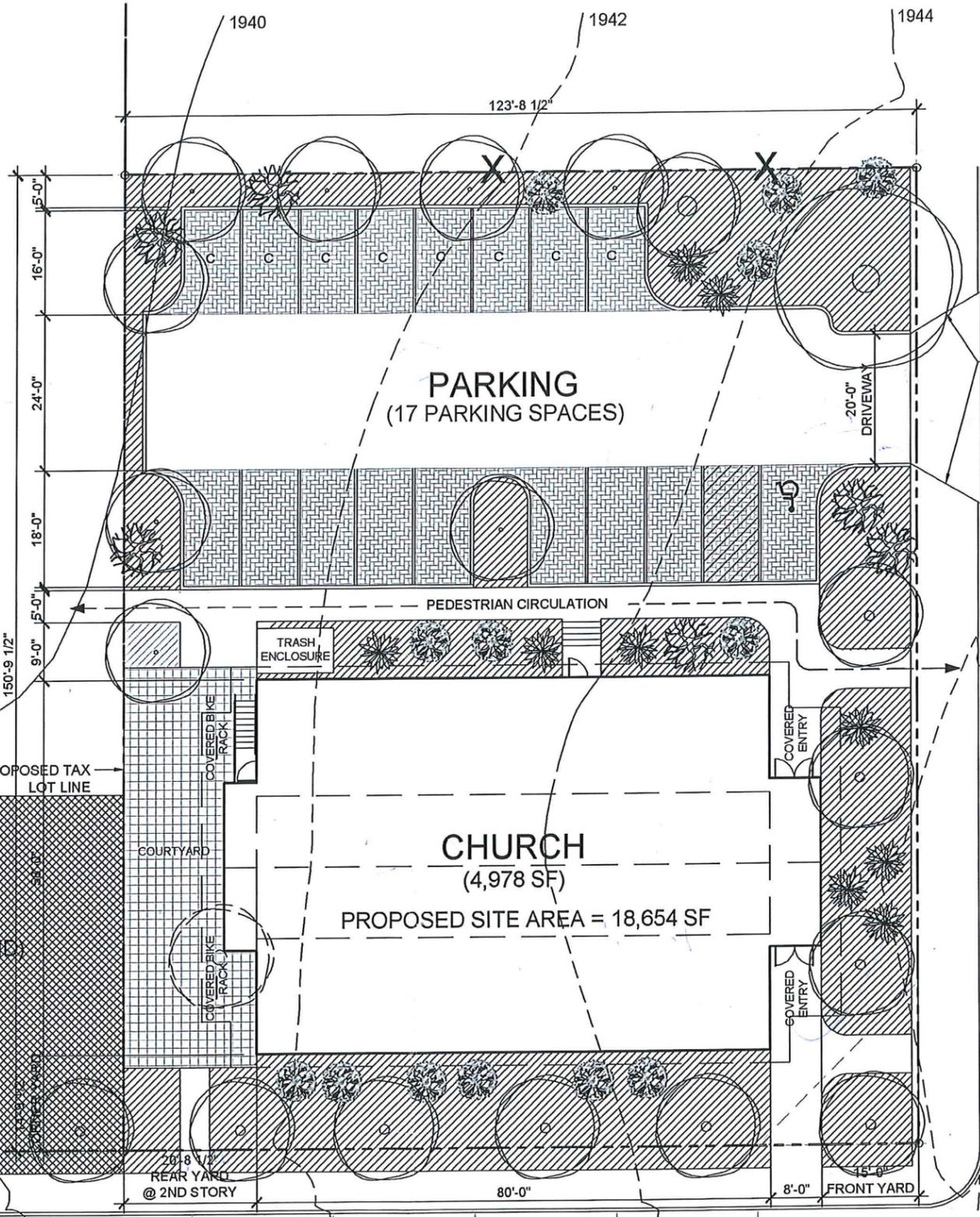
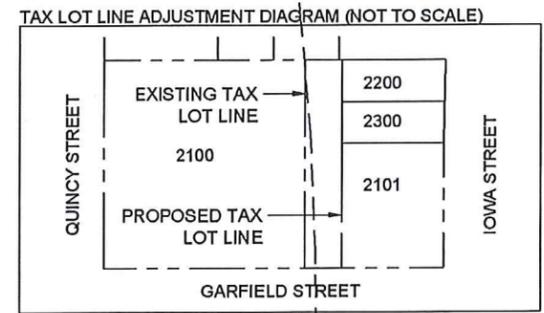
A0.1

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



← ZONE R-3
 ZONE R-2 →

IOWA STREET

GARFIELD STREET

← ZONE R-3
 ZONE R-3 →

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SITE PLAN 1
 1/17:3/4"=1"

RIVERGATE HOUSE OF PRAYER

ASHLAND, OREGON

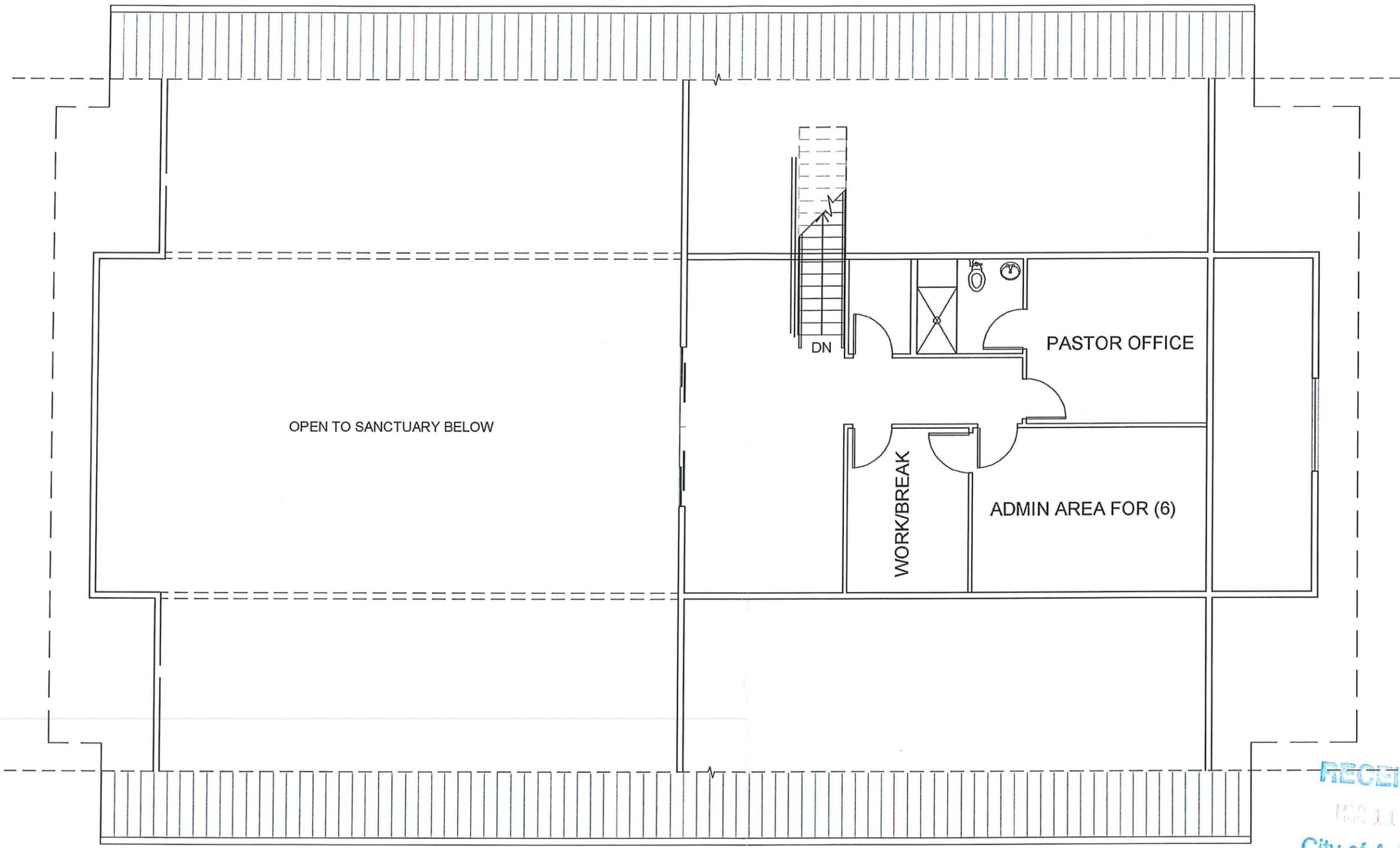
188 GARFIELD STREET.

REVISIONS

SITE PLAN

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

A0.5



RIVERGATE HOUSE OF PRAYER
188 GARFIELD STREET.
ASHLAND, OREGON

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FLOOR PLAN - LVL 2

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

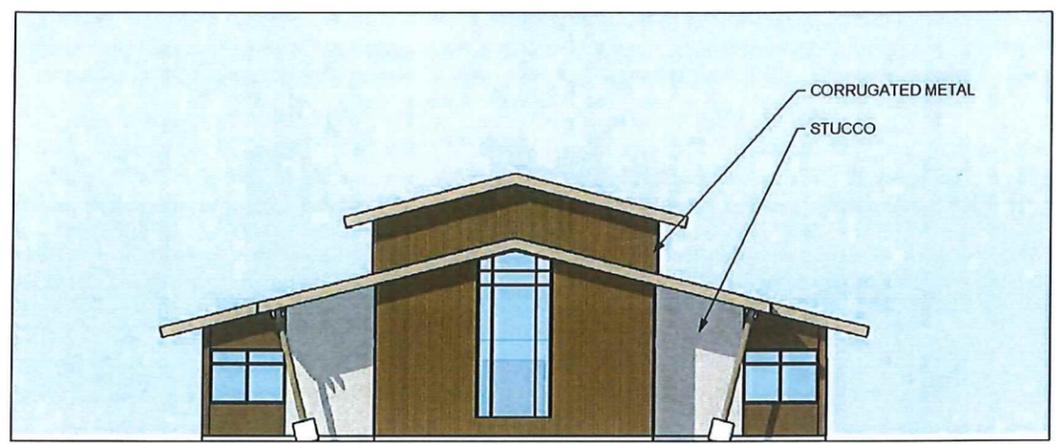
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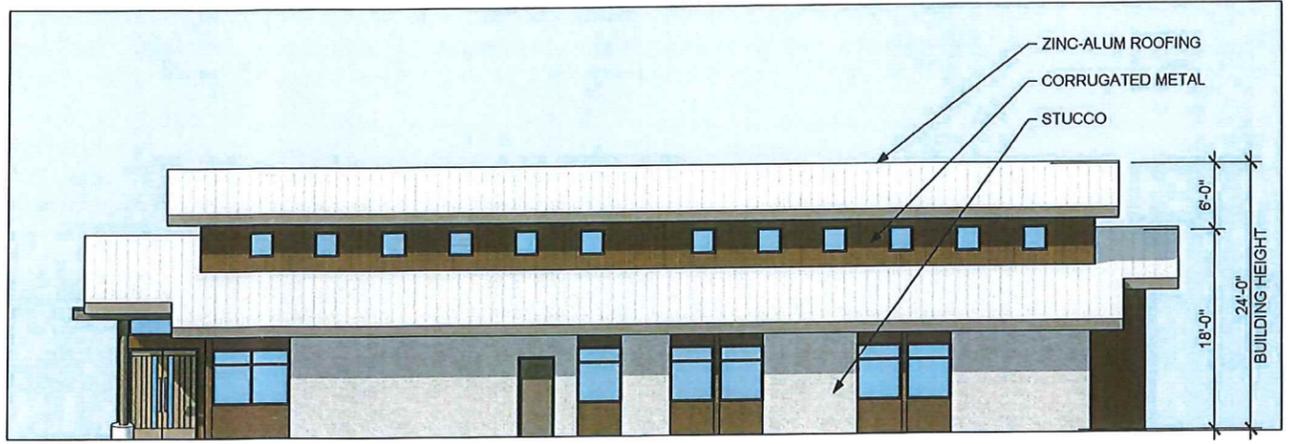
FLOOR PLAN - LVL 2

PROJECT: 15-009
ISSUE DATE: 03/11/2016
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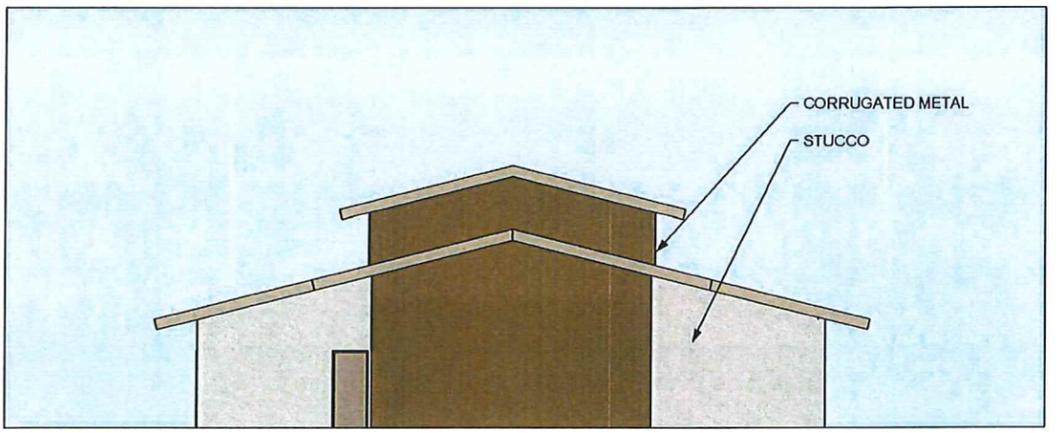
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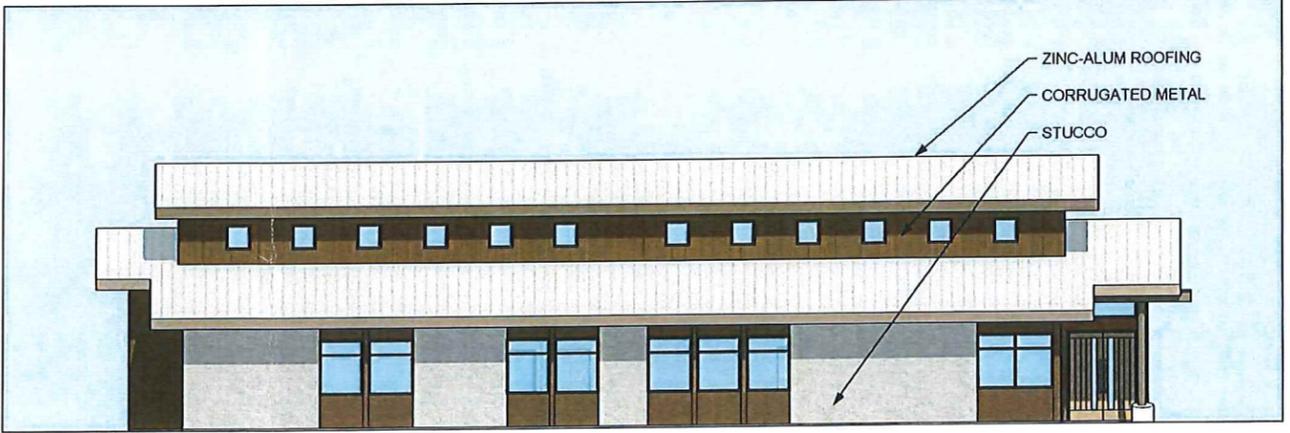
ELEVATION - SOUTH 3
11X17: 1/16" = 1'-0"



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



ELEVATION - NORTH 4
11X17: 1/16" = 1'-0"



ELEVATION - WEST 2
11X17: 1/16" = 1'-0"

RIVERGATE HOUSE OF PRAYER
188 GARFIELD STREET.
ASHLAND, OREGON

REVISIONS

EXTERIOR
ELEVATIONS

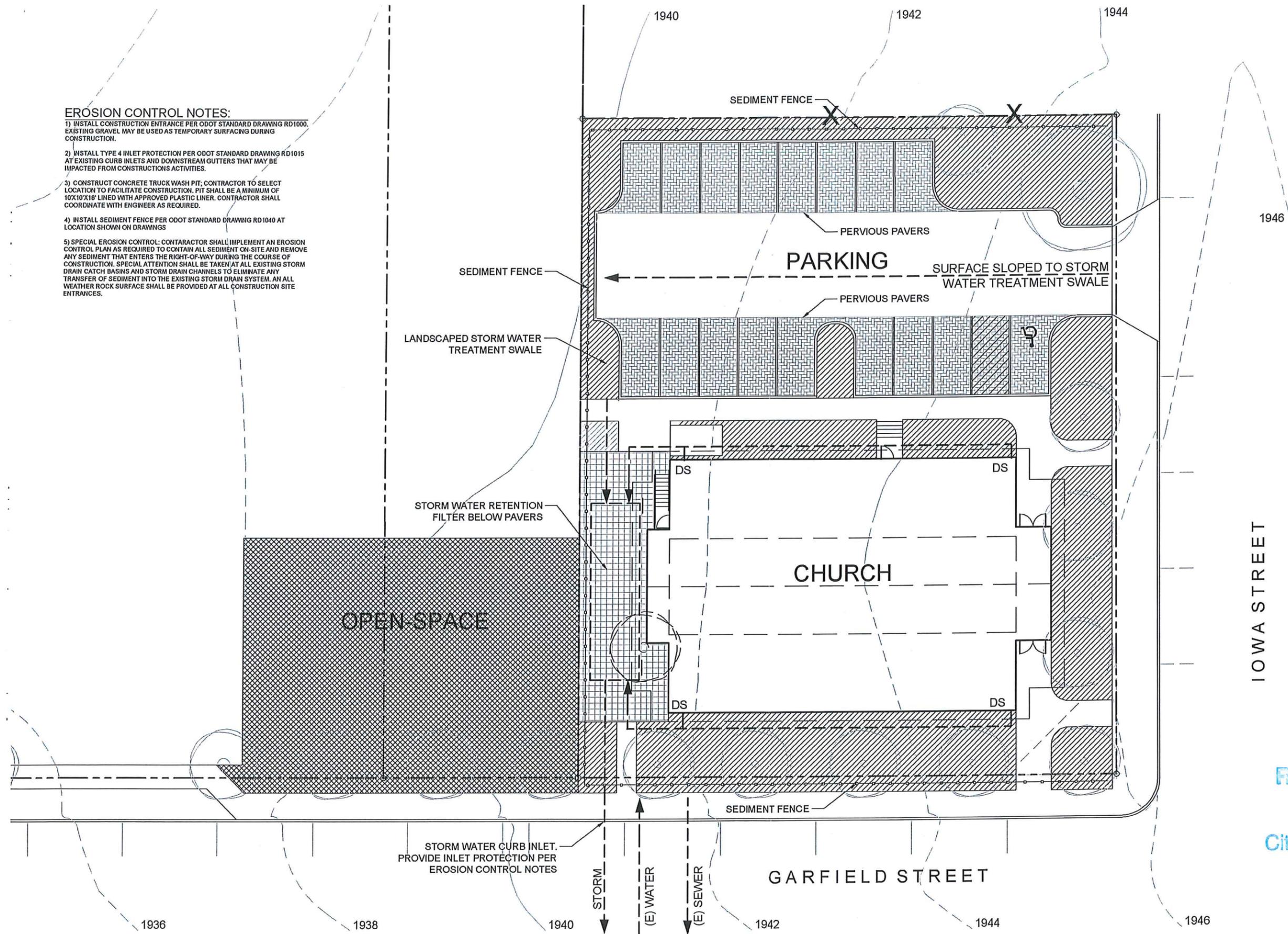
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EROSION CONTROL NOTES:

- 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 CONSTRUCTION'S ACTIVITIES.
- 3) CONSTRUCT CONCRETE TRUCK WASH PIT, CONTRACTOR TO SELECT LOCATION TO FACILITATE CONSTRUCTION. PIT SHALL BE A MINIMUM OF 10X10'X18" LINED WITH APPROVED PLASTIC LINER. CONTRACTOR SHALL COORDINATE WITH ENGINEER AS REQUIRED.
- 4) INSTALL SEDIMENT FENCE PER ODOT STANDARD DRAWING RD 1040 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.



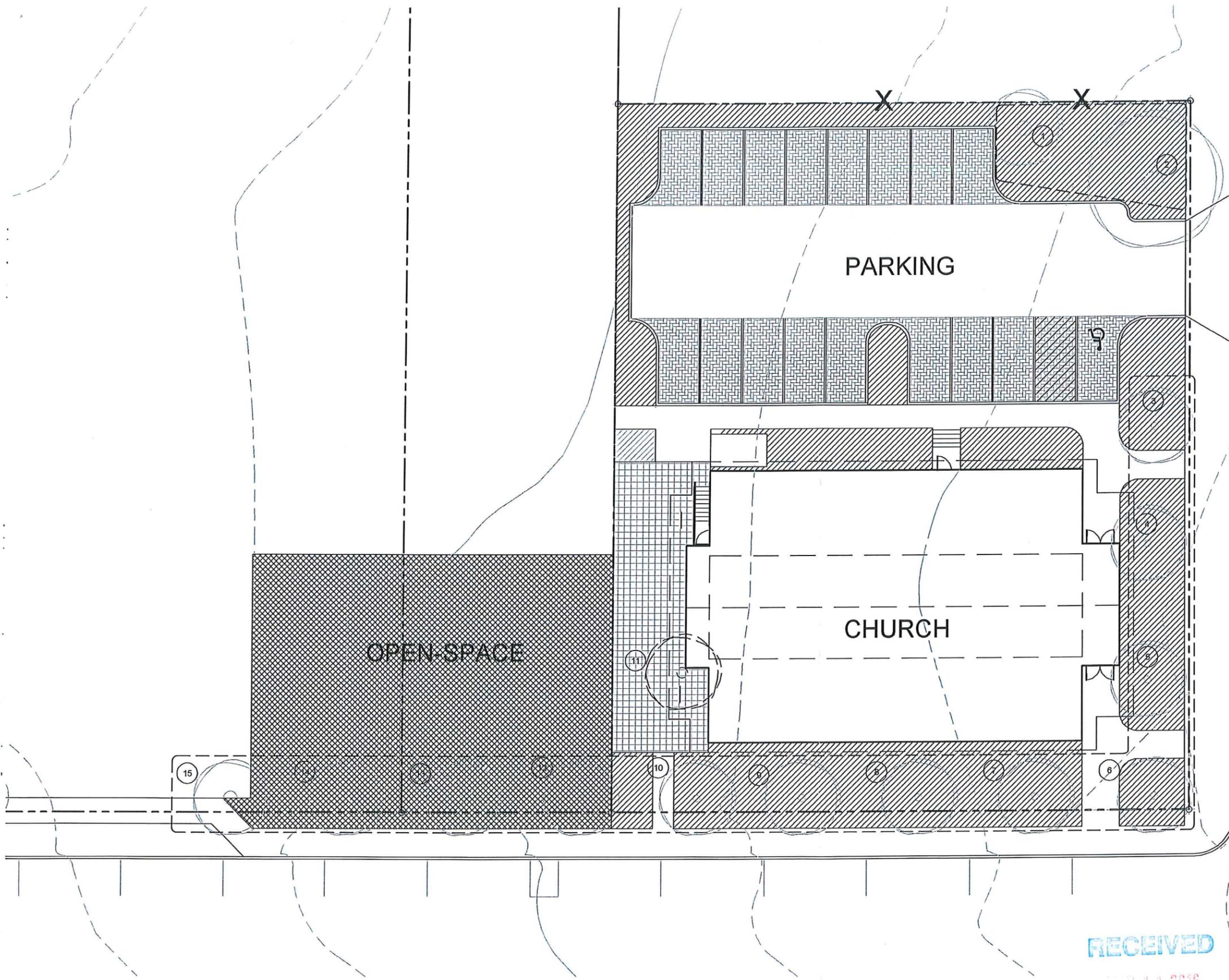
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UTILITY &
DRAINAGE PLAN

PROJECT: 15-009
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- 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 DRUPLINE 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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TREE PROTECTION PLAN



RIVERGATE HOUSE OF PRAYER
ASHLAND, OREGON
188 GARFIELD STREET.

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TREE PROTECTION PLAN
PROJECT: 15-009
ISSUE DATE: 03/11/2016
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1

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

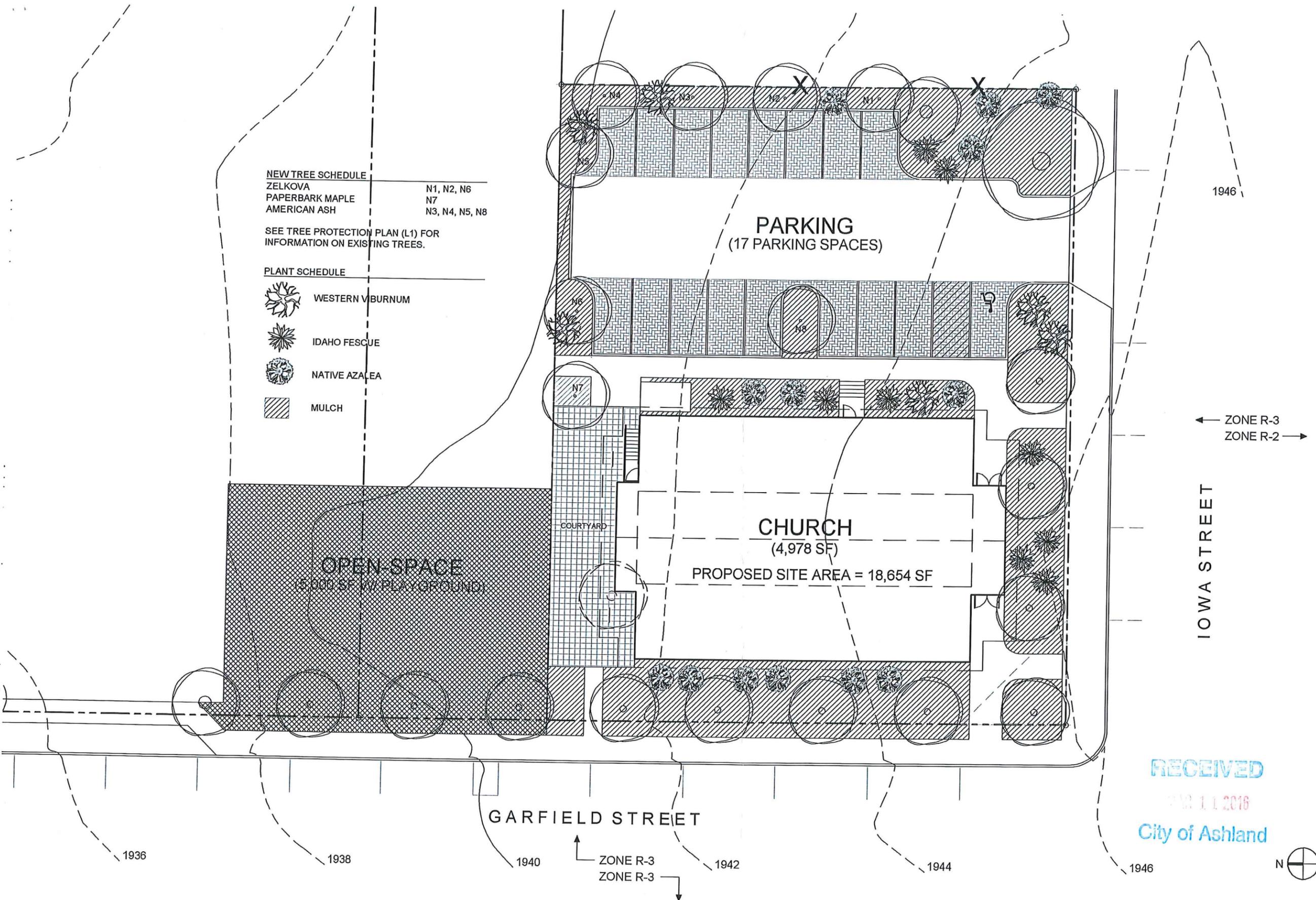
NEW TREE SCHEDULE

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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RIVERGATE HOUSE OF PRAYER

188 GARFIELD STREET.

ASHLAND, OREGON

REVISIONS

LANDSCAPE PLAN

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

February 5, 2016
Site Review



Rivergate House of Prayer

Submitted to:

CITY OF ASHLAND PLANNING DEPARTMENT
ASHLAND, OREGON

Submitted by:

KISTLER, SMALL & WHITE
ARCHITECTS
66 WATER STREET
ASHLAND, OR 97520

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PROJECT INFORMATION

PLANNING ACTION:

The applicant, Rivergate Assembly of God Church of Ashland, is submitting an outline for a Site Review for demolition of the Rivergate Church at 188 Garfield and building a new Church on the corner of Iowa and Garfield. The applicant will request a Conditional-Use permit for continuing use of a Religious Institution in an R-3 zone. Additionally, exceptions to the street standard and solar setback will be requested.

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

COMPREHENSIVE PLAN DESIGNATION: Multi-Family

ZONING DESIGNATION: R-3

ADDRESS: 188 Garfield Street
Development on Proposed Lot Area 2101

MAP AND TAX LOT: 391e 10cb, Tax Lots 2100 & 2101

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

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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

CURRENT OWNER AND OCCUPANT:

Rivergate Assembly of God Church of Ashland

DENSITY:

Target Density in an R-3 zone is 20 units per Acre
20 units (.43 acres) = 8.6 units equivalent impact for the Rivergate Church.

LOT COVERAGES:

Structures:	5,115 sf	28 %
Street/Roads	0 sf	0 %
Parking Areas	5,653 sf	30 %
Recreation Areas	0 sf	0 % *
Landscaping	7,886 sf	42 %

* There is a 5,000 sf deed restricted recreation space for use of the Rivergate Congregation on lot 2100.

BUILDING DATA:

EXISTING: (To Be Demolished)

One (1) unit at 21,436 sf Total: 21,436 sf

PROPOSED:

One (1) unit at 5,115 sf Total: 5,115 sf (> 75% Reduction)

PARKING: 18.4.3

REQUIRED (18.4.3): Religious Institutions, 1 space per 4 seat, 100 seat: 25 spaces

REQUIRED (18.4.3): Equivalent to 8 (3 bedroom) Multifamily Units, 2 space per unit: 16 spaces

PROPOSED: Seventeen (17) On-site parking spaces, including one (1) ADA space, plus Eight (8) on street credit, for a total of 25.

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Bicycle Parking: 18.4.3.070:

REQUIRED: One (1) bicycle parking space for every five (5) required automobile parking spaces, 50% will be covered: 5 spaces required (for more stringent standard of 25 parking spaces).

PROPOSED: Six (6) spaces will be provided, all covered in a prominent location to encourage use.

APPLICABLE ORDINANCES:

Property Line Adjustment: 18.5.3

Site development and Design Standards: 18.4

Building Placement, Orientation, and Design 18.4.2

Non-Residential Development: 18.4.2.040.B

Parking, Access, and Circulation: 18.4.3

Bicycle Parking: 18.4.3.070

Pedestrian Access and Circulation: 18.4.3.090

Landscaping, Lighting, and Screening: 18.4.4

Street Standard: 18.4.6

Solar Setbacks: 18.4.8.030

Tree Preservation and Protection: 18.4.5

Conditional-Use for Religious Institution in a High Density Multiple Family Zone: 18.2.2

Tree Removal Permits: 18.5.7, (as may be required)

Demolition or Relocation of Structures: 15.04

ADJACENT ZONING/USE

WEST: R-3; Multi-Family Residential

EAST: R-3; Multi-Family Residential

SOUTH: R-2; Multi-Family Residential

NORTH: R-3; Multi-Family Residential

SUBJECT SITE: R-3; Multi-Family Residential

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PROJECT DESCRIPTION

INTRODUCTION: The applicant, Rivergate Assembly of God Church of Ashland, is requesting a Site Review to approve the demolition of the existing Rivergate Assembly of God Church, located at 188 Garfield Street and building a new, smaller church on the corner of Iowa and Garfield. The current church is on tax lots 2100 and 2101. A lot line adjustment is requested and the proposed church will be located on the redrawn tax lot 2101 and owned by the Rivergate Assembly of God Church. As an independent development, Spartan Properties intends to develop lot 2100 as student/student family rental housing. The application for a site review for the multi-family development will be submitted separately. Taken in conjunction, these projects will bring this large site significantly more aligned with R-3 zoning.

In these findings, a comparison of eight (8) residential units will be used to assess the impact of the proposed church per the density allowable in an R-3 zone (20 units per acre, 0.4282 acres for 8.5 units). The Rivergate Church has been in operation on this site for over fifty (50) years. The proposed Church building will be approximately 25% of the existing building. The applicant will be requesting a Conditional Use Permit for the continuing operation of a Religious Institution in an R3 zone and an exception to the parkrow street improvement along Iowa and Garfield Streets.

A solar setback is requested. The adjoining property to the north to be owned by Spartan Properties (pending City Planning Approval of the Site Plan) has agreed to signed a solar access waiver agreement. The affected area is a 5000 recreational area which will be shared by Rivergate Church and a future multi-family development.

A written narrative and findings of fact as well as a Site Plan, Building Elevations, Lot Line Adjustment are enclosed. This information is provided in the application materials and addresses the submittal requirements of Chapter 18.3.9.

SITE: The subject property now consists of tax lot 2100 and tax lot 2101. After partition, The Rivergate church and parking will be located on the redrawn tax lot 2101 on the corner of Iowa and Garfield.

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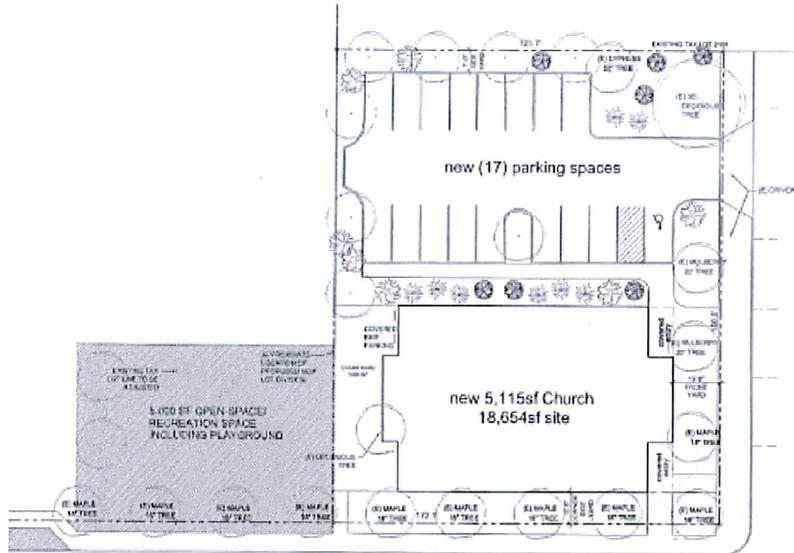


Figure 1, Site Plan



Figure 2, Corner Street View

DEMOLITION: The applicant will apply for a demolition permit for the existing Rivergate sanctuary and classroom wing. Much of classroom wing has an extreme mold problem and is unusable. It has been determined that the Rivergate congregation would be better served by a newly constructed Church. The existing church will be demolished and relocated to tax lot 2101 on the corner of Iowa and Garfield.

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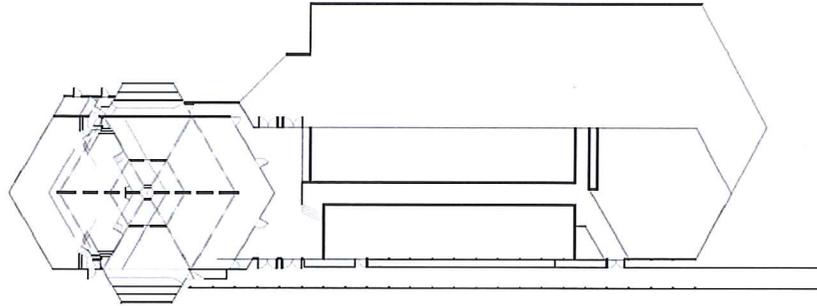


Figure 3, Structure to be Demolished

ARCHITECTURE

EXISTING STRUCTURE: The sanctuary is an open timber vaulted hexagonal structure. The large wing of the church, built in stages, is ill designed for water drainage and is mostly unusable due to mold. The entire structure, approximately 21,436 sqft, will be demolished.

PROPOSED STRUCTURE: The architect, Ray Kistler, has strived to preserve the feel of the vaulted timber frame sanctuary of the original church in the design of the new construction. The new sanctuary will be spacious with abundant natural light while making the administrative offices and rooms more efficient and flexible than in the original church. The new construction is more appropriate in size and scale for the neighborhood than the existing structure.



Figure 4, Church Elevations



Figure 5, View From Iowa

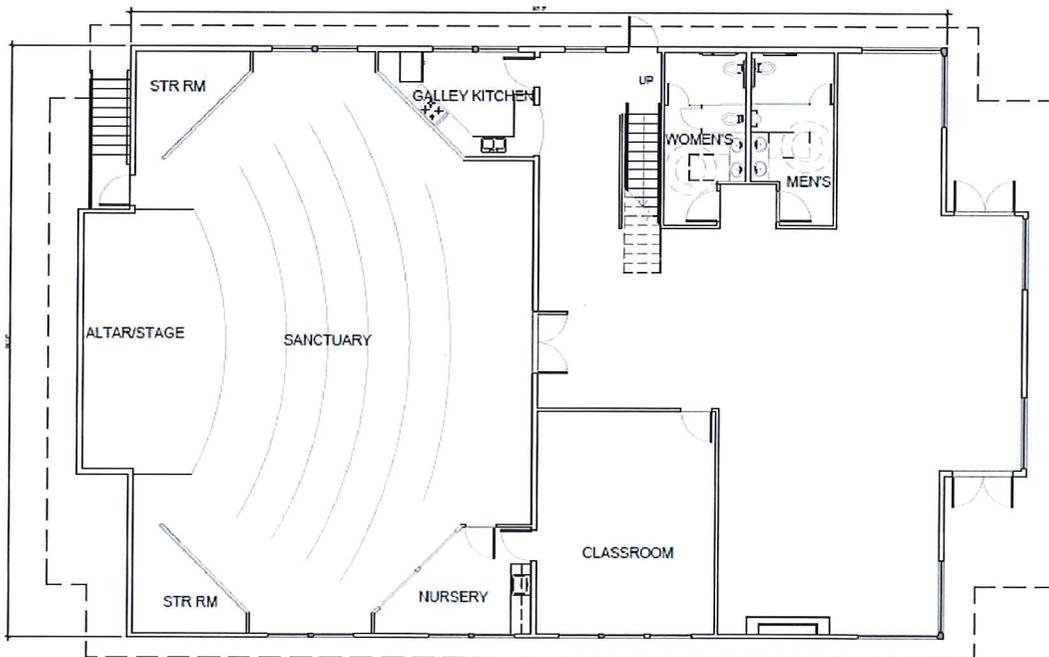


Figure 6, Church Floor Plan

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PARKING: There are two applicable parking regulations for this site. Given the eight (8) unit equivalent the site would require 16 parking spots. The parking configuration proposed has 17 spaces. Religious institutions require one (1) space per four (4) seats. The congregation desires an 100 seat capacity thus requiring 25 total spaces. The applicant requests eight (8) available curb credits, which if approved would allow both applicable regulations to be complied with without overburdening the site with parking.

ACCESS AND CIRCULATION: The Institute of Transportation Engineers estimates the daily trip rate for multi-family unit is 6.47, this rate is times by eight (8) units for a total of 51 + trips. A church daily trip rate is 9.32, equaling The church parking lot will use a existing curb-cut. The existing curb-cut is non-conforming as a new cut on Iowa would require a 75' separation from the next curb cut. The vast majority of traffic on Iowa street is school hours on weekdays, as it links the Ashland Middle School with Ashland High School, and the church parking lot would be used almost exclusively in the evenings and Sundays therefore there is negligible impact on Iowa Street.

BICYCLE PARKING: Complying with the more stringent requirement of 25 spaces, six (6) spaces would be provided (one (1) for every five (5) parking spaces). The bicycle parking will be covered and prominently located near the entrance of Rivergate Assembly of God to encourage use.

RECREATIONAL AND OPEN SPACE: There will be a deed restricted playground for the use of the Rivergate congregation on tax lot 2100 adjacent to the church. The playground is 5,000 sf (greater than 25% of the church site). There is 4664 sf of landscaping space on the site. Without including the playground the site have 25% landscape and with the playground equals 40% (see Figure 6 below).

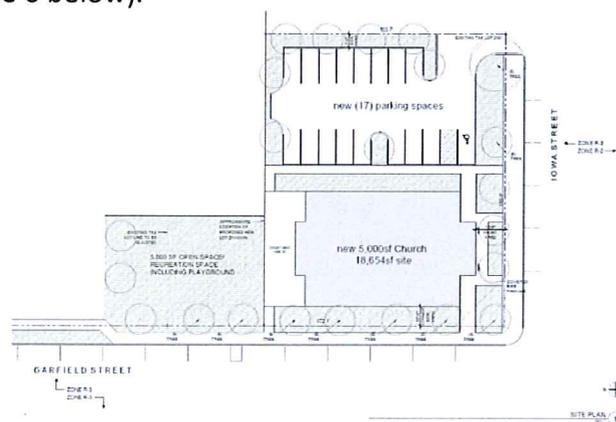


Figure 7, Church Site Plan

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TREE REMOVAL AND PROTECTION:

The applicant is requesting three (1) tree be removed. This tree on the footprint of the new construction. The remaining trees are street trees providing mature cover and the applicant is requesting an exception to the Parkrow improvement in order to retain these trees. Please see section regarding the parkrow for further information. If an exception is not allowed 9 trees will be subject to removal.



Figure 8, Aerial View of Trees

EXCEPTION TO PARKROW:

The applicant request an exception to the parkrow improvement Street Standards as the existing mature maple trees provide



Figure 9, Mature Trees on Iowa



Figure 10, Mature Trees on Garfield

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Figure 11, Street Tree on S. Mt



Figure 12, Street Tree on Lincoln



Figure 13, Street Tree at Avery

There are no Park Rows on the north side Iowa, from South Mountain to Walker Street (*with the exception protected individual trees pictured above (see figures 11, 12 & 13)*). It may be helpful to note, that the Spartan Properties intends to upgrade the remainder of the Garfield block, and the frontage along Quincy Street, to the street standards, including Park Rows when this site is developed.

FINDING OF FACT

The following information has been provided by the applicants to help the Planning Staff, Planning Commission and neighbors better understand the proposed project. In addition, the required *findings of fact* have been provided to ensure the proposed project meets the Site Design & Use Standards as outlined in the Ashland Municipal Code (AMC), 18.4.2, Site Design & Use Standards

*For clarity reasons, the following documentation has been formatted in "outline" form with the City's approval criteria noted in **BOLD** font and the applicant's response in regular italicized font. Also, there are a number of responses that are repeated in order to ensure that the findings of fact are complete. Where appropriate numbering follows the sited AMC.*

CHAPTER 18.5.3 PROPERTY LINE ADJUSTMENTS

CHAPTER 18.5.3.120.B, PROPERTY LINE ADJUSTMENTS

Approval Criteria. 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 is created by the lot line adjustment.*
- 2 Lot Standards:** *All redrawn lots will conform to the lot standards of the applicable zoning district.*
- 3 Access Standards:** *Both redrawn lots will conform to the Vehicle Area Design Standards of 18.4.3.080, with the exception of the Driveway Separation (18.4.3.080.C.3). There is an existing non-conforming curb cutout that is within the 75' requirement between driveway on a collector street. The property line adjustment will not make the lot less conforming.*

CHAPTER 18.4.2 SITE REVIEW STANDARDS

18.4.2.040.B. NON-RESIDENTIAL DEVELOPMENT/BASIC SITE REVIEW STANDARDS:

- 1 Orientation and Scale:**
 - a. The primary orientation is towards Iowa, and the building complies to this standard.*
 - b. The building complies with this standard.*
 - c. The building complies with this standard.*

- d. *The primary orientation is towards Iowa, the higher order street, and comply with this standard.*
 - e. *The entrance is orientated towards Iowa, the higher order street and is as close to the corner as practicable.*
 - f. *Sidewalk shall be provided.*
 - g. *This standard is not applicable.*
- 2 Streetscape:** *There are a minimum of twelve(12) mature trees along the frontage, most are placed at 25' apart. The applicant is requesting an exception to the parkrow standard in order to preserve these trees.*
- 3 Landscaping :** *The proposed site plan provides 42% landscaped area.*
- a. *The site will be compliant with this standard.*
 - b. *Disposal area provide, see site plan.*
- 4 Designated Creek Protection:** *N/A*
- 5 Noise and Glare:** *Lighting will meet the requirements of this standard. The intended use is as a house of worship, as the CUP request states, and music will continue to be a part of the Sunday services. However, there should be no increase over the existing use.*
- 6 Expansion of Existing Sites and Buildings:** *It is intended that the current non-compliant building will be demolished.*

18.4.3 PARKING ACCESS AND CIRCULATION

Chapter 18.4.3 contains requirements for automobile and bicycle parking, and vehicular and pedestrian access, circulation, and connectivity. The purpose is to provide safe and effective access and circulation for pedestrians, bicyclists, and vehicles. For transportation improvement requirements, refer to chapter 18.4.6 Public Facilities.

18.4.3.030 GENERAL AUTOMOBILE PARKING REQUIREMENTS AND EXCEPTIONS

A. Minimum Number of Off-Street automobile Parking spaces:

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The required parking has been determined by the standard ratios for automobile parking. There two applicable standards in Table 18.4.3.040. The first requiring Religious Institutions to have one (1) space for every four (4) seats. The second implied because the eight (8) unit equivalent impact restriction. Sixteen spaces are required for eight (8) two bedroom Multi-Family units. The parking lot design submitted has 17 spaces (an increase of one allowed per AMC 18.4.3.030.B) The congregation desires an 100 seat capacity thus requiring 25 total spaces. The applicant requests eight (8) available curb credits (an amount of 50% of on-site parking allowed by AMC 18.4.3.060.A). The use of 17 off-street spaces and 8 curb credit spaces, 25 total, accommodate both regulations without overburdening the site with parking.

- B. Maximum Number of Off-Street Automobile Parking Spaces:** *The number of spaces provided are 17, (16 plus one additional per the 10% allowance).*
- C. Downtown Zone:** *N/A*
- D. North Mountain Plan District:** *N/A*

18.4.3.070 BICYCLE PARKING

Six (6) sheltered bike parking spaces will be provided, one bicycle parking space for every five required automobile parking spaces. The spaces provided will exceed the requirement for the greater of the two automobile space calculations, (i.e. 25).

18.4.3.080 VEHICLE AREA DESIGN

The parking area will be compliant with the design requirements of these codes.

C. Vehicular Access and Circulation

- 1 Applicability:** *This development is subject to a planning action and therefore this section applies.*
- 2 Site Circulation:** *The on -site circulation is in compliance. A walkway is provided from Iowa street to tax lot 2100 to facilitate pedestrian access to any future development on that lot.*
- 3 Intersection and Driveway Separation:** *The existing driveway is 50' from the intersection on Iowa and Garfield, but it is not compliant for the standard requiring 75' between driveways on a collector street. It should be noted that the vast majority of the traffic to this driveway will be in the evenings and*

Sundays, and will negligently impact the traffic on weekday during school hours.

- a. *The existing driveway is 28 feet away from the next driveway approach.*
- b. *N/A no partition or subdivision requested.*
- c. *Driveway will be compliant with the following except for an existing non-compliant driveway which is 28' feet away from the residential driveway to the south. (Please see section 18.4.3.030.C.3 above for additional information)*
- d. *N/A*

4 Shared Use of Driveways and Curb Cuts:

- a. *The parking area will use an existing curb cut.*
- b. *There are no additional curb cut on the site.*
- c. *N/A*

5 Alley Access: N/A

D. E. : *Parking area will be compliant with these design standards.*

18.4.3.090 PEDESTRIAN ACCESS AND CIRCULATION

B.

- 1 Continuous Walkway System:** *There will be a continuous walkway from Iowa street through the property. There will be pedestrian access at the rear of the Church by way of the shared recreational area.*
- 2 Safe, Direct and Convenient:**
 - a. *Pathways are "reasonably direct".*
 - b. *Pathways will be safe and convenient.*
 - c. *The main entrance will be easily accessible from Iowa and there will be a safe and direct path from the parking lot, as well as through the lot for access to the eventual development on lot 2100.*
- 3 Connections within Development**
 - a. *There is only one building on this development.*
 - b. *Parking areas, recreational facilities and primary entrances will be connected by walkways.*
 - c. *N/A parking area is less than 50 spaces.*

18.4.4 LANDSCAPING, LIGHTING, AND SCREENING

18.4.4.030 Landscaping and Screening: *The development will be compliant with the Landscaping and Screening standards.*

18.4.6.040 EXCEPTION TO STREET STANDARDS:

Frontage Improvements: The applicants request an exception to the required frontage improvement of a parkrow, on the Garfield Street side only.

1. Exception to the Street Design Standards.

- a. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site of proposed use of the site.**

The requirement to upgrade to a parkrow would be undesirable because of the significant trees that would be removed, making this requirement counter-productive. (See photos below).



Figures 14 & 15, Tree Row on Garfield Street Frontage

- 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.**

i, ii, ii There will be no diminishing effect to transit, or safety for bicycles or pedestrians.

- c. The exception is the minimum necessary to alleviate the difficulty. The exception would leave in place the current situation.**

This exception is the minimum necessary to preserve the existing trees, and maintain the mature tree canopy.

- d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040 A.**

At this site, maintaining the current landscaping is more aligned with the purpose and intent of the street standards, than not granted the exception.

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18.4.8.030 EXCEPTION TO SOLAR SETBACK:

18.4.8.030 Solar Setback

C. Solar Setback Exception: The Church will not be in compliance with the Solar Setback. The Church will only shadow the 5,000 sf recreational space which is for the shared use of the Church and the proposed multi-family development by Spartan Properties. When considering this exception the applicant believes that the recreational space can be considered part of the Church lot as it is deed restricted. Spartan Properties has agreed to provide a waiver of the solar access as result of the Rivergate Church. The proposed Church building and wavier does not impact any of the proposed residences.

18.4.5 TREE PRESERVATION AND PROTECTION

A. A tree protection plan shall be approved by the Staff Advisor concurrent with applications for Type I, Type II, and Type III planning actions. If tree removal is proposed, a Tree Removal Permit pursuant to chapter 18.5.7 may be required.
There are eleven (11) significant trees on the frontage of this site. Of these trees, there is one spruce (15" in diameter) that is too close to the footprint of the proposed building and will require a Removal Permit. The applicant would like to limit the Tree removal to this single tree but protection of the other trees on the site will require exceptions to street standard

The issues that affect the remaining trees are the placement of the parking lot driveway and the requirement to a parkrow improvement.

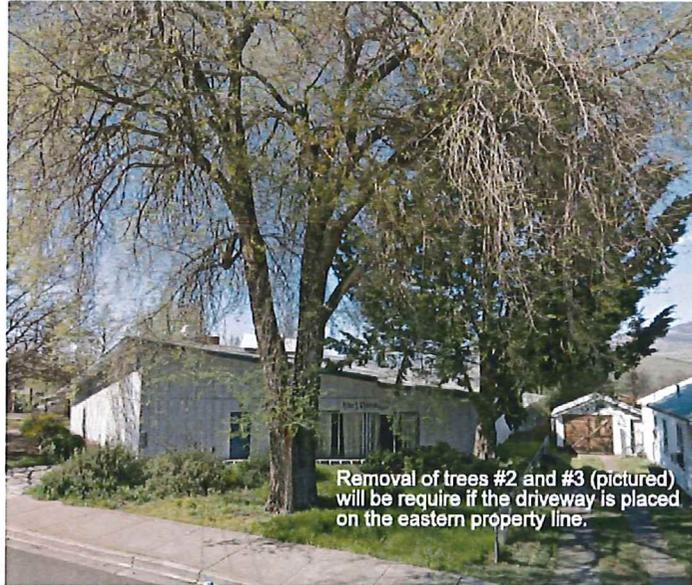


Figure16, Tree on Iowa at east property Line

Along Garfield Street there is a row of ten (10) Maples (18" dia or bigger), spaced at approximately 25' apart (see figure X). The applicant is requesting an exception to the parkrow upgrade. If the exception is granted the trees, which are healthy, will be protected and preserved.



figure 17, Row of trees on Garfield

B. Tree Protection Plan Submission Requirements. In order to obtain approval of a tree protection plan; an applicant shall submit a plan to the City, which clearly depicts all trees to be preserved and/or removed on the site. The plan must be drawn to scale and include the following.

- 1** Location, species, and diameter of each tree on site and within 15 feet of the site.
- 2** Location of the drip line of each tree.
- 3** An inventory of the health and hazard of each tree on site, and recommendations for treatment for each tree.
- 4** Location of existing and proposed roads, water, sanitary and storm sewer, irrigation, and other utility lines/facilities and easements.
- 5** Location of dry wills, drain lines and soakage trenches.
- 6** Location of proposed and existing structures.
- 7** Grade change or cut and fill during or after construction.
- 8** Existing and proposed imperious surfaces.
- 9** Identification of a contact person and/or aorist who will be responsible for implementing and maintaining the approved tree protection plan.
- 10** Location and type of tree protection measures to be installed per section 18.4.5.030.C.

Items 1-10, where applicable are on the submitted tree protection plan drawing.

CONDITIONAL USE PERMIT 18.5.4.050 (RELIGIOUS INSTITUTION IN A R-3 ZONE)

18.5.4.050 RELIGIOUS INSTITUTION IN A R-3 ZONE

Approval Criteria

A. Approval Criteria. 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 prohibited by any City, State, or Federal law or program**

The proposed Conditional-Use is a permissible use within the R-3 zone. The Rivergate Church has been located at this location since the 1960's. A Religious Institution is in conformance with relevant Comprehensive plan policies that are not prohibited by any City, State, or Federal law or program.

- 2 That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property**

All utilities associated with 188 Garfield Street already exist. The overall utilities requirements will be reduced by approximately 75%. The existing building is 21,436 sf and the new construction will be 5,000 sf. Applicants will address at the time of the building permit all code issues relating to electrical services, and Ashland Fire Department. All work will be completed under the direction of the Ashland Building and/or Fire Departments.

- 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.**

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In the applicant's opinion the re-issuing of a Conditional Use Permit for a Religious Institution will have no adverse material effect on the livability of the area, and will greatly increase the percentage of the parent lots ability to meet with the target use of the zone. The target density of this site is eight (8) multi-family units.

a. Similarity in scale, bulk, and coverage.

The existing building is by far the largest structure in the neighborhood, at 21,436 sf. This proposal, including demolishing the existing building and building a new 5115 sf building, brings the building more in line with the scale, bulk and coverage of the neighborhood. There are larger multi-family units within one block, and commercial building on Iowa (at Palm and S. Mt) of equivalent size within the neighborhood.

b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regards of capacity of facilities.

In the applicant's opinion the C.U.P will have no adverse material effect on traffic on the surrounding streets, as it is currently being used for proposed use and the congregation will remain the same.

c. Architectural compatibility with the impact area.

The Rivergate Church has been a feature of this neighborhood since the 1960s. The new Church will be appropriate to this site in a residential neighborhood. On updated layout will serve the Rivergate congregation and be a versatile community space.

d. Air quality, including the generation of dust, odors, or other environmental pollutants.

The proposed conditional use permit will not have any discernible increases of environmental impacts including those related to air quality, including the generation of dust, odors, or other environmental pollutants. The new construction will be a significant improvement to the soundness and quality of the church.

e. Generation of noise, light, and glare.

The Rivergate Church conducts services on Sunday these services will continue in the new building, however there should be no discernible increase of noise. There will not have any discernible increases of light and glare.

f. The development of adjacent properties as envisioned in the Comprehensive Plan.

The proposed conditional use permit while an independent project is a pre-requisite to the development of the adjacent property for multi-family units as envisioned in the Comprehensive Plan in a R-3 zone.

g. Other factors found to be relevant by the Hearing Authority for review of the proposed use.

The applicants are not aware of any other factors that may be found to be relevant by the hearing authority, but if there are factors found to be relevant, the applicants would like the opportunity to clarify and answer questions of the hearing authority prior to a final decision.

4 A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to the ordinance.

The proposed use is a Religious Institution and is an allowed use with a conditional use permit in a R-3 zone.

5 For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of the subsection, the target uses of each zone are as follows.

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.

The proposed development complies with the ordinance requirements, and target density (equivalent to eight (8) residential units) for an R-3 zone.

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OTHER ISSUES PER PRE-APPLICATION

GENERAL:

The proposal is to : 1) demolish and rebuild the existing church in a new location 2) develop a 33 unit multi-family housing under the Performance Standards Option chapter: and 3) modify the boundary line between tax lot 2100 and 2101. The subject properties, map 391E 10DC, tax lot 2100 & 2101, have frontage on Quincy Street, Garfield Street and Iowa Street. Currently, the existing church sits on both tax lots, and , therefore, is seen as a nonconforming structure. The property is zoned R-3, high-density multifamily residential.

At this time the owner and the applicant request the adjusted tax lot 2101 be considered as an independent development. Lot 2101 will not be developed under Performance Standard Options, and will be compliant with Site development and Design Standards. The impact of this development will have be no greater than eight (8) residential units, the impact of the target density in an R-3 zone. Nothing in this site plan will prohibit the development of the remaining parent property. It is intended at a future time lot 2100 will be developed as multi-family residential units and the appropriate applications will be applied for at that time.

DEMOLITION OR RELOCATION OF STRUCTURES

15.04.210 of Structures:

The applicant intends to demolish the existing Rivergate church. Additions to the original sanctuary are poorly designed and the classroom wing have extensive mold and rot due to poor drainage from the roof. It is believed that a demolition permit will not be required per 15.04.210.C.3. **To demolish a building declared to be dangerous under the Uniform Code for the Abatement of Dangerous Buildings pursuant to section 15.04.010.B.** A Demolition Permit will be applied for if the structure is not declared dangerous.

Prepared and Respectfully Submitted by:

Ray Kistler
Kistler Small + White, Architects

Date

OTHER ISSUES PER PRE-APPLICATION

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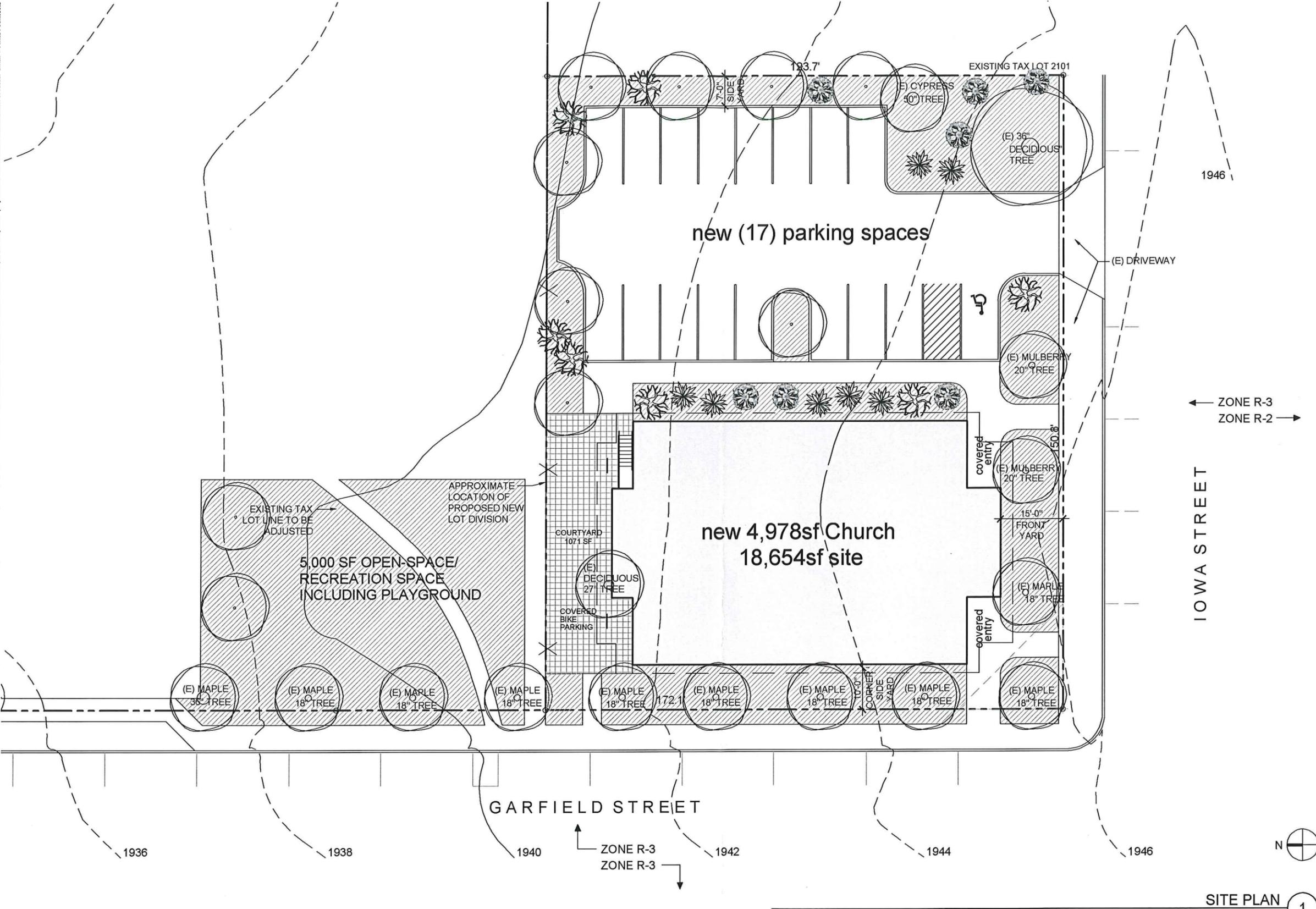
Prepared and Respectfully Submitted by:



Leslie Gore
Kistler Small + White, Architects

2/5/2016
Date

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ASHLAND, OR
97520
TEL.: 541.488.8200

RIVERGATE HOUSE OF PRAYER
ASHLAND, OREGON

188 GARFIELD STREET.

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CHURCH
SITE PLAN

PROJECT: 15-009
ISSUE DATE: 09/25/2015
SHEET:

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SITE PLAN
3/32" = 1'



1



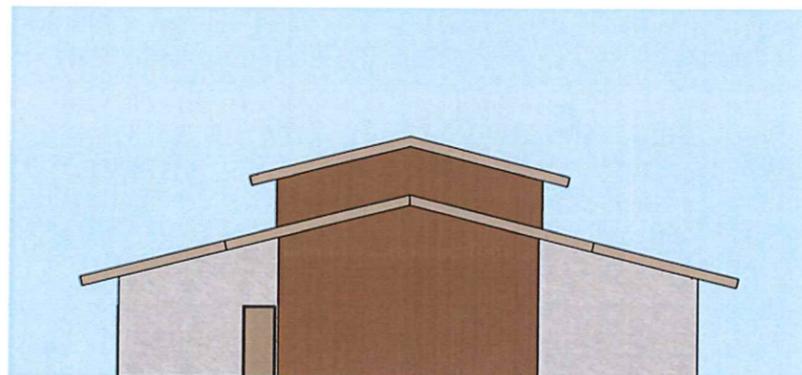
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SOUTH ELEVATION



EAST ELEVATION

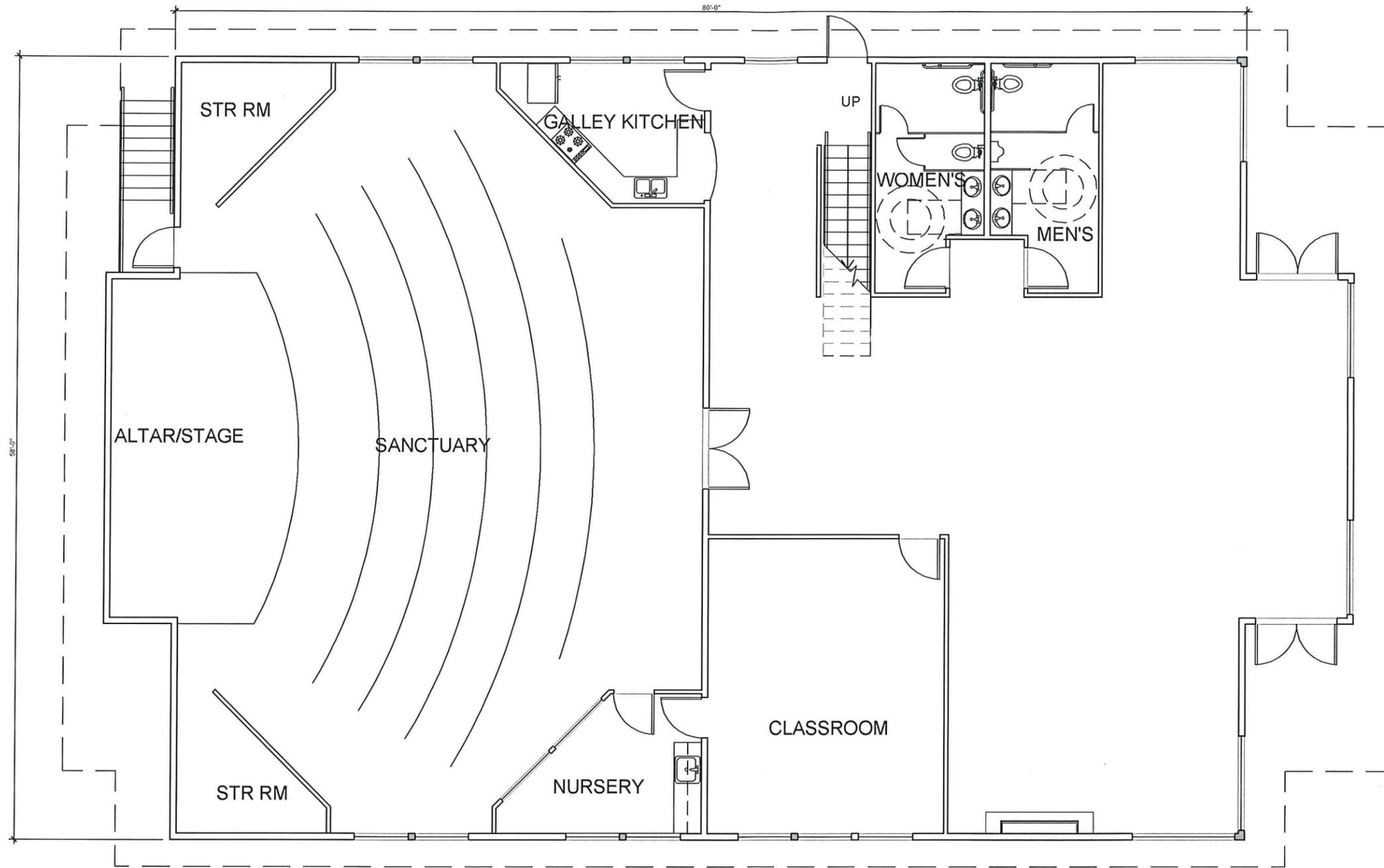


NORTH ELEVATION



WEST ELEVATION

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RIVERGATE HOUSE OF PRAYER

188 GARFIELD STREET.

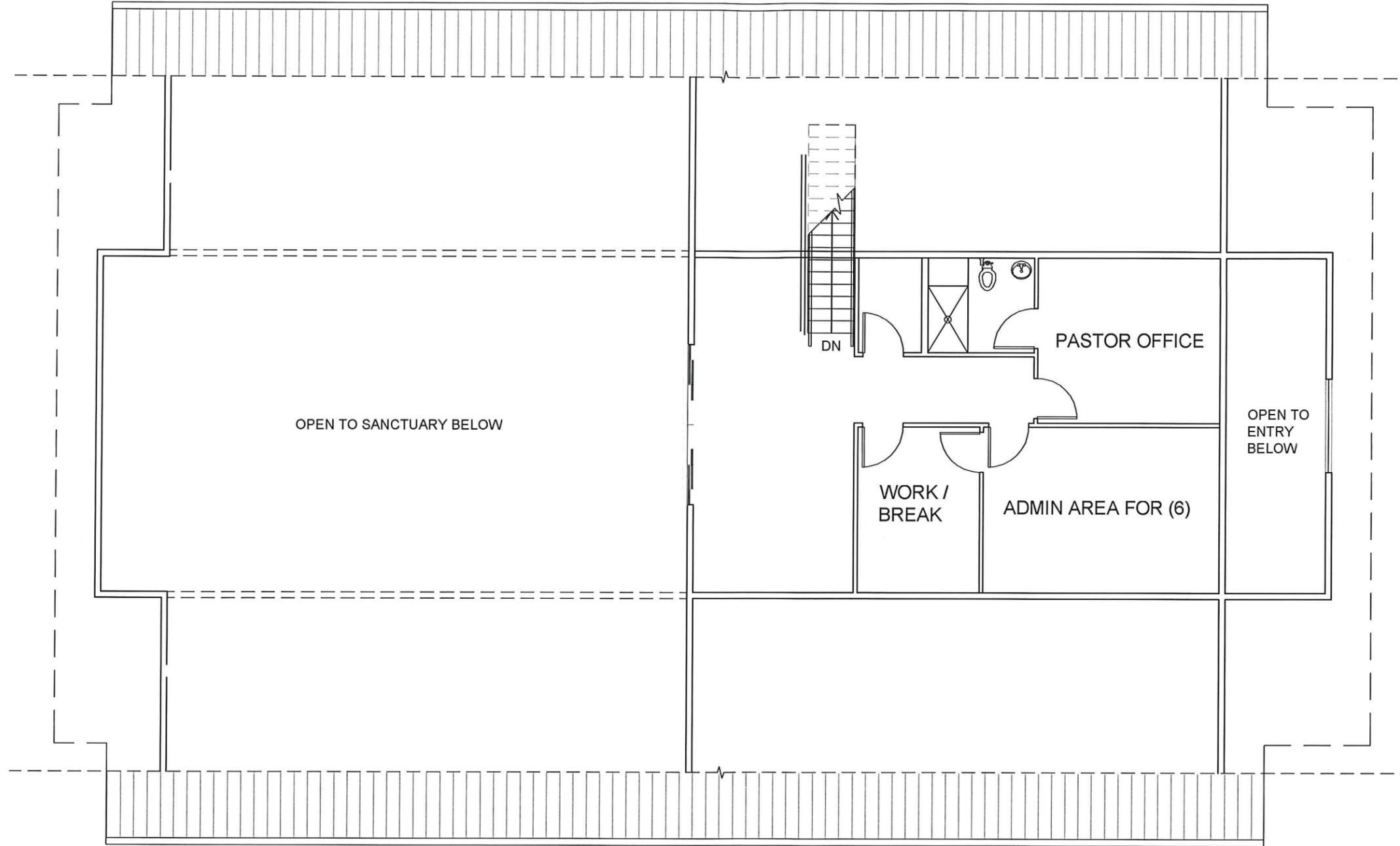
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FLOOR PLAN

PROJECT: 15-009
ISSUE DATE: 09/25/2015
SHEET:

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RIVERGATE HOUSE OF PRAYER

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SECOND FLOOR
PLAN

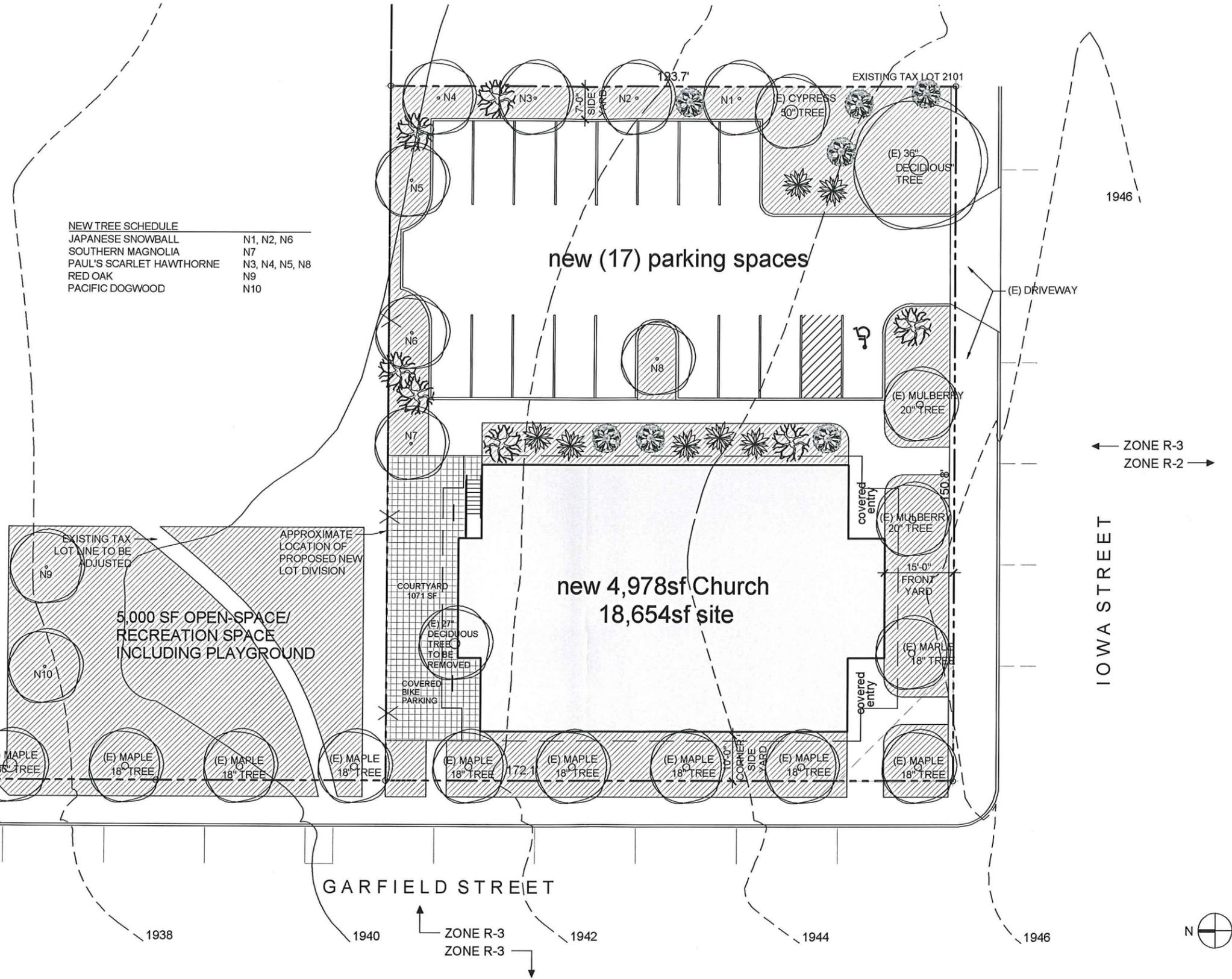
PROJECT: 15-009

ISSUE DATE: 09/25/2015

SHEET:

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NEW TREE SCHEDULE

JAPANESE SNOWBALL	N1, N2, N6
SOUTHERN MAGNOLIA	N7
PAUL'S SCARLET HAWTHORNE	N3, N4, N5, N8
RED OAK	N9
PACIFIC DOGWOOD	N10

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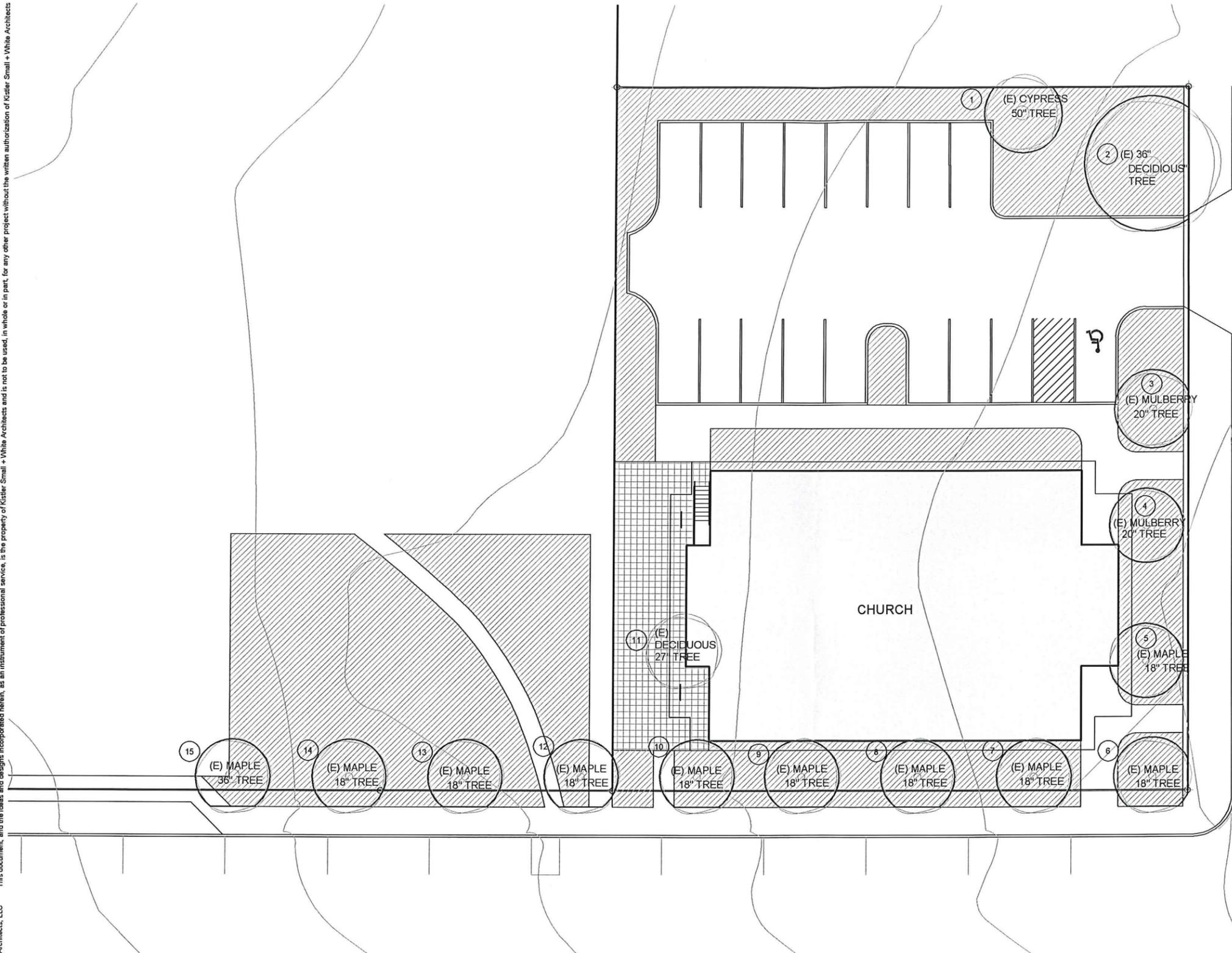
LANDSCAPE PLAN

PROJECT: 15-009
ISSUE DATE: 09/25/2015
SHEET:

L2

LANDSCAPE PLAN 1
3/32" = 1"

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TREE LEGEND

1 TO REMAIN	8 TO REMAIN
2 TO REMAIN	9 TO REMAIN
3 TO REMAIN	10 TO REMAIN
4 TO REMAIN	11 TO BE REMOVED
5 TO REMAIN	12 TO REMAIN
6 TO REMAIN	13 TO REMAIN
7 TO REMAIN	14 TO REMAIN
	15 TO REMAIN



TREE PROTECTION PLAN 1

3/32" = 1'
ALL REMAINING TREES ON THE SITE TO BE INDIVIDUALLY PROTECTED PER 18.4.5.030C

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ASHLAND, OREGON

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LANDSCAPE &
TREE
PROTECTION
PLAN

PROJECT: 15-009
ISSUE DATE: 09/25/2015
SHEET:

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**TYPE II
PUBLIC HEARING**

**PA-2016-00209
25 N Main Street**



PLANNING ACTION: 2016-00209

SUBJECT PROPERTY: 25 North Main Main

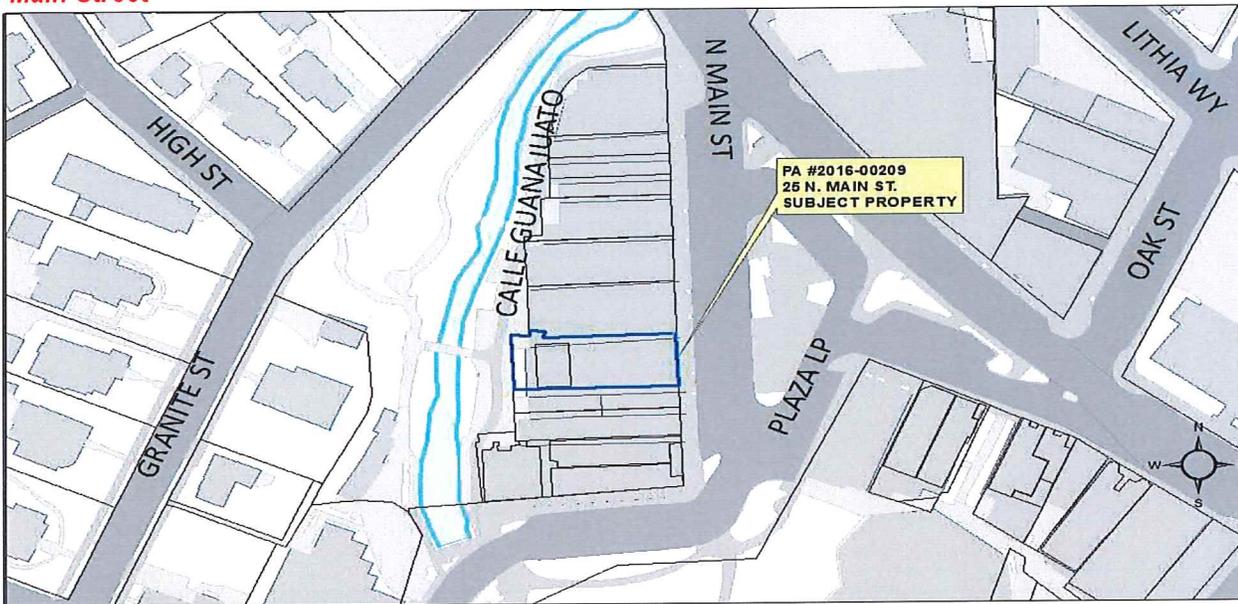
OWNER/APPLICANT: Ashland Holdings LLC/Allan Sandler

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.

**ASHLAND PLANNING DEPARTMENT
STAFF REPORT
May 10, 2016**

PLANNING ACTION: PA-2016-00209

APPLICANT/OWNER: Allan Sandler/Ashland Holdings, LLC

LOCATION: 25 North Main Street

ZONE DESIGNATION: C-1-D

COMPREHENSIVE PLAN DESIGNATION: Commercial Downtown

APPLICATION DEEMED COMPLETE: May 2, 2016

120-DAY TIME LIMIT: August 30, 2016

ORDINANCE REFERENCE: Street Trees
18.5.2 Site Design Review
Basic Site Review
Detail Site Review
Historic District Design Standards
Downtown Design Standards

REQUEST: 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.

I. Relevant Facts

A. Background - History of Application

In January of 2007, Site Review approval was granted for a 2,254 square foot addition to the third floor for a proposed dance club and restaurant as Planning Action #2006-00199. The application included a Conditional Use Permit for a building height exceeding 40 feet but less than 55 feet in the Downtown Overlay Zone.

In March of 1999, Site Review approval was granted for exterior changes to the building and the addition of the public pedestrian corridor that connects sidewalk on the Plaza side with Calle Guanajuato behind the building as Planning Action #1999-00026.

In March of 1997, Site Review approval was granted for an exterior remodel of a building listed on the National Register of Historic Places as Planning Action #1997-00034.

In 1994, the City Council approved a similar request by the same property owner, Allan Sandler, for an upper floor balcony seating area associated with Martino's Restaurant at 58 East Main Street. At the time, the City Council discussed the possibility of establishing a clear policy for use of air space above public sidewalk rights-of-way. However, no policy has been created to date, and no alteration to the Historic or Downtown Design Standards has occurred to encourage these types of requests.

There are no other planning actions of record for this site.

B. Detailed Description of the Site and Proposal

1. The Project Site

The subject property is located at 25 North Main Street, on the west side of the plaza, adjacent to Ashland Creek. The lot is approximately 6,500 square feet and is largely covered by the existing building. The property is relatively flat with an approximately three percent slope downhill to the north. There are no trees on the subject property, but there are two existing street trees in the sidewalk corridor in front of the building.

The property has a zoning designation of Retail Commercial – Downtown Overlay (C-1-D). The area to the west of the parcel, across the creek, is zoned R-1-7.5. Other surrounding properties are C-1-D. The building currently contains a restaurant, a bar, and retail stores. It is adjacent, on the north and south side, to other plaza commercial buildings, both of which are two stories in height.

The site is located in the Detail Site Review Zone, and is subject to the Detail Site Review Standards. In addition, with its location in the Downtown Historic District, the proposal is subject to the Downtown Design Standards and Historic District Design Standards.

The Ashland Masonic Lodge Building was built in 1879, and was extensively remodeled in 1909 and 1929. The initial construction followed a fire that destroyed many of the original wood buildings on the plaza. Both of the early remodels were designed by noted Ashland architect, Frank Chamberlain Clark. In 1950, the ground floor façade was changed to include flagstones. These were removed in 1999, when the building went through site review to remodel the front and rear elevations and to divide the interior into leasable spaces. The survey document for the Downtown Historic District notes, "The Ashland Masonic Lodge Building represents a series of

additions, remodeling and alteration that effectively mirror the history of that fraternal organization. The building retains high integrity and effectively relates its historic period of development. While the application materials provided suggest otherwise, the Ashland Masonic Lodge Building was individually listed on the National Register of Historic Places in 1992 and will remain on the Register unless the applicant successfully pursues de-listing. Because the building is not currently enrolled in any special assessment or federal tax credit programs as part of the listing, the review of exterior changes is handled entirely at the local level.

2. Proposal

The current application requests Site Design Review approval for a balcony addition. This balcony addition would extend over the property line and into city right-of-way for North Main Street, and the Council has granted an airspace license contingent upon the applicant obtaining all requisite land use approvals after review by the Planning, Historic and Tree Commissions.

The application includes 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.

II. Project Impact

This balcony addition proposed would extend over the property line into the city right-of-way for North Main Street, and the Council has granted an airspace license contingent upon the applicant obtaining all requisite land use approvals after review by the Planning, Historic and Tree Commissions. As detailed in the attached minutes of the March 1, 2016 City Council meeting, it was noted that the Council had previously granted a similar license for the balcony at Martino's Restaurant to allow the owner to build into the right-of-way while protecting the city from liability.

The building on the property is existing and served by existing utilities. There is no parking requirement within the C-1-D district, so the added floor space of the balcony does not trigger any additional parking. As such, the review here is limited to 1) the modifications of the building façade as they relate to the applicable design standards, and 2) the proposed removal and replacement of street trees.

A. Façade Modifications

The application explains 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. The application goes on to explain that the Masonic Building was extensively hardened and renovated in the 1980's, but that was before the current awareness of seismic issues. The applicant 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 1980's, it is not feasible to add more structure within the building now and adding to the façade from behind would not prevent the façade from dislocating from the main structure of the building in an earthquake. The applicant therefore suggests that the only real solution is to provide another layer of protection to the exterior of the building, and wants to do it in a way that is sensitive to the historic character of the building and the plaza in a way that will allow the owner to recoup some of his costs.

The owner proposes to construct a freestanding balcony, independently supported, at the third level on the plaza side of the existing Masonic Building. The application explains that the vertical elements will encroach a couple of inches into the public sidewalk right-of-way and the balcony deck will be as much as seven feet into the air space above the right-of-way although it will be approximately 30 feet above the sidewalk. This new structure will be tied to the building and act as additional bracing to reinforce the exterior façade. The application emphasizes that while the existing building met all current safety and building code-related construction system requirements in place at the time that the building was extensively renovated, the owner is willing to go the extra mile – beyond what the current codes require - in the interest of public safety. The application further emphasizes that this will be an expensive project and can only be considered in light of what additional revenue can be generated by the modification.

The application explains that the existing building façade is between eight and 12 inches behind the property line. To minimize the impact to the public right-of-way, the applicant proposes 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. They would then install three steel I-beam columns and a horizontal crossbeam to tie the system together. These four elements are to be covered by a new stucco pilaster and cornice elements. The existing building finish will be left intact elsewhere on the ground floor, although the pilasters would be removed, and new columns detailed to look like the original pilasters would be installed in front of the original building structure and the façade finish would wrap around it all. The cornice treatment would be more ornate than the existing treatment. Above the new cornice, steel columns would run vertically between the existing windows to support the deck. These columns are to be finished in stucco and reflect

the original design of the building. The existing pilasters between the windows are to be removed so the new steel can be installed, and the net effect is explained as bringing more definition/depth to the pilasters at the second floor façade. The applicant asserts that while the deck structure will be entirely new, it will be in keeping with the design of the original building.

The deck is to be supported on brackets fashioned and detailed to be sympathetic to the original building detailing. The supporting structure for the steel columns is proposed to 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, and the application suggests that there should be no impact on any public utilities running under the sidewalk, as they typically are a minimum of 36-inches below finished grade. *(In discussions with the Public Works, Engineering and Electric Departments, it has been noted that in the recent past, excavation work along the plaza and Calle Guanajuato, utilities are often at depths of significantly less than 36-inches and that utilities may well be encountered anywhere below the existing four-inch sidewalk slab. A condition has therefore been included to require the applicants to work with the Public Works, Engineering and Electric Departments to develop approved utility plans prior to submitting a building permit application.)*

The application emphasizes that it is the applicant's intent to provide a positive impact to the façade of the building and to the plaza. 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 plan will increase in depth from two-inches to ten-inches. The cornice will increase in depth by 12-inches. The six existing pilasters rising from the cornice will increase in depth by eight-inches only up to the level of the deck. The deck is proposed to 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. Six of the existing third floor windows will remain intact; one is to be modified to create a doorway onto the deck with the existing window trim remaining to frame the opening.

Exceptions

The application materials provided include findings asserting that the application is generally in keeping with the applicable criteria and standards, but two Exceptions to the Site Development and Design Standards are requested. The first is to allow the 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.c. explicitly prohibit projecting balconies in a street facing elevation, as detailed below:

AMC 18.4.2.060.C.2

- c. Recessed or projecting balconies, verandas, or other useable space above the ground level on existing and new buildings shall not be incorporated in a street facing elevation. Avoid treatments shown in Figure 18.4.2.060.C.4 and 7.

* horizontal proportion and lack of rhythm do not reflect the historic structural system of the existing building

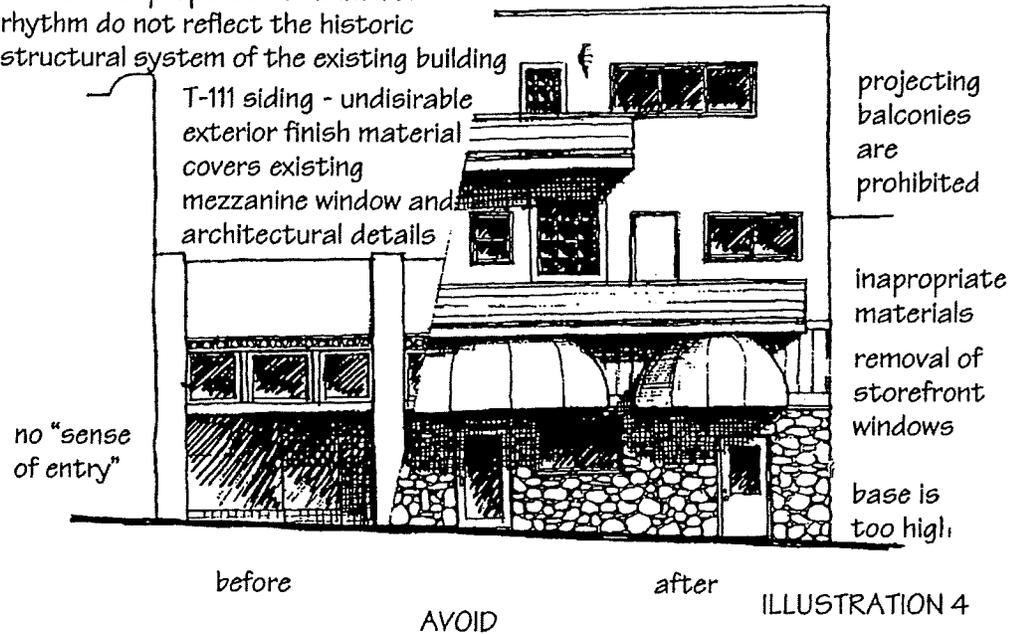


Figure 18.4.2.060.C.4

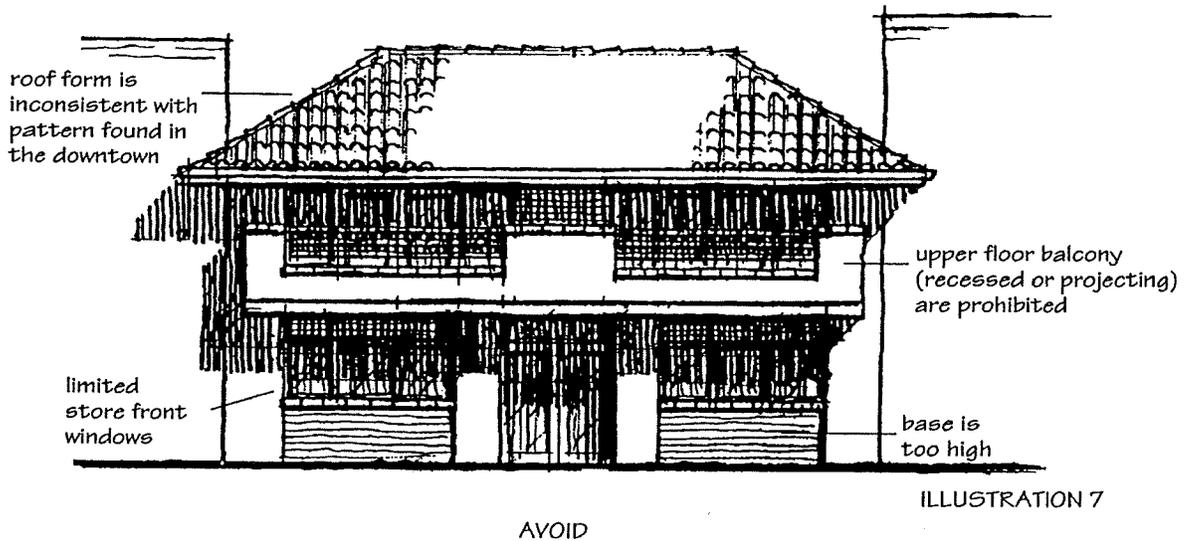


Figure 18.4.2.060.C.7

The second Exception is to allow an addition on a primary façade or elevation that is visually prominent from a public right-of-way and which obscures or destroys character-defining features of the historic building, where the Historic District Design Standards in AMC 18.4.2.050.B.12 specifically directs that additions of this nature are to be avoided, as detailed below:

AMC 18.4.2.050.B.12. Additions.

RECOMMENDED

Additions that are visually unobtrusive from a public right-of-way, and do not obscure or eliminate character defining features of historic buildings.

AVOID

Additions on the primary façade or any elevation that is visually prominent from a public right-of-way, and additions that obscure or destroy character defining features.

With regard to the Exceptions, the applicant explains that the impetus for undertaking these improvements is the desire to make the building safer. The application notes that while the building was extensively remodeled in the 1980's, codes have subsequently changed and much more is known about seismic forces on existing masonry structures. The application emphasizes that the building cannot be relocated, the property line cannot be moved, and the building is a contributing historic resource to the Ashland plaza and as such, demolition and reconstruction are not viable. The application concludes that reinforcing the exterior of the façade is the remaining option.

The application details that the proposed system will encroach into the right-of-way, but will encroach at the ground level less than the existing brick pilasters. 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. Pilasters are proposed rather than columns to reduce the depth of the structure, and the proposed cornice detail at approximately 14 feet above the sidewalk will encroach approximately six-inches into the public right-of-way. The applicant emphasizes that these encroachments are the minimum possible to achieve the desired reinforcement.

The application notes that there is a significant cost to the proposal, and while the change is motivated by altruism, the reinforcement is not required and to pay for the addition, the owner needs to create additional leasable space in the form of a balcony on the front of the building at the third floor level. The balcony is proposed at the minimum depth possible to provide rentable space, and the length is the minimum necessary to connect all the pilasters along the second floor façade. The applicant asserts that findings can be made that there is a demonstrable difficulty meeting the specific design standards due to the unique nature of the structure and of the proposal, that the proposal is consistent with the intent of the standards,

and that the proposed Exceptions are the minimum necessary.

Historic Commission Review

The Historic District Development Standards (AMC 18.4.2.050) were adopted to assure that development in the Historic District overlay remains compatible with the existing integrity of the Historic District. For development requiring Site Design Review and involving new construction, restoration or rehabilitation - or any use greater than a single-family residential use - the authority exists in the law for the Staff Advisor and the Planning Commission to require modifications in the design to match the Historic District Development Standards, and the Historic Commission is to advise both the applicant and the City decision maker (Staff Advisor or Planning Commission). In a preliminary evaluation of the current proposal, the Historic Commission's weekly Review Board indicated that while they were supportive of seismic upgrades, they could not support exterior changes to the façade when a balcony on the street-facing façade was inconsistent with design standards. Typically, commercial projects will incorporate initial feedback from the Historic Commission's Review Board and then informally present the proposal with any revisions to the full Historic Commission outside the quasi-judicial review process prior to making formal application. In this instance, the proposal was not substantially altered based on the Review Board's feedback, and the proposal was not presented to the Historic Commission prior to making application.

In the absence of financial and technical incentives to the owners of historic buildings to aid in addressing seismic issues in a historically sensitive manner, staff believes an argument can be made that the creation of new leasable balcony space in conjunction with reinforcement is a legitimate approach to finance seismic upgrades. However, the new space being created here extends into the public right-of-way and directly conflicts with design standards for the Downtown and Historic District, and staff believes there could be concerns that the changes proposed remove and reconstruct character-defining elements on a primary contributing, National Register-listed historic building prominently located on Ashland's downtown plaza. As in many actions, the decision here lies in determining an appropriate balance, in this case between making appropriate changes to an historic resource while at the same time adding seismic upgrades to increase public safety and remaining financially viable for the property owner.

Despite working on a prominently-located, individually-listed, contributing historic resource, the applicant does not have a historic preservation consultant on their design team, and the only available feedback from the Historic Commission as this is being written is from the pre-application at which time the Historic Commission's Review Board indicated that they were in opposition to the proposed balcony as it runs counter to standards. In addition, staff anticipates that the encroachment into the sidewalk corridor and air space could have significant impact to the street trees yet the applicant has not provided specific detail regarding the removal and replacement of the street trees, including whether the balcony will conflict with the replacement trees when they reach their mature height. The Tree Commission has yet to review or provide feedback on the application. Staff would accordingly recommend that the Planning Commission conduct an initial public hearing to identify potential issues and/or concerns with the proposal. Comments from both the Historic and Tree Commission reviews of the request will be available at that time and any

specific issues or concerns can be identified during the hearing. Given the complexity of the issues and without knowing the outcomes of either the Historic or Tree Commission meetings, Planning Staff cannot recommend approval of the application at this time, and would instead recommend that following the initial hearing the request be continued until the Commission's June meeting for a decision.

B. Street Tree Removal

The application notes that by all consideration, the existing street trees will not survive the construction, and goes on to explain that the owner will replace the existing trees, which are described as being in poor shape, with more suitable new trees at the completion of the construction project. There is no further discussion of the trees. The application does indicate that to support the balcony deck proposed, a 12-inch thick concrete slab will need to be installed to act as the sidewalk as part of the engineered support system, but does not indicate what if any repercussions this may have for the street trees.

As this staff report is being prepared, the Tree Commission has not reviewed the request. The Commission has had concerns in the past with the applicant's pruning of the existing street trees to avoid conflicts between the trees and the building façade to enable access for building maintenance. In staff's view, the Tree Commission is likely to raise questions about the proposed increase in the sidewalk depth to 12-inches and the associated impacts on soil volumes that will remain to support viable street trees; about the potential for conflicts between the proposed encroaching balcony, the building façade and the tree canopy of any newly-planted trees; and about appropriate tree selection to best address these issues.

Absent more detailed information in the application or a recommendation from the Tree Commission, staff cannot make a recommendation in support of the Street Tree Removal request and would instead recommend that the request be continued to the June meeting for consideration in light of any recommendations the Tree Commission may provide at their meeting in May as well as any additional information the applicant may provide in response to the Tree Commission discussion.

III. Procedural - Required Burden of Proof

The criteria for Site Design Review approval are described AMC 18.5.2.050 as follows:

- 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.*

IV. Conclusions and Recommendations

In the absence of financial incentives to the owners of historic buildings to support historically sensitive seismic retrofitting, staff believes an argument can be made that applicant's proposal to create new leasable balcony space in conjunction with the seismic upgrades is a legitimate approach to funding these improvements. In this instance, the new space being created is over the public right-of-way and directly conflicts with design standards for the Downtown and Historic District, and staff has concerns that the changes proposed require obscuring or destroying character-defining elements on a primary contributing, National Register-listed historic building prominently located on Ashland's downtown plaza. For staff, the decision here lies in determining the appropriate balance between making changes to an historic resource while at the same time allowing seismic upgrades to increase public safety in a manner that is financially viable for the property owner.

Despite working on a prominently-located, individually-listed, primary contributing historic resource, the applicant does not have a historic preservation consultant on their design team, and the only available feedback from the Historic Commission as this is being written is from the pre-application. The Historic Commission's Review Board indicated that they were in opposition to the proposed balcony as it runs counter to the design standards. In addition, staff anticipates that the encroachment into the sidewalk corridor could have significant impact to street trees yet the applicant has not provided specific detail regarding the removal and replacement of the street trees, and the Tree Commission has yet to review or provide feedback on the application.

Staff would accordingly recommend that the Planning Commission conduct an initial public hearing

to identify potential issues and/or concerns with the proposal. Comments from both the Historic and Tree Commission reviews of the request will be available at that time and any specific issues or concerns can be identified during the hearing. Given the complexity of the issues and without knowing the outcomes of either the Historic or Tree Commission meetings, Planning Staff cannot recommend approval of the application at this time, and would instead recommend that following the initial hearing the request be continued until the Commission's June meeting for a decision.

Should the Commission decide through the initial hearing that sufficient information has been provided to merit approval, staff recommends that the following conditions be attached to any approval:

1. That all proposals of the applicant are conditions of approval unless otherwise modified herein.
2. The plans submitted for the building permit shall be in conformance with those approved here. If the plans submitted for the building permit are not in conformance with those approved as part of this application, an application to modify this Site Review approval shall be submitted and approved prior to issuance of a building permit.
3. The recommendations of the Historic Commission's May 4, 2016 meeting, where consistent with applicable standards and with final approval by the Staff Advisor, shall be conditions of this approval and incorporated into the final building permit submittals.
4. That the building materials and the exterior colors shall be identified in the building permit submittals. The information shall be consistent with the colors, texture, dimensions and shape of materials and building details proposed and approved as part of the land use application. Bright or neon paint colors shall not be used in accordance with 18.4.2.040.C.4.b of the Detail Site Review Standards.
5. The recommendations of the Tree Commission's May 5, 2016 meeting, where consistent with applicable standards and with final approval by the Staff Advisor, shall be conditions of this approval and incorporated into the final building permit submittals.
6. That two replacement trees shall be planted, with irrigation installed, inspected and approved by the Staff Advisor prior to final structural inspections or the issuance of a certificate of occupancy. The trees shall be selected from the approved street tree list and planted according to city standards.
7. That prior to tree removal, site work, storage of materials or building permit issuance, the applicant shall obtain approval of a Tree Verification Permit to verify the identification of the two trees to be removed.
8. That any necessary construction closure or detouring of the sidewalks shall be approved by the Ashland Engineering and Planning Departments prior to issuance of permits or work in the right-of-way.
9. All work in the public right-of-way shall be reviewed and approved by the Public Works and Engineering Division, and should this final review necessitate any changes to the proposal approved here a modification of the Site Review approval shall be obtained. Prior to any work within the public rights-of-way, all necessary permits must be obtained from the Public Works/Engineering Department. The sidewalks along the North Main Street frontage shall be replaced under permit from the Public Works/Engineering Department, inspected, and approved by Public Works/Engineering and the Staff Advisor prior to the final structural inspection approval or issuance of a certificate of occupancy. All new concrete shall be

- “Santa Fe Buff” in color as required in the Downtown Historic District.
10. The requirements of the Fire and Fire Departments shall be satisfactorily addressed, including but not limited to occupant loads, exiting, fire rating requirements at the property line and/or the installation of fire sprinklers as required by the additional square footage based on current applicable Oregon building and fire codes, prior to final inspection approval or issuance of a certificate of occupancy.
 11. That the requirements of the Building Division shall be satisfactorily addressed, including but not limited to addressing any existing non-conforming code conditions, protecting primary structural columns with a minimum of one-hour fire resistive rated construction in accordance with Section 704 of the Oregon Structural Specialty Code, providing a special inspection testing agreement in accordance with Chapter 17 of the OSSC, and if unreinforced masonry is associated with the building alteration an engineered evaluation of the existing conditions and possible seismic retrofitting may be required.
 12. That the applicant shall work with the Public Works, Engineering and Electric Departments to develop approved utility and electric service plans which address any impacts to existing utilities including water (including fire services), sewer, electric (including street lighting), and storm drainage prior to the submittal of a building permit.
 13. That the applicant shall enter into a license agreement concerning development of the airspace over the public right-of-way for the balcony. Such agreement is to indicate that the applicant will be responsible for the removal of the balcony and restoration of the historic building façade at his expense should the City ever need the use of the airspace area.



Ashland Historic Commission
Design Review Form

Applicant ALLAN CANDLER Date 14 MAY 2015

Address 25 N. MAIN ST

Proposed Action SEISMIC RETROFIT & ~~BACK~~ BALCONY ADDITION

- Commercial
- Residential
- New Construction
- Changes to Existing Structure

Historic Review Board Comments:

SEISMIC RETROFIT OK. BALCONY
PROHIBITED. SEE 18.4.2 BUILDING
PLACEMENT & DESIGN SEE FIGURE
18.4.2-060-C4 ALSO 18.4.2 C-10
VISUAL INTEGRITY OF THE ORIGINAL
BUILDING SHOULD BE MAINTAINED.
WE DON'T ~~WE~~ SUPPORT CHANGING
THE HISTORIC FACADE

In the spirit of protecting the historic design and compatibility of your project, if you wish to amend your building plan in order to apply any recommendations of the Historic Review Board, we encourage you to prepare an addendum and resubmit it to the Building Department.

Applicant Signature

MJE 7-14-2015
Historic Review Board Signature

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

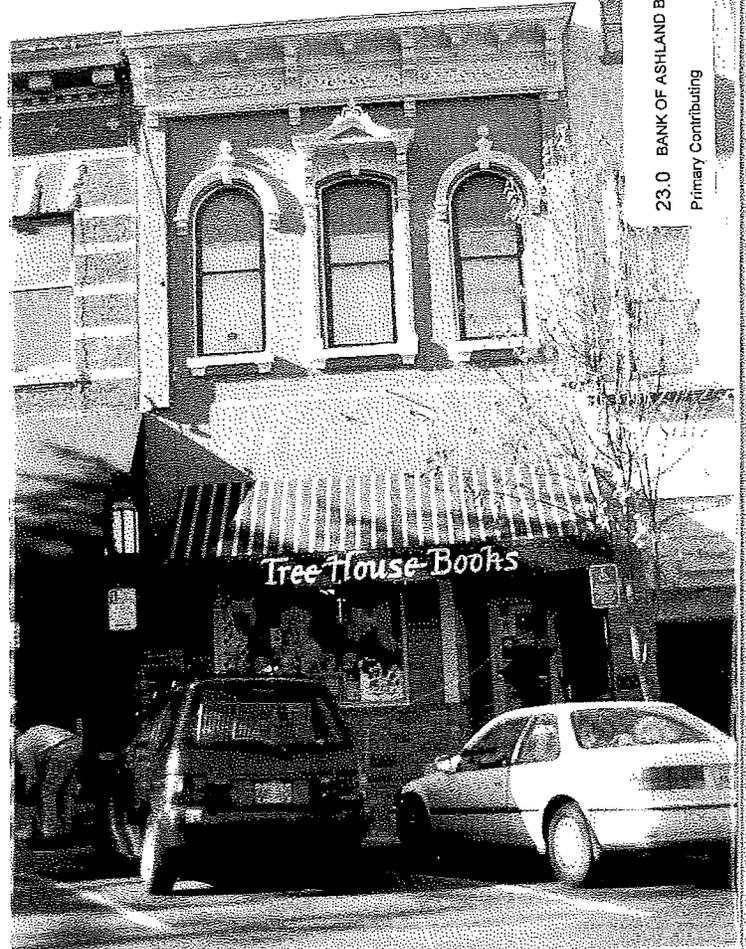
Primary Contributing

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]

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

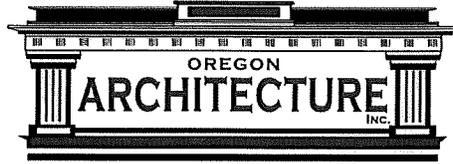
Management Analyst Adam Hanks and Conservation Commission Chair Mark Weir provided history on the plastic ban. The goal was eliminate plastic bags in Ashland and reduce the usage of paper bags. The ordinance had three primary components. It banned plastic bags at business retail checkouts, requested 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



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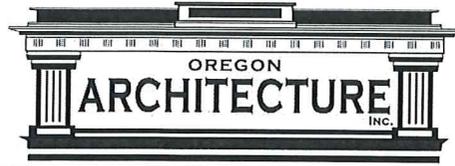
April 25, 2016

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.



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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 part 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.

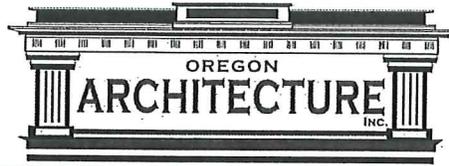
However, there is a significant cost to this improvement. While the change is motivated by altruism, the building does meet the requirements for seismic reinforcement that were in place when the renovations were undertaken, and reinforcement is not required. To pay for this addition the Owner needs to 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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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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Synthetic Plaster

Brick

Ceramic Tile

Alum. Windows

Exg. Window Trim

Rear Awning

Old Masonic Building

ASHLAND, OREGON



Architectural Design Works

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DAVID RICHARDSON AIA ARCHITECT
JAC NICKELS DSI/AA ARCHITECT



Consultants

Sheet Title Exterior Elevation

Date 02/20/99 Drawn JR

Job No. BS08 99 Checked WDR

Revisions
01 02/02/99

01 OF 03



EXISTING PLASTERED WALL
PAINTED TO MATCH NEW
SYNTHETIC PLASTER

EXISTING WOOD WINDOWS
TO BE RE-PAINTED

NEW SYNTHETIC PLASTER

NEW CERAMIC TILE

NEW ALUMINUM WINDOWS

NEW BRICK VENEER

EXISTING PLASTERED WALL
PAINTED TO MATCH NEW
SYNTHETIC PLASTER

EXISTING WOOD WINDOWS
TO BE RE-PAINTED

NEW SYNTHETIC PLASTER

EXISTING AWNING

NEW ALUMINUM WINDOWS

NEW BRICK VENEER

Exterior Elevation

1/4" = 1'-0"

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Blondiebar
RUM ROOM SUPPER CLUB

Tree House Books

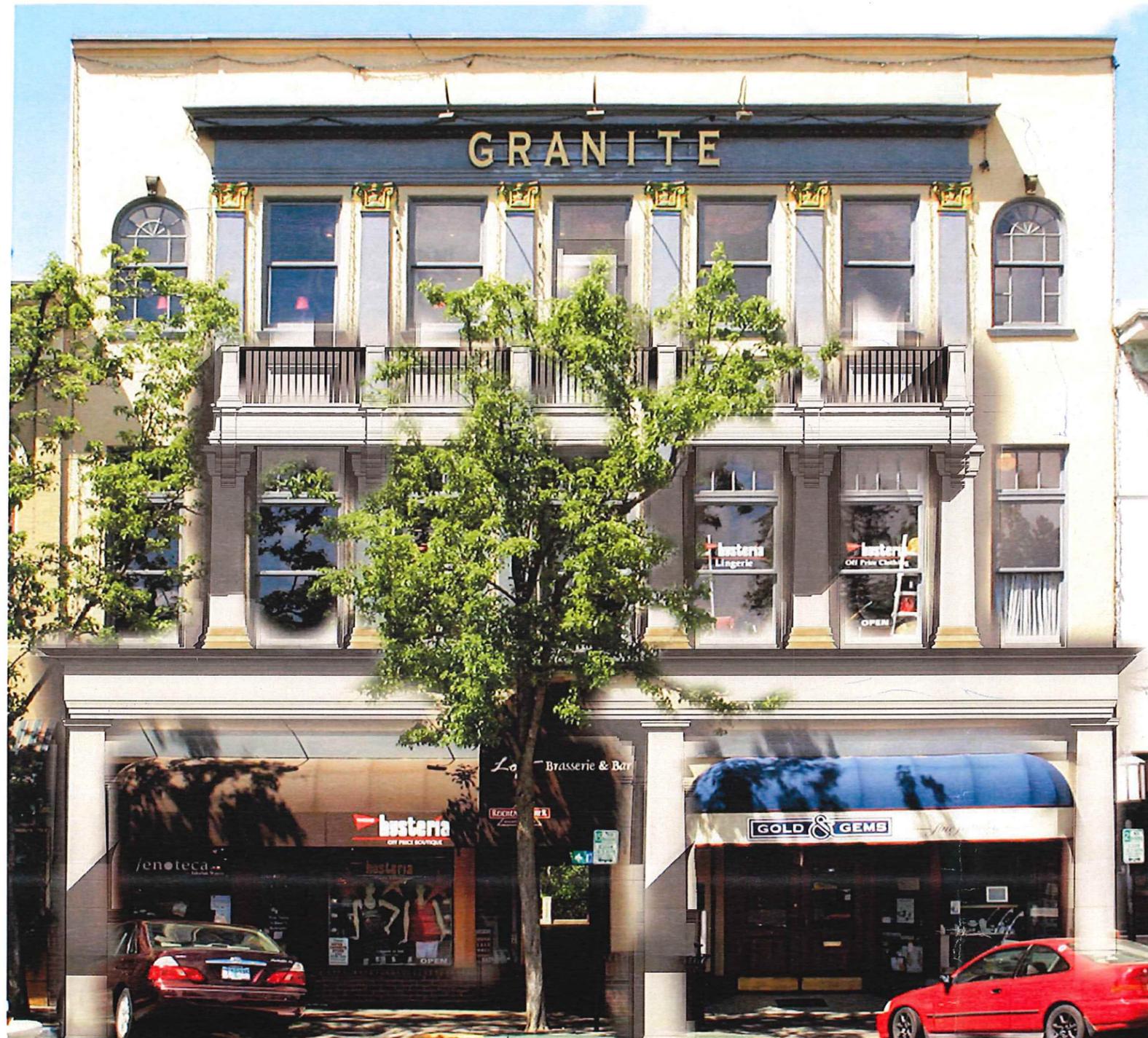
hysteria
OFF FINE CLOTHING

GOLD & GEMS — fine jewelry —

Brasserie & Bar

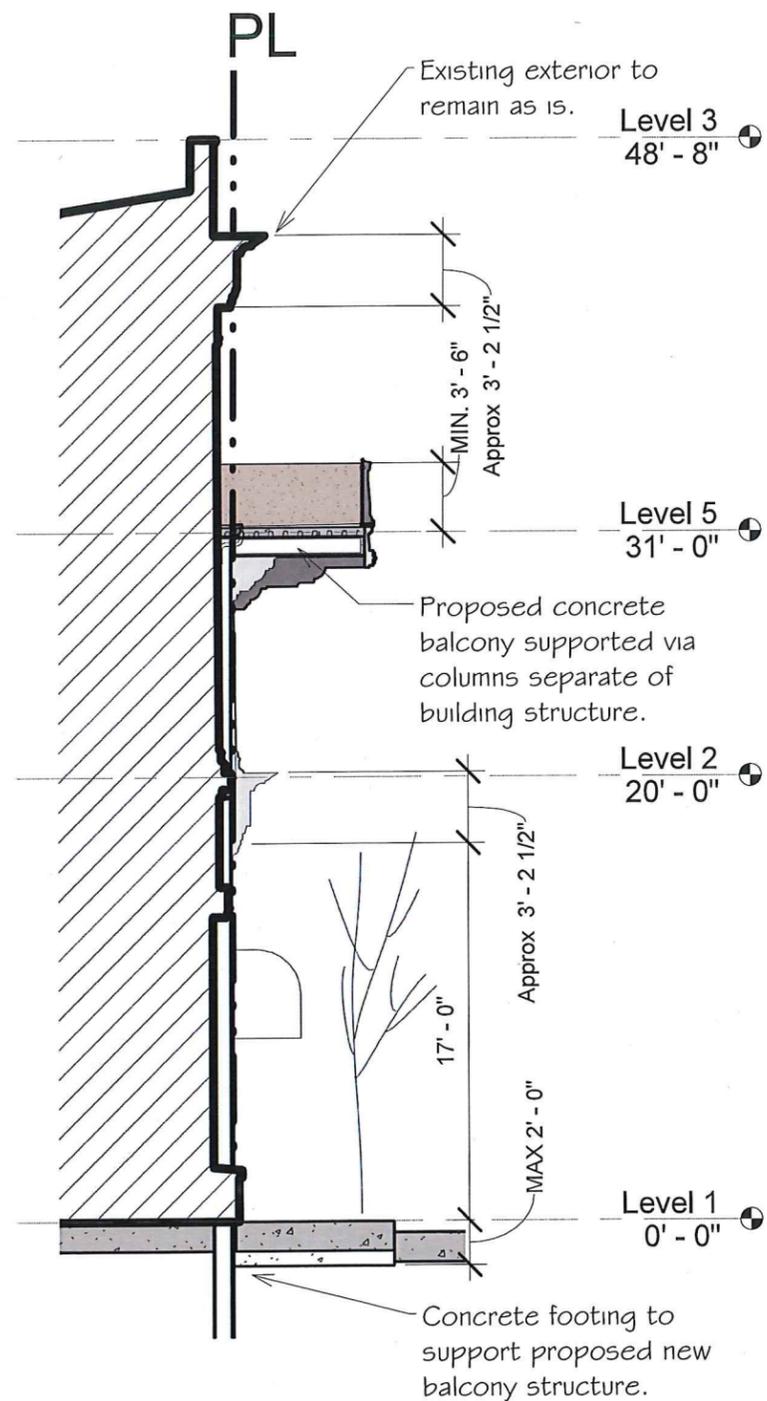
hysteria
OFF FINE CLOTHING
Clearance
Sale
Clearance
OPEN

ROOMS



-Conceptual Render
Not to Scale

TO VERIFY FULL SCALE BAR SHOULD MEASURE ONE INCH BY ONE EIGHTH INCH



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



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

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

Approval Signature Date

REVISIONS BY

PLOT DATE: 04/28/15

DRAWN BY: P. McKeone

SHEET

PROPOSED

A-102



(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



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APR 06 2016

City Of Ashland

3D View 3

TO VERIFY FULL SCALE: 1/8" = 1'-0" (1/8" SHOULD MEASURE ONE INCH BY ONE/SIXTEENTH INCH.)

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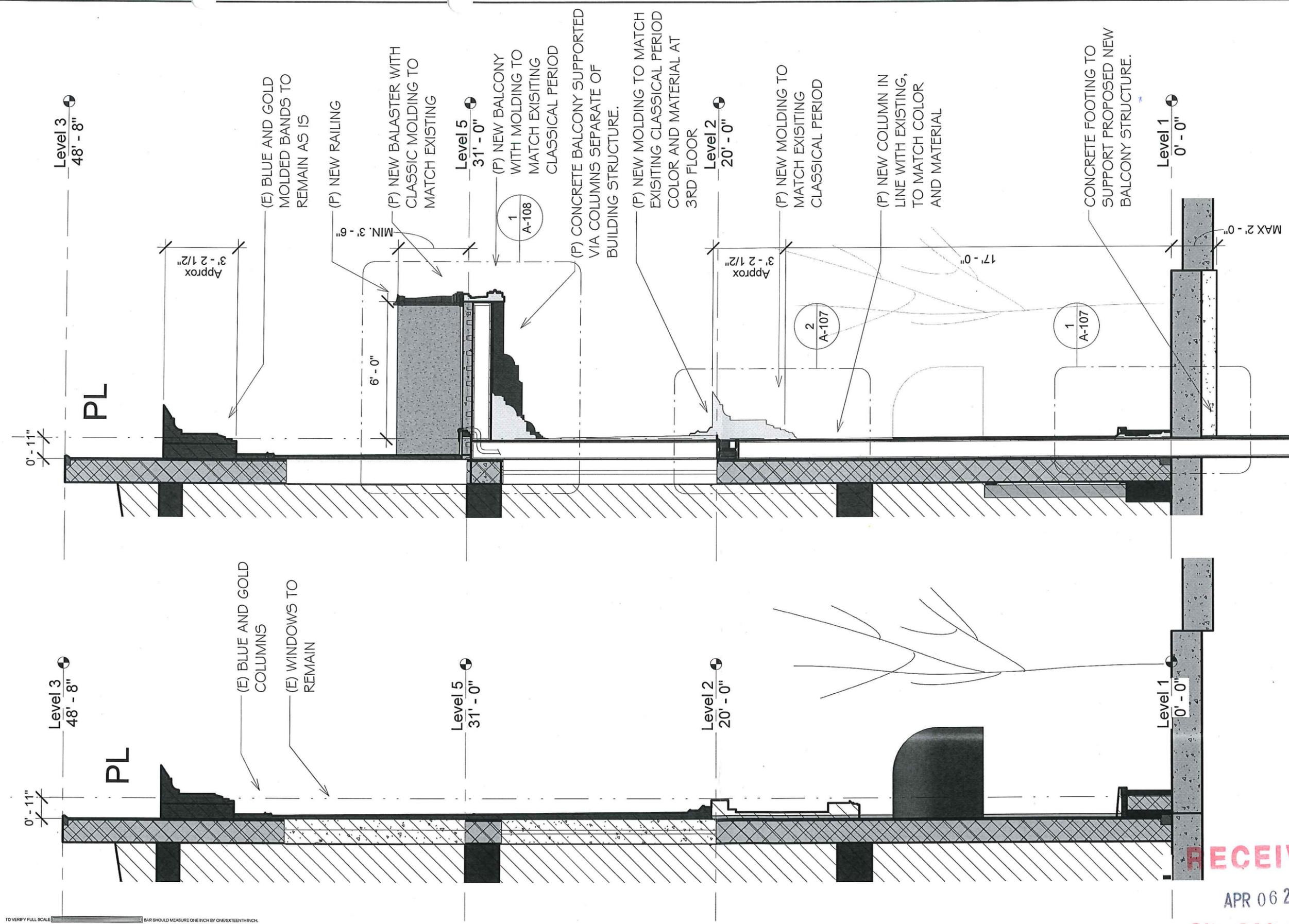


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at
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23 Main Street - Ashland, OR 97520

Approval	Signature	Date
REVISIONS	BY	
PLOT DATE:	04/06/16	
DRAWN BY:	P. McKelvie	
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"

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

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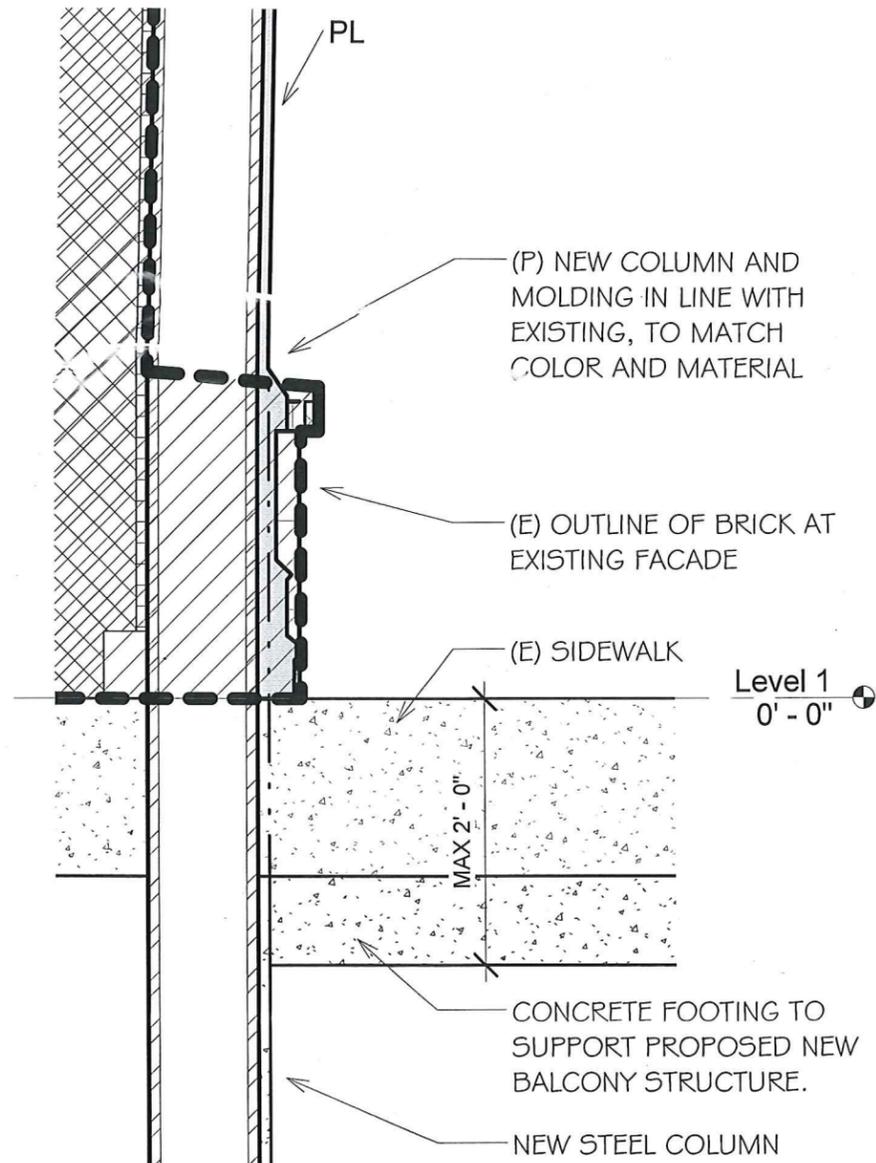
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at
GRANITE TAPHOUSE
23 Main Street - Ashland, OR 97520

Approval Signature	Date
REVISIONS	BY
PLOT DATE:	03/22/16
DRAWN BY:	ADP
SHEET	BEFORE / AFTER SECTION

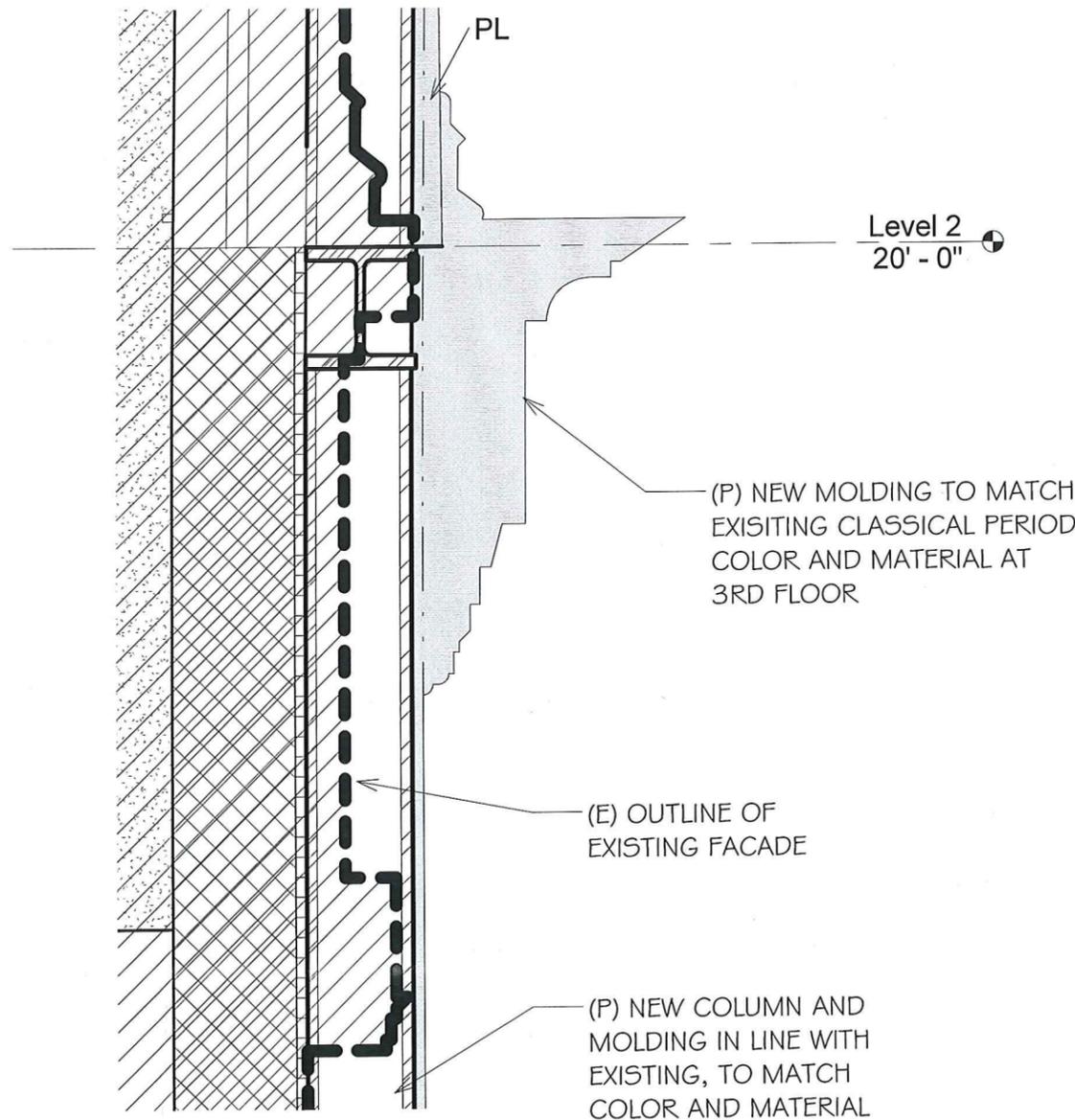
A-106

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



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

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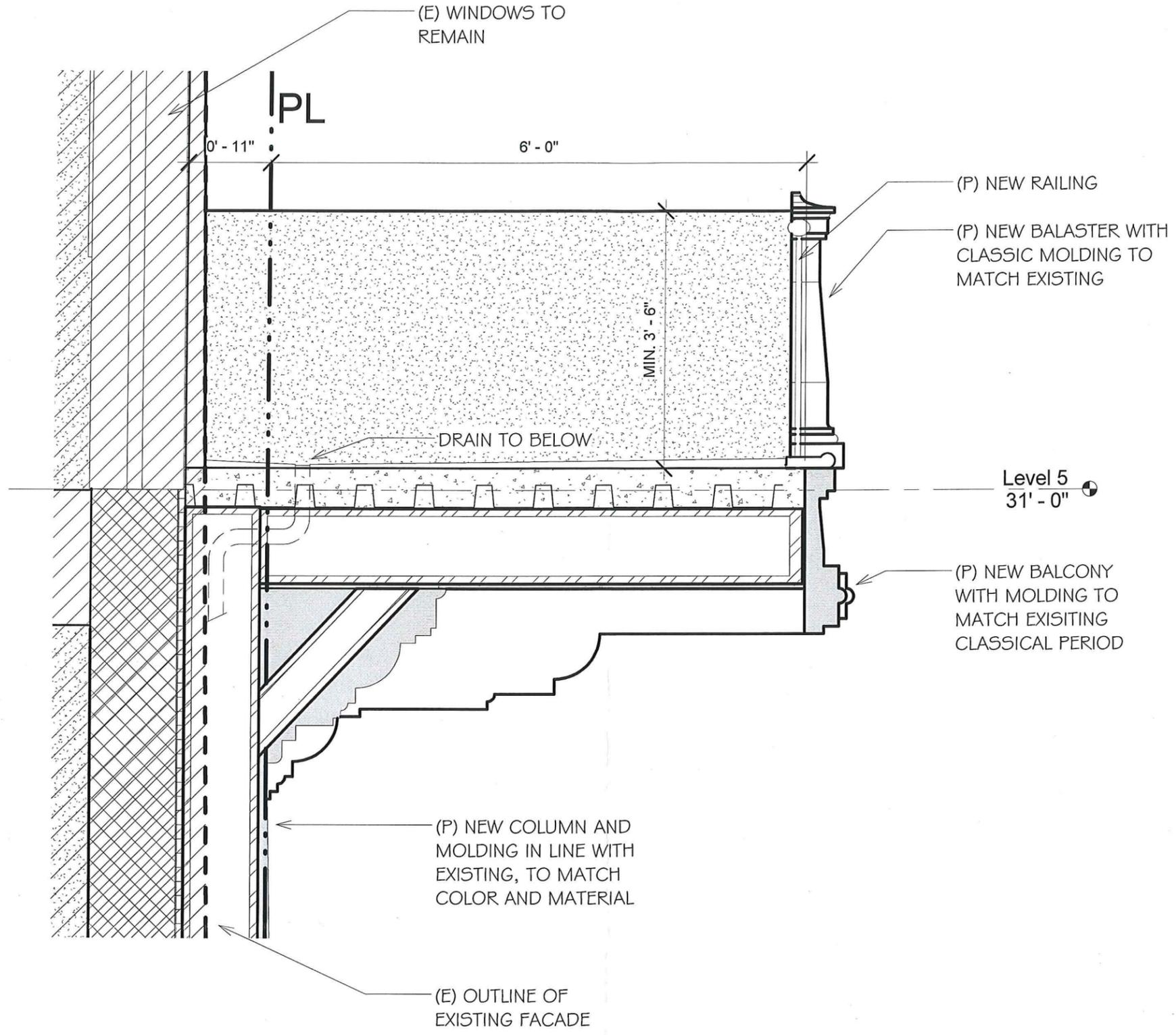
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Approval Signature _____ Date _____
REVISIONS BY _____

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

A-107

TO VERIFY FULL SCALE: [Symbol] BAR SHOULD MEASURE ONE INCH BY ONE SEVENTEENTH INCH.



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

TO VERIFY FULL SCALE: 1" = 1'-0" (1/8" = 1'-0")

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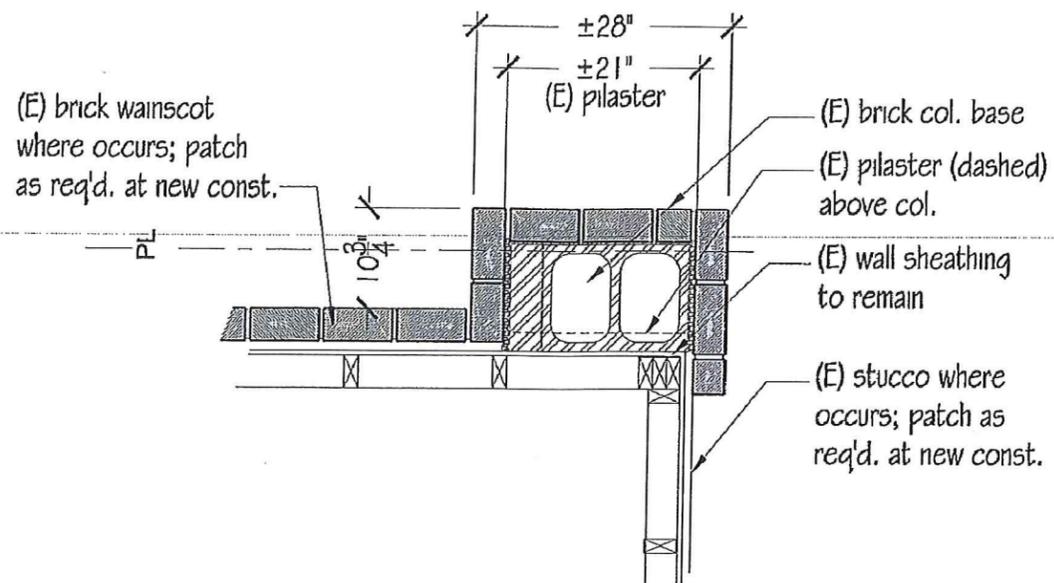
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REVISIONS	BY
PLOT DATE:	12/21/15
DRAWN BY:	Author
SHEET	
SECTION DETAILS	

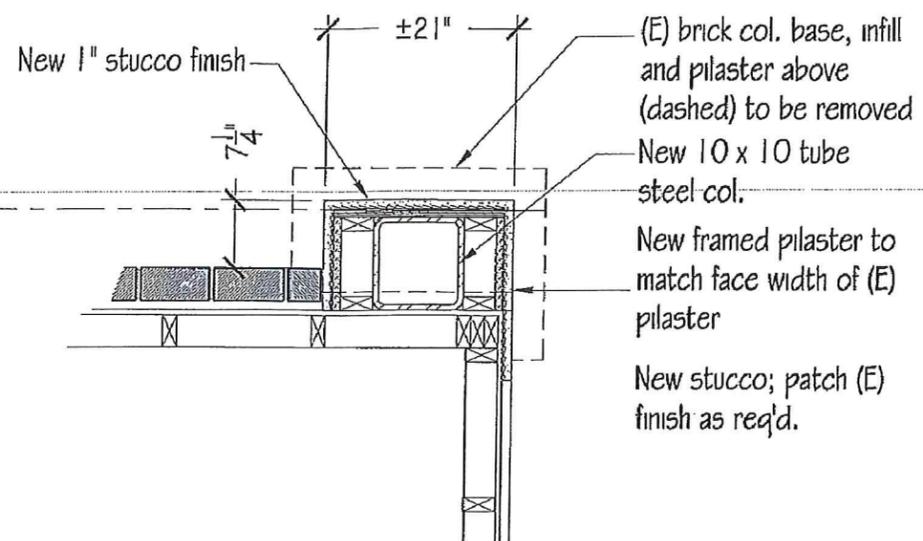
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A-108



EXISTING BRICK COLUMN BASE

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



PROPOSED STUCCO PILASTER

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

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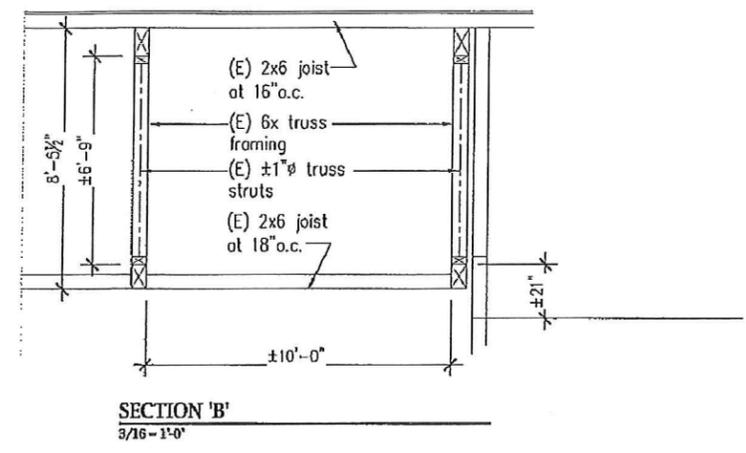
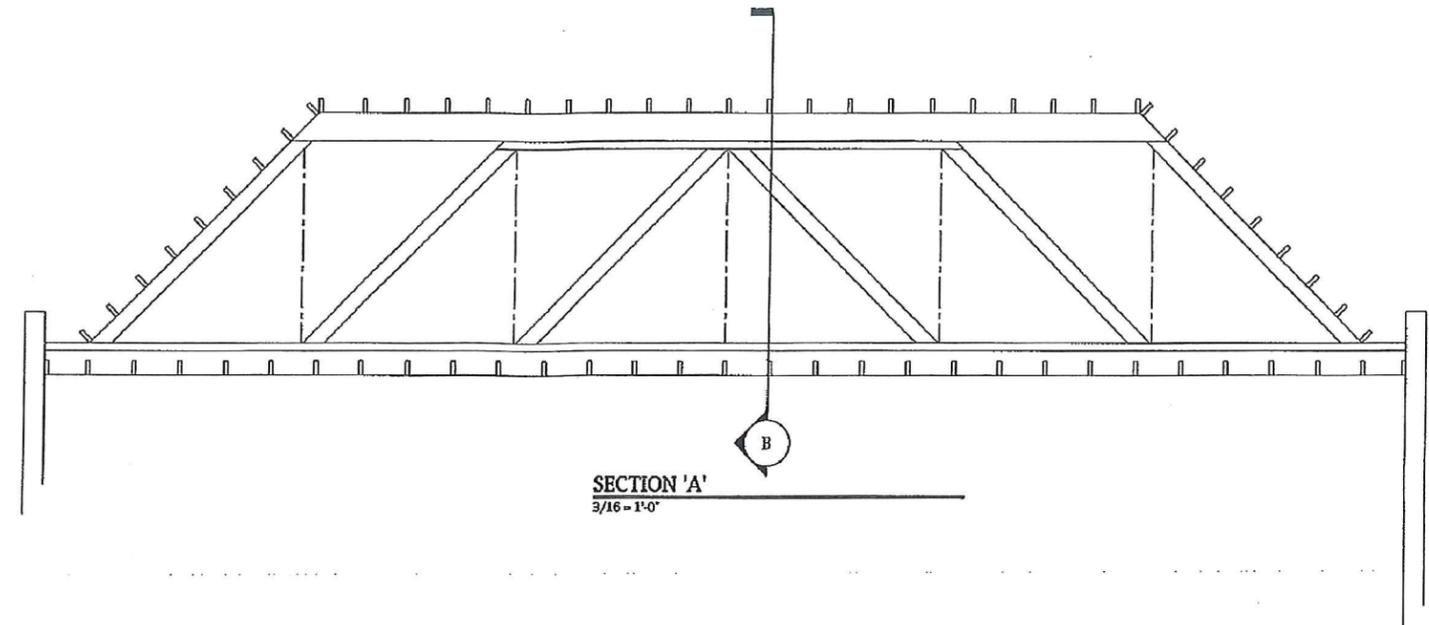
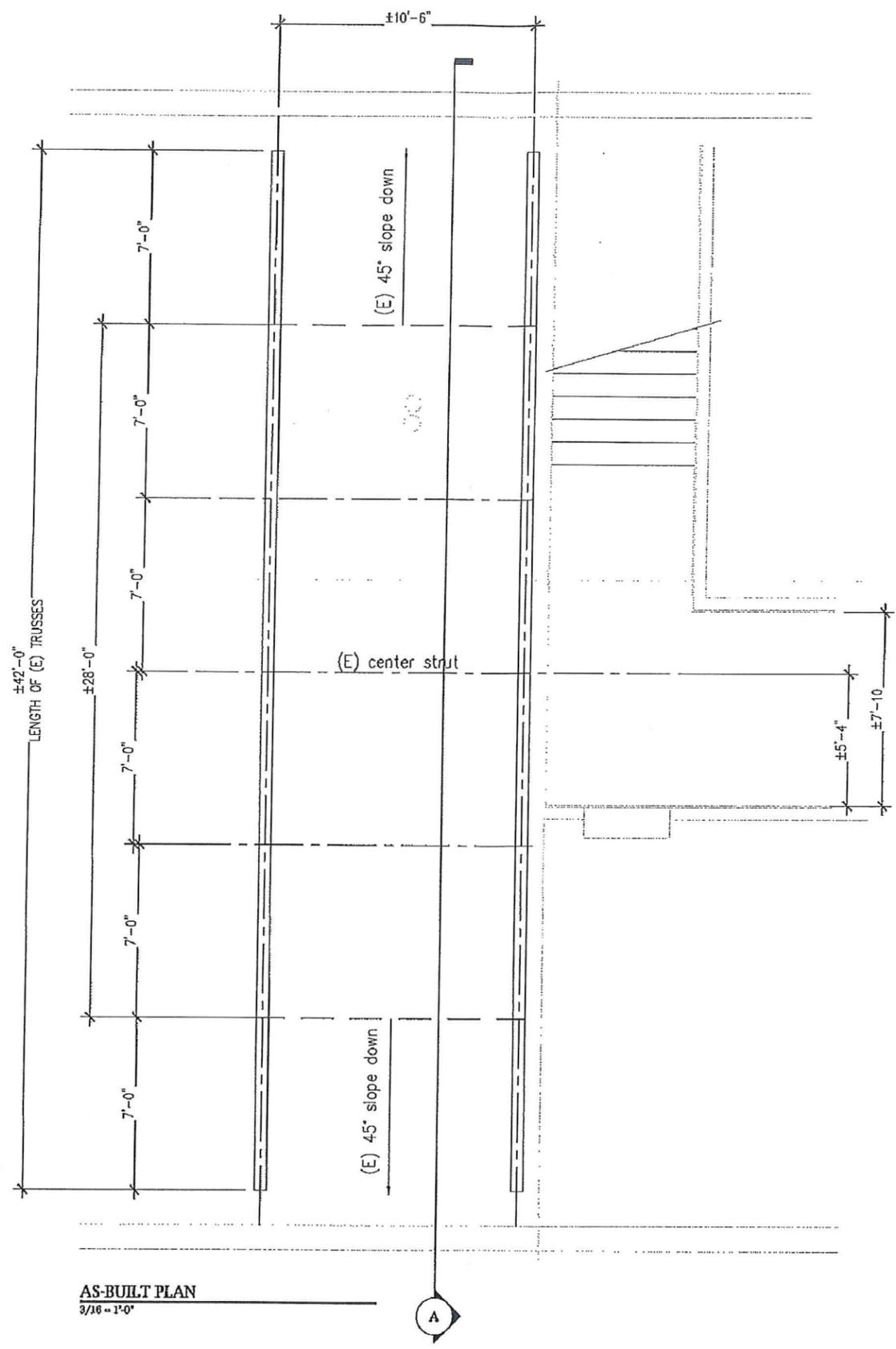
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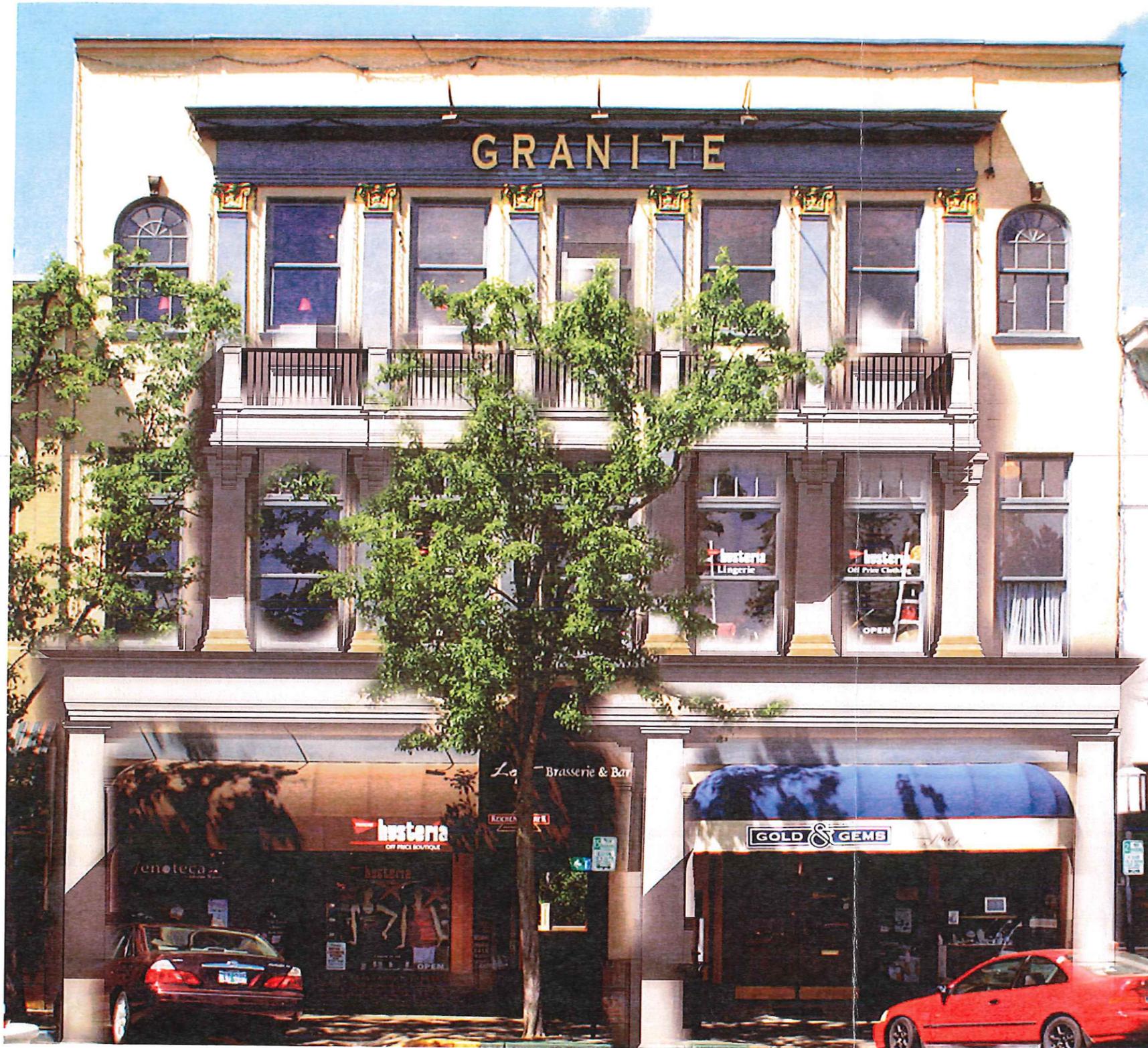
Approval Signature	Date
REVISIONS	BY
PLOT DATE:	
DRAWN BY: Author	
SHEET	
Unnamed	

A106

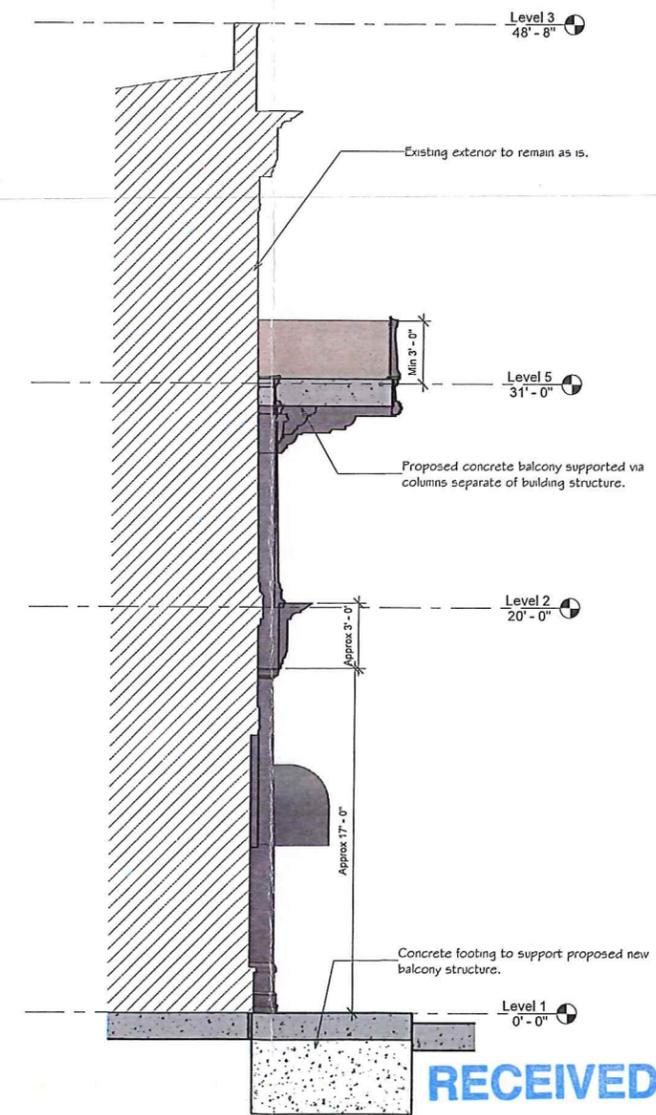


AS-BUILT
FOR 3RD FLOOR ATTIC
MASONIC BUILDING
22 JANUARY 2016

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② Conceptual Render
Not to Scale



① Section 1
1/4" = 1'-0"

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OR 97520

Approval Signature	Date

REVISIONS	BY

PLOT DATE:

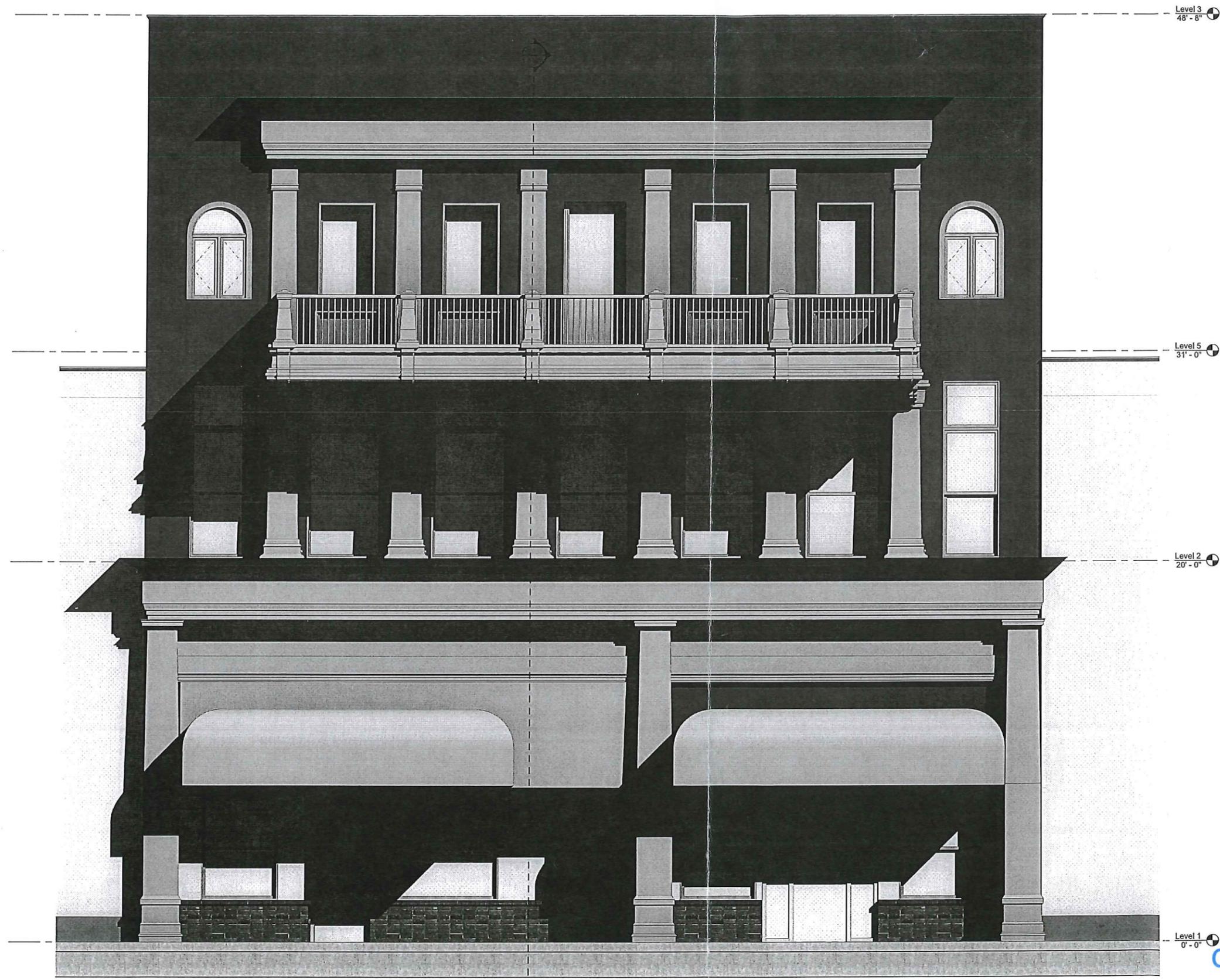
DRAWN BY: P. McKechnie

SHEET

A103

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① North
1:30



Level 3
48' - 6"

Level 5
31' - 0"

Level 2
20' - 0"

Level 1
0' - 0"

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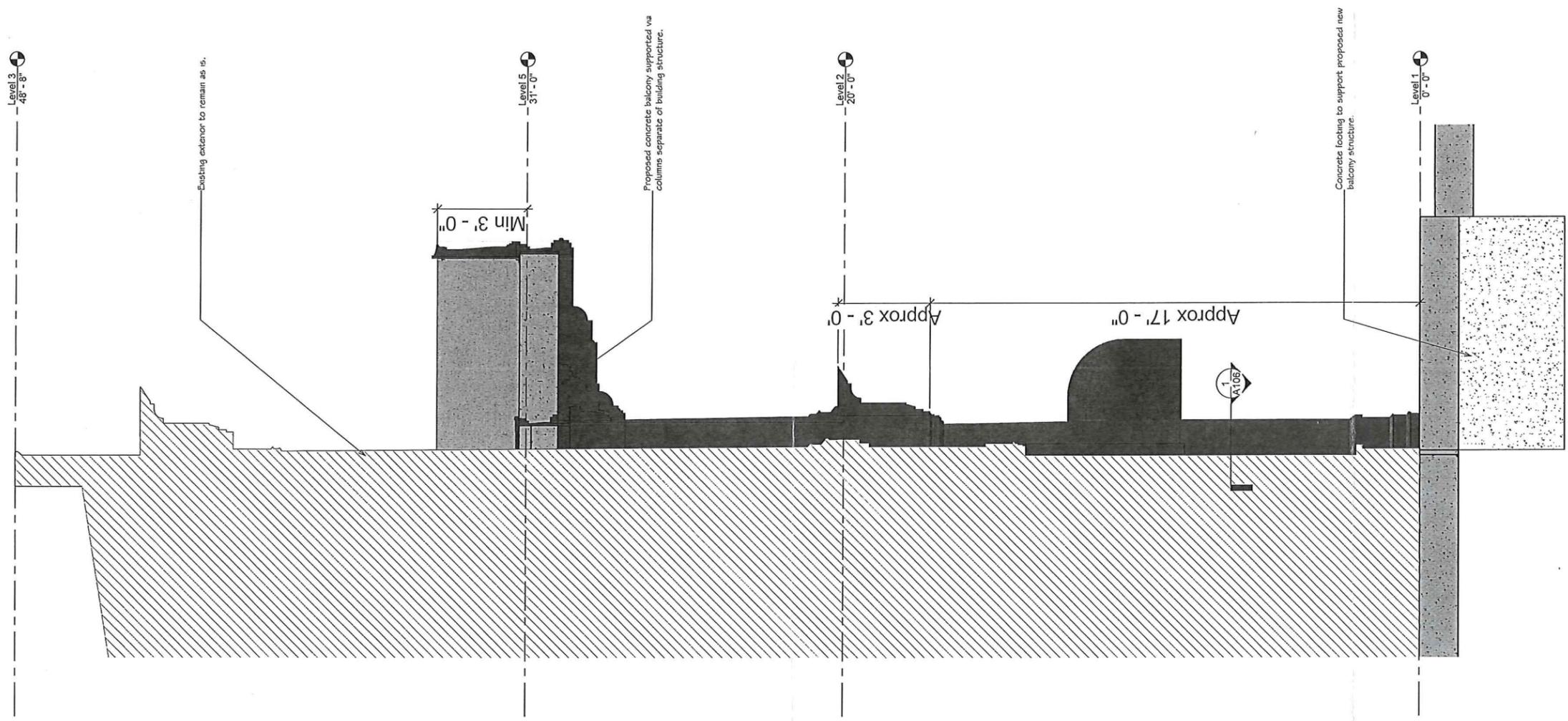
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Approval Signature	Date
REVISIONS	BY

PLOT DATE:
 DRAWN BY: P. McKechnie
 SHEET

A101



① Section 1 -
1" = 4'-0"

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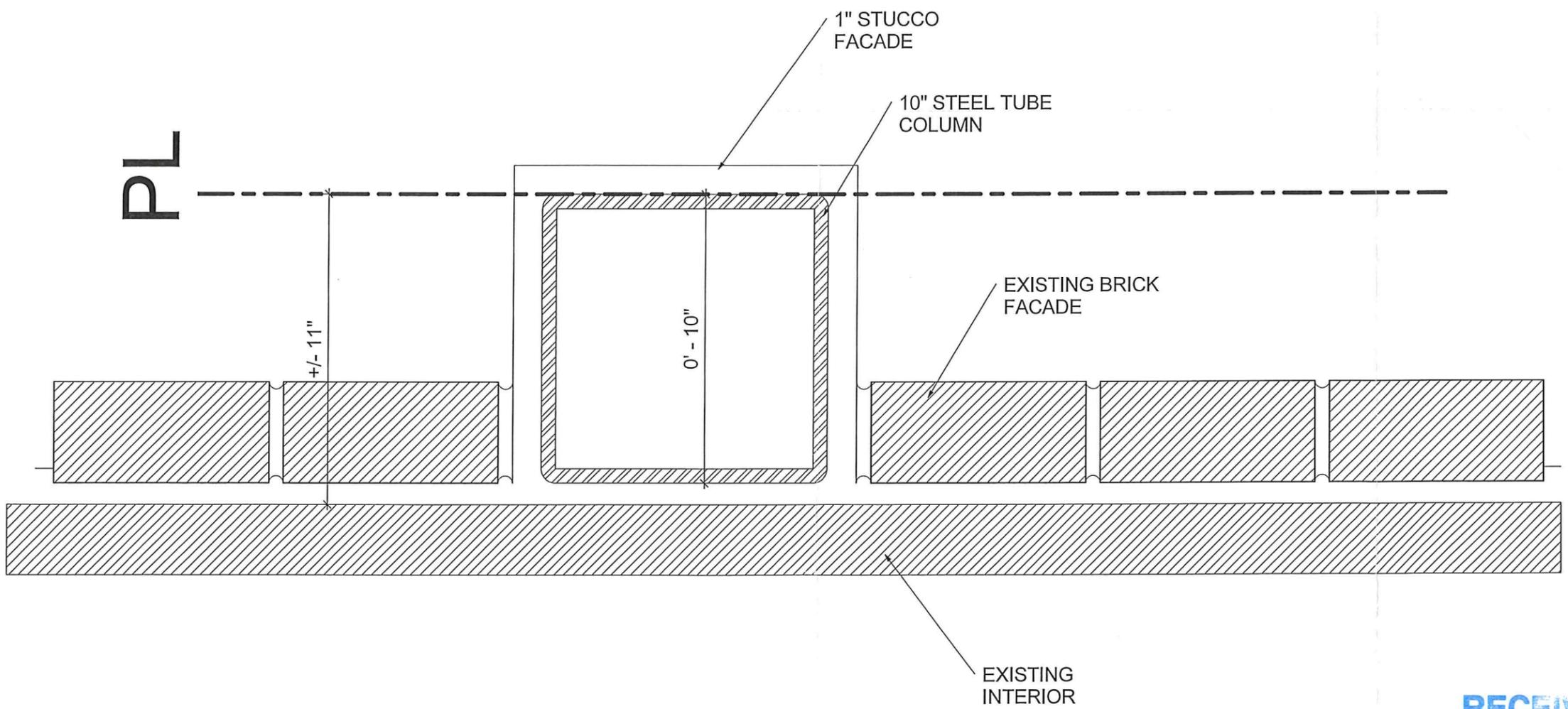

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Approval	Signature	Date
REVISIONS	BY	
PLOT DATE:		
DRAWN BY: Author		
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A105

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

A106

Memo

DATE: May 10, 2016
 TO: Planning Commission
 RE: Planning Commission Attendance Report

Pursuant to AMC 2.10.025, below is the Planning Commission's attendance record for August 2015 through April 2016. This report is for information only; No action by the Planning Commission is needed.

Meeting Date	Meeting Type	Absences
8/11/15	Regular Meeting	1 absence - Commissioner Thompson
8/25/15	Study Session	0
9/08/15	Regular Meeting	1 absence – Commissioner Norton
9/22/15	Special Meeting	1 absence – Commissioner Mindlin
10/13/15	Regular Meeting	0
10/27/15	Special Meeting	0
11/10/15	Regular Meeting	0
11/24/15	Study Session	0
12/08/15	Regular Meeting	0
1/12/16	Regular Meeting	0
1/26/16	Special Meeting	2 absences – Commissioners Brown & Miller
2/09/16	Regular Meeting	1 absence – Commission Norton
2/23/16	Study Session	0
3/08/16	Regular Meeting	1 absence – Commissioner Thompson
4/12/16	Regular Meeting	0
4/26/16	Study Session	1 absence – Commissioner Miller

Section 2.10.025 Meetings and Attendance

- A. Unless otherwise provided by law, the number of meetings related to business needs of an advisory commission, or boards may be set by the advisory body.
- B. The Planning Commission and Budget Committee shall set their own meeting attendance requirements. All members of other Regular or ad hoc advisory bodies must attend at least seventy-five percent (75%) of the full advisory body's noticed meetings, study sessions and special meetings in each full year of their tenure. A person removed from the advisory body for non-compliance with attendance requirements subsequently may be appointed to fill the vacancy on the advisory body by means of the normal appointment process of that advisory body.
- C. A member should provide at least 48-hour notice to both the chair of the advisory body and the staff liaison regarding any planned absence from a scheduled meeting of the advisory body. In the event an unexpected emergency will cause a member to be absent from the meeting, the member must, if possible, notify the chair or the staff liaison within a reasonable time in advance of the meeting.

- D. Generally, advisory bodies may not allow alternates to represent or stand in for a member at a meeting. Notwithstanding the foregoing preclusion of alternates, on Regular and ad hoc advisory bodies with some members who are appointed by an entity other than the Mayor and City Council and who serve as a representative of the appointing entity, an alternate may participate and vote for the named member by proxy at any meeting of the advisory body. Such participation by the alternate will be deemed to be attendance by the named member. Individuals directly appointed by the Mayor and approved by the Council may not be represented by alternates.
- E. Each advisory body should review member attendance and report to the City Recorder approximately every six months. City Recorder will advise the Mayor on the need for appointments or re-appointments, if necessary.