



CITY OF ASHLAND



TREE COMMISSION AGENDA April 6, 2017

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

Approval of March 9, 2017 meeting minutes.

III. ANNOUNCEMENTS & LIAISON REPORTS

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

IV. PUBLIC FORUM

Open to guests.

V. TYPE I REVIEWS

PLANNING ACTION: PA-2017-00340

SUBJECT PROPERTY: 676 South Mountain Avenue

OWNER: Livni Family Trust/Gil Livni, *Trustee*

APPLICANT: Rogue Planning & Development

DESCRIPTION: A request for Site Design Review approval to construct a new Accessory Residential Unit in conjunction with the construction of a new Single Family Residence for the property located at 676 South Mountain Avenue. Also included are requests for a Tree Removal Permit to remove seven trees greater than 18-inches in diameter at breast height, including six ponderosa pines within the proposed building footprint and a 28-inch diameter cedar tree which is dying, and a Solar Access Exception to allow the proposed building to cast more of a shadow on the property to the north than would be cast by a six-foot fence built on the north property line. The applicant owns the adjacent property and has consented to the proposed shading. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 16AA; **TAX LOT:** 9002.

PLANNING ACTION: PA-2017-00389

SUBJECT PROPERTY: 552 Beach Street

OWNER/APPLICANT: Scott and Laura Bandoroff

Rogue Planning and Development

DESCRIPTION: A request for a Tree Removal Permit to allow for construction of a single-

family detached house. The requested removal is to take place on a preliminarily approved new lot created through Planning Action No. 2016-01677, which proposed to protect the 48" Diameter at Breast Height Douglas Fir tree during the construction process. **COMPREHENSIVE PLAN DESIGNATION:** Single-family Residential; **ZONING:** R-1-7.5 **ASSESSOR'S MAP:** 39 1E 16 AA; **TAX LOT:** 4100.

PLANNING ACTION: PA-2017-00450

SUBJECT PROPERTY: 901 – 907 Larkin Lane

OWNER/APPLICANT: Kate Jackson

DESCRIPTION: A request for a hazardous tree removal permit to remove two trees from a multi-family property. The first tree proposed for removal is a cypress that is currently leaning against the structure and the second tree is an incense cedar located next to the power pole that has suffered from previous topping(s). **COMPREHENSIVE PLAN DESIGNATION:** Low Density Multi-Family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 391E09DA; **TAX LOT:** 90000.

PLANNING ACTION: PA-2017-00499

SUBJECT PROPERTY: 1290 & 1680 Green Meadows Way

OWNER: Mountain Ranch Property Owners Association (MRPOA)

APPLICANT: Douglas Kay, MRPOA President

DESCRIPTION: A request for Tree Removal Permits to remove two trees located in the common areas of the Mountain Ranch Property Owners Association (MRPOA). The first is an eight- to nine-inch diameter Ponderosa Pine located on the greenway behind 1290 Greenmeadows Way; the applicant's tree care professional indicates that the tree is negatively impacting a Tilia east of it which would thrive if the Pine were removed. The second is a 24-inch diameter Scots Pine located on the greenway behind 1680 Greenmeadows Way and proposed for removal because previous topping has caused remaining limbs to elongate unnaturally and created a hazard with broken limbs falling in several recent storms. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 23BB; **TAX LOTS:** 504 and 536.

VI. TYPE II REVIEWS

PLANNING ACTION: PA-2017-00200

SUBJECT PROPERTY: 165 Water Street (*corner of Van Ness & Water Streets*)

OWNER/APPLICANT: Magnolia Investment Group, LLC/Gil Livni

DESCRIPTION: A request for Site Design Review approval to construct a 42,841 square foot, three-story, mixed-use building consisting of commercial tenant space on the ground floor, 26 hotel units on the second floor, and ten residential condominiums on the third floor for the vacant property located at 165 Water Street, at the corner of Van Ness and Water Streets, in the Skidmore Academy Historic District. The application includes requests for a Conditional Use Permit to allow hotel/motel use; an Exception to Street Standards; a Physical & Environmental Constraints Review Permit for the development of floodplain and severe constraints lands; and a Tree Removal Permit to remove seven

trees. **COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 04CC; **TAX LOT #:** 2000

VII. STREET TREE REMOVAL PERMITS

VIII. DISCUSSION

1. Arbor Day
2. Earth Day
3. Street Tree Guide

IX. ADJOURNMENT

Next Meeting: May 4, 2017



**CITY OF
ASHLAND**
DRAFT TREE COMMISSION MINUTES
March 9, 2017



CALL TO ORDER

Chair Christopher John called the meeting to order at 6:01 pm in the Siskiyou Room of the Community Development and Engineering Services Building located at 51 Winburn Way.

Commissioners Present:	Council Liaison:
Maureen Batistella	
Mike Oxendine	Parks Liaison:
Asa Cates	Peter Baughman
Christopher John	
Russell Neff	Staff Present:
	Cory Darrow, <i>Assistant Planner</i>
Commissioners Absent:	

APPROVAL OF MINUTES

Oxendine /Batistella m/s to approve the minutes of the February 9, 2017 Tree Commission meeting.
Voice Vote: All ayes, motion passed.

ANNOUNCEMENTS & LIAISON REPORTS

- **Parks & Recreation Liaison** – Baughman reported that the City Council approved the Plaza tree plan. He also commented that the potential asphalt under the plaza may not be an issue as previously thought before.
- **Community Development Liaison** – Darrow reported that when the City renewed the Arbor Day Foundation membership they received Ten River Birch trees which went to the Parks Department. Baughman has scheduled a tree planting on April 14, 2017 and will consider using these trees for part of that planting. Darrow acknowledged that new commission members are appointed in April and should likely be on the Commission by May.

PUBLIC FORUM

No one was present to speak.

TYPE I REVIEWS

PLANNING ACTION: PA-2017-00235

SUBJECT PROPERTY: 114 Granite Street

APPLICANT/OWNER: Mardi Mastain

DESCRIPTION: A request for a Site Design Review to allow for the onsite relocation of the existing historic dwelling unit and the addition of an accessory residential unit (ARU) to the subject property. The proposal is to relocate the existing dwelling unit to the rear of the property and convert it to a 998 square foot ARU. In addition, the applicant proposes to construct a new 2,462 square foot primary dwelling unit as part of

the Site Design Review. A Physical & Environmental Constraints Review permit is also requested for Hillside Lands affected by the proposed primary dwelling unit. In addition, the applicant is requesting a Solar Setback Exception for a Standard B lot to allow a larger shadow to be cast on the property to the north by the new primary dwelling unit/garage. There are 12 trees located on or adjacent to the site and two of these trees are proposed to be removed as part of this application. A Variance to the maximum allowed lot coverage is requested, going from 45 percent to 48 percent, a three percent increase. An Exception to the Site Design and Standards is requested to allow for a reduced landscaping buffer for vehicle parking spaces from eight to six feet from the ARU and from five to three feet to the property line. **COMPREHENSIVE PLAN DESIGNATION:** Single-Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 09 BC; **TAX LOT:** 3401

Applicant Mardi Mastain was present along with her representative Amy Gunter, Rogue Planning and Development, to review the project with the Commissioners and answer questions. Ms. Gunter pointed out that the two trees proposed to be removed are not on the slop of the property but on the flat portion of the land.

The Commissioners discussed the application and made the following recommendation.

John motioned to approve the application as presented.

Oxendine amended the motion to add, "With the recommendation that if the retaining wall doesn't need to go all the way through the property that tree protection for tree #1 #2, #3 and #8 be joined together to make a continuous protection zone." Oxendine seconded.

Voice Vote: Commissioners Batistella, Oxendine, Cates, Neff, and John, YES. Motion passed.

PLANNING ACTION: PA-2017-00236

SUBJECT PROPERTY: 975 West Ivy lane

APPLICANT/OWNER: Thomas and Linda Lamore

DESCRIPTION: A request for a Physical and Environmental Constraints Permit to allow for the construction of a 2,485 square foot single-family home on slopes in excess of 35% (Severe Constraints Lands) and within the Wildfire Overlay. This application involves a request to remove nine trees from the property ranging in diameter from 3" clusters to a 20" Pinus Ponderosa. **COMPREHENSIVE PLAN DESIGNATION:** Rural Residential; **ZONING:** RR - .5; **ASSESSOR'S MAP:** 39 1E 16 AD; **TAX LOT:** 5109.

The applicant Tom Lamore was present to explain his application.

The Commissioners discussed the application acknowledging they appreciated his tree list.

Cates/Neff m/s to approve the application as submitted. Voice Vote: Commissioners Batistella, Oxendine, Cates, Neff, and John, YES. Motion passed.

PLANNING ACTION: PA-2017-00346
SUBJECT PROPERTY: 221 Granite Street
OWNER / APPLICANT: JoAnne Eggers

DESCRIPTION: A request to remove two trees from a multifamily property. The trees proposed for removal are a 16" DBH Big leaf Maple and a Black Oak (approx. DBH not provided). **COMPREHENSIVE PLAN DESIGNATION:** Multi-family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 391E08DA; **TAX LOT:** 1100.

Commissioner John recused himself because he is the arborist for the applicant. He did offer his assistance with any questions pertaining to the property. Applicant JoAnne Eggers was also present to answer questions.

Oxendine/Cates m/s to approve with the recommendation that the applicant mitigate one small stature street from the Street Tree guide on site and one large stature tree from Street tree guide off site. Voice Vote: Commissioners Batistella, Oxendine, Cates and Neff, YES. Motion passed.

PLANNING ACTION: PA-2017-00196
SUBJECT PROPERTY: 784 Park
APPLICANT/OWNER: Lorrie Coey

DESCRIPTION: A request for a Tree Removal Permit to remove one apple tree that is showing signs of rot and one birch tree that may be infested with the Bronze Birch Borers. A total of three other birch trees were requested for removal in the application however, these trees proved to be dead per. AMC 18.6 and were exempt from the permit requirement. **COMPREHENSIVE PLAN DESIGNATION:** Low Density Multiple-Family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 15 AD; **TAX LOT:** 90000.

Commissioner John recused himself because he is the arborist for the applicant.

Oxendine/Batistella m/s to approve with the recommendation that two mitigation trees such as a Zelkova Serrata a European Hornbeam or River Birch be planted on site. Voice Vote: Commissioners Batistella, Oxendine, and Neff, YES. Cates, NO, Motion passed.

PLANNING ACTION: PA-2017-000170
SUBJECT PROPERTY: 1216 Tolman Creek Road
APPLICANT: Dale Shostrom
OWNER: John Gallen & Eva Skuratowicz

DESCRIPTION: A request for a Site Design Review to allow for the construction of a 672 square foot detached accessory resident unit (ARU) on the subject property. No trees are proposed for removal as part of this application. **COMPREHENSIVE PLAN DESIGNATION:** Single-Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 14 CD; **TAX LOT:** 900.

Darrow reviewed the protection plan that was submitted. No trees were proposed for removal with this application.

Oxendine/Cates m/s to approve the plan with the recommendation that tree protection fencing meets Ashland Municipal Code standards by wrapping all five significant trees on site at the drip line and that the sewer tie not be routed through any tree protection zones. Voice Vote: Commissioners Batistella, Oxendine, Cates, Neff, and John, YES. Motion passed.

Meeting adjourned at 8:35 p.m.
Respectfully submitted by Carolyn Schwendener



NOTICE OF APPLICATION

PLANNING ACTION: PA-2017-00340

SUBJECT PROPERTY: 676 S. Mountain Ave.

OWNER/APPLICANT: Livni Family Trust & Gil Livni, Trustee/Rogue Planning & Development

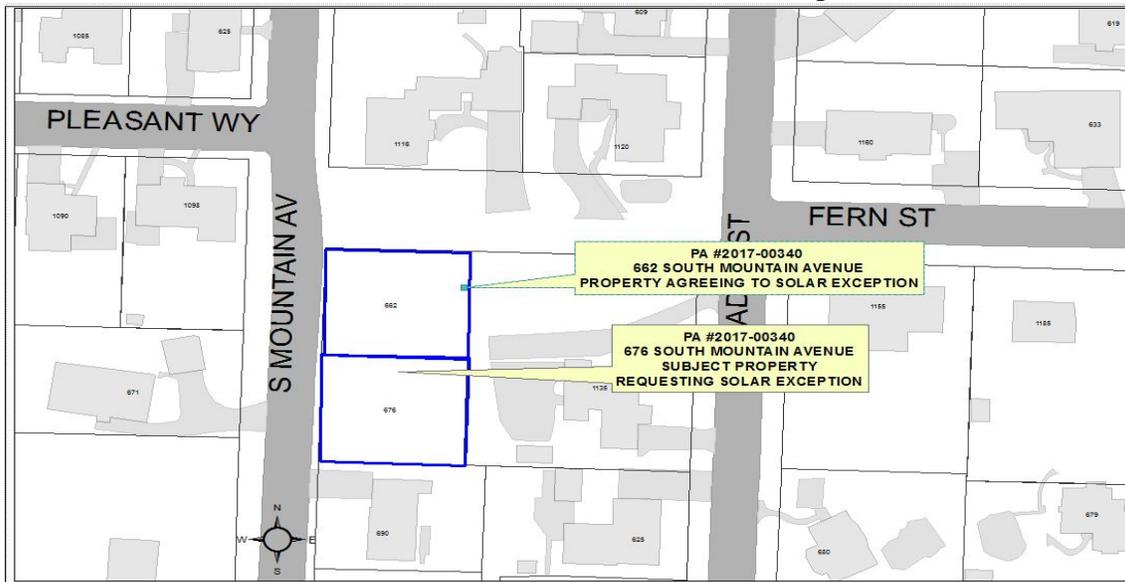
DESCRIPTION: A request for Site Design Review approval to construct a new Accessory Residential Unit in conjunction with the construction of a new Single Family Residence for the property located at 676 South Mountain Avenue. Also included are requests for a Tree Removal Permit to remove seven trees greater than 18-inches in diameter at breast height, including six ponderosa pines within the proposed building footprint and a 28-inch diameter cedar tree which is dying, and a Solar Access Exception to allow the proposed building to cast more of a shadow on the property to the north than would be cast by a six-foot fence built on the north property line. The applicant owns the adjacent property and has consented to the proposed shading. **COMPREHENSIVE**

PLAN DESIGNATION: Single Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 16AA; **TAX LOT:** 9002.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, April 6, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: March 29, 2017

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: April 12, 2017



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

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

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

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

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

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

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.

ACCESSORY RESIDENTIAL UNITS

18.2.3.040

Where accessory residential units are allowed, they are subject to Site Design Review under chapter 18.5.2, and shall meet all of the following requirements.

- A. R-1 Zone. Accessory residential units in the R-1 zone shall meet the following requirements.
 1. One accessory residential unit is allowed per lot, and the maximum number of dwelling units shall not exceed two per lot.
 2. Accessory residential units are not subject to the density or minimum lot area requirements of the zone, except that accessory residential units shall be counted in the density of developments created under the Performance Standards Option in chapter 18.3.9.
 3. The maximum gross habitable floor area (GHFA) of the accessory residential unit shall not exceed 50 percent of the GHFA of the primary residence on the lot, and shall not exceed 1,000 square feet GHFA.
 4. The proposal shall conform to the overall maximum lot coverage and setback requirements of the underlying zone.
 5. Additional parking shall be provided in conformance with the off-street parking provisions for single-family dwellings in section 18.4.3.040, except that parking spaces, turn-arounds, and driveways are exempt from the paving requirements in subsection 18.4.3.080.E.1.

TREE REMOVAL PERMIT

18.5.7.040.B

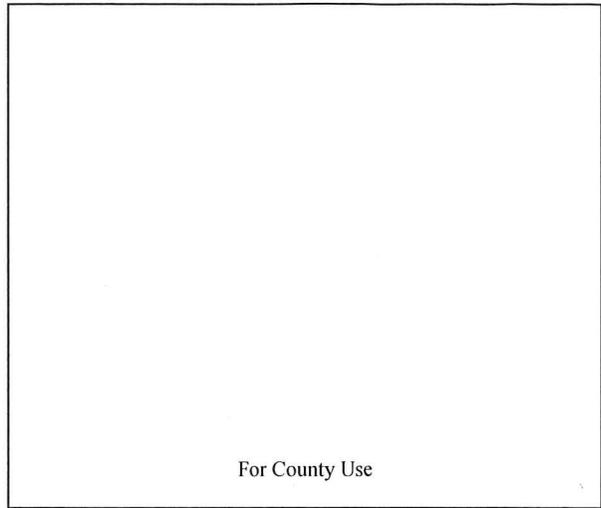
1. *Hazard Tree.* A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
 - a. The applicant must demonstrate that the condition or location of the tree presents 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.

Solar Exceptions

- 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.

CITY OF ASHLAND

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



For County Use

SOLAR ACCESS WAIVER AGREEMENT

Planning Action # _____

Address of Property Requesting Solar Waiver 676 South Mtn. Ave

Tax Lot # of Property Requesting Solar Waiver 39 1E 16AA: 9002

Address of Property Agreeing to Solar Waiver 662 South Mtn. Ave.

Legal Description of Property Agreeing to Solar Waiver (Attach, if necessary) see attached

The undersigned, for themselves, their heirs, successors and assigns, consent to permit obstruction of their solar access rights described in Chapter 18.70 of the Ashland Municipal Code on that portion of property in Township 39, Range 1 East, Section 16AA Tax Lot # 900), 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 18.70 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.

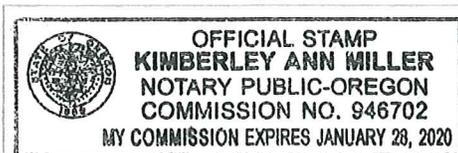
Property Owner(s) Agreeing to Solar Waiver _____

Signature Kathleen Livini Date 2.27.2017

Signature Gil Livini Date 2.27.2017

State of Oregon)
County of Jackson)

On this 27th day of February, 2017, before me personally appeared, Kathleen Livini and Gil Livini, 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.



Kimberley Miller
Notary Public for Oregon

01/28/2020
Commission Expiration Date

Approved by City of Ashland Planning Staff _____ Date _____

676 South Mountain Avenue
Site Design Review for Accessory Residential unit within a new Single
Family Residence

Amy Gunter
2-27-2017

RECEIVED

FEB 27 2017

City of Ashland



ROGUE PLANNING & DEVELOPMENT SERVICES, LLC

February 28, 2017

**Site Review approval for an Accessory Residential Unit within a new
Single Family Residence.
A solar setback waiver and tree removal permit are also requested.**

Subject Property

Address: 676 South Mountain Avenue

Map & Tax Lot: 39 1E 16AA: Tax Lot 9002

Property Owner: Livni Family Trust
Gil Livni Trustee
2532 Old Mill Way
Ashland, OR 97520

Planning Consultant: Rogue Planning and Development Services
Amy Gunter
1424 S Ivy Street
Medford, OR 97501
541-951-4020

Building Designer: 4dProof Design
Patrick May
455 Buena Vista Avenue
Alameda, CA 94501

Arborist: Southern Oregon Tree Care
Willie Gingg
PO BOX 5140
Central Point, OR 97502
(541) 772-0404

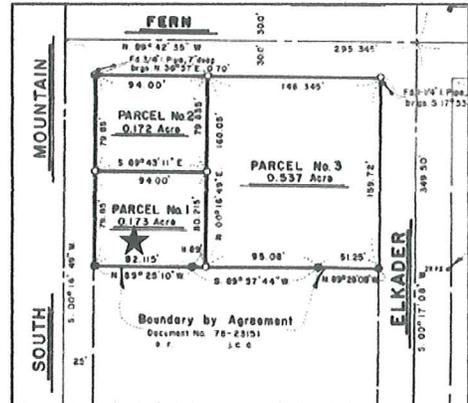
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FEB 27 2017
City of Ashland

Project Proposal:

The request is for a Site Design Review Permit to allow for an Accessory Residential Unit within the lower level of a new single family residence at 676 S Mountain Avenue. The request includes a tree removal permit request to remove six ponderosa pines that are within the footprint of the new single family residential home. A dying 28-inch DBH cedar tree will also be removed.

Site Background and Description:

The subject property is a vacant lot on the east side of South Mountain Avenue. The property was originally part of lots 28 and 29 of the Galey Addition from 1907. In 1984, the subject lot in its current configuration was created as part of a three-lot partition from the larger parcel to the east, (TL#9000) at 1135 Fern Street (PA 84-029). The lots were then consolidated and remained under one ownership. The lot lines were re-activated in June 2016. The subject property, 676 South Mountain is Parcel 1 on the attached 1984 Survey Plat map.



The subject property and the surrounding properties are all zoned Single Family Residential (R-1-7.5). The property is within the wildfire hazard zone. The property had been very dry and before summer, the understory, interlocking canopy and small diameter fuels were removed from the site to reduce wildfire danger.

There are several larger stature trees on the property. A tree inventory has been provided, additionally a detailed arborist report was completed by Arborist Willie Gingg of Southern Oregon Tree Care. The arborist reviewed the health of trees and their suitability to construction, a report is attached. The arborist recommended removal of some of the trees due to the impact of construction on previously stressed trees.

The property slopes between 10 – 15 percent from South Mountain up towards Elkader Street with an average slope of 12 percent. There is also a five percent downhill cross slope from south to north.

South Mountain Avenue is classified as an Avenue in the Transportation System Plan and has a 50-foot wide right of way. The improved width of the street is approximately 30-feet. The improvements include pavement, curb and gutter. This portion of South Mountain Avenue, including properties more than 200-feet to the north and south of the subject property do not have sidewalk or parkrow. South Mountain has a slope of six-percent downhill along the frontage of the property.

There is a driveway curb cut from South Mountain Ave. onto the subject property. A gravel driveway traverses the parcel from South Mountain Avenue crosses 1135 Fern Street and connects to Elkader Street.

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City of Ashland

Fern Street is an un-improved right-of-way to the North of the vacant parcel to the north of the (TL#9001) subject property. The two properties to the north of the Fern Street right-of-way both take access via a gravel driveway that is located on the southern half of the ROW, each lot has a driveway connection to the gravel surface within Fern Street ROW. The two properties have additional improvements in the ROW such as yard area, paver stone patio areas, and landscaping. To obtain driveway access from Fern, the right-of-way will be improved to the Shared Street Standards, or the minimum standards allowed by the City of Ashland Public Works Division. Ideally, the improvements will be centered within the right-of-way.

Fern Street's connection at S Mountain Ave. is approximately 35 percent slopes with large conifer trees, this prevents Fern Street from connecting Elkader to South Mountain Avenue.

Elkader Street to the east of 1135 Fern Street (TL#9000) is improved with pavement, curb and gutter, there are no sidewalks on Elkader Street.

There is a 6-inch water main in S. Mountain Ave. There is a 6-inch sanitary sewer main in S. Mountain Avenue. The property is served by a 12-inch storm sewer main in S. Mountain Avenue. There is no electric service to the property. The property owner has been in discussions with the City of Ashland Electric Department to determine service locations and layout. A preliminary electric distribution plan has been provided with the application.

A property line adjustment has been processed separately for the relocation of the east property line between the subject property, and the property to the east at 1135 Fern Street. This property line adjustment has not been recorded.

Proposal:

A new single family residence (SFR) is proposed to be constructed on the long vacant lot at 676 South Mountain Avenue. An accessory residential unit (ARU) is proposed to be within the new residence.

Utilizing the 12 percent average slope of the property uphill away from South Mountain, the topography lends itself to the split-level construction to respond to the grade.

The proposed SFR is a single story, 2,026 square foot, three-bedroom residence with a 541-square foot, attached, two vehicle garage. The primary dwelling is proposed to be accessed from the rear utilizing a shared driveway with the vacant lot to the north that connects to Fern Street. The garage would provide for two vehicle parking spaces, a vehicle turnaround area and a visitor parking space. The primary orientation of the residence is towards the rear of the property so that the single level living can be provided. Through the provision of a large deck that extends from the front of the residence towards Mountain Avenue, a sliding patio door and large windows provide strong orientation for the residence towards the street.

The ARU within the lower level is proposed to be 814 square foot, one-bedroom space. The unit is also accessible from the residence above allowing for an extended family set up. The ARU will have a large

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covered patio area under the upper story deck with a front entry door and a slider door. The patio and the street facing entrances provide orientation to the street for the accessory residential unit as well. A variety of shrubs and landscape

Parking, Access, Circulation:

As stated previously, the proposal is to access the SFR from “above” via a shared access driveway that will extend from Fern Street across the parcel to the north and including the property to the east. The driveway is proposed to have 15-foot clear width and 12-feet of solid surface. The driveway is proposed to be screened and provide a vehicle turn around area for vehicles backing out of the garage. In addition to the two parking spaces provided for the SFR within the garage a surface parking space for guests is proposed near the front entrance courtyard.

The 814-square foot ARU requires two off-street parking spaces. One space is proposed to be accessed from the existing curb cut off of South Mountain Avenue as a surface parking space and one on-street parking credit is requested. The single vehicle parking space is utilizing an existing curb cut, driveways with surface parking are found on adjacent properties and a pathway

Two covered bicycle parking spaces are proposed within the garage and a covered bicycle parking space will be provided on the oversized front entry patio outside of the ARU.

Trees and Landscaping:

The site is forested with conifer trees. The trees are predominantly Ponderosa Pine trees that are 18-inches in diameter at breast height and greater. The trees were looked at by a Certified Arborist. It is unknown how long the irrigation has been shut-off (many of the pipes are broken) on the property and the soil has dried out significantly in the previous drought stricken years. Nearly all of the trees exhibit signs of different pests including Red Turpentine Beetle, Mountain Pine Borer, pitch moth and Western Gall Rust. Though none of the Ponderosa pine trees are dead, stress from the insects and drought conditions and the combination of the two, causes weakness to the trees and increases susceptibility to other beetle infestations. Per published documents, these issues (pests) are usually not a problem in a forest but are problematic in an urban environment (*Managing Diseases and Pests in Oregon Conifers*, Oregon State University Extension Service; June 2009). There is a large 28-inch DBH Cedar tree near the southwest corner of the property, directly adjacent to South Mountain Avenue that is nearly 80 percent dead. This tree will be removed as well.

The proposed landscape plan uses a variety of deciduous trees, shrubs, and ground covers. Including plants that are appropriate to the local climate, exposure, and water availability. The presence of utilities and drainage conditions were also considered in the planning of the landscaping.

On the following pages, findings of fact addressing the criteria from Ashland Municipal Code are provided on the following pages. For clarity, the criteria are in Calibri font and the applicant’s responses are in Times New Roman font.

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CRITERIA from the Ashland Land Use Ordinance

Standards for Residential Zones:

18.2.3.040 Accessory Residential Unit

Where accessory residential units are allowed, they are subject to Site Design Review under chapter 18.5.2, and shall meet all of the following requirements.

A. R-1 Zone. Accessory residential units in the R-1 zone shall meet the following requirements.

1. One accessory residential unit is allowed per lot, and the maximum number of dwelling units shall not exceed two per lot.

One accessory residential unit is proposed. Including the single-family residence, the maximum number of dwelling units will not exceed two per lot.

2. Accessory residential units are not subject to the density or minimum lot area requirements of the zone, except that accessory residential units shall be counted in the density of developments created under the Performance Standards Option in chapter 18.3.9.

The lot was created as part of a standard subdivision and further divided through a 1980s-minor land partition. The lot exceeds the minimum lot area in the zone by approximately 800 square feet.

3. The maximum gross habitable floor area (GHFA) of the accessory residential unit shall not exceed 50 percent of the GHFA of the primary residence on the lot, and shall not exceed 1,000 square feet GHFA.

The proposed accessory residential unit is 814 square feet in area. The primary residence is proposed to be 2,026 square feet in area, more than 50 larger than the proposed ARU.

4. The proposal shall conform to the overall maximum lot coverage and setback requirements of the underlying zone.

The proposed lot coverage at 3,590 square feet is 45 percent of the total lot area of 7,985 square feet.

5. Additional parking shall be provided in conformance with the off-street parking provisions for single-family dwellings in section 18.4.3.040, except that parking spaces, turn-arounds, and driveways are exempt from the paving requirements in subsection 18.4.3.080. E.1.

The one bedroom ARU greater than 500 square feet requires 1.5 parking spaces in addition to the two required for the single-family residence. One additional parking space is proposed on-site on a surface parking pad accessed via the existing curb cut on South Mountain Avenue. Provision of driveway curb cut from South Mountain that provides for surface parking is similar to the residential development on the adjacent properties in the impact zone. The other space is proposed as an on-street parking credit. The number of driveway approaches curb cuts will not exceed one approach/curb cut per street frontage. The primary access to the lot is via the shared access easement and driveway accessed from Fern Street. The secondary access (ARU) access is proposed from South Mountain Avenue. With a single vehicle parking space, proposed, the number of vehicle trips from the property onto the street will be minimal.

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18.5.2.050 Site Design Review

A. Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

The subject property is zoned R-1-7.5, Single Family Residential. The parcel is proposed to be 7,985 square feet and complies minimum lot area and minimum lot dimensions in the R-1-7.5 zone.

The proposed residence complies with the minimum setbacks in the zone.

The solar setback standards are met through the provision of a solar setback waiver. Findings addressing the solar setback waiver have been provided in the document.

Lot Coverage: *Proposed impervious areas including building footprints, patios, pathways, driveways, decks are 3,590 square feet. The maximum coverage is the zone is 45 percent the proposed lot coverage. The proposed lot coverage is 45% of the total lot area.*

Parking: *Five parking spaces are required for the development of the property. A two-vehicle garage is accessed from the shared driveway accessed from Fern Street, the driveway at more than 50-feet in length requires an additional, third, guest parking space. A single off-street parking space accessed from Mountain Avenue is proposed for the ARU and an on-street parking credit on South Mountain Avenue as the second ARU parking space.*

Three bicycle parking spaces are required. Two bicycle parking spaces are provided for within the garages along the rear wall and one is provided on the patio outside of the ARU.

Energy Usage: *Both units will be constructed to the most current standards of the State of Oregon Building Standards for residential construction.*

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

The property is within the Ashland Wildland Urban Interface and the wildfire overlay zone. The proposed tree removal and the previous site work removing the ladder fuels, the small diameter timber and the understory growth will make the property compliant with the standards from 18.3.10.030.b. A composition shingle roof of class B or better or metal roofing will be provided.

C. Site Development and Design Standards.

The proposed site development complies with the applicable Site Development and Design Standards of part 18.4.

The layout and design does not provide for vulnerable areas that are not visible from the units and open space. The trash / recycle areas are near the public street for easy access and will be screened in accordance with the screening standards. The cans will not be visible from the public right-of-way. A pathway is proposed from the patio for the ARU to the parking space and the street.

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Shrouded yard lights that provide down-lighting and security for the unit but will not directly illuminate adjacent properties will be provided. Fences that comply with the fence ordinance are shown along the property lines, a fence permit will be obtained prior to construction of the fence. No plant materials are proposed that prevent surveillance of the open space or the semi-private patios and balconies.

More than eight percent of the site is available as open spaces for the use of the residents. There is 320 square feet deck for the primary residence and a 320-square foot patio for the ARU. The 640 square feet of patio, and deck account for only a portion of the 638-square foot required 8 percent open space. This does not include the private yard areas adjacent to the residence.

Building Orientation.

Building Orientation to Street. Dwelling units shall have their primary orientation toward a street. Where residential buildings are located within 20 feet of a street, they shall have a primary entrance opening toward the street and connected to the right-of-way via an approved walkway.

There is a front entrance to the ARU facing South Mountain Avenue. There is a door for the primary residence and stair accessing the residence from South Mountain Avenue provided as well.

A walk way is proposed to connect the residence to the public right-of-way.

Limitation on Parking between Primary Entrance and Street. Automobile circulation or off-street parking is not allowed between the building and the street. Parking areas shall be located behind buildings, or on one or both sides.

A single vehicle parking space is proposed between the structure and the street. This is a typical development pattern in the neighborhood. The proposed parking does not detract from the single family residence nor the ARU. If the garage was placed adjacent to South Mountain Avenue a larger area of the property would be devoted to automobile parking. The proposed design reduces the amount of parking in the front yard and the layout is consistent with the houses on the adjacent properties.

Build-to Line. Where a new building is proposed in a zone that requires a build-to line or maximum front setback yard, except as otherwise required for clear vision at intersections, the building shall comply with the build-to line standard.

There is not a build-to or maximum setback line in the R-1 zone.

Garages. Alleys and Shared Drives. Where a lot abuts a rear or side alley, or a shared driveway, including flag drives, the garage or carport opening(s) for that dwelling shall orient to the alley or shared drive, as applicable, and not a street.

The primary vehicular access to the site is via a shared driveway access from the unimproved portion of Fern Street on the uphill side of the property. This allows for a garage at the same level as the primary living area. The ARU is proposed to have a single vehicle parking space accessed from South Mountain

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Avenue. There is only one curb cut proposed for the property. The allowance of the ARU parking adjacent to the street allows for separate living areas when desired, or for guest parking when the ARU is part of the SFR and not rented separately.

Driveways accessed via South Mountain Avenue are common in the neighborhood and a single wide driveway is consistent with the neighborhood development pattern.

Setback for Garage Opening Facing Street. The minimum setback for a garage (or carport) opening facing a street is 20 feet. This provision does not apply to alleys.

The garage faces the share access easement driveway not the street.

Building Materials. Building materials and paint colors should be compatible with the surrounding area. Very bright primary or neon-type paint colors, which attract attention to the building or use, are unacceptable.

The building materials are compatible with the surrounding area. The materials are typical building materials such as hardi-plank, lap siding and stucco. Fiberglass windows and a metal roof. The exact paint colors have not been selected but they will not be bright primary or neon colors.

Streetscape. One street tree chosen from the street tree list shall be placed for each 30 feet of frontage for that portion of the development fronting the street pursuant to subsection 18.4.4.030.E.

Two, new street trees are proposed on South Mountain Avenue. There is a large statue pine tree that will be retained as the third street tree. The street trees will be 1.5 inch caliper, eight feet tall and planted in accordance with AMC 18.4.4.030. No trees will be planted within 10-feet of the driveway.

Landscaping and Recycle/Refuse Disposal Areas. Landscaping and recycle/refuse disposal areas shall be provided pursuant to chapter 18.4.4.

Area for a trash and recycle container is proposed adjacent to each unit. The trash can area will be screened to prevent view of the cans from the public street.

18.4.4.030 Landscaping and Screening

The final landscaping plan and the irrigation plan will be submitted with the building permits will comply with the Irrigation and Water Conserving Landscaping requirements of the City of Ashland. The conceptual landscaping plan submitted with the application has been designed so that plant coverage of 90 percent within five years of planting is met. Two-inches of mulch will be provided in all non-turf areas after planting. Turf areas are limited to comply with the Water Conserving Landscaping requirements. The proposed landscaping has been designed for crime prevention and defensible space to allow for natural surveillance.

All landscaping shall be maintained in good condition and replaced by the property owner.

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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.

Adequate city facilities exist to service the new units.

Water: There is an existing six-inch water main in South Mountain.

Sanitary Sewer: There is a six-inch sanitary sewer line South Mountain Avenue. In discussion with the Wastewater Department Supervisor, there are no capacity issues with the public sanitary sewer line.

Electrical: New electric services will be installed on the property in conjunction with the needs of the Ashland Electric Department. The attached plan shows the preliminary electric layout.

Storm Sewer: There is a 12-inch Storm sewer main in South Mountain Avenue. In consultation with the Street Division, there are no capacity issues with the city's facilities.

South Mountain Avenue is also an Avenue and is paved with curb, and gutter along the frontage of the property. There are no sidewalks along this side of Mountain Avenue due to topographical constraints on both sides of the street, large trees and other encroachments. The applicant is in favor of a local improvement district agreement.

Tree Preservation, Protection, and Removal

18.4.5.030 Tree Protection: *The trees along the west property line on the adjacent neighbor's property are protected by a six-foot tall, solid panel fence. No additional tree protection is proposed.*

18.5.7 Tree Removal:

B. Tree Removal 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 18.3.10.

There are six Ponderosa Pine trees and one nearly dead Cedar tree on the property that are proposed for removal. According to the table of allowed uses in the zone, the construction of a single-family residence and a garage is a permitted use in the R-1 zone (18.2.2.030.B). A permitted use is allowed provided they comply with chapter 18.2.3., Special Use Standards and are subject to the development standards of the zone. The special use standards do not apply to single family home and accessory structure construction.

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The development standards of the zone call for standard yard requirements and provides for special yard exceptions for accessory structures (18.2.5.040).

Standard setbacks for the zone are six-foot side yard and ten feet per story rear yard setback. In addition to the yard setbacks there are solar setbacks that affect structure placement on a piece of property.

Due to the large area of the Ponderosa tree's driplines, without tree removal, the vacant developable site is unable to have a residential structure consistent with the development pattern in the neighborhood on the property. Due to the large optimal tree protection zone, any construction would negatively impact the tree's root system. The removal of the trees allows for the site to be developed in accordance with the outright permitted uses allowed in the zone, the single-family residence and attached garage accessed from the shared access easement.

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 property, though compliant with the minimum lot size in the zone, the parcel is small at 7,945 (post BLA) there is a significant canopy coverage of the parcel to the extent that there is only a small area where site development will not have an impact on the trees. The removal of the trees will not have impacts on erosion, soil stability, flow of surface waters, and 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.

There are a significant number of deciduous and conifer trees within 200-feet of the property. The removal of the Ponderosa Pine trees and cedar tree will not have a negative impact on the densities, sizes, canopies or species diversity.

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.

The proposal complies with residential densities. The proposal for a single-family residence and an Accessory Residential Unit on the property complies with the allowed residential densities. The removal of the trees facilitates the construction of a new single family residence.

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.

Due to the property's location within the Wildfire Hazard Zone, the applicant is requesting to not replant "trees which will achieve similar size and stature at maturity as the trees removed". An exception to the mitigation standards is requested.

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Solar Setback Exception:

18.4.8.020.C.1

Due to the steep cross slope, between 12 – 15 percent slopes on the property, even with a nearly 19-foot setback from the north construction of a structure on the property does not comply with the solar setback ordinance. The proposed structure is approximately 23 ½ feet tall and 18-feet, 11-inches from the property line with a low pitch skillion style roof. The actual shadow cast by the structure is shown on Solar Setback Calculation Plan A-1.2.

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.

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 proposed exception does not preclude the reasonable use of solar energy on the site by future 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.

The lot to the north is currently vacant. The proposed area of solar encroachment beyond what is allowed is a small triangular area that is at the 20-foot front setback and behind a large protect tree.

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

The property has two substantial slopes to contend with for site development. The property has a five-percent slope downhill to the north for the purposes of calculating solar. The site also has a substantial cross slope of between 10 and 15 percent with an average cross slope of 12 percent. The cross slope presents challenges to providing the necessary floor area to have a functional floor area for a residence constructed on the site. Having the cross slope and compliance with the solar setback ordinance is unique in the vicinity. The majority of the residences in the neighborhood do not comply with solar setbacks as they appear to have been constructed in response to the 10 – 15 percent slope and not the five percent downhill solar access slope.

Attachments:

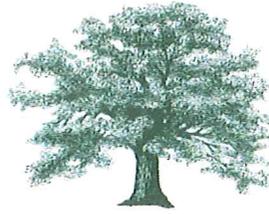
- 1) SO TREE CARE TREE REPORT
- 2) PROPOSED SITE PLAN AND ELEVATIONS
- 3) SURVEY
- 4) PRELIMINARY ELECTRIC DISTRIBUTION PLAN
- 5) SOLAR ACCESS WAIVER DOCUMENTS

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SOUTHERN OREGON TREE CARE, LLC



I was contacted by Gil Liveney regarding a home site development project at 1135 Fern St. in Ashland, Oregon. I met Gil and Amy Gunter on site July 28th 2016 to discuss the project and what they needed from me. My assignment was to determine which ponderosa pine trees could be reasonably retained on two parcels that border Mountain Ave on this development site based on the layout of the buildings.

The southern parcel has seven pine trees on it. Four of these are inside the building foot print. One is three feet outside of cut line (approximate area of excavation area for foundation) and the tree is 40 inches DBH (diameter breast height) and leaning south over a neighboring home. Another Pine tree is three feet away from the garage cut on the east side of the building and 22 inches DBH. The remaining tree is located in the northwest corner of that parcel and 20 feet away from nearest building corner, it is 32 inches DBH.

The northern parcel has seven trees on it as well and three are inside the footprint of that building. There is a 28 inch DBH pine tree five and one half feet from cut line. Another 28 inch DBH pine is located 13 feet from cut line and 10 feet from the street. There is a 24 inches DBH tree 15 feet from the cut line. The remaining tree from this parcel is 30 inch DBH, and 15 feet north of north cut line.

Ponderosa pine has a relatively good tolerance to fill soils and root pruning. Optimal tree preservation zones (OPZ) for the trees outside the cut lines are .75 feet per inch of DBH (Matheny Clark 1998). So for example, the smallest tree on the plan outside of the cut line is 22 inches DBH. This tree would have an optimal preservation zone of 16.5 feet. This particular tree is three feet from the cut line. This is well inside the OPZ and would likely be both a cause for the tree to die as well as for the tree to fail structurally do to major structural root loss.

In conclusion I believe only four pine trees should be saved on these two parcels due to proposed construction plans. One on the southern parcel at the northwest corner. One near the southwest corner of the north lot and the two trees near the northern edge of the north lot. These trees should be irrigated at least weekly during the summer months beginning as soon as possible to decrease stress. As well they should have temporary fencing placed around them prior to construction commencing. This fence is to keep out vehicular traffic, equipment clean out, storage etc. All care to minimize soil compaction and excavation around the remaining trees is critical during construction. Some of these trees showed signs of insect damage, they should be treated with a systemic insecticide as soon as possible and again next spring as well. All trees to remain will have some impact inside the OPZ so if these steps are not taken the chances of tree survival will be significantly reduced. If any major roots from the four trees are encountered in the excavation process they should be worked around until a qualified arborist is consulted. Root pruning should be done with sharp hand tools to minimize long term damage. Feel free to contact us for any additional information that may be required.

Willie Gingg _____

Date _____

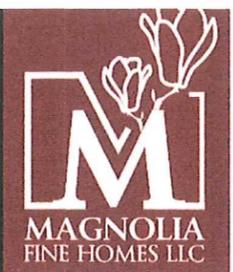
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Mountain Avenue South

SHEET INDEX	
ID	Name
A-0.0	COVER SHEET
A-1.1	SITE PLAN
A-1.2	SSB CALCULATIONS
A-2.0	BASEMENT
A-2.1	1st FLOOR PLAN
A-2.2	ROOF PLAN
A-2.3	REFLECTED CEILING PLAN
A-3.1	ELEVATIONS
A-3.2	ELEVATIONS
A-4.1	SECTIONS
A-4.2	SECTIONS
L-2.1	IRRIGATION & STAGING
L-2.1	IRRIGATION
L-2.2	PLANTING
L-2.2	LANDSCAPE
L-2.2	TREE PROTECTION PLAN



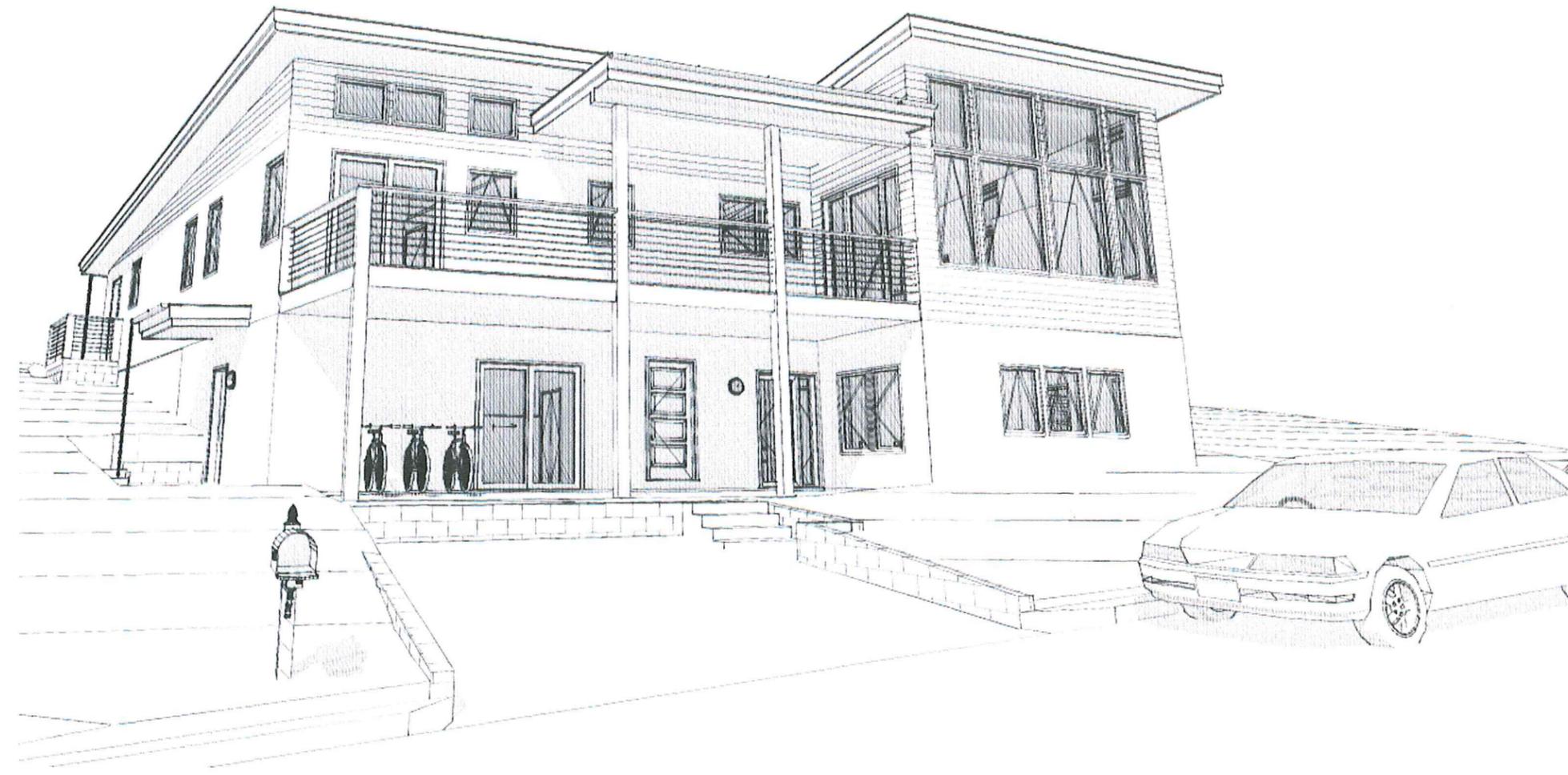
MAGNOLIA FINE HOMES LLC
 Gil Livni
 2532 Old Mill Way
 Ashland, OR 97520
 (510)913-5110



4dProof Design
 Patrick May
 455 Buena Vista Ave
 Alameda, CA 94501

MOUNTAIN AVE HOME

676 MOUNTAIN AVE
 ASHLAND, OR97520



MARK	DATE	DESCRIPTION

DATE: 2/27/17

SHEET TITLE
COVER SHEET

A-0.0
 SHEET 1 OF 16

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SITE NOTES

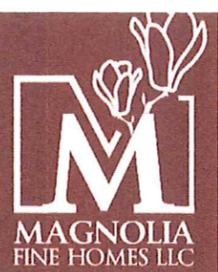
1. PROVIDE SEPARATE UTILITY METERS AND CONNECTIONS FOR ADU & MAIN HOUSE
2. VERIFY ALL UTILITY CONNECTIONS AND LOCATIONS ON SITE
3. NEW DRIVEWAY AND WALK WAY TO BE VERIFIED IN FIELD
4. VERIFY STAGING ON SITE
5. NEW FINISHED GRADES AND ELEVATIONS TO BE VERIFIED ON SITE
6. ALL DESIGN AND CONSTRUCTION TO MEET OR EXCEED REQUIREMENTS OF 2009 IRC AND ALL OTHER LOCAL/STATE/NATIONAL CODES REQUIRED BY THE CITY OF ASHLAND
7. VERIFY ALL FINISH GRADES, SLOPE AND LANDSCAPE TREATMENT ON SITE

LOT COVERAGE CALCULATION

PROPERTY AREA	7,985 SQ. FT.
BUILDING FOOTPRINT	2,550 SQ. FT.
FRONT PORCH	270 SQ. FT.
REAR PATIO/WALK	220 SQ. FT.
DRIVEWAY (REAR)	375 SQ. FT.
DRIVEWAY (FRONT)	175 SQ. FT.
TOTAL	3590 SQ. FT.
3590/7985=.45	44.9%

AREA CALCULATION

MAIN LEVEL	2,026 SQ. FT.
GARAGE	541 SQ. FT.
LOWER LEVEL	1,212 SQ. FT.
TOTAL CONDITIONED	3,779 SQ. FT.



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 Patrick May
 455 Buena Vista Ave
 Alameda, CA 94501

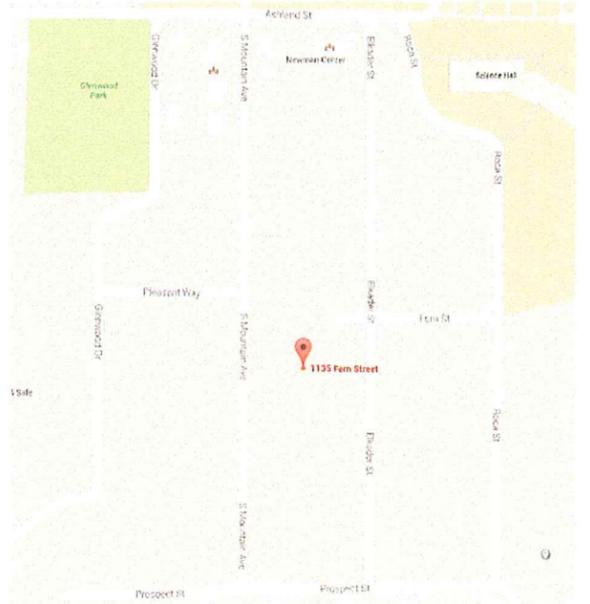
MOUNTAIN AVE HOME

676 MOUNTAIN AVE
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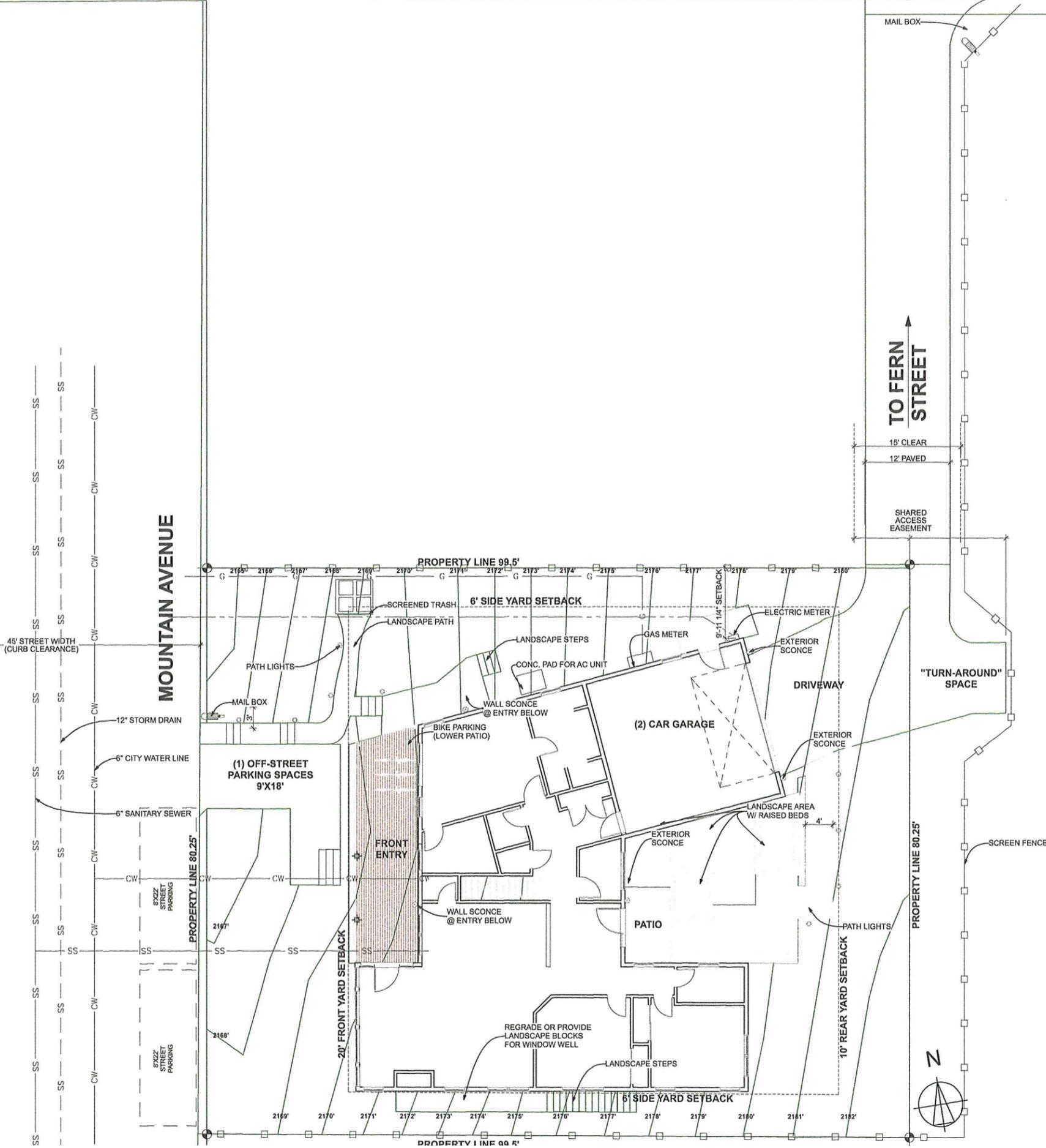
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SITE PLAN LEGEND

GAS	— G —
ELECTRICAL	— — — —
SEWER/WASTE	— SS —
WATER	— CW —
FENCE/SCREEN	— □ — □ —
STORM WATER	— SS — — —



2 VICINITY MAP
 NOT TO SCALE



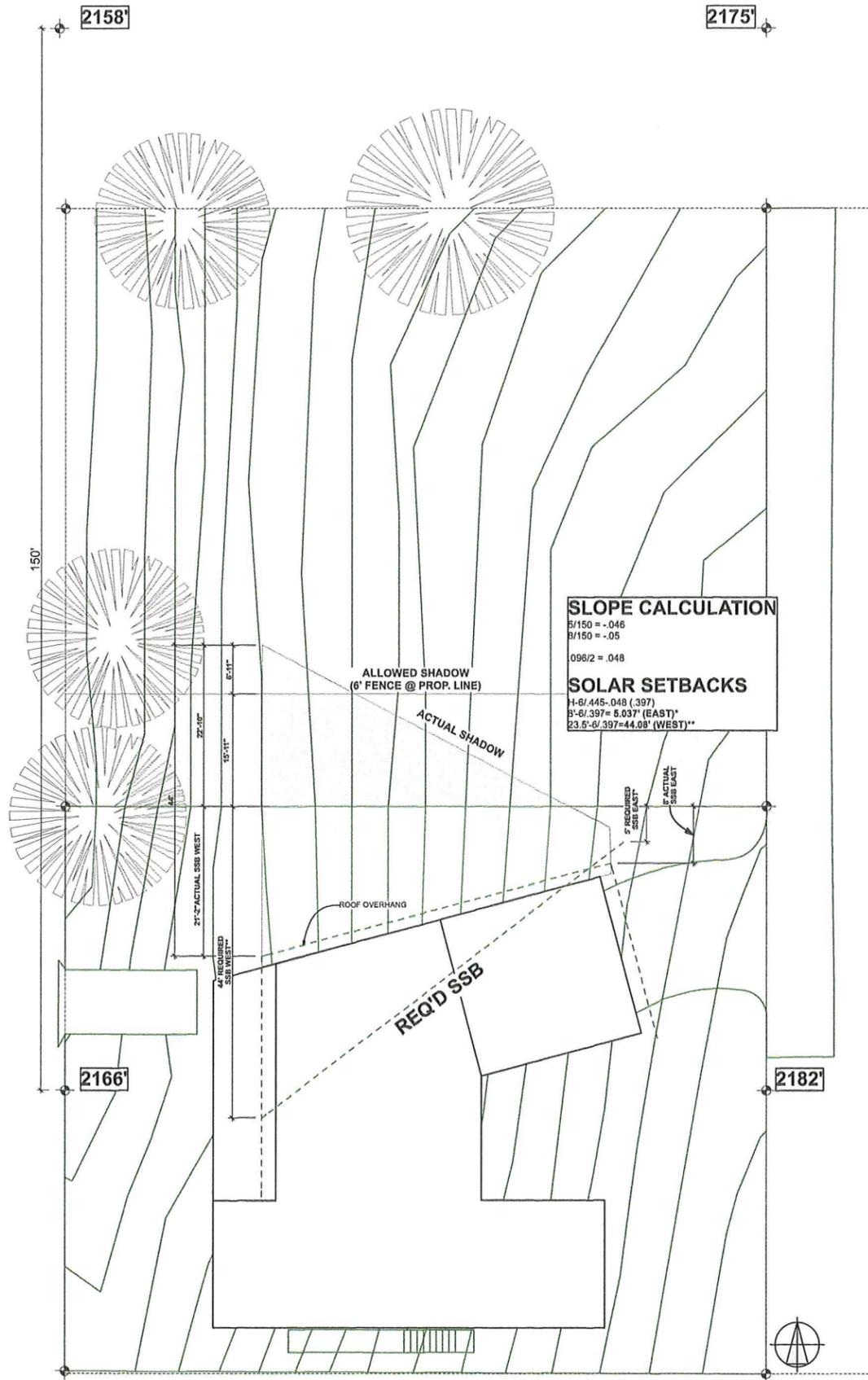
1 SITE PLAN
 SCALE: 1/8" = 1'-0"

MARK	DATE	DESCRIPTION

DATE: 2/27/17

SHEET TITLE
SITE PLAN

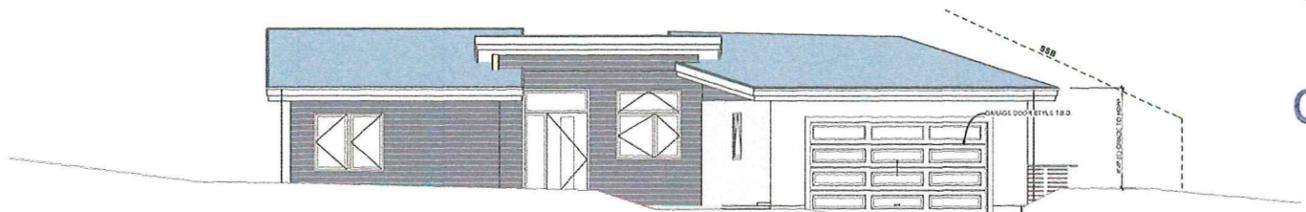
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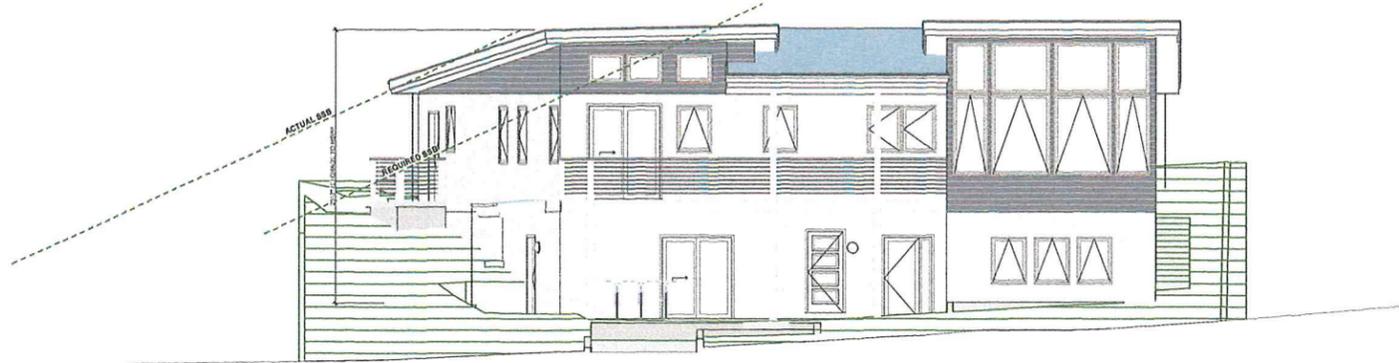
1 SOLAR SETBACK PLAN
SCALE: 3/32" = 1'-0"
0 8' 16' 24'

SLOPE CALCULATION
 $5/150 = .046$
 $9/150 = .05$
 $0.96/2 = .048$

SOLAR SETBACKS
 $1'-6"/.445 = 0.48 (.397)$
 $3'-6"/.397 = 5.037' (EAST)$
 $23.5'-6"/.397 = 44.08' (WEST)**$



2 SSB East Elevation
SCALE: 1/8" = 1'-0"
0 4' 8' 16'



3 WEST ELEVATION
SCALE: 1/8" = 1'-0"
0 4' 8' 16'

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MOUNTAIN AVE HOME

676 MOUNTAIN AVE
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MARK	DATE	DESCRIPTION

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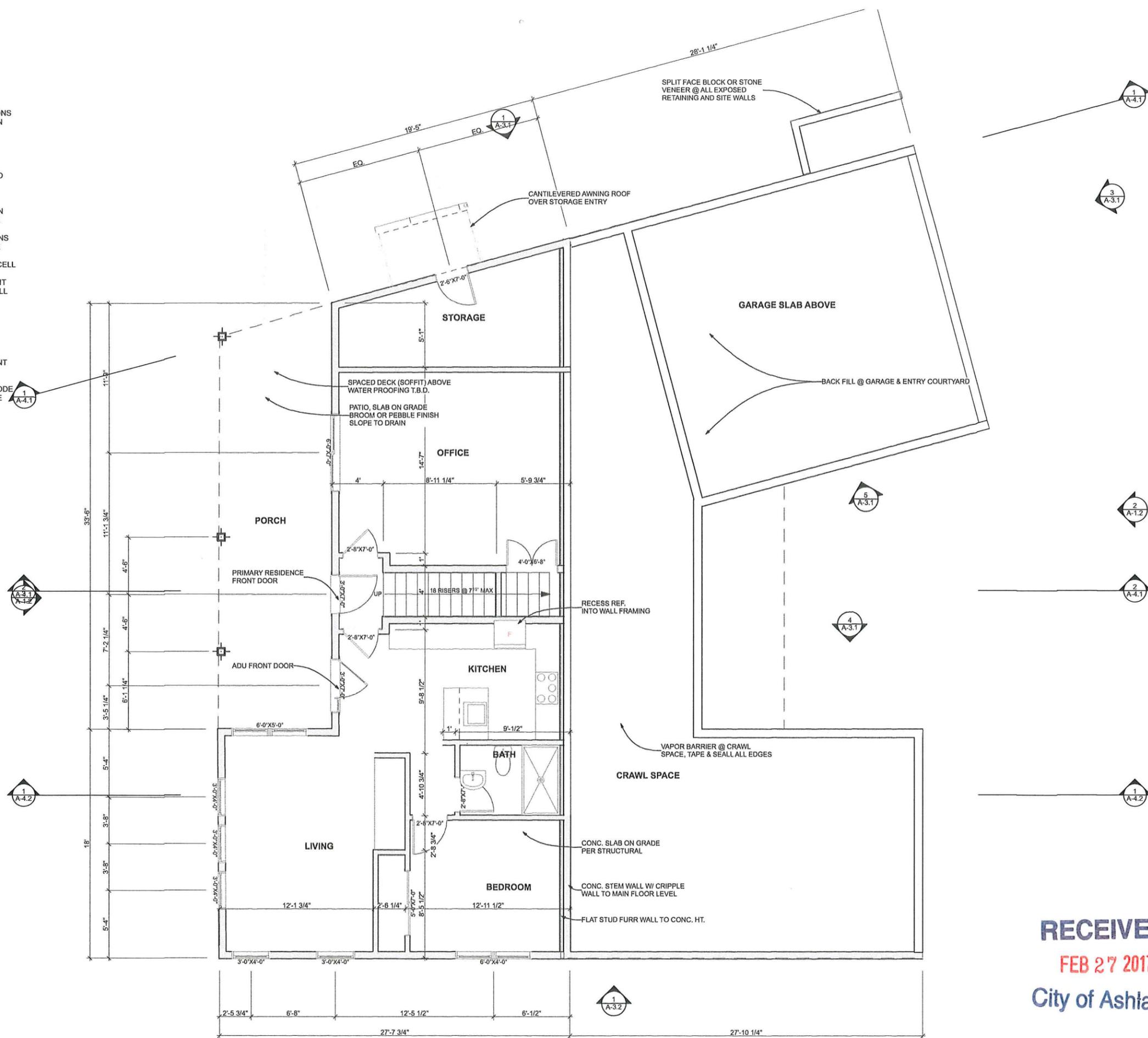
SHEET TITLE
SSB CALCULATIONS

A-1.2

SHEET 3 OF 16

PLAN NOTES:

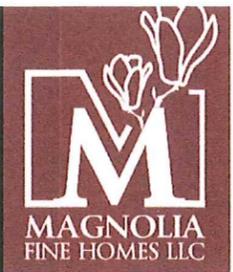
1. PROVIDE MIN. 4 1/2" AT ALL DOOR & WINDOW JAMBS FOR TRIM & STUDS
2. ALL CORNERS OF EXTERIOR WALLS TO BE (2) STUDS W/ NAILING BLOCKS OR DRYWALL CLIPS FOR FINISH AS REQUIRED. INSULATE INTO CORNER FRAMING.
3. SEE STRUCTURAL FOR ALL HEADER SIZES AND FRAMING DETAILS
4. ALL WALL SHEATHING/BRACING PER STRUCTURAL
5. SEAL AND BLOCK ALL GYP PANEL EDGES
6. INSTALL SIDING PER MANUFACTURERS RECOMMENDATIONS OVER WEATHER BARRIER INSTALLED IN A SHINGLE FASHION PER WRB MANUF. INSTRUCTIONS
7. FINISH FLOOR OVER CONCRETE SLAB TO BE INSTALLED OVER MANUF. APPROVED MOISTURE BARRIER
8. ALL INTERIOR BEDROOM AND BATHROOM WALLS TO BE INSULATED W/ 3 1/2" SOUND ATTENUATING BATTS
9. CRAWL SPACE TO BE PROVIDED WITH TAPED AND SEALED VAPOR BARRIER OR 2" CONCRETE RAT SLAB OVER VAPOR BARRIER RATED FOR UNDER SLAB INSTALLATION
10. PROVIDE DRAINAGE FROM ALL CRAWL SPACE AND AT EXTERIOR PERIMETER FOOTINGS W/ PERFORATED DRAIN IN FILTER SOCK INSTALLED IN FREE DRAINING SOIL OR LOOSE GRAVEL BACK FILL.
11. VERIFY ALL CRAWL AND ATTIC ACCESS W/ FRAMING PLANS
12. ALL WOOD IN CONTACT W/ CONCRETE TO BE PRESSURE TREATED
13. INSTALL SILL PLATES PER STRUCTURAL OVER CLOSED CELL SILL GASKET
14. EXTERIOR TRIM AND FINISH WOOD TO BE ROT RESISTANT CEDAR OR PRIMED AND PAINTED FJ FINISH WOOD. PRIME ALL ENDS AND BACKS OF TRIM BOARDS BEFORE INSTALLING.
15. PORCH AND PATIOS TO BE CONCRETE SLAB PER STRUCTURAL
16. REAR DECKS TO BE:
 - OPTION 1: BROOM FINISHED CONCRETE
 - OPTION 2: PAVERS OVER COMPACTED SAND W/ CONCRETE RISERS/PERIMETER EDGING
17. DO NOT SCALE PLANS. DIMENSIONS TO TAKE PRECEDENT OVER SCALED OR MEASURED DIMENSIONS.
18. DOCUMENTS ARE PROVIDED FOR DESIGN INTENT. ALL INSTALLATION, MEANS AND METHODS, STRUCTURE, AND CODE COMPLIANCE ARE TO BE THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR.



1 LOWER LEVEL
SCALE: 1/4" = 1'-0"



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City of Ashland



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Gil Livni
2532 Old Mill Way
Ashland, OR 97520
(510)913-5110

4D
4dProof Design
Patrick May
455 Buena Vista Ave
Alameda, CA 94501

MOUNTAIN AVE HOME

676 MOUNTAIN AVE
ASHLAND, OR97520

MARK	DATE	DESCRIPTION

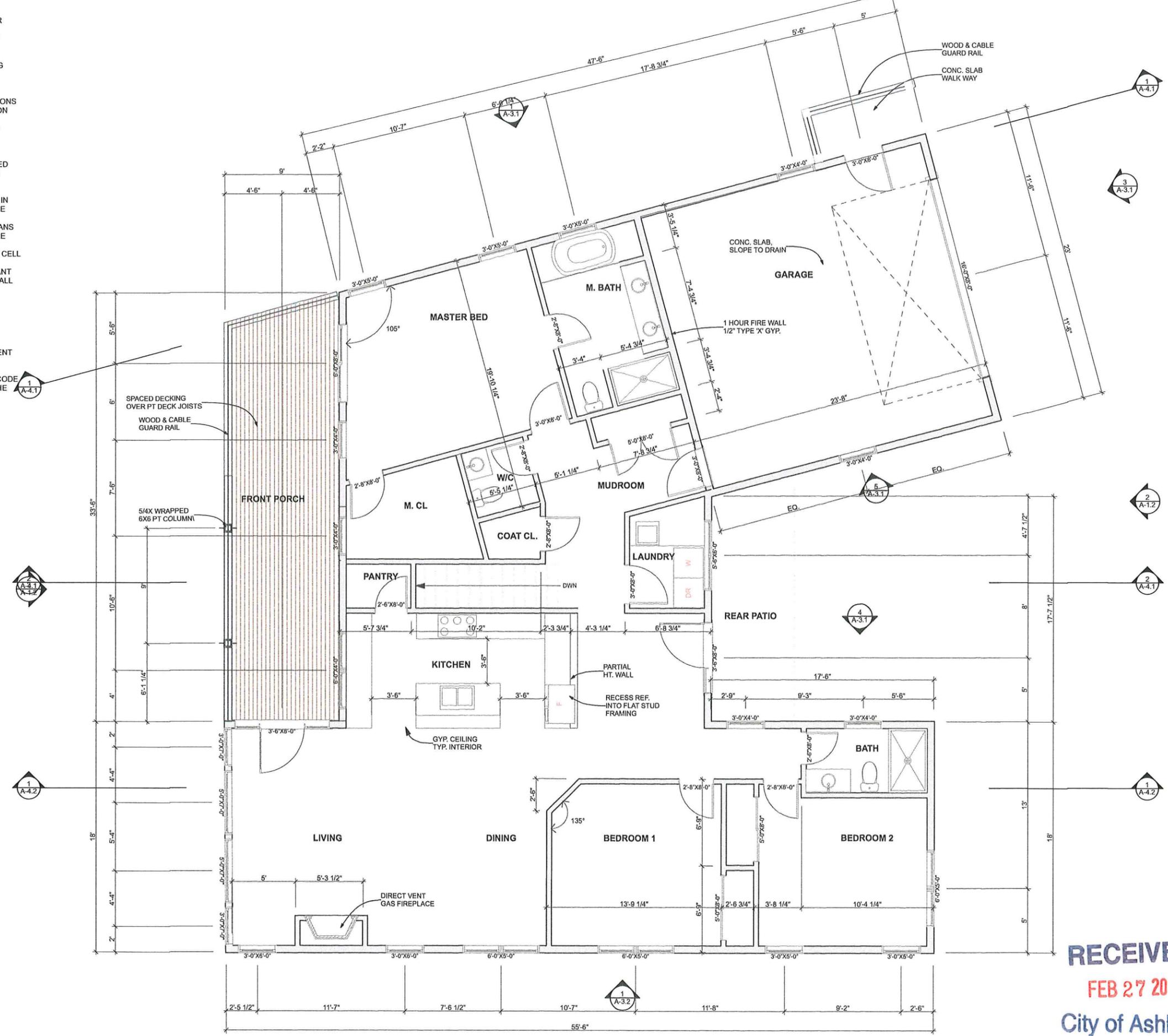
DATE: **2/27/17**

SHEET TITLE
BASEMENT

A-2.0
SHEET 4 OF 16

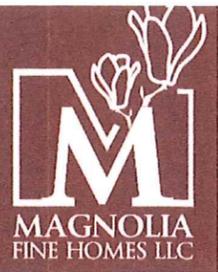
PLAN NOTES:

1. PROVIDE MIN. 4 1/2" AT ALL DOOR & WINDOW JAMBS FOR TRIM & STUDS
2. ALL CORNERS OF EXTERIOR WALLS TO BE (2) STUDS W/ NAILING BLOCKS OR DRYWALL CLIPS FOR FINISH AS REQUIRED. INSULATE INTO CORNER FRAMING.
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4. ALL WALL SHEATHING/BRACING PER STRUCTURAL
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15. PORCH AND PATIOS TO BE CONCRETE SLAB PER STRUCTURAL
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18. DOCUMENTS ARE PROVIDED FOR DESIGN INTENT. ALL INSTALLATION, MEANS AND METHODS, STRUCTURE, AND CODE COMPLIANCE ARE TO BE THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR.



1 1st FLOOR PLAN
SCALE: 1/4" = 1'-0"

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Alameda, CA 94501

MOUNTAIN AVE HOME

676 MOUNTAIN AVE
ASHLAND, OR97520

MARK	DATE	DESCRIPTION

DATE: 2/27/17

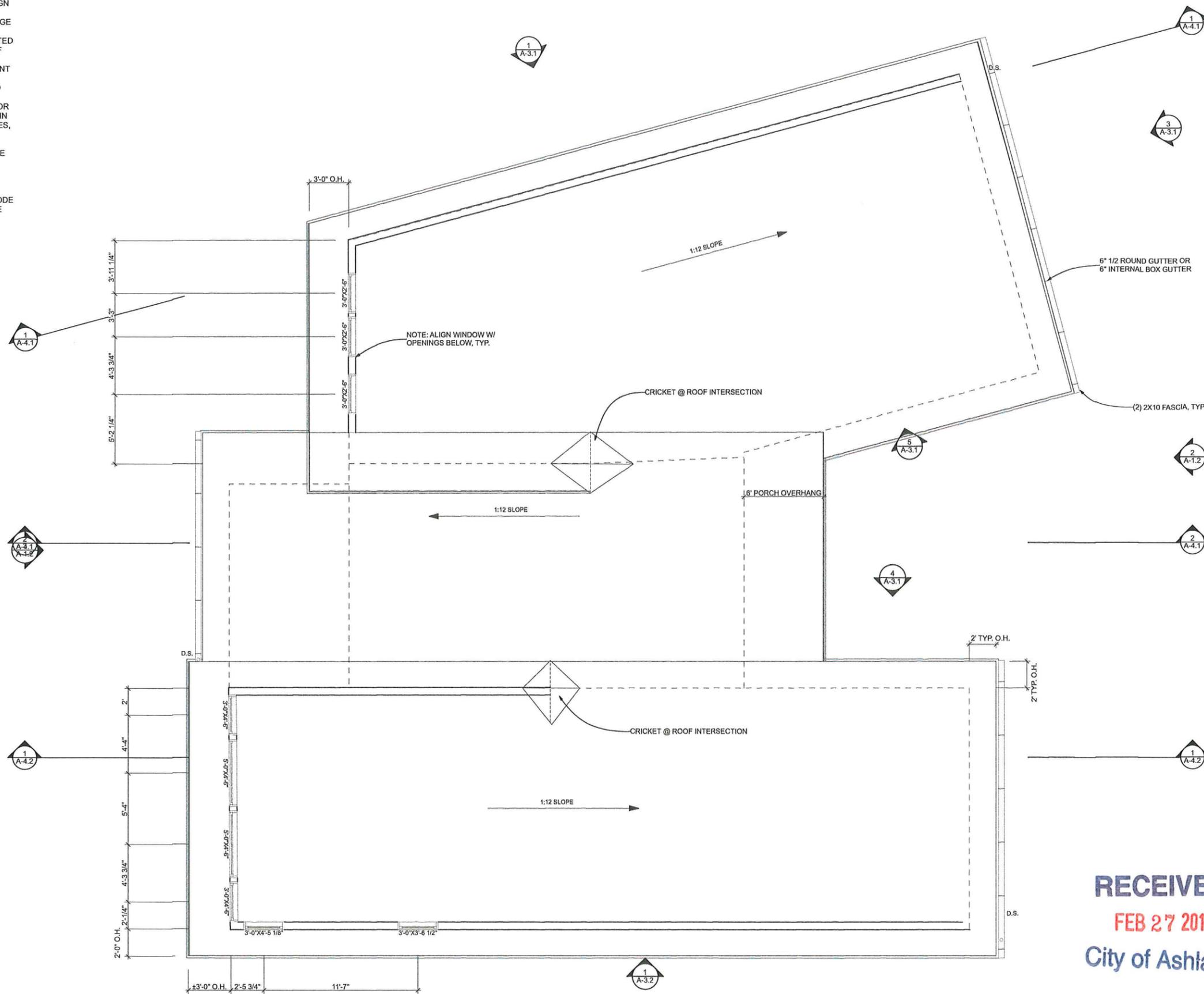
SHEET TITLE
1st FLOOR PLAN

A-2.1

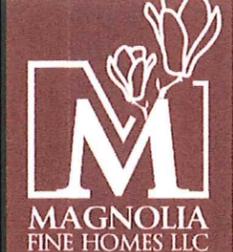
SHEET 5 OF 16

ROOF NOTES:

1. ALL ROOFS TO BE STANDING SEAM METAL ROOF OVER WRB PER ROOFING MANUFACTURER.
2. FASCIA AND SHADOW BOARDS TO BE ROT RESISTANT CEDAR OR PRIMED AND PAINTED FJ FINISH WOOD. PRIME ALL ENDS AND BACKS OF TRIM BOARDS BEFORE INSTALLING.
3. SOFFITS TO BE T&G OR CEDAR PLY. VERIFY. MATCH & ALIGN W/ ROOF SHEATHING BEYOND OVERHANGS
4. INSTALL MIN 26 GA. GALVANIZED FLASHING WITH DRIP EDGE AT ALL EAVES, RAKES AND SHED PEAKS
5. INSTALL LEVEL WALL AND SIDE WALL FLASHING INTEGRATED INTO SIDING, WEATHER BARRIERS AND ROOFING PER ROOF MANUFACTURERS INSTRUCTIONS AND DETAILS
6. INSTALL VALLEY FLASHING & EXTRA LAYER UNDERLAYMENT AT ALL CRICKETS
7. ALL GUTTERS TO BE INSTALLED WITH MINIMUM SLOPE TO DRAIN
8. PROVIDE EROSION CONTROL SYSTEMS, SPLASH BLOCK OR DIVERSION HARD LINE AT ALL DOWNSPOUTS AND RAIN CHAIN
9. PROVIDE CONTINUOUS ATTIC VENTS AT ALL EAVES, RIDGES, SHED ROOF HIGH SIDE AND LEVEL WALL CONDITIONS.
10. TYPICAL INSULATION TO BE R-38 ROLLED BATT.
11. WHERE ROOFS CAN NOT BE VENTED AT HIGH & LOW SIDE OF TRUSS/RAFTER SPANS, PROVIDE OPEN CELL FOAM INSULATION TO EQUIVALENT R-VALUE FOR FULL TRUSS/RAFTER LENGTH
12. DOCUMENTS ARE PROVIDED FOR DESIGN INTENT. ALL INSTALLATION, MEANS AND METHODS, STRUCTURE, AND CODE COMPLIANCE ARE TO BE THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR.



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MOUNTAIN AVE HOME

676 MOUNTAIN AVE
 ASHLAND, OR97520

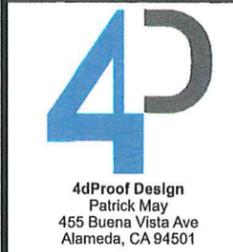
MARK	DATE	DESCRIPTION

DATE: 2/27/17

ROOF PLAN



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MOUNTAIN AVE HOME

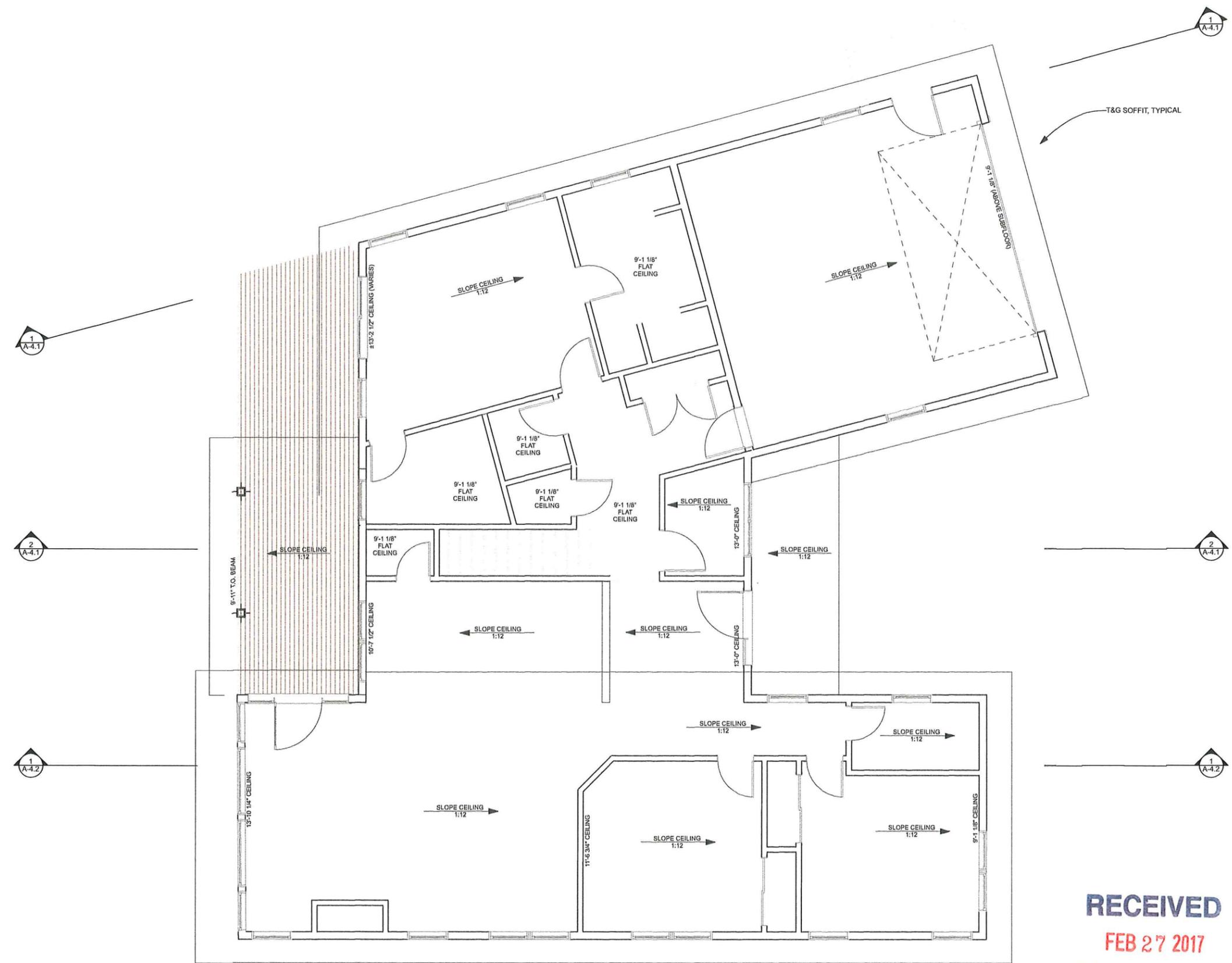
676 MOUNTAIN AVE
 ASHLAND, OR97520

MARK	DATE	DESCRIPTION

DATE: 2/27/17

SHEET TITLE
REFLECTED CEILING PLAN

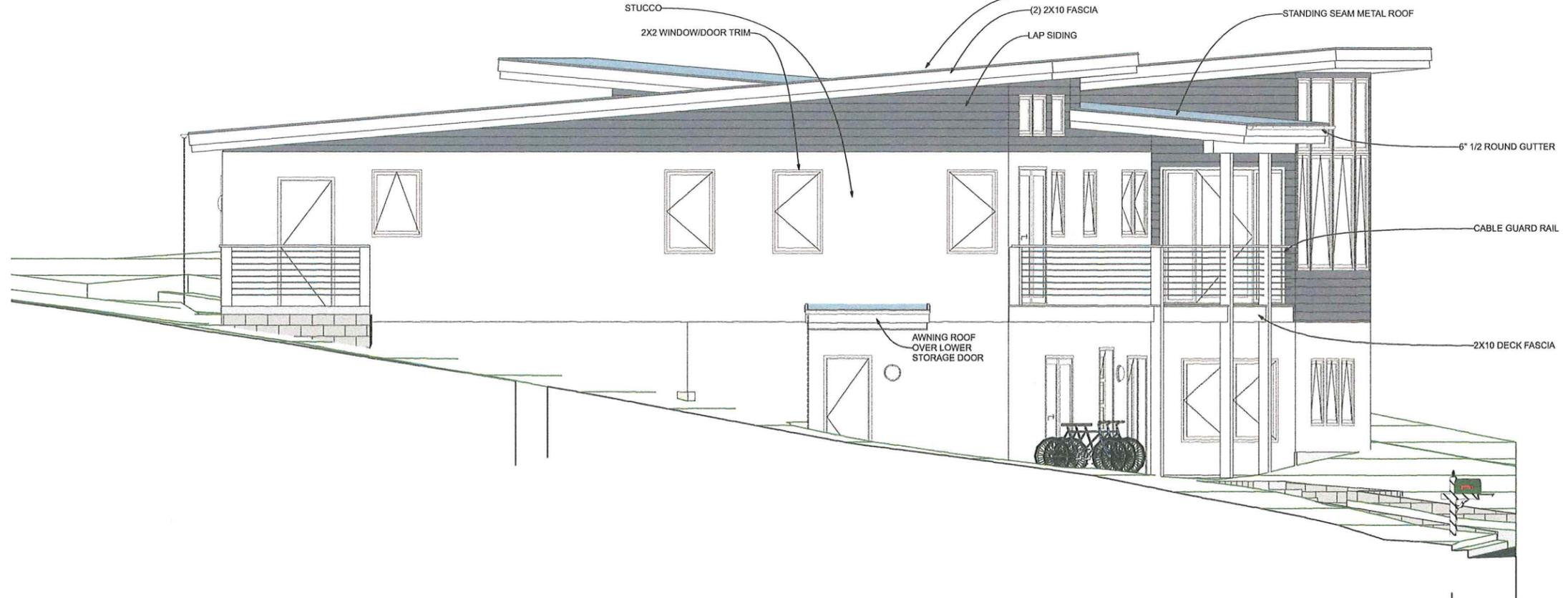
A-2.3
 SHEET 7 OF 16



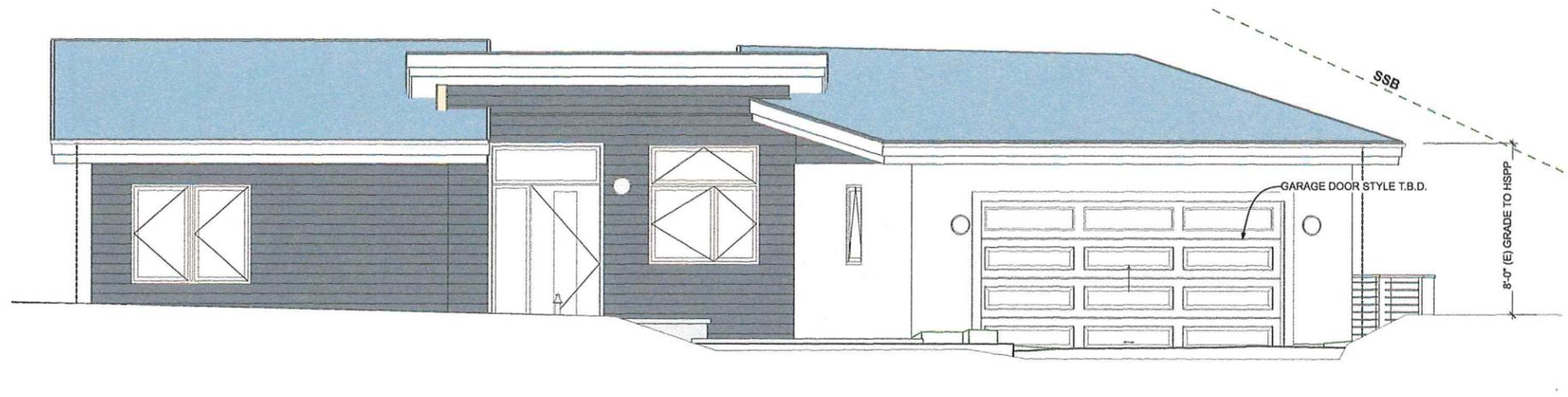
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1 1st FLOOR
 SCALE: 1/4" = 1'-0"

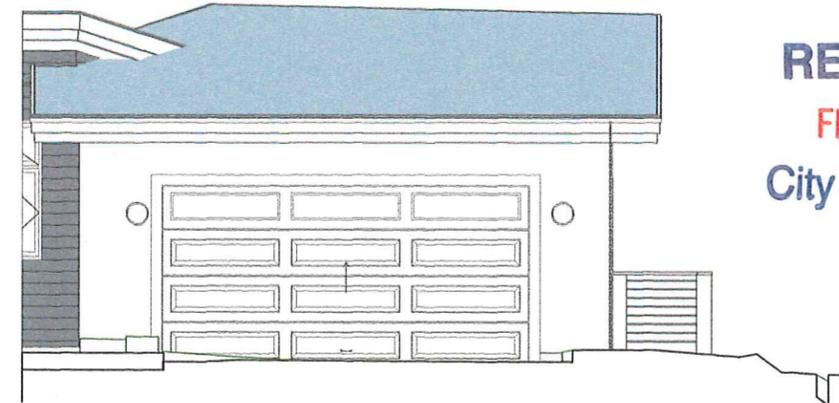




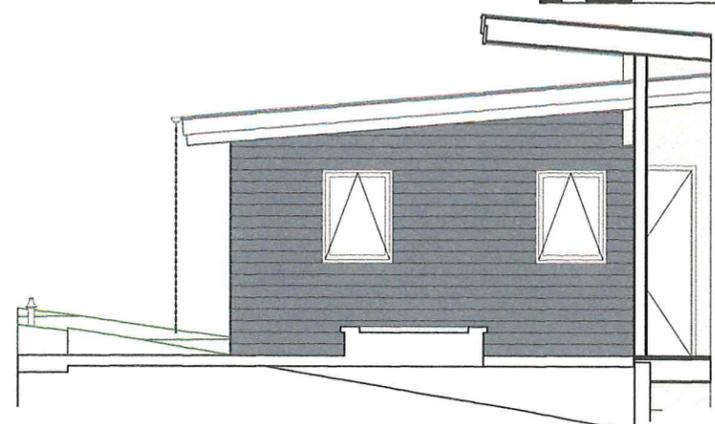
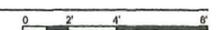
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SCALE: 1/4" = 1'-0"



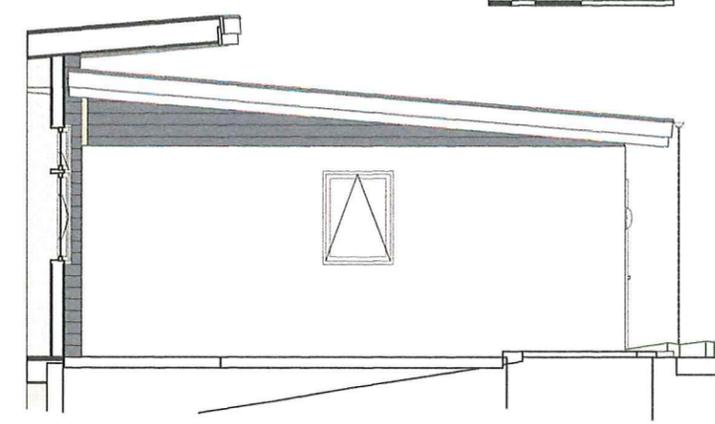
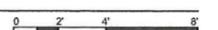
2 EAST ELEVATION
SCALE: 1/4" = 1'-0"



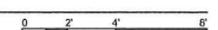
3 EAST GARAGE ELEVATION
SCALE: 1/4" = 1'-0"



4 NORTH REAR PATIO
SCALE: 1/4" = 1'-0"



5 SOUTH REAR PATIO
SCALE: 1/4" = 1'-0"



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MOUNTAIN AVE HOME

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ASHLAND, OR97520

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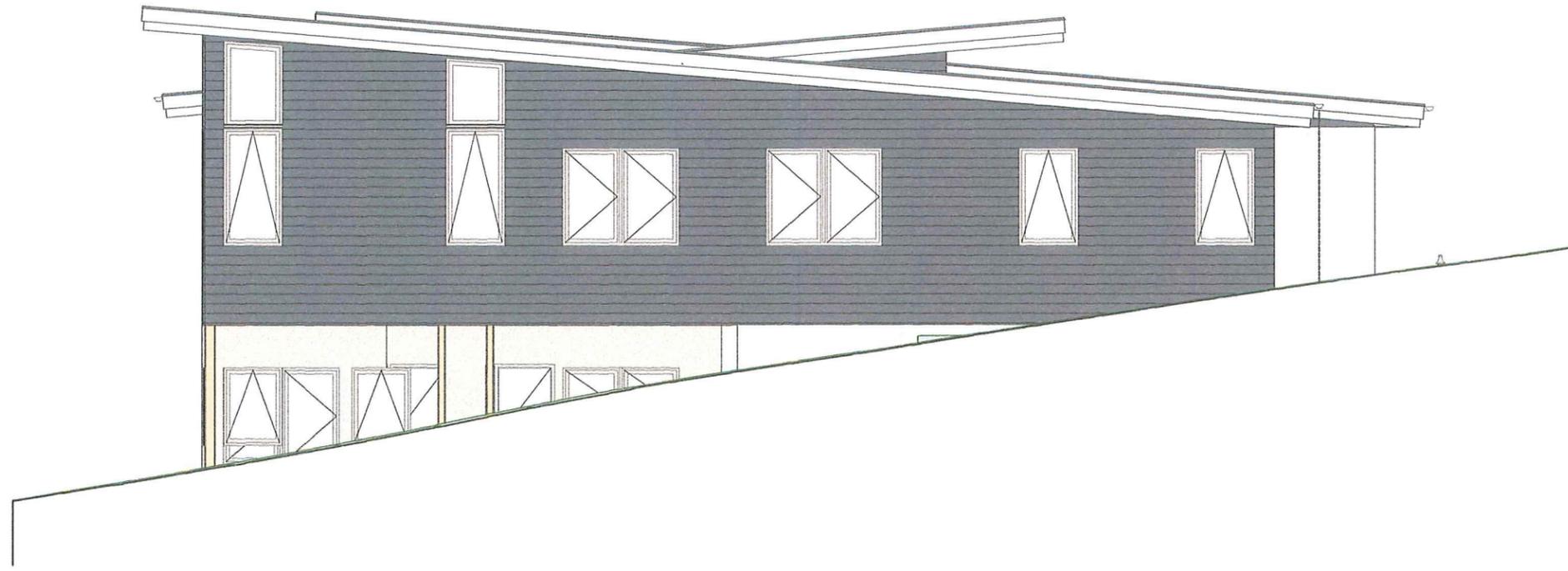
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DATE: 2/27/17

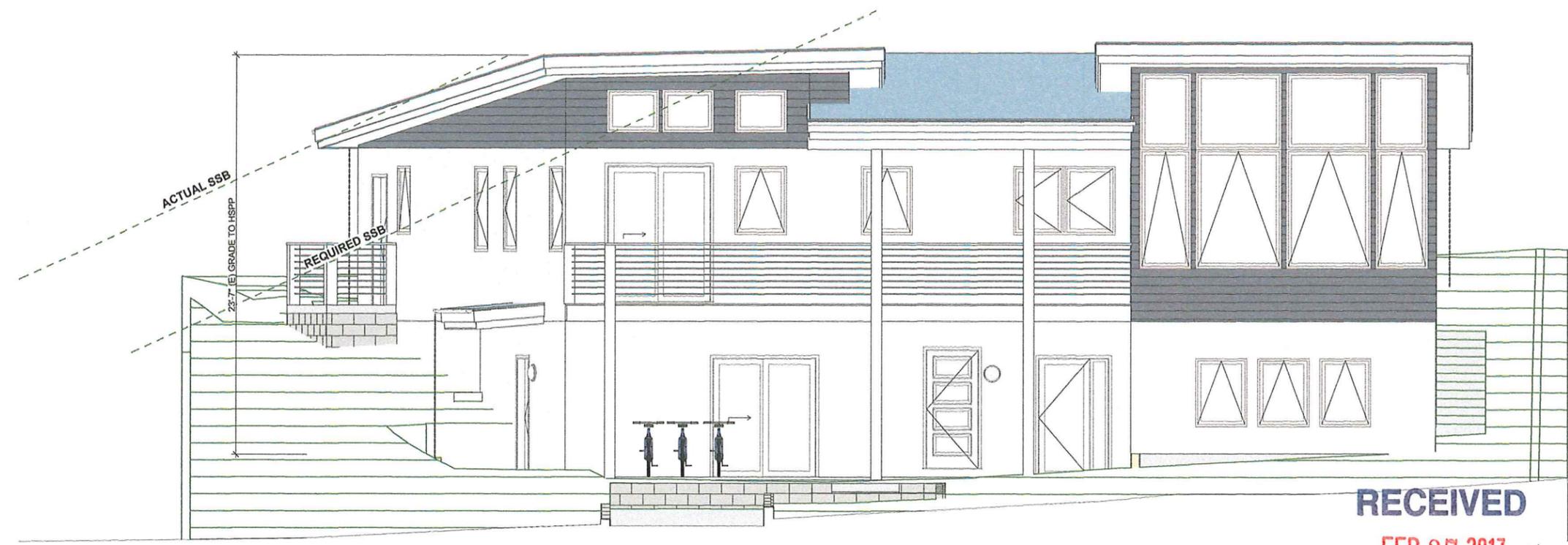
SHEET TITLE
ELEVATIONS

A-3.1

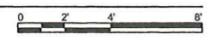
SHEET 8 OF 16



1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



2 WEST ELEVATION
SCALE: 1/4" = 1'-0"



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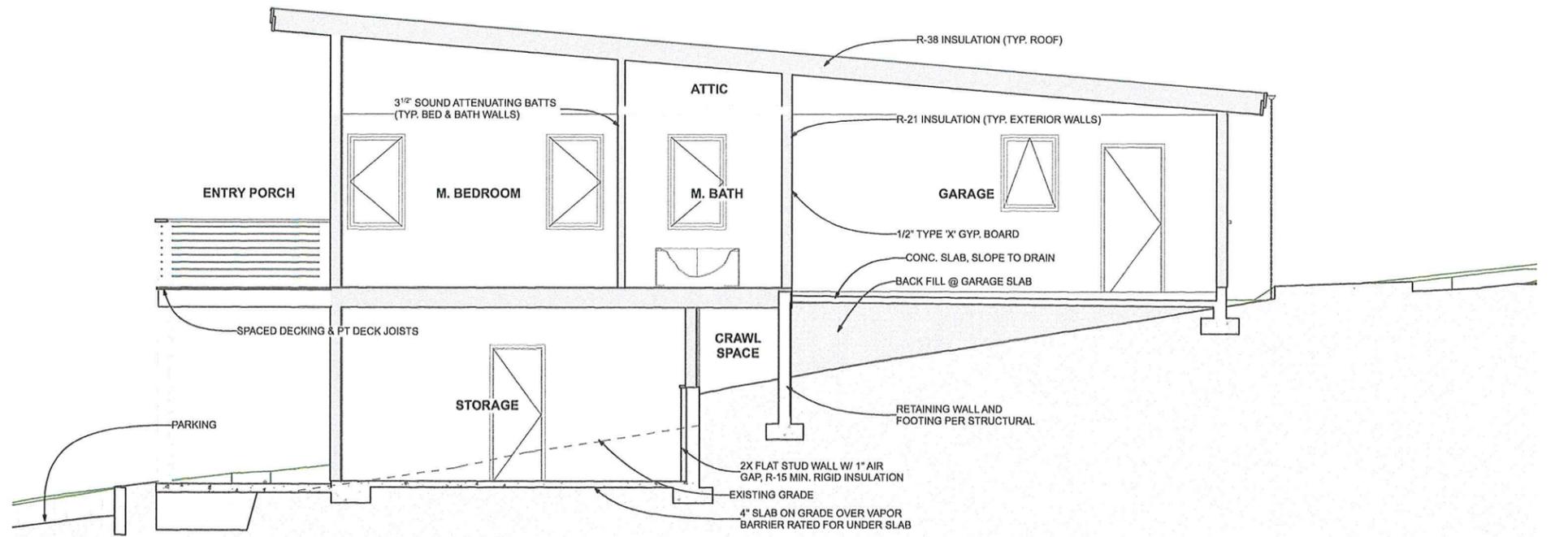
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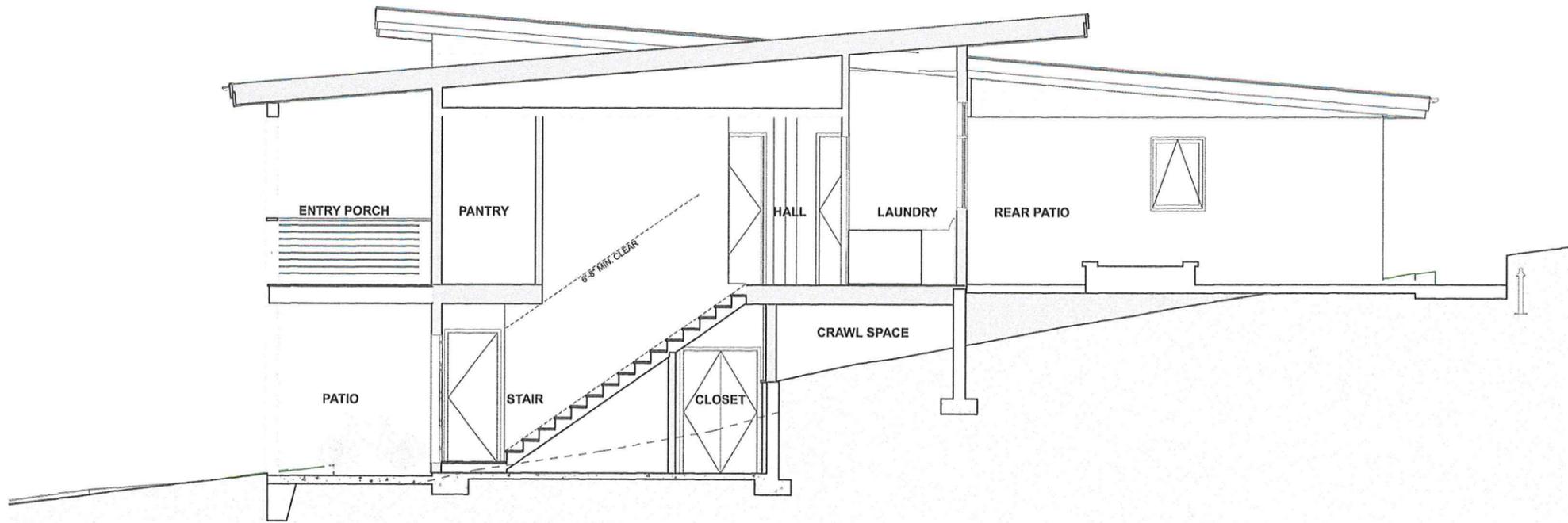
SHEET TITLE
ELEVATIONS

A-3.2

SHEET 9 OF 16



1 SECTION
SCALE: 1/4" = 1'-0"



2 SECTION
SCALE: 1/4" = 1'-0"



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MOUNTAIN AVE HOME

676 MOUNTAIN AVE
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MARK	DATE	DESCRIPTION

DATE: 2/27/17

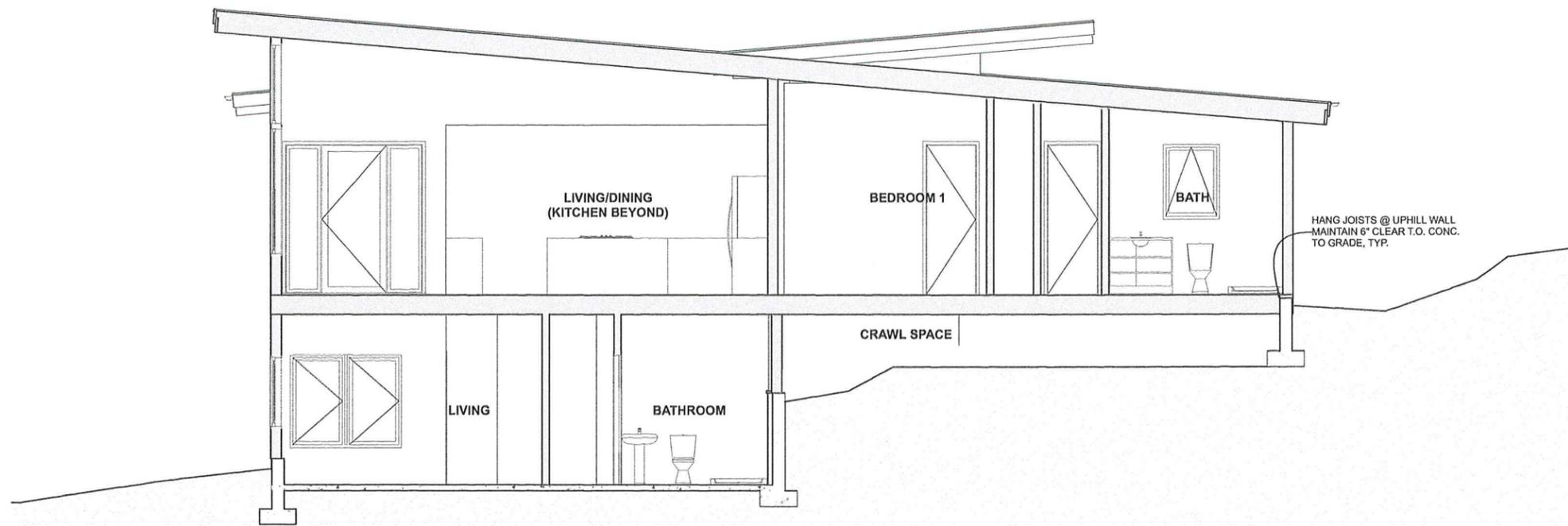
SHEET TITLE

SECTIONS

A-4.1

SHEET 10 OF 16

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1 SECTION
SCALE: 1/4" = 1'-0"



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Alameda, CA 94501

MOUNTAIN AVE HOME

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ASHLAND, OR 97520

MARK	DATE	DESCRIPTION
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DATE: 2/27/17

SHEET TITLE
SECTIONS

A-4.2

SHEET 11 OF 16

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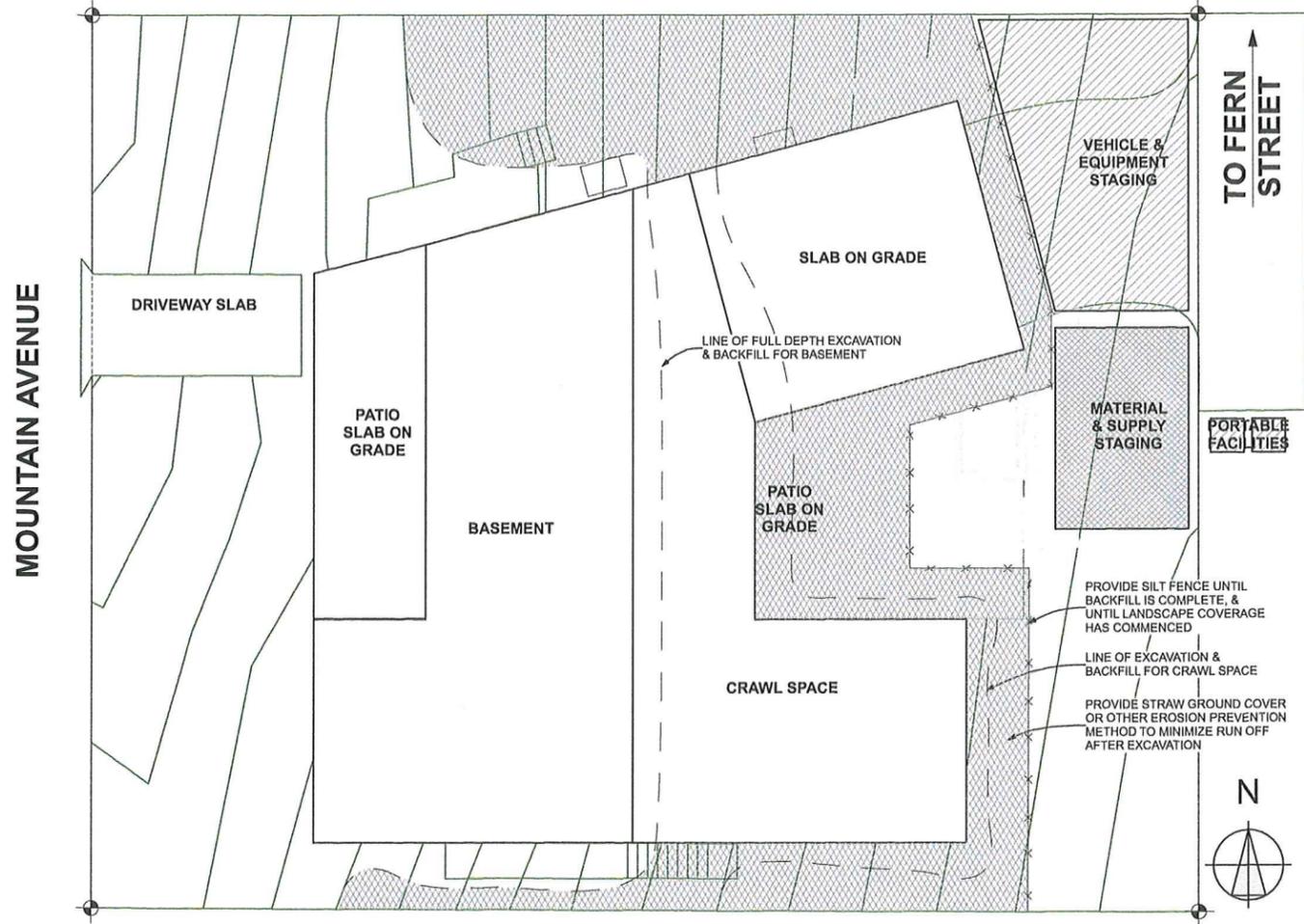
MAGNOLIA FINE HOMES LLC
Gil Livni
2532 Old Mill Way
Ashland, OR 97520
(510)913-5110



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Patrick May
455 Buena Vista Ave
Alameda, CA 94501

MOUNTAIN AVE HOME

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ASHLAND, OR 97520



1 ERROSION CONTROL & STAGING PLAN
SCALE: 1/8" = 1'-0"



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MARK	DATE	DESCRIPTION
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DATE: 2/27/17

SHEET TITLE

ERROSION & STAGING

L-2.1

SHEET 12 OF 16



MAGNOLIA FINE HOMES LLC

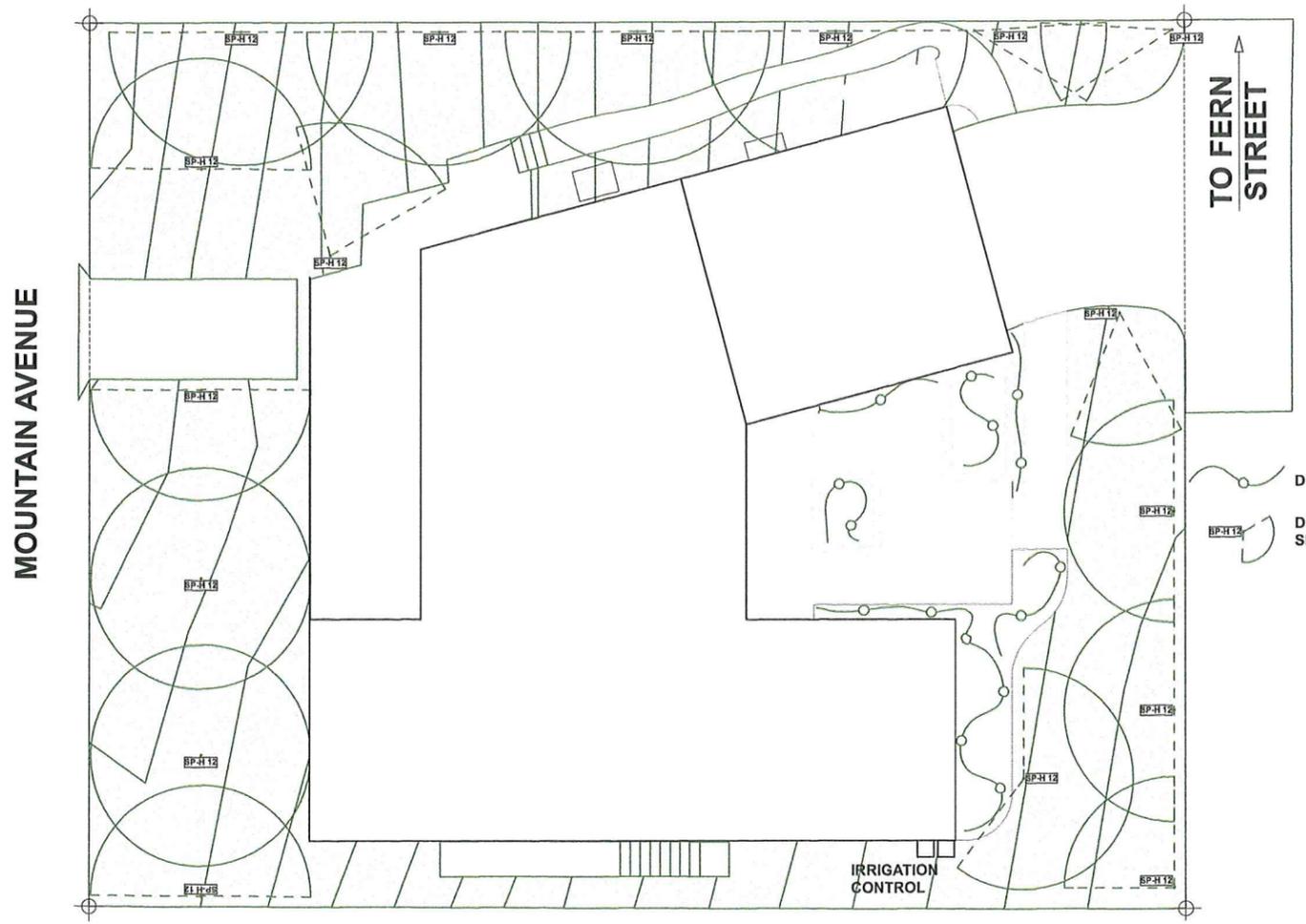
MAGNOLIA FINE HOMES LLC
Gil Livni
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MOUNTAIN AVE HOME

676 MOUNTAIN AVE
ASHLAND, OR97520



TO FERN STREET

DRIP IRRIGATION

BP-H 12
DIRECTIONAL POP UP SPRINKLER HEADS

IRRIGATION CONTROL

1 IRRIGATION PLAN
SCALE: 1/8" = 1'-0"



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DATE: 2/27/17

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SHEET TITLE
IRRIGATION

L-2.1

SHEET 13 OF 16



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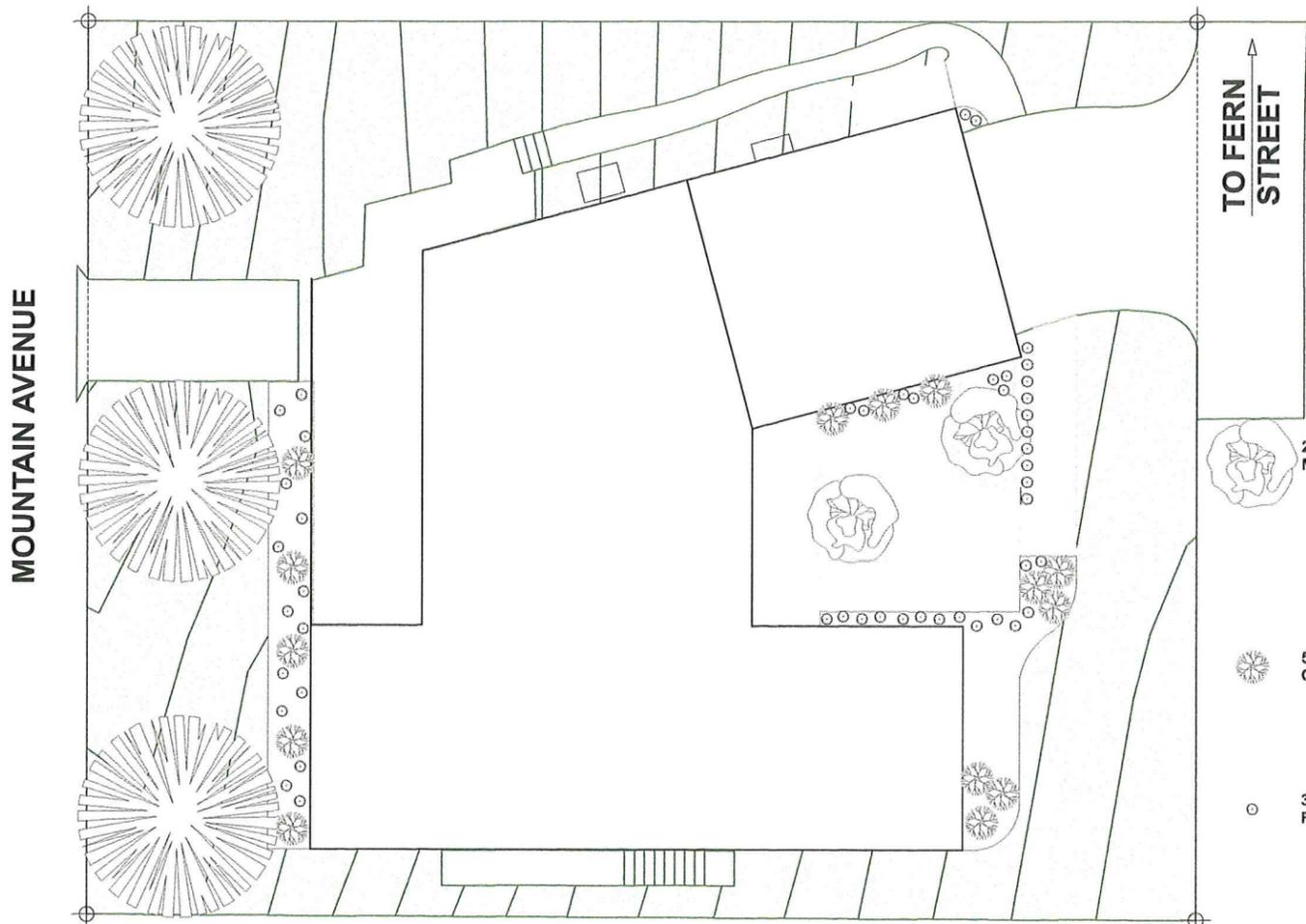
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Gil Livni
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Alameda, CA 94501

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676 MOUNTAIN AVE
ASHLAND, OR97520



MOUNTAIN AVENUE

TO FERN STREET

2" Ø DWARF TREE
MAPLE OR SIMILAR



5 GALON GOLDENROD
OR SIMILAR



3 GALON FESCUE OR
FOUNTAIN GRASS



1 PLANTING PLAN
SCALE: 1/8" = 1'-0"



MARK	DATE	DESCRIPTION

DATE: 2/27/17

SHEET TITLE
PLANTING

L-2.2

SHEET 14 OF 16

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FINE HOMES LLC

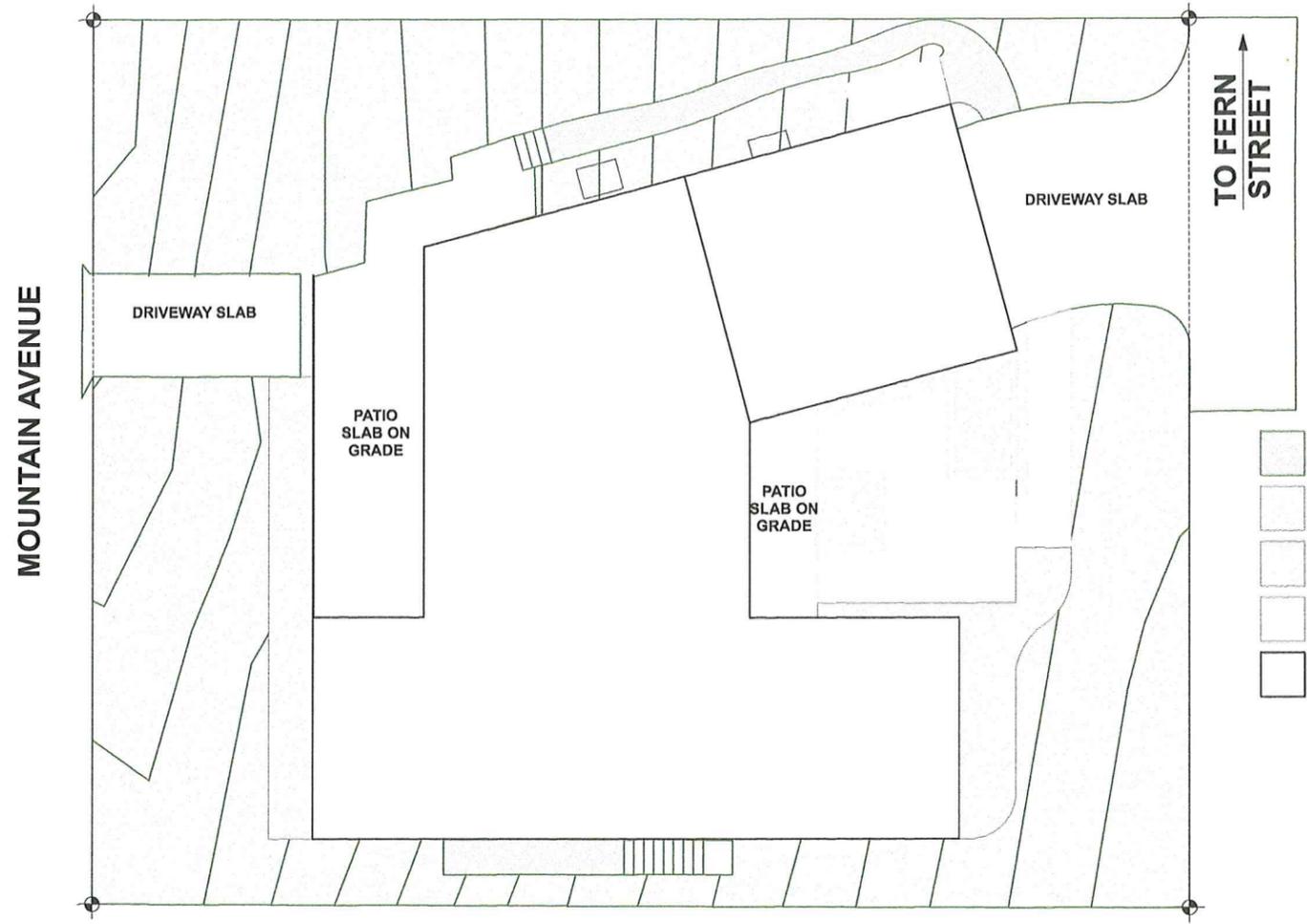
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(510)913-5110



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1 LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"



MARK	DATE	DESCRIPTION

DATE: 2/27/17

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SHEET TITLE
LANDSCAPE

L-2.2

SHEET 15 OF 16

MINOR LAND PARTITION

APPROVAL:

ASHLAND PLANNING COMMISSION
PA No. 84-058

DATE: 11/28/84

LOCATED IN
A PORTION OF LOTS 28 & 29 IN THE GALEY ADDITION TO THE CITY OF ASHLAND
IN NW 1/4 OF NW 1/4 OF SEC. 15 & NE 1/4 OF NE 1/4 OF SEC. 16, TWP. 39 S., R. 1 E., WM.
JACKSON COUNTY OREGON

Filed for record this the 29th day of November 1984
at 11:10 o'clock A. M. and recorded in Volume 5 page 200
of "Minor Land Partitions" in Jackson County, Oregon.

for
DENNIS J. DONAHUE

1135 FERN STREET
ASHLAND, OREGON 97520

Kathleen S. Beckett
County Clerk

Robert A. Poling
Deputy

SURVEYOR

SWAIN SURVEYING, INC.
27 1/2 N. MAIN STREET
ASHLAND, OREGON 97520

OCTOBER 29, 1984

SCALE: 1" = 60'
NOTE: Not to Scale if printed on paper smaller than 24X36

BASIS OF BEARING: TRUE MERIDIAN AT N-S C. OF SEC. 16
(derived from N.O.A.A. net)

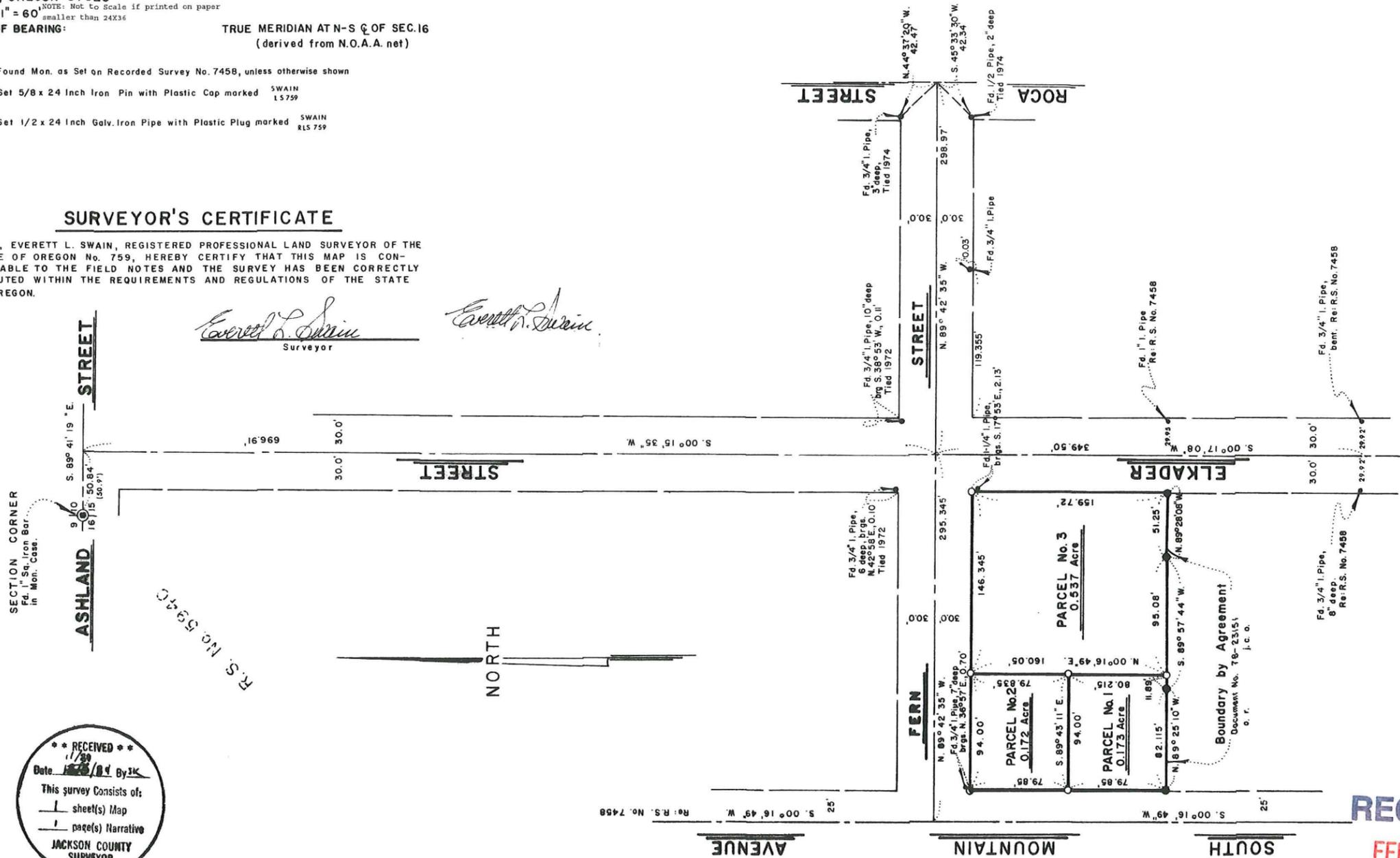
- Found Mon. as Set on Recorded Survey No. 7458, unless otherwise shown
- Set 5/8 x 24 Inch Iron Pin with Plastic Cap marked SWAIN 1.5759
- Set 1/2 x 24 Inch Galv. Iron Pipe with Plastic Plug marked SWAIN RLS 759

SURVEYOR'S CERTIFICATE

I, EVERETT L. SWAIN, REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF OREGON No. 759, HEREBY CERTIFY THAT THIS MAP IS CONFORMABLE TO THE FIELD NOTES AND THE SURVEY HAS BEEN CORRECTLY EXECUTED WITHIN THE REQUIREMENTS AND REGULATIONS OF THE STATE OF OREGON.

Everett L. Swain
Surveyor

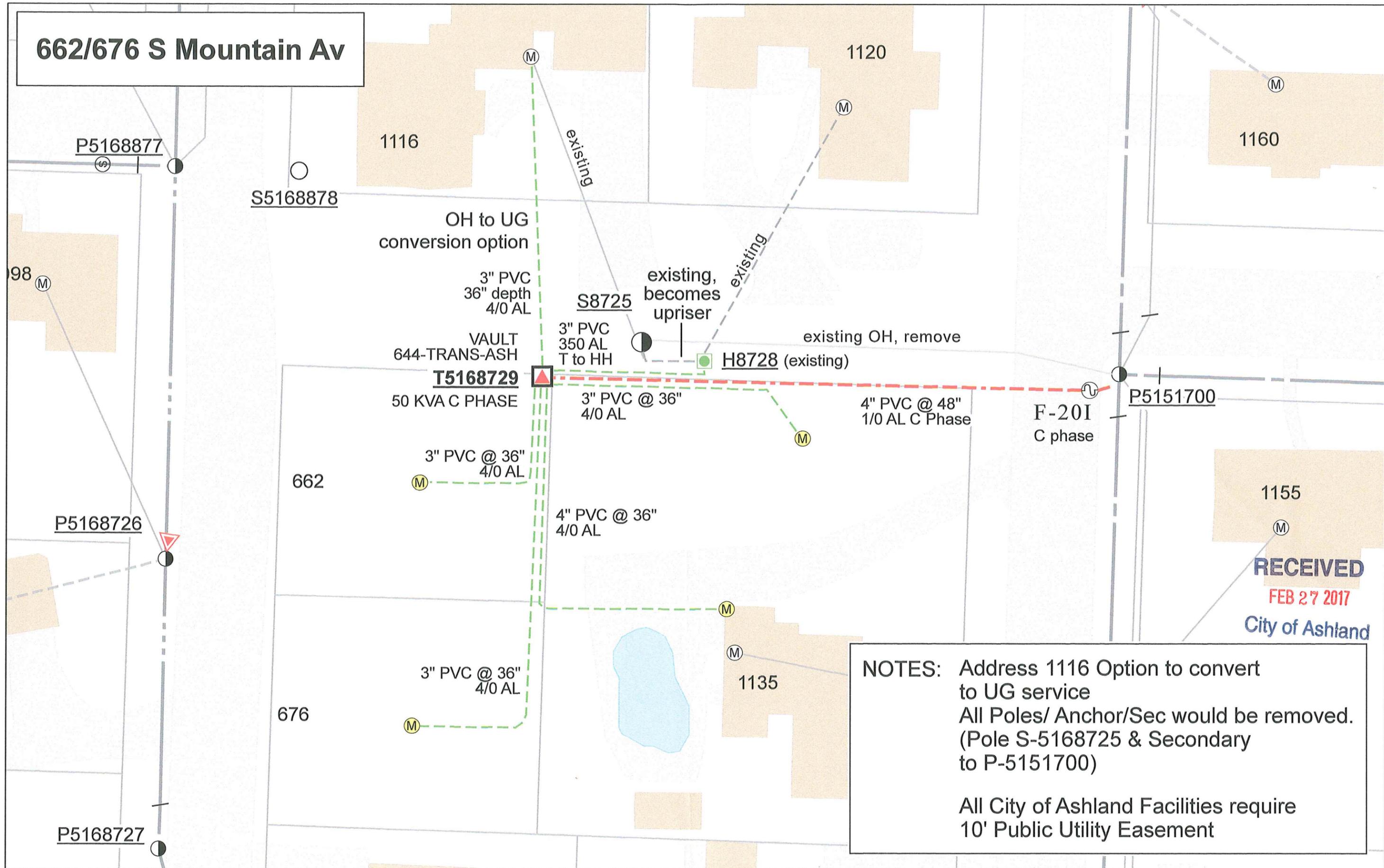
Everett L. Swain



RECEIVED
Date: 11/28/84 By: JK
This survey consists of:
1 sheet(s) Map
1 page(s) Narrative
JACKSON COUNTY SURVEYOR

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City of Ashland

662/676 S Mountain Av



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 City of Ashland

NOTES: Address 1116 Option to convert to UG service
 All Poles/ Anchor/Sec would be removed. (Pole S-5168725 & Secondary to P-5151700)
 All City of Ashland Facilities require 10' Public Utility Easement



NOTICE OF APPLICATION

PLANNING ACTION: PA-2017-00389

SUBJECT PROPERTY: 552 Beach Street

OWNER/APPLICANT: Scott and Laura Bandoroff/Rogue Planning and Development

DESCRIPTION: A request for a Tree Removal Permit to allow for construction of a single-family detached house. The requested removal is to take place on a preliminarily approved new lot created through Planning Action No. 2016-01677, which proposed to protect the 48” Diameter at Breast Height Douglas Fir tree during the construction process. **COMPREHENSIVE PLAN DESIGNATION:** Single-family Residential; **ZONING:** R-1-7.5 **ASSESSOR’S MAP:** 39 1E 16 AA; **TAX LOT:** 4100.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, April 6, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: March 27, 2017

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: April 11, 2017



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

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

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

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

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

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

TREE REMOVAL PERMIT

18.5.7.040.B

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.



March 2, 2017

Request for Modification of
A previously approved
Minor Land Partition

Subject Property

Property Address: 552 Beach Street
Map & Tax Lot: 39 1E 16AA; 4100
Comprehensive Plan Designation: Single Family Residential
Zoning: R-1-7.5
Adjacent Zones: R-1-7.5; R-2 & SO
Water Resource Protection Zone
Lot Area: .83 / 35,719.2 sf
Lot Coverage: Maximum 45 percent

Property Owner: Scott Bandoroff & Laura Robin
552 Beach Street
Ashland, OR

Applicant: Rogue Planning & Development Services
Amy Gunter
1424 S Ivy Street
Medford, OR 97501

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The following is a request is for a modification of PA2016-1677 that allowed for a two-lot partition at 552 Beach Street. A 48-inch DBH Douglas fir tree had been proposed to be retained with that partition. Following a consultation with an ISA Certified Arborist, the buyers of the newly created lot (the property has not been recorded pending stub-out of utilities and is presently a single family parcel occupied by a single-family residence). The Douglas Fir tree proposed for removal is located along the south property line.

The location of the tree and its recommended tree protection zone due to the area of the critical root zone for the Douglas Fir tree of this size, the bifurcated leader, the evidence of previous branch drop, etc. push the future single family into a small and constrained area of the parcel in the northwest corner. The area that is not affected by the trees critical root zone provides for less than 1,000 sf footprint area, and is beyond the area of the lot where a 21-foot tall structure could be located for compliance with the solar setback standards for the zone. Any new construction would be less than the average size of residences in the vicinity and substantially less than the average single family home size



both in Ashland and nationally which per the 2015 data available from the US Census Bureau, the median size of a completed single-family house nationally, was 2,467 square feet. (<https://www.census.gov/construction/charts/highlights.html>). In Ashland, the median size single-family house is proportional to the national average. Development of the parcel would be relegated to an area that is less than 20% of the total lot area. We believe it can be found that the proposed tree removal is not a substantial modification and can be approved ministerially as it does not have a substantial impact on the developability of the subject properties or the adjacent properties.

Applicable Criteria:

18.5.3.020 Applicability and General Requirements

F. Minor Amendments. The following minor amendments to subdivisions and partitions are subject to Ministerial review in Chapter 18.5.1.040. Changes to an approved plan or condition of approval that do not meet the thresholds for a minor amendment, below, are subject to Chapter 18.5.6 Modifications to Approved Planning Actions.

1. A change that does increase the number of lots or parcels created by the subdivision.

The number of lots or parcels is not increased with the request for tree removal.

2. A change that does not enlarge the boundaries of subdivided or partitioned area.

The requested change to the tree protection and removal plan does not enlarge the boundaries of the subdivided or partitioned area.

3. A change that does not alter the general location or amount of land devoted to a specific land use.

The requested tree removal does not alter the amount of land devoted to the single family residential zone.

4. A change that makes only minor shifting of the established lines, location, or size of buildings or building envelopes, proposed public or private streets, pedestrian ways, utility easement, or parks and other public open spaces.

The requested tree removal allows for the shifting of the buildable area of the property closer to the south property line. The 48-inch Douglas fir tree requires a substantial critical root zone or recommended tree protection zone according to the arborist, Willie Gingg of Southern Oregon Tree Care. The height of the tree, the number of large branches that have already been dropped by the tree, and the need for the construction to take place nearly 30-feet from the edge of the dripline, coupled with the solar setback standards, renders a large portion of the newly created lot unbuildable. The tree removal allows for the construction of a single-family residence on the single-family lot and still retains the majority of the significant trees on the site.

In the event that staff does not find the requested tree removal to meet the Minor Amendment to Minor Land Partitions as addressed above, findings addressing a Minor Modification to the approved Planning Action are provided below.

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18.5.6.040 Minor Modifications

A. Authorization of Minor Modifications.

The application is to remove a tree that had been shown as protected with the partition application.

C. Minor Modification Approval Criteria. A Minor Modification shall be approved only upon the approval authority finding that all of the following criteria are met.

1. Minor Modification applications are subject to the same approval criteria used for the initial project approval, except that the scope of review is limited to the modification request. For example, a request to modify a commercial development’s parking lot shall require Site Design Review only for the proposed parking lot and any changes to associated access, circulation, etc. Notice shall be provided in accordance with chapter 18.5.1.

The modification is a request to remove a significant tree that had been proposed to be preserved when the lot was partitioned. Findings addressing Tree Removal have been provided.

18.5.3.050 Preliminary Partition Plat Criteria

E. Proposed lots conform to the requirements of the underlying zone, per part 18.2, any applicable overlay zone requirements, per part 18.3, and any applicable development standards, per part 18.4 (e.g., parking and access, tree preservation, solar access and orientation).

The proposed lots will continue to conform to the requirements of the underlying zone. The proposal is to remove one of the trees that had been proposed for preservation. The removal of the tree allows for been solar access as the proposed residence on the property is able to move approximately 30-feet to the south and further away from the Cedar and Oak trees along the front property line near Beach Street.

2. A modification adding or altering a conditional use, or requiring a variance, administrative variance, or exception may be deemed a Major Modification and/or may be subject to other ordinance requirements. *The requested modification does not alter a conditional use, require a variance, an administrative variance or exception. The tree could have been removed without requiring review or permit prior to the minor land partition.*

3. The approval authority shall approve, deny, or approve with conditions the application, based on written findings; except that conditions of approval do not apply, and findings are not required, where the original approval was approved through a Ministerial review. *It can be found that the requested tree removal is consistent with the partition application and approval and that the tree removal is permissible on the vacant R-1 zoned lot.*

18.5.7.040 B. Tree Removal 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

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Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.

The tree is proposed for removal to allow for the construction of a single-family residence on a newly created lot that complies with minimum setbacks in the zone.

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 the soil stability or erosion as the property is relatively level. There are no surface flow waters that will be impacted. The tree is not part of a windbreak – Douglas Fir trees are not a typical windbreak tree. The other smaller Doug firs and deciduous trees in the vicinity may improve in their health without the competition of the large Doug fir requested for removal.

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.

There are two Douglas fir trees in direct proximity to the Douglas fir tree proposed for removal. There are numerous other Douglas fir trees of various sizes, heights, canopy coverage areas, etc. The removal of this one tree will not have a significant negative impact on tree densities, sizes and canopies. The removal of a single Douglas fir tree will not have a significant negative impact on species diversity as the tree is commonly found in the neighborhood.

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.

The tree proposed for removal was reviewed by an arborist that found that the tree's critical root zone is more than 30-feet from the dripline. Though a home could be built within the critical root zone, the construction would remove more than 25% of the root zone which is often deemed the mass amount of root area that can be impacted before the tree is negatively affected. The presence of a residence directly under the tall, double trunk (more sensitive to trunk failure due to two leaders) and previous evidence of branch drop in the trees canopy is a cause of concern. The removal of the tree allows for the residence to be located further south, away from the north property line assuring there is a buildable area that is solar compliant and not in the fall zone of the large Douglas Fir tree.

There a very limited number of developable, relatively flat parcels, unencumbered by constraints such as topographical, water resource, access, or location of existing structures. The request is to remove this tree to allow the development of the parcel as envisioned in the single family residential zone.

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.

In accordance with the mitigation standards found in AMC 18.5.7.050, a five-six-foot-tall conifer tree will be planted on site in the riparian zone to improve the shading for Beach Creek at the rear of the property.

Attachment:
Modified Tree Protection and Removal Plan
Email from Willie Gingg, SO Tree Care

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From: info@sotreecare.com
Subject: FW: Beach Street - Tree & Sewer Update
Date: February 13, 2017 at 12:57 PM
To: eapoole11@gmail.com, mistipwest@gmail.com



From: Willie Gingg [mailto:williegingg@gmail.com]
Sent: Saturday, February 11, 2017 6:36 AM
To: Eric Poole <eapoole11@gmail.com>
Subject: Re: Beach Street - Tree & Sewer Update

I'll just hit these point by point.

- Is the tree healthy? Is there any justification for removing the tree?

Yes, Tree appears very healthy. Yes there is justification due to structural issues and better chance to save other trees.

- Show him the area we will likely have to build the two story structure (right up to the permitter of the branches on the beach street side) and ask if there are roots we will disturb.

Absolutely there are roots that will be disturbed

-

- Is there a chance the tree might die due to excavation and disruption of the soil?

Yes

- Does it matter how high we cut the branches back? How hard is this to maintain going forward with this type of tree?

Yes, prune off as little as possible. Low maintenance generally. Should be cabled if kept. Will likely shed limbs in storms.

- If the tree does need to be removed, does he have any idea what that process looks like from a timing / cost perspective? Is this a service he provides?

Yes, discussed the process with Eric.

Willie Gingg
Board Certified MasterArborist
Southern Oregon TreeCare, Llc

On Feb 10, 2017 8:46 PM, "Eric Poole" <eapoole11@gmail.com> wrote:

Hello Willie,

Thank you very much for coming over to the lot on Beach Street today. I look forward to hearing from you with your answer to the questions that Misti sent and also the link to the reference book you were using when you were at the property. Again, I appreciate your time and look forward to hearing from you.

Kindest Regards,

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Eric

On Fri, Feb 10, 2017 at 3:04 PM Eric Poole <epoole11@gmail.com> wrote:

Here are the questions from Misti and Paul.

Hi Eric,

Below are the questions I have for Willy regarding the tree in the middle of the lot:

- Is the tree healthy? Is there any justification for removing the tree?
- Show him the area we will likely have to build the two story structure (right up to the perimeter of the branches on the beach street side) and ask if there are roots we will disturb.
 - Is there a chance the tree might die due to excavation and disruption of the soil?
- Does it matter how high we cut the branches back? How hard is this to maintain going forward with this type of tree?
- If the tree does need to be removed, does he have any idea what that process looks like from a timing / cost perspective? Is this a service he provides?

We do really love the tree, but the location of it makes it difficult to make the most of the lot. The worst case scenario for us is that we design a home around this beautiful tree and then it dies and we have to remove it. Would be terrible!

On another note - I talked to David about the sewage and he said we definitely want to avoid having the pump, but we should talk to the architect about whether that is doable with the home design. We are talking with him at 3:00 and will keep you posted.

Thanks so much!

Misti

--

Sent from Gmail Mobile

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Sent from Gmail Mobile

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MODIFIED

TREE PROTECTION/REMOVAL PLAN

552 BEACH STREET
39 1E 16AA 4100

POST PARTITION TREE REMOVAL
REQUEST. MODIFICATION OF
PA-2016-1677

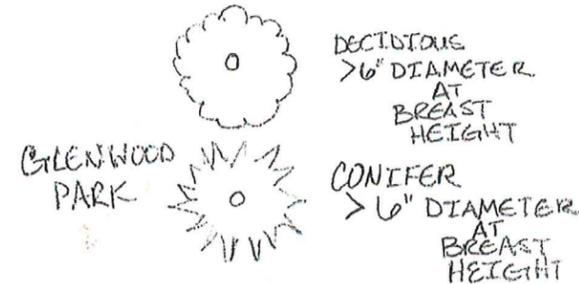
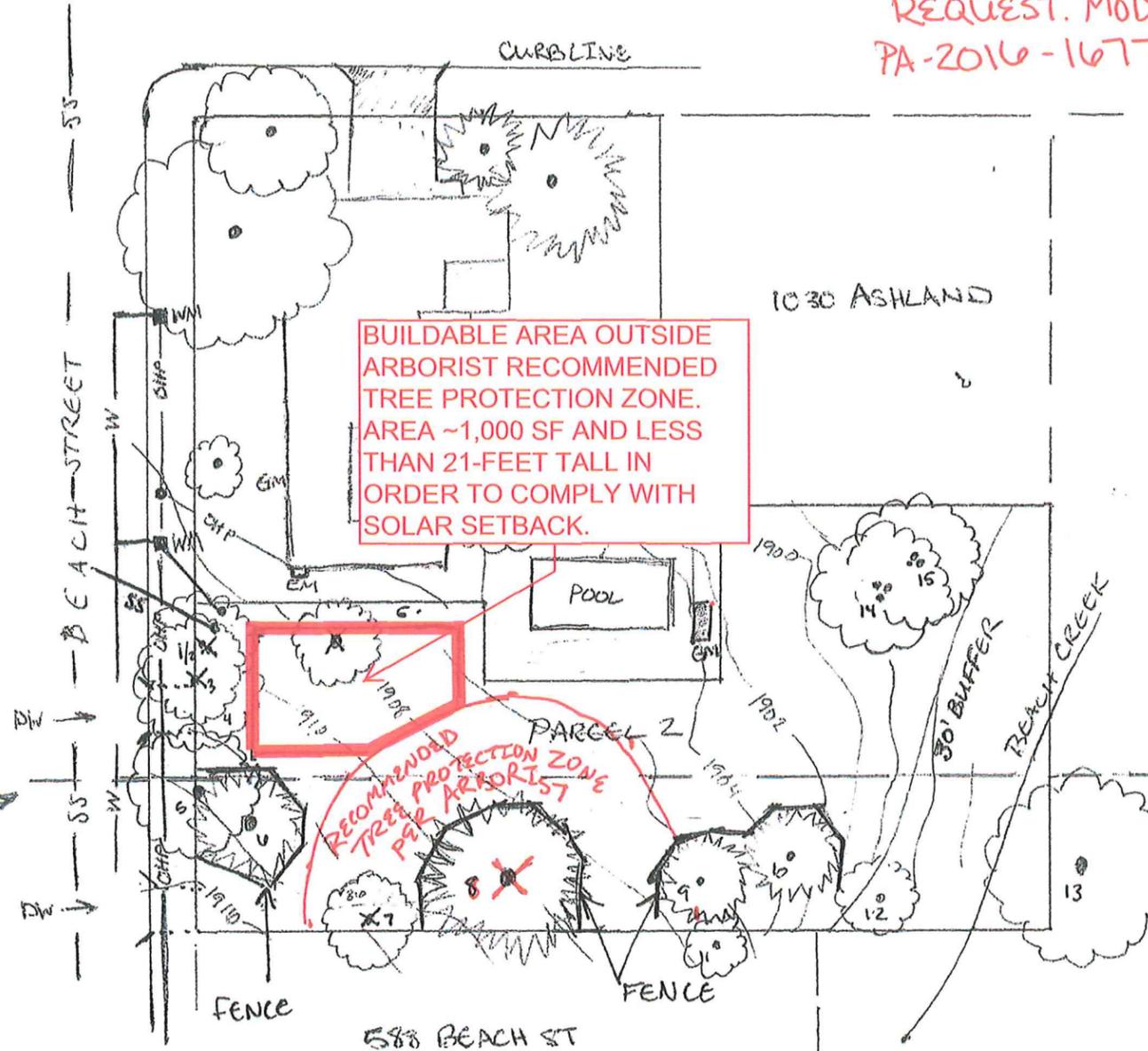
ASHLAND STREET

CURBLINE

1030 ASHLAND

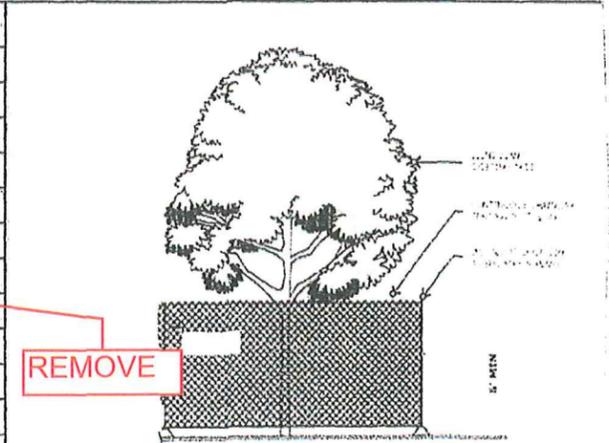
BUILDABLE AREA OUTSIDE
ARBORIST RECOMMENDED
TREE PROTECTION ZONE.
AREA ~1,000 SF AND LESS
THAN 21-FEET TALL IN
ORDER TO COMPLY WITH
SOLAR SETBACK.

SOLAR
SETBACK
LINE FOR
21' tall
STRUCTURE



Trees on / near 552 Beach Parcel #2

Tree #	Type	DBH	Health	
1	Oak	2 X 14	Good	
2	Oak	14	Good	
3	Oak	16	Good	
4	Oak	16	Good	
6	Cedar	32	Good	Protect
7	Poplar	12	Good	
8	Doug Fir	48	Good	Protect
9	Doug Fir	24	Good	Protect
10	Cedar	26	Good	Protect
11	Maple	10	good	
12	Maple	14	Good	
13	Madrone	24	off-site	
14	Oak	3 X 16	Good	
15	Oak	3 X 16	Good	



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SCALE = 1" = 40'



Six-foot tall chain link fencing, posts no further than 10-feet apart installed at the dripline of trees.

No construction activity, including dumping, storage of materials, parking of vehicles, chemicals, are allowed in tree protection zones.

No excavation, trenching or grading will occur in the tree protection zone without staff advisor approval.



NOTICE OF APPLICATION

PLANNING ACTION: PA-2017-00450

SUBJECT PROPERTY: 901 – 907 Larkin Lane

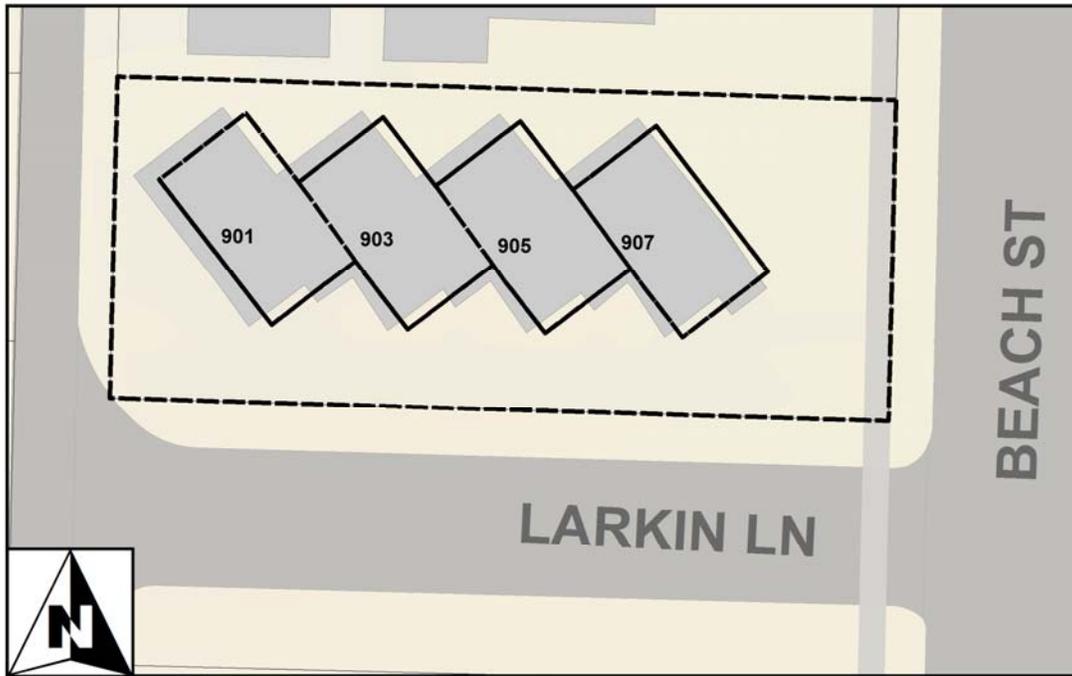
OWNER/APPLICANT: Kate Jackson

DESCRIPTION: A request for a hazardous tree removal permit to remove two trees from a multi-family property. The first tree proposed for removal is a cypress that is currently leaning against the structure and the second tree is an incense cedar located next to the power pole that has suffered from previous topping(s). **COMPREHENSIVE PLAN DESIGNATION:** Low Density Multi-Family Residential; **ZONING:** R-2; **ASSESSOR’S MAP:** 391E09DA; **TAX LOT:** 90000.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, April 6, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: March 27, 2017

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: April 10, 2017



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

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

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff’s decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

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

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

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

TREE REMOVAL PERMIT

18.5.7.040.B

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.

Landscape Maintenance at Larkin Lane Condominiums

Project statement

This is a combined application for two city permit applications: a zoning permit is required to remove hazard landscape trees on a property zoned, and in use, as multi-family housing; a tree removal permit is required to remove a hazard street tree. One hazard tree under the power lines will be removed from the park-row. One hazard tree by the City utility pole will be removed from the property. One tree against the building is a hazard as it grows bigger and taller close to the foundation.

This project involves routine landscape maintenance on an existing property. No building modifications, no new construction, or demolition is proposed. No building permits are needed for this work, to our knowledge. Three trees will be removed. All other trees, shrubs and vegetation will be undisturbed.

The site plan, page 2, has been annotated to focus on the landscape aspects of the project, labeling trees, DBH, shrubs, fixtures and dimensions. Eleven photos taken on March 6 and March 11, 2017 are inserted throughout the text. The arborist's letter is the last page.

Background

Larkin Lane Condominiums were formed in late 2006 by conversion of an existing apartment building built in the 1970's. There are four units. One is in the city's affordable housing program, address 905, owner Sylvia Weaver. Larkin Lane Homeowners Association manages the exterior maintenance, most of which is carried out by the local owners and residents. Sylvia and I are the officers for the Board of Directors of the 4 unit HOA. Larkin is the only multi-family residential property in this entire block of Beach and Liberty (which backs to the alley).

Larkin Lane is an unpaved city street off Beach Street directly across from the former Lincoln Elementary School. Larkin "Lane" is used for parking by local residents and tenants of the school building. It also provides access to the alley that connects Henry St to Iowa St down the middle of the block.

Storm drainage flows down the alley, along the west side, down to Iowa Street. Storm runoff also flows along the north edge of Larkin Lane to Beach Street. The City created and maintains the proper grades and these grades prevent storm water from entering the Larkin Lane properties. We greatly appreciate the work of City Public Works Department to maintain this function.

None of the current owners are original to the conversion. The landscape is well established, so we assume it dates from much earlier than 10 years ago. The yard is fully irrigated with drip or low pressure spray heads. The timer and controller are new in 2016.

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View of Larkin Lane and condominiums from across Beach Street (LT-1)

Current Landscape Conditions

The condominiums face toward Larkin Lane. A curb-cut near the beginning of the Lane gives entrance to the driveway and access to the garages of the four condos. The driveway in front of the condos is concrete and has a drain that discharges onto Beach St below the water meters. A landscaped area and pedestrian path connect the driveway to the sidewalk on Beach Street. The mail delivery box is at the corner of the pedestrian path and the Beach Street sidewalk.

The park-row between Larkin Lane and the condos is about 10 feet wide. There are 7 pines and 2 deciduous trees along its 145 foot length.

The east side of the property 'fronts' on Beach Street for about 65.5 feet. The building is set a minimum of 20 feet back from the sidewalk and at an angle so the distance increases toward the north. Well established vegetation screens the building from view of the street. The landscaped area is approximately 1400 square feet in area.

Four photos, LT-13, LT-11, LT-14 and LT-4, give a perspective into this landscaped yard in sequence from Larkin Lane northward down Beach Street.

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Landscape materials include 8 shrubs of more than 10 feet height (6 evergreen and 2 deciduous), four ground cover shrubs at the path corner, three full-grown deciduous trees near the north fence line, an incense cedar by the power pole and a cypress against the wall of unit 907. For reference, the homes are two stories.

The landscape between the pedestrian path and Larkin Lane contains two large pines, an 8" deciduous tree and numerous ground cover plants. See photo LT-1 previous page.



Landscape along Beach Street, Larkin Lane condos (LT-13)

[Seen here is the pedestrian path into the complex, the five water meter boxes in the park-row, and the fully shrub shaded yard. The cypress is visible at the top of the photo, left of center. The oak in the park-row is surrounded on both sides by 10-foot high shrubs. Not visible is the fire hydrant off the left edge of the photo; it can be seen in photo LT-1 page 3.]

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Page 4 of 16



Landscaping and park-row seen from across Beach Street (LT-14)

[This image from further back across Beach Street brings the park-row in front of 303 Beach into the picture. A curb-cut can be seen at the north property line. One of four small street trees at 303 Beach is at the far right edge. Two of the three trees to be removed can be seen. The cypress is visible as a column taller than the two-story building. The oak has utility lines running directly through its canopy. The cedar cannot be seen.]

The park-row along Beach Street is 7 feet wide, not including the six inch curb. The sidewalk varies from 4'10" to 5'- wide. The section is about 65.5 feet long. The park-row is occupied by two shrubs (about 10 feet high) on both sides of the oak, a red oak (6" DBH), a second deciduous (5" DBH) tree as well as a fire hydrant, a street sign, and the five water meter boxes serving the complex. The second tree, the fire hydrant and the street sign are off the left side of the photo.

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View from Beach Street near north side of property (LT-4)

[The oak tree is off the left side of the photo. The shrub next to the oak forms the left edge of the picture. The cypress can't be seen. The cedar and the utility pole appear on the right as two parallel vertical poles.]

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North property line: power pole, cedar, 5 full grown deciduous trees (LT-11)

[The white fence line encloses 303 Beach Street. Three deciduous trees are in the Larkin property front yard. One tree is in the yard of 907 Larkin. The fifth tree, in the foreground of the photo, is on 303 Beach's property. This group of trees provide substantial summer shade to this side of the property and onto Beach Street due to their height.

Due to repeated topping, the cedar tree is shorter than the deciduous trees. See the site plan on page 2 for location and size of each tree. See also photo LT-12, page 9]

Actions proposed

The owners plan basic spring maintenance of this well-established landscape. As part of that work, we wish to remove three hazard trees. The trees are marked at their base with a spot of green paint on the north side.

- 1) Remove cypress from against the wall of 907. This tree is 10 feet taller than the house structure, its branches are intruding into a window, and the trunk and roots are too close to the building foundation. We wish to

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remove this tree to avoid damage to the structure. Painting scheduled for this spring will be hampered if the tree is not removed. See photo below.

Reasons: Hazard to foundation and walls of structure. Immediate obstacle to proper painting that will safeguard siding from moisture, insects and dry rot.



Cypress against house wall (LT-7)

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- 2) Remove incense cedar growing within 15 inches of city power pole. It is not appropriate to be growing under utility lines or this close to the pole. The power pole has been in place since before 1975 (label shows insect control in 1977). The tree would not have been allowed to be planted so close to a pole, so this tree is likely a volunteer. The tree has been severely topped by city staff over the years and continues to grow branches around the incoming power and utility lines. To avoid power outage in a storm and severe damage to the tree by continued topping, we wish to remove this tree. Three photos depict this tree, LT-12, LT-5 and LT-6.

Reasons: hazard to city utilities, never should have been allowed to be in this place.

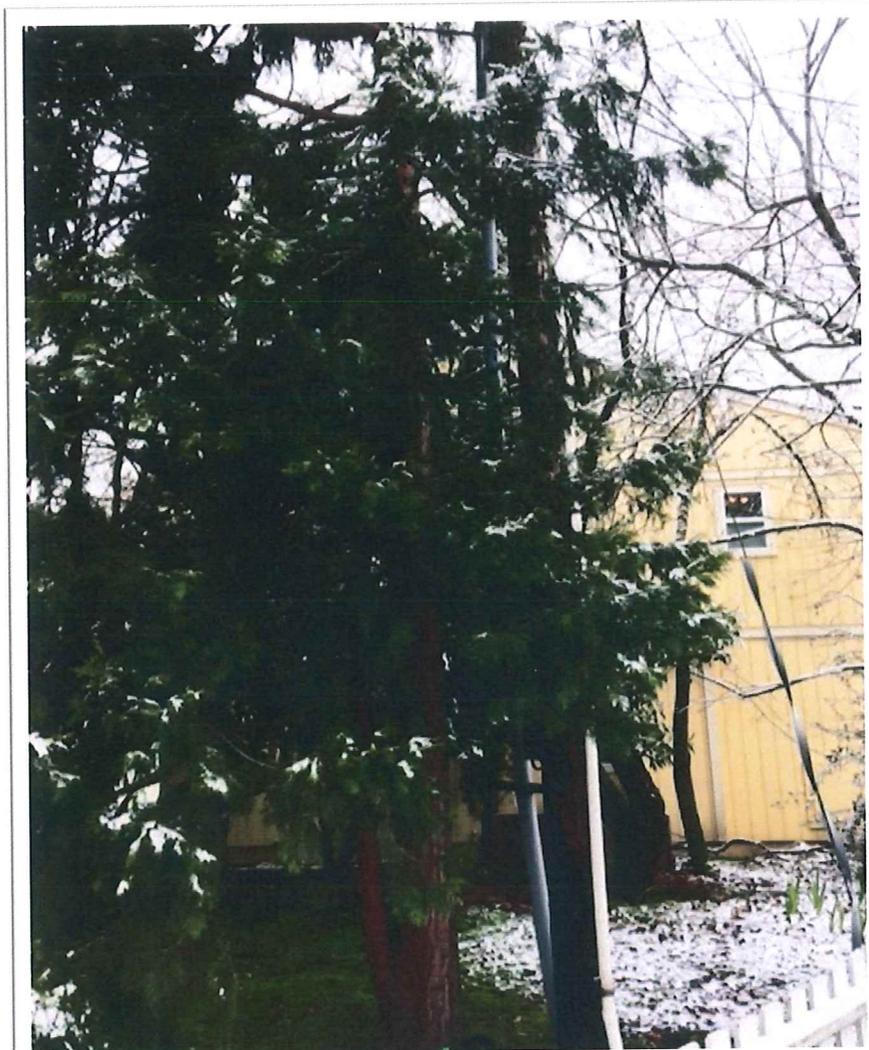


Power and utility lines come through upper tree branches (LT-12)

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Close up to cedar trunk and power pole (LT-5)

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Looking up into cedar tree top with utility lines among the branches (LT-6)

[An incense cedar in the right place is an elegant, very tall, erect tree. This poor tree has been irreparably damaged by topping. Continued growth stimulated by topping will only exacerbate the risk of power and line damage and further stress this distressed tree.]

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City Of Ashland

- 3) Remove 6" red oak in park-row under utility lines (see separate application for street tree removal). As with the incense cedar, this tree would naturally grow far taller than desired for its location under utility lines. Though only 6" DBH, it has been topped at least once already. Established shrubs on both sides of the oak are 10 feet tall and may well be older than the oak. These shrubs will remain in place. Two photos, LT-9 and LT-8, show this situation.

Reason: Hazard to utility lines, poor tree choice for this location.



Red oak, two shrubs, and utility lines from across Beach Street (LT-9)

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Page 12 of 16



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Looking up into utility lines tangled with oak tree branches and trunk (LT-8)

Discussion

Trees within the landscaped yard: The removal of these two trees will be hard to notice.

The photos show that it is hard to see the cypress and the cedar from among the large shrubs, most of which are evergreen. The cypress is visible mainly above the roofline of the building. Otherwise it is hidden behind the rest of the foliage. You don't see its trunk or the elegance of its columnar shape. The foundation and siding of the condo will be protected from damage by removal of the tree.

The cedar is visible at the corner of the property. However, it is located too close to the power pole, has already been severely topped and cannot achieve its normal form in this place. The other existing trees and shrubs in the landscape are not being disturbed and will continue to provide full coverage after removal of this hazard tree. The power and utility lines will be safe from storm damage.

Along the fence line with 303 Beach and within the Larkin HOA property, there are four full-size deciduous trees taller than the condo building: a three-trunk tree inward from the power pole, another three-trunk tree in the backyard of 907, an old three-trunk pear tree that continues to bear some fruit, and a single trunk deciduous. None of these four trees will be affected by the proposal. In addition, a fifth deciduous, an 18", joins the canopy of the others on the 303 Beach side of the fence.

See the site plan on page 2 for placements. See photo LT-11 on page 7 for perspective.

Trees along the two street frontages: City code requires one street tree per 30 foot of frontage along neighborhood collectors, and has no specifics for alleys. Code encourages trees in parking lots, a secondary use of Larkin Lane.

Standard park-row width for new development is 7 to 8 feet with 5 to 6 feet sidewalk for residential collector streets with 2 lanes and parking on both sides of street. On Beach Street, the actual park-row is 7 feet and the sidewalk is 5 foot wide (approximately). Along Larkin Lane, there is no sidewalk but a 10-foot wide landscape strip supporting 7 pine trees separates Larkin Lane from the condo driveway.

Along Larkin Lane, a distance of approximately 145 feet, there are 7 pines and 2 deciduous trees, well established, and more than 20 years old, certainly predating the condo conversion of 10 years ago. With Larkin being unpaved, rain infiltrates and provides a much wider root base for trees. *These trees will not be disturbed by this action.*

Along Beach Street, there are two large (13", 15" DBH) pines adjacent to the sidewalk and the driveway, two small (5" and 6" DBH) deciduous trees, and two large shrubs. The distance is about 65 feet. The property to the north, 303 Beach, has four 3" trees in its frontage. One of them can be seen in the photo LT-14 (p5). With one 6" tree removed, there will be two pines (13" and 15") and a 5" deciduous along Beach Street. Code for this frontage length would specify two trees. Three will remain. But this is not a new development. All the vegetation is well established.

If not removed, the red oak will need to continue to be topped as long as the utility lines remain among its branches. It seems impractical to relocate the utility lines. This is a handsome tree in the wrong location. This tree would normally form a tall, broad oval canopy. It is just 6" DBH now. By topping it, the canopy shape will not be achieved. It poses a hazard in windy weather and winter storms, could cut power to the condos and 303 Beach, and repeatedly damage the utility lines.

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MAR 14 2017
Page 14 of 16
City of Ashland

Removal of this hazard tree will not have a significant negative impact on tree densities, sizes, canopies, or diversity within 200 feet of the property, nor on the subject property. Given the density of shrubs and trees in the 'front' of the building, the 5 trees at the north property line, and the row of NINE pine trees at Larkin and Beach, the condo complex is surrounded by greenery. Beach Street up and down street from this location has a consistent line of established and varied street trees on both sides of the street, some in park-rows, some in the yard landscape.

No mitigation is required for removal of hazard trees. The two hazard trees in the landscape are not contributing to the overall canopy or coverage. The hazard tree in the street park-row is small and not a good choice. Its natural growth will be seriously damaged by continued topping and pruning around the utility lines.

Within this well-established landscape, there is really no place to plant another tree. Two tall shrubs already growing at the same place as the hazard oak will not be disturbed and do not threaten the utility lines.

Planting another tree southward toward Larkin Lane would conflict with the existing fixtures that include buried utilities (water, storm-water), utility boxes, another tree, the fire hydrant and the street sign. There are two very tall pine trees at the end of the park-row across the sidewalk at Larkin Lane. No other trees should be placed within their dripline. (See photo LT-1, page 3).

Planting a new tree toward the north is impractical due to the short distance to the property line, to the neighbors' street trees, and to the overhead utility lines we seek to protect. Four established tall deciduous trees already dominate the corner of the property and form a shade canopy over the property line shared by Larkin HOA and 303 Beach Street. This group of trees also shade Beach Street itself from the westerly afternoon sun.

The large pines at Larkin and Beach also provide late afternoon shade to Beach Street.

Conclusion

These two applications request approval to remove one hazard street tree and two hazard landscape trees. In this established landscape, their removal will have little discernible effect. Hazards will be removed before damage occurs. This is routine landscape maintenance in a decades old four-unit multi-family property.

Thank you for your prompt attention to this request.

Don't hesitate to call Kate Jackson at 840-3961 with questions and to discuss these requests.

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City Of Ashland



CASEY P. ROLAND TREE CARE

Phone: 541-488-0782 • ccb 186190

March 7, 2017

To whom it may concern.

Kate Jackson, 359 Kearney St. Ashland, Oregon 97520 recently contacted me regarding 3 trees @ 901-907 Larkin Ln. Ashland, Or.

The first tree is an Italian Cypress approximately 6" D.B.H. This tree is 24" from the exterior of the easternmost unit on site. Plans to paint the exterior of this unit is hampered by the close proximity of this tree to the exterior wall. While pruning this tree will allow the paintwork, it will require removing most of the foliage on the west side. It is my opinion this tree should be removed.

The second tree is 12" D.B.H. Incense Cedar next to the low voltage power feed pole between the easternmost unit and the sidewalk adjacent to Beach St.

This tree has been topped to facilitate clearance of the overhead utilities that supply the units. It will require repeated severe pruning in the future to maintain this clearance. It is my opinion that this tree be removed.

The third tree is a ^{6"}9" D.B.H. red oak in the parking strip adjacent to Beach St.

This tree is growing under the power feed as well, and will require severe pruning to provide clearance for overhead utilities in the future. It is my opinion that this tree be removed as re-routing the utilities would be impractical. Replacement of these trees may be possible on site, providing they have sufficient space to attain size at maturity.

All trees mentioned have been marked with florescent green paint at the base, on the north side.

Please contact me if you have any questions or concerns regarding this matter.

Sincerely,

Casey P. Roland.

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MAR 14 2017

City Of Ashland

Thank You for your Business!

Cory Darrow

From: Regan Trapp
Sent: Saturday, March 18, 2017 4:13 PM
To: Cory Darrow; Mark Schexnayder
Subject: Fwd: Permits PA-2017-00450 and PW-2017-00451 Electric department crew consultation

Please see below and call applicant asap.

Get [Outlook for iOS](#)

From: Katharine Jackson <katharinejackson@me.com>
Sent: Saturday, March 18, 2017 4:06:54 PM
To: Regan Trapp
Cc: Dave Tygerson
Subject: Permits PA-2017-00450 and PW-2017-00451 Electric department crew consultation

Dear Regan,

Shortly after I turned in the two permit applications referenced above, Dave Tygerson from the Electric Department, met me on location. This occurred on Thursday March 16 at 7:45 a.m.

Permit PA-2017-00450 is a zoning request to remove two hazard trees on the multi-family property on Larkin Lane.

Concerning the incense cedar next to the power pole on the property, Dave said the tree is a real risk: its ladder of branches provide an easy route to climb the power pole and reach the lines. This is a true hazard in a college neighborhood as well as illegal. Dave offered to remove the top 5 feet of the tree to do the work around the city's electric lines, when my arborist is ready to take down the rest of the tree.

Permit PW-2017-00451 is a street tree removal request for the Larkin Lane HOA Beach Street frontage.

The red oak in the park row is of less concern to the Electric Department: the only high voltage is the uppermost line and is at 220 not 440. The lower lines are low voltage phone and cable services. Still, the department will top the tree again as it gets taller around the power line servicing the Larkin condos and 303 Beach Street.

My preference would be to remove the tree now, before it becomes injured by pruning that damages the normal growth process of the tree and causes stress and disease. Soon we will be required to cut the lower branches from the tree to the required 14 feet above the street level, while the topping and top pruning will lower its upper growing points. 18.5.7.040C on page 5-60 of the land use code, speaks to the undesirability of having to top a tree.

The Beach Street frontage will still meet street tree planting densities without the red oak. There are two very large pines at Larkin and Beach and a 5-Inch deciduous tree in the park row of Beach St. There are 9 trees along Larkin Lane in 145 feet, where there is no street tree requirement. Please see page 14 of permit application for a discussion of this concern.

Thank you for your prompt service at the counter. I very much appreciate Dave coming out to the site to discuss their concerns with me as well.

Please put this note into the permit application files.

Best,
Kate Jackson



NOTICE OF APPLICATION

PLANNING ACTION: PA-2017-00499

SUBJECT PROPERTY: 1290 & 1680 Green Meadows Way

OWNER: Mountain Ranch Property Owners Association (MRPOA)

APPLICANT: Douglas Kay, MRPOA President

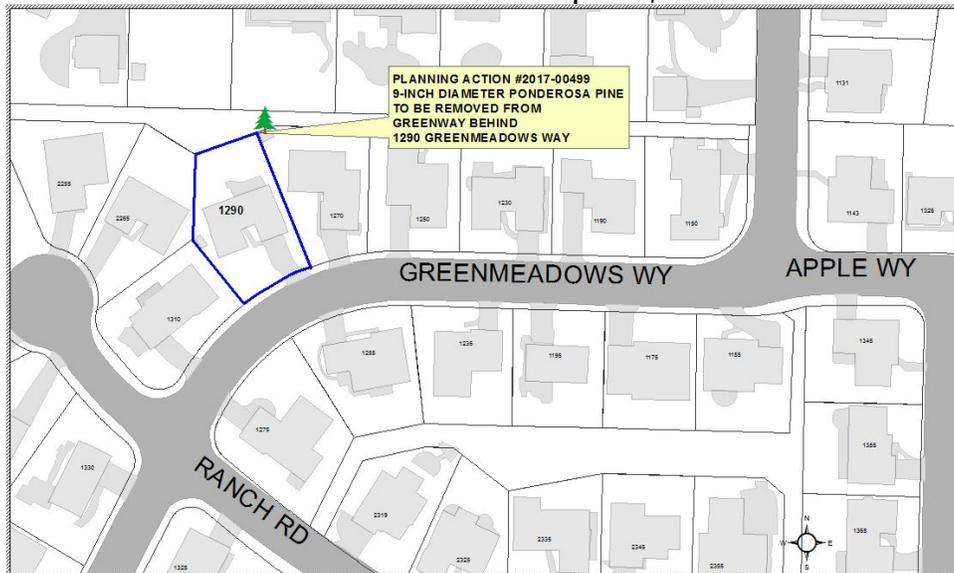
DESCRIPTION: A request for Tree Removal Permits to remove two trees located in the common areas of the Mountain Ranch Property Owners Association (MRPOA). The first is an eight- to nine-inch diameter Ponderosa Pine located on the greenway behind 1290 Greenmeadows Way; the applicant's tree care professional indicates that the tree is negatively impacting a Tilia east of it which would thrive if the Pine were removed. The second is a 24-inch diameter Scots Pine located on the greenway behind 1680 Greenmeadows Way and proposed for removal because previous topping has caused remaining limbs to elongate unnaturally and created a hazard with broken limbs falling in several recent storms. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential;

ZONING: R-1-7.5; **ASSESSOR'S MAP:** 39 1E 23BB; **TAX LOTS:** 504 and 536.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, April 6, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: March 29, 2017

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: April 12, 2017



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

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

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

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

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

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

TREE REMOVAL PERMIT

18.5.7.040.B

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.



NOTICE OF APPLICATION

PLANNING ACTION: PA-2017-00499

SUBJECT PROPERTY: 1290 & 1680 Green Meadows Way

OWNER: Mountain Ranch Property Owners Association (MRPOA)

APPLICANT: Douglas Kay, MRPOA President

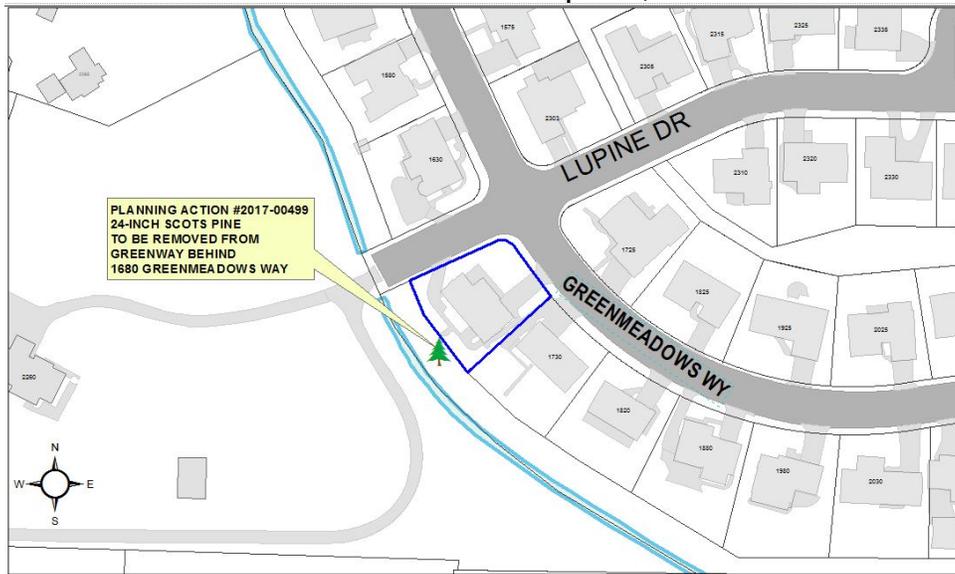
DESCRIPTION: A request for Tree Removal Permits to remove two trees located in the common areas of the Mountain Ranch Property Owners Association (MRPOA). The first is an eight- to nine-inch diameter Ponderosa Pine located on the greenway behind 1290 Greenmeadows Way; the applicant's tree care professional indicates that the tree is negatively impacting a Tilia east of it which would thrive if the Pine were removed. The second is a 24-inch diameter Scots Pine located on the greenway behind 1680 Greenmeadows Way and proposed for removal because previous topping has caused remaining limbs to elongate unnaturally and created a hazard with broken limbs falling in several recent storms. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential;

ZONING: R-1-7.5; **ASSESSOR'S MAP:** 39 1E 23BB; **TAX LOTS:** 504 and 536.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, April 6, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: March 29, 2017

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: April 12, 2017



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

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

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

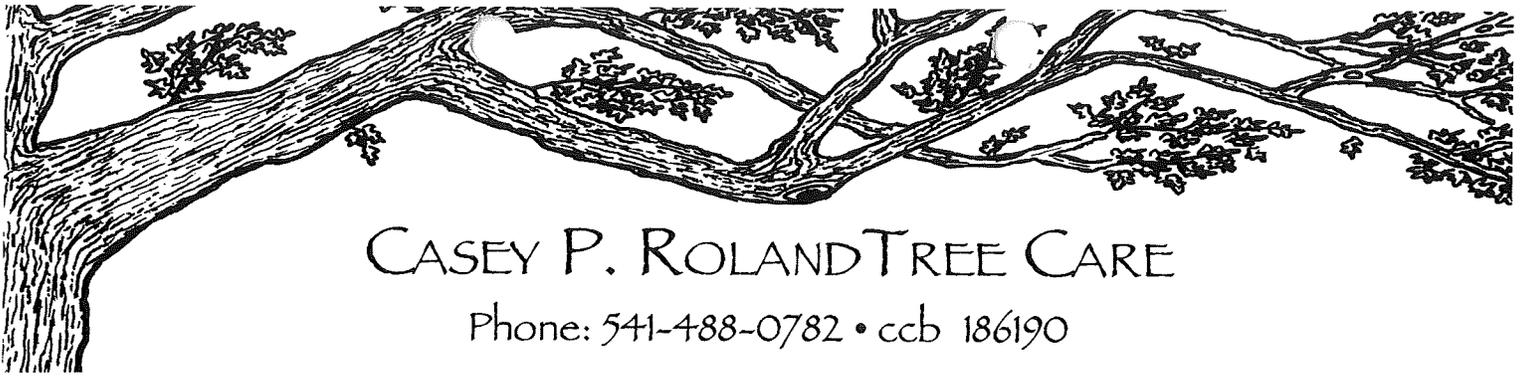
A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services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

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

TREE REMOVAL PERMIT

18.5.7.040.B

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.



CASEY P. ROLAND TREE CARE

Phone: 541-488-0782 • ccb 186190

February 23, 2017

To whom it may concern.

Doug Kay, of Mountain Ranch H.O.A. contacted me in regards to two trees located in the common areas of the H.O.A. greenways. The first is a 24" Scots Pine located on the greenway @1680 Greenmeadows Way. This tree was topped about 10 years ago. The topping has caused the remaining limbs to elongate unnaturally. These limbs act as a "catch basin" for heavy wet winter snowloads. I have climbed this tree to remove broken limbs 3 separate times in the last 4 years. No reasonable remedial pruning will prevent this tree from shedding large branches due to excessive weight from future snow loading. Due to this condition, I feel this tree should be removed and replaced with a specimen more suited to the close proximity to the walking path/common area.

The second tree I examined is a 8" diameter Ponderosa Pine located on the greenway @ 1290 Greenmeadows Way. This tree, while not a hazard, is negatively impacting the Tilia due east of it. The Tilia would benefit from the removal of this pine, and it is the wishes of the H.O.A. to retain and preserve the Tilia to the best possible outcome. I would not recommend a replacement tree at this location, due to the limited planting area.

Both of the above recommended pines are marked with fluorescent green paint at the base of the north side.

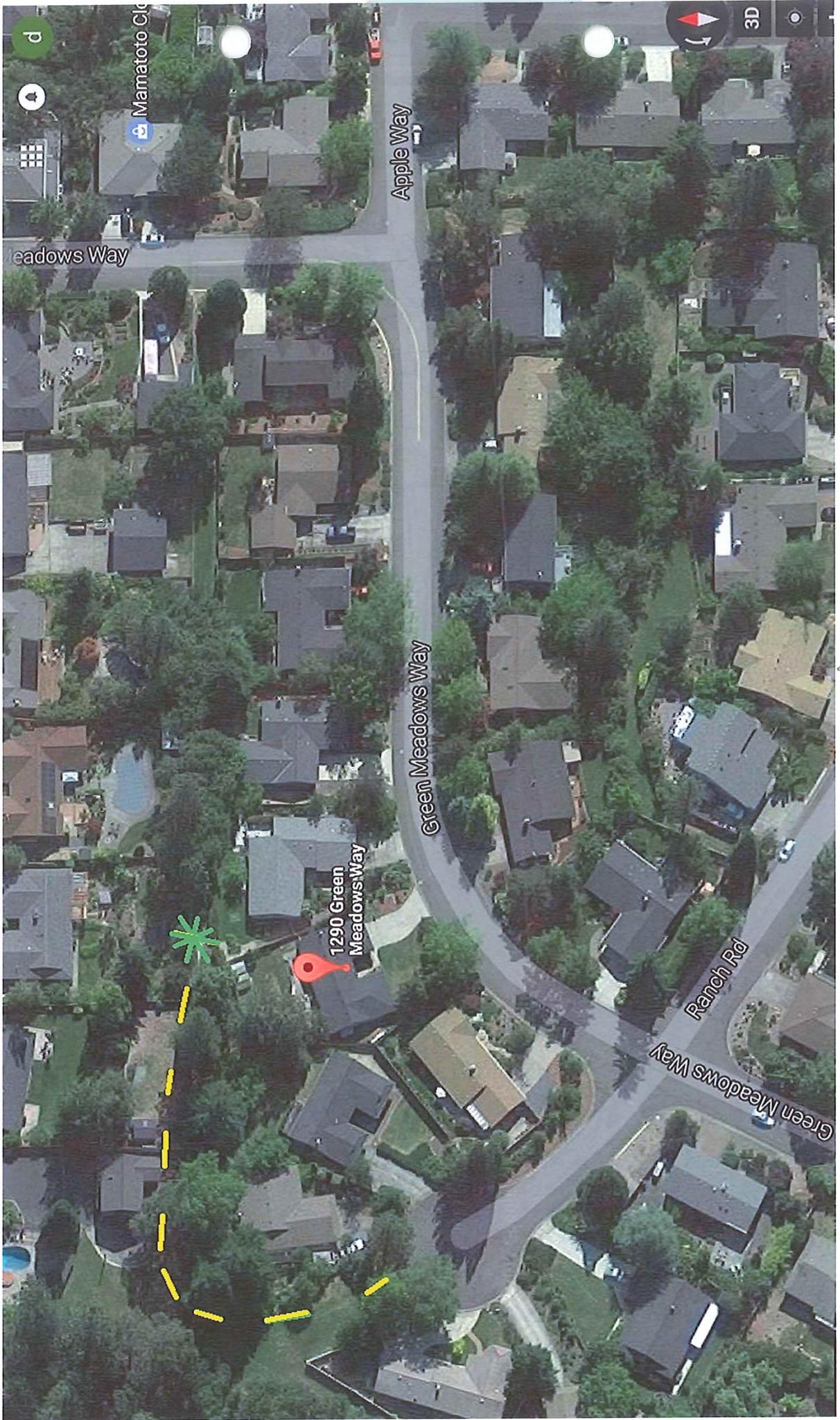
Please feel free to contact me with any questions or concerns regarding this matter.

Sincerely,

Casey P. Roland.

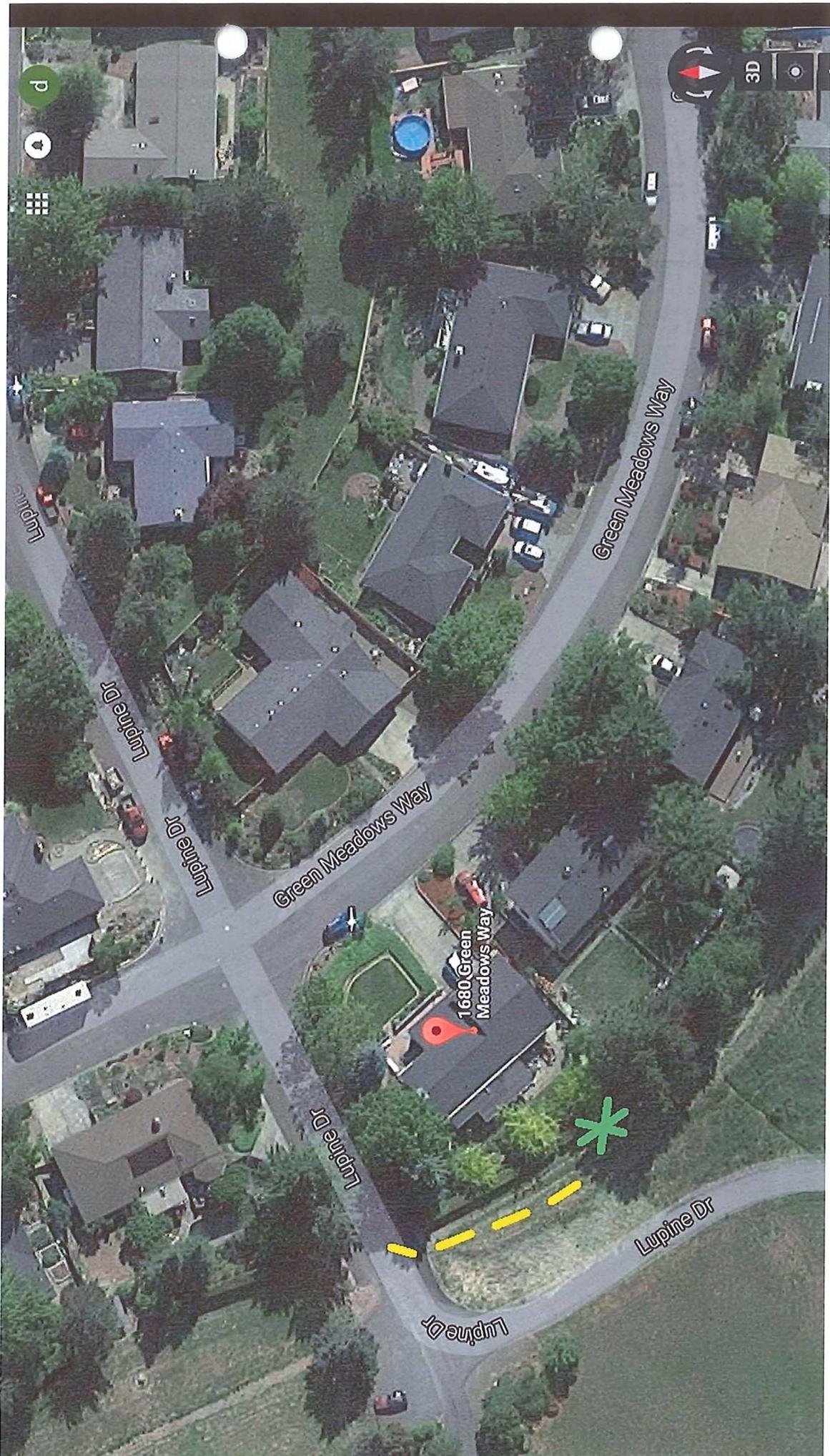
Thank You for your Business!

MOUNTAIN RANCH SUBDIVISION



SMALL 9" DBH PINE REMOVAL IN GREENWAY
BEHIND 1290 GREEN MEADOWS WAY

MOUNTAIN RANCH SUBDIVISION



REMOVE 24" DBH TOPPED CONIFER IN GREENWAY BEHIND 1680 GREEN MEADOWS WAY



Before : Pine in Greenway
@ the top of Lupine Drive

BEHIND 1680
GREEN MEADOWS WAY

X



PLANNING ACTION: PA-2017-00200

SUBJECT PROPERTY: 165 Water Street (*corner of Van Ness & Water Streets*)

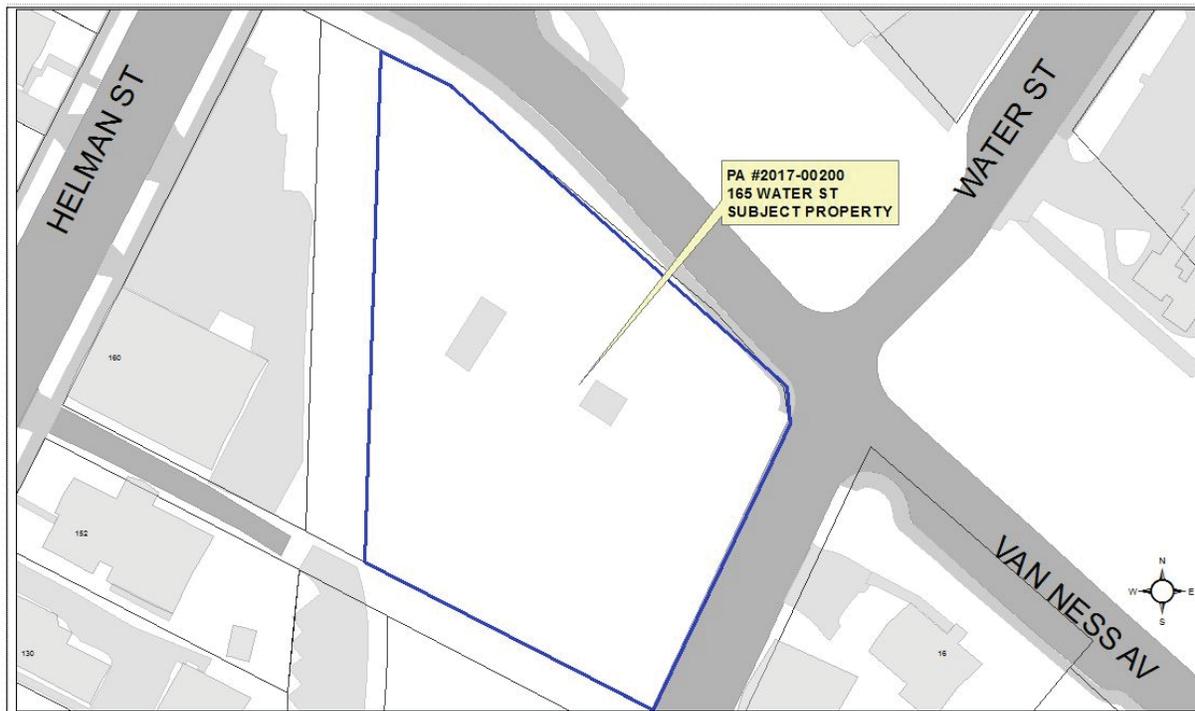
OWNER/APPLICANT: Magnolia Investment Group, LLC/Gil Livni

DESCRIPTION: A request for Site Design Review approval to construct a 42,841 square foot, three-story, mixed-use building consisting of commercial tenant space on the ground floor, 26 hotel units on the second floor, and ten residential condominiums on the third floor for the vacant property located at 165 Water Street, at the corner of Van Ness and Water Streets, in the Skidmore Academy Historic District. The application includes requests for a Conditional Use Permit to allow hotel/motel use; an Exception to Street Standards; a Physical & Environmental Constraints Review Permit for the development of floodplain and severe constraints lands; and a Tree Removal Permit to remove seven trees. COMPREHENSIVE PLAN DESIGNATION: Employment; ZONING: E-1; ASSESSOR'S MAP: 39 1E 04CC; TAX LOT #: 2000.

NOTE: The Ashland Historic Commission will also review this Planning Action on **Wednesday April 5, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, April 6, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

ASHLAND PLANNING COMMISSION MEETING: *Tuesday, April 11, 2017 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

PHYSICAL & ENVIRONMENTAL CONSTRAINTS

18.3.10.050

An application for a Physical Constraints Review Permit is subject to the Type I procedure in section 18.5.1.050 and shall be approved if the proposal meets all of the following criteria.

- A. Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.
- B. That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.
- C. That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.

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.

(10)

2. **Submit Some of the Requested Information:**

(Initial if elected)

Decline to Provide Other Information

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

()

3. **Decline to Provide any of the Requested Information**

(Initial if elected)

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



Signed and Acknowledged
(Applicant or Applicant's Agent)

3-20-17

Date

Return to:

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



Magnolia Building

Site Design Review
Conditional Use Permit
Physical and Environmental Constraints Review



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ROGUE PLANNING & DEVELOPMENT SERVICES, LLC

March 2017

**Site Design Review and Conditional Use Permit Approval
For new mixed-use commercial building**

Property Owner: Magnolia Investment LLC
Gil Livni
2532 Old Mill Way
Ashland, OR 97501

Architect: Ron Grimes Architecture Group
Dave Evans
14 Central Ave.
Medford, OR 97501

Land Use Planner: Rogue Planning and Development Services, LLC
Amy Gunter
1424 S Ivy Street
Medford, OR 97501

Civil Engineer: Rhine-Cross Group
Marc Cross
PO BOX 909
Klamath Falls, OR 97601

Transportation Engineer: Sandow Engineering
Kelly Sandow
160 Madison Street, Suite A
Eugene, OR 97402

Geotechnical Expert: Marquess and Associates
Rick Swanson
PO Box 490
Medford, OR 97504

Structural Engineer: Snyder Engineers
Eric Snyder
415 E Pine St
Central Point, OR 97502

Landscape Design: Tom Madera
2994 Well Fargo Road
Central Point, OR 97504

Surveyor: Polaris Land Survey
Shawn Kampann
PO BOX 459
Ashland, OR 97501

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City of Ashland

Subject Property

Address: 165 Water Street
Map & Tax Lot: 39 1E 04 CC; 2000
Comprehensive Plan Designation: Employment
Zoning: E-1
Overlays: Skidmore Academy Historic District
Detail Site Review Zone
Floodplain
Severe Constraints
Lot Area: .75 ac / 32,232 square feet

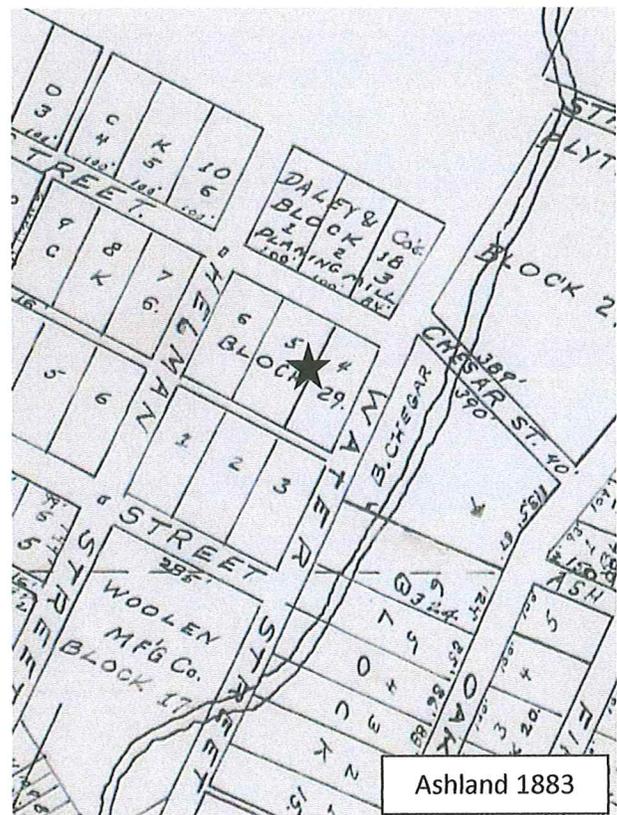
Request:

Request for Site Design Review and Conditional Use Permit for a 42,841-square foot, three-story, mixed use, commercial, hotel and residential condominium structure at 165 Water Street. The request includes a Physical and Environmental Constraints Review Permit for encroachment onto to lands that have more than 35 percent slope, and development within the Ashland Adopted Floodplain (outside of the 2011 FEMA Floodplain boundaries), and a Tree Removal Permit. The application includes a request for an exception to the street design standards for improvements to Van Ness Street.

Property History:

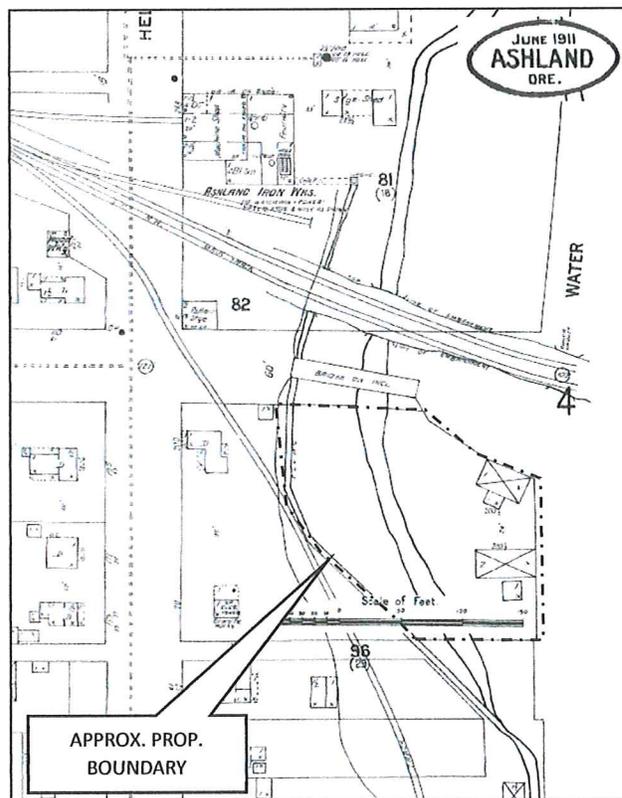
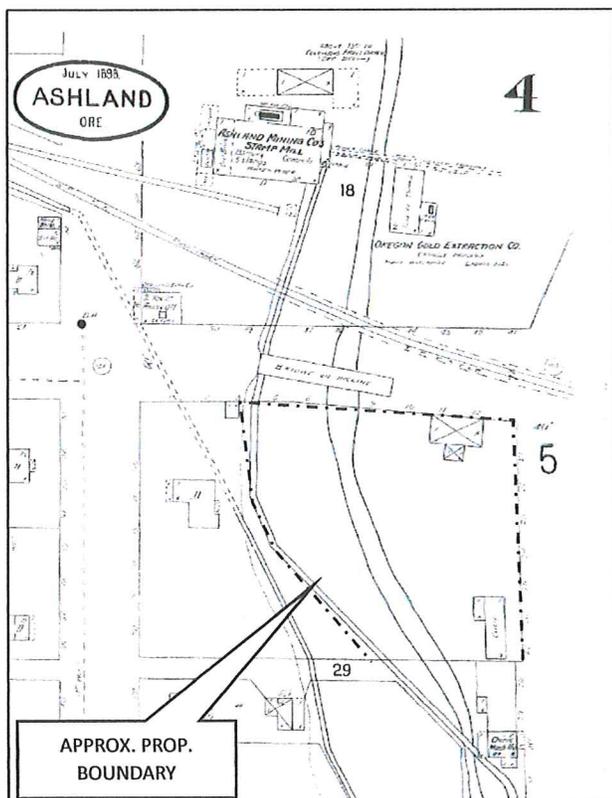
The property appears on the earliest City of Ashland Maps (1883 AD) as a part of Lots 4 & 5 of Block 29 at the intersection of Mechanic (Van Ness) and Water Streets (prior to railroad) created from Abel D. Helman's Donation Land Claim Act. The property to the north across the street was the site of Daley & Co.'s Planing Mill. This mill was run using water from a flume that diverted water from Ashland Creek to the south of the subject property, and run through a turbine. (<http://wrightarchives.blogspot.com/2011/07/ashland-oregon-early-history.html>)

In 1887, the "Golden Spike" was driven, finishing the trans-continental route for the railroad. The area to the north of the subject property (Block 18, Lots 1, 2 & 3) where the Daley & Co. Planing Mill had been located, became railroad right-of-way. Historically, a steel trestle was constructed crossing Ashland Creek (Mill Creek at the time) and Water Street. On the 1898 Sanborn map (clip of July 1898 #4 below (full sheet attached)), an irrigation ditch traverses the property to



Ashland 1883

from the south to the northwest. Another flume carried the tail race waters from Ashland Woolen Mill that had been located at the property now occupied by the Plaza Inn and Suites, to the south of the property, to the Oregon Mining and Stamp Co. which was located on the north side of the railroad tracks. The via duct for Water Street that passes under the Railroad as seen was constructed in 1907.



By 1911, according to the Sanborn Fire Insurance Map, the site still had the tail race flume but the former irrigation route had been converted to a spur rail line for the Southern Pacific Railroad that went into town to serve the various mills, including Ashland Cold Storage that had taken over the Woolen Mill site.

Following the closure of the mills and the subsequent removal of the flumes, the property held commercial structures (shops, sheds, etc.). Above ground fuel storage tanks were placed along Van Ness Street. In about the mid-1950s, a service station was constructed on the site. The property operated as a service station then auto repair for many years. In the 1980s, SOS Plumbing began operations on the property. SOS operated at the site until 2007. The site has been most recently used as an auto repair shop, then as a storage area for the property owners construction business equipment and for a local landscape contractors equipment.

Due to the presence of the above ground fuel storage tanks, the fueling station and the auto repair shop, the site was considered a Brownfield. The site was cleaned up and the case has been closed by the Department of Environmental Quality

<http://www.deq.state.or.us/Webdocs/Forms/Output/FPController.ashx?SourceId=4951&SourceIdType=11>

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Property Description:

The subject property is a vacant lot on the west side of Water Street, south of Van Ness Street at the southwest intersection Van Ness and Water Street. There is an east / west alley right-of-way along the south side of the property. The property has 153.52 feet of frontage on Water Street, there is 225.83 feet of frontage on Van Ness and 138.52 feet of frontage along the unimproved alley right-of-way.

The property is bound by Water Street on the east. Behind the residence at 16 Van Ness, across, Water Street, is Ashland Creek. Along the Water Street frontage, the first approximately 47-feet of the property, is within the Ashland Adopted Floodplain Overlay for Ashland Creek. The FEMA 100-year floodplain is adjacent to the banks of Ashland Creek and to the rear of 16 Van Ness, the FEMA 500-year floodplain extends onto the subject property. Floodplain maps are attached.

Van Ness Street is to the north. Across Van Ness is a steep berm leading up to the Southern Pacific Railroad tracks, the tunnel for Water Street under the railroad tracks is diagonally to the northeast.

The property to the west fronts on Van Ness and Helman Streets. This property is substantially higher than the subject property. The west property line runs diagonally from the north to the south where the south property line abuts a 16-foot public alley right-of-way. The alley is not improved along the frontage of the property.

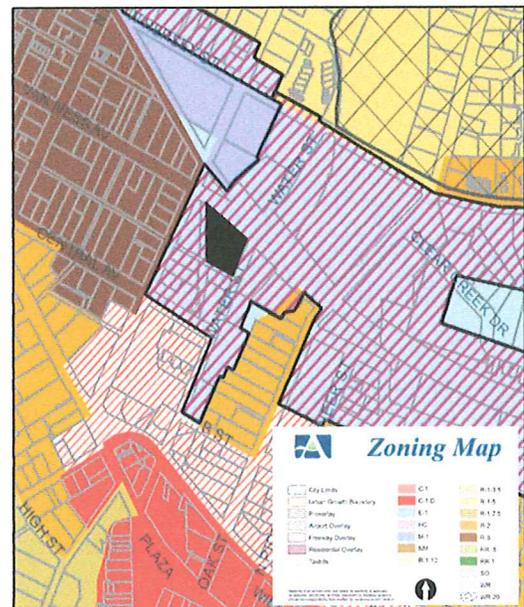
The subject property and the immediately adjacent properties to the north, south, east and west are zoned Employment with the Residential Overlay. Beyond the employment zoned properties to the east and west are residentially zoned properties (across Helman Street on the west and abutting Oak Street on the east side of Ashland Creek). To the south is employment and commercially zoned properties. The properties to the north, across the railroad tracks, are zoned Employment with Residential Overlay and Industrial zoning.

The property is at the northern boundary of the Skidmore Academy Historic District (railroad tracks form boundary). The properties across Water Street are within the Railroad Historic District.

There are three deciduous trees along the steep slope adjacent to the east property line. A dying Cedar tree is near the south property line adjacent to the un-improved alley and there are two trees along the Water Street frontage.

On the adjacent property to the west there are smaller stature trees, none have driplines that encroach onto the subject property.

Water Street has a 40-foot wide right-of-way and is improved with an varying improved width consisting of curb, gutter, pavement, five-foot curbside sidewalk and a parking bay across the street from the subject property. Van Ness has a varying width right-of-way, with between 50 – 30 feet of right of way and approximately 27-feet of improvements including a five-foot wide curb side sidewalk. Both streets are



classified as Neighborhood Streets in the Transportation System Plan. A 16-foot wide, unimproved alley extends along the south property line. The alley right-of-way extends through to Helman Street but due to the significant grade change along the west property line, the alley does not physically extend through from Water Street to Helman.

Detailed Proposal:

The proposal is for a 42,814-square foot, three-story, mixed use, commercial/residential structure. The proposed structure is oriented towards both streets with the primary orientation towards Water Street.

The ground floor is proposed as 9,406 square feet. The ground floor is divided into nine tenant spaces. As proposed, the spaces are a mixture of retail, commercial space, coffee shop, the hotel lobby and small lobby for the residential units. The second floor is proposed as 16,306 square feet and is with a 26-unit hotel. There is also breakfast dining area, a fitness center and a large balcony area.

The third floor is proposed as ten residential units. This floor is 17,129 square feet in area. The residential units range in size from approximately 1,000 square feet to 1,600 square feet and include one, two and three bedroom units.

Building Design:

The primary orientation of the structure is towards the intersection with prominent building entrances on both street frontages. An “anchor” tenant space entrance faces Water Street near the intersection. The structure is proposed as close to the intersection as feasible with the building façade occupying the majority of both street frontages.

The proposed building is designed as a nod to “Main Street” design. The façade of the building along the street frontages incorporates offsets, jogs and other distinctive changes in the building’s façade. The building has been designed to give the impression of separate, 25 – 30-foot wide “buildings” through the use of exterior material changes, surface treatments and finishes that provide interest and emphasize the “separate” buildings attached along the frontage and provide emphasis on the entrances. Though not within the Downtown Design Standards, the proposed building incorporates many of the standards to reduce the massing of the structure along the frontages of the property found within the Downtown Design Standards.

The entrances to the commercial units open onto the public pedestrian areas, public plaza areas and outdoor seating areas with benches and table areas for future potential eating establishment clients. The entrances are all designed in a manner to provide clear, visible, and functional entrances with direct access to the public sidewalk. Emphasis has been provided to the entrances using roof overhangs, awnings, lighting and surface treatment changes. The upper stories provide roof cover, the recesses in the façade provide arcades and awnings will be provided to further protect pedestrians from the rain and sun. The proposed street improvements will create a pedestrian friendly environment in an area where there is presently very little pedestrian activity due to the lack of development and pedestrian infrastructure.

Access and Site Circulation:

The proposed vehicular and bicycle access to the property is from Water Street via the public alley to the south of the property and a driveway access from Van Ness Street. A driveway through the parking lot connects the two points of access. The project Civil Engineer has determined the access point from Van Ness is not too steep for the proposed driveway. Adequate vertical clearances are provided for emergency vehicles to traverse the site. The proposal includes street improvements to both street frontages and to the alley. Water street is proposed to be improved with new curb, gutter, five-foot hardscape parkrow with street trees in grates and an eight-foot sidewalk. Van Ness is proposed to be improved along the majority of the frontage with the required five-foot hardscape parkrow and eight-foot sidewalk, as the property and Van Ness slope uphill, to the west towards Helman Street, the proposed sidewalk is reduced in width to achieve the necessary transition between the subject property and the property to the west at 160 Helman Street. The alley is proposed to be improved with 16-feet of paving. Due to the topography of the site and the grade difference between the subject property and the properties to the west, the alley cannot be improved to have vehicular traffic, to provide a pedestrian connection, a stairway is proposed. The steep topography and the limited right-of-way width does not allow for switchbacks that would provide for ADA or bicycle access through the alley. A single vehicle parking space is proposed within the alley. This space will not be utilized by residents but will be allowed for business hour use.

Parking:

The proposed development of the site requires 63 (62.75) automobile parking spaces if a substantial portion of the ground floor is utilized as retail commercial with the higher retail parking requirements over office space parking requirements. If the retail portions are utilized as office, 58 parking spaces would be necessary. As provided, there are 21 surface parking space, 22 parking spaces below grade, and a single parking space within the alley for a total of 43 on-site parking spaces.

Commercial / Retail: $2528 / 350 = 7.36$

Office: $3,680 / 500 = 7.22$

Coffee: 1 per 4 seat = 4

Commercial Total: 18.5

Hotel: 26 rooms = 26

Manager: = 1

Hotel Total = 27

Residential:

1 br > 500 = 3

7 2br = 12.25

3 br = 2

Residential Total = 17.25

Total Spaces Required = 62.75

The proposed development requires 26 bicycle parking spaces. Of those 21 are required to be covered, all proposed bicycle parking is covered. The bicycle parking is as close to the entrances as the nearest

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on-site vehicle parking spaces and can be found between the building and the streets, to the side of the building in the parking area accessed from the Van Ness driveway and in the underground parking.

Bicycle parking:

Commercial = 1 space for every 5 parking spaces / 45.5 parking space = 9.1

Residential = 16.5

Bicycle Total = 26

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The request includes a Parking Management proposal as permitted in AMC 18.4.3.060 and the application seeks to reduce the off-street parking spaces through the application of the allowed credits for on-street parking, alternative vehicle parking and six-percent mixed use credit. The requested reduction in off-street parking spaces is 33 percent. The maximum allowed credit within the Parking Management strategies is 50 percent. The proposed reduction in vehicle parking spaces are permitted within the municipal code and the parking demand analysis prepared by Sandow Engineering demonstrates that the requested utilization of Parking Management Strategies' and the provision of a mixed-use credit demonstrates that the parking generated by the proposed development complies with the standards.

Parking Management Strategies:

extra bicycle = $30 / 5 = 6$ space credit

motorcycle = 5 spaces = 1 space credit

on-street = 9 space credit

alley = 1 space credit

Parking Management Strategy Total = 17 spaces ($17 / 63 = .27$)

Mixed-Use Credit = 4 spaces ($4 / 63 = .06$)

Provided on-site parking = 43 spaces

Parking Management Strategy = 17 space credits

Mixed-Use Credit = 4 space credits

Total provided = 63 spaces

The required parking space calculations assume that all the tenant spaces are occupied and open for business, the hotel is at full capacity and every room is occupied by a guest that drove a vehicle and that every resident is home with at least one automobile. Though ideal for the property owner, hotel owner, business owners, etc., it is highly unlikely and not typical of commercial development. With Ashland's proximity to the Medford International Airport, hotel guests from out of the area also will taxi or take shuttles from the airport to the hotel thus reducing the hotels parking impact. The provided parking, the justified parking management strategies as allowed in the municipal code, coupled with the low demand for on-street parking along the frontages of the property and the close proximity to downtown and the "walkability" (the site scores an 89 out of 100 for walkability according to WalkScore) of the neighborhood, appears to justify the reduction in the number of vehicle parking spaces.

The proposed parking lot design and construction complies with the standards from AMC 18.4.3.080.B.

Common Areas:

The proposed 42,841 square foot building requires 4,284 square feet of plaza space. Within the recessed alcoves of the commercial spaces, public pedestrian plaza areas have been proposed. Of the required public plaza area, 1,540 square feet are proposed along the front of the building between the structure and the public sidewalk and parkrow area. A substantial outdoor seating area has been proposed at the rear of the building. The outdoor plaza areas include sitting space in the form of tables and chairs and traditional benches. A water feature is proposed in the middle of the space. Much of the ground floor tenant spaces has direct access to this space. The outdoor area in the rear is on a southwest exposure and is therefore covered. The space will have substantial shade to protect from the summer sun and is covered to encourage year-round use and protection from rain and snow. This area provides the remaining outdoor plaza area. The balance of both street fronting plaza area and plaza area at the rear of the building is to provide a mixture of sun and shade. The east and north sides of the proposed building abut the public streets and are not the ideal locations for outdoor areas due to perpetual shade and limited view corridors. The southwest plaza area at the rear of the building provide views of the Siskiyou's and provide for a mixture of sun and shade. The hotel and the residential units have functional balcony areas to provide private outdoor space for each residence and for the majority of the hotel units. These balcony areas have not been included in the total common area calculation as they are not publicly available.

Trees and Landscaping:

The existing trees on the site will be removed to facilitate the development. The two trees on Water Street are species that are known for their 'destructive' qualities – Liquid Ambar and Fruitless Mulberry are known to have surface rooting that damages streets, sidewalks, structure and utility infrastructure.

The proposed landscape plan uses a variety of deciduous shade trees, shrubs, and ground covers. Using water conserving landscape and irrigation design, the proposed landscape plan and the future irrigation plan can demonstrate compliance with the standards.

Findings of Fact:

The following information addressing the findings of fact for the applicable criteria from the Ashland Municipal Code are provided on the following pages. For clarity, the criteria are in Arial font and the applicant's responses are in Times New Roman font.

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Criteria from the Ashland Land Use Ordinance

Site Development Design Standards Approval Criteria:

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.

A. Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

The proposal complies the standards from 18.2.

The property is zoned Employment (E-1). The proposed uses of the site as commercial is a permitted use, the hotel is a Conditional Use and the residential portions are a special permitted use.

The proposed structure is setback approximately 13-feet from the Water Street property line and varies between 15 to 20-feet from the street, and approximately 10-feet from Van Ness. The proposed setback is to provide adequate clearance for minimum street improvements (eight feet of sidewalk and five-foot hardscape parkrow with 5X5 metal street tree grates). There are variations in the setbacks to provide additional setback areas to the façade with alcoves for the entrances to the various ground floor commercial spaces. The rear setback and side setbacks are to accomplish fire separations, parking space and vehicular access and circulation. There are no residential zones adjacent that would require a greater setback.

The proposed building is an average of 32-feet, 5-inches. A five-foot parapet is proposed that will provide mechanical screening.

The proposed building at 42,841 square feet, exceeds the minimum Floor Area Ratio of 15,481.5 square feet, but is less than the maximum permitted floor area of 45,000 square feet.

The proposed residential density is ten units, this is the less than the allowed residential density of 10.6 units.

Slightly more than 15 percent of the site is proposed as landscape areas (5,079 square feet). This total includes all landscape areas, there is 4,776 square feet of landscape area that is outside of the building areas and not impeded by a three-foot overhang. The landscape area that is provided outside of the three-foot overhang areas is 15.42 percent and complies with the minimum landscape area.

The proposed buildings are clearly oriented to both street frontages with prominent pedestrian entrances into each separate tenant space. The proposed architecture has a modern feel from our time as required in the Historic District Design Standards but has clear historical elements such as a strong base, a consistent rhythm of openings within each "building", material choices commonly found in Ashland's Commercial Historic Districts.

18.2.3.130 Dwelling in Non-Residential Zone

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A. Dwellings in the E-1 zone are limited to the R-overlay zone. See chapter 18.3.13 Residential Overlay.

The Employment (E-1) Zoned property is within the Residential Overlay.

B. Dwellings in the E-1 and C-1 zones shall meet all of the following standards:

1. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.

There is one building on the site. The ground floor use for the residential lobby and elevator is less than 35 percent of the gross floor area. ($682 / 9,406 = 6.4$ percent).

2. Residential densities shall not exceed 15 dwelling units per acre in the E-1 zone, 30 dwelling units per acre in the C-1 zone, and 60 dwelling units per acre in the C-1-D zone. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.

The proposal has ten residential dwelling units which is less than the allowed density. ($.74 \times 15 = 10.6$ units)

3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the underlying zone.

The setbacks, landscaping and design standards that have been applied to the residences are the same as those of the underlying zone.

4. Off-street parking is not required for residential uses in the C-1-D zone.

Off-street parking for the residences has been provided. More details on the parking are provided in the findings below.

5. Where the number of residential units exceeds ten, at least ten percent of the residential units shall be affordable for moderate-income persons in accord with the standards of section 18.2.5.050. The number of units required to be affordable shall be rounded down to the nearest whole unit.

Ten residential units are proposed. The proposal does not require the dedication of an affordable unit.

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

The property is subject to the Physical and Environmental Constraints Review, Basic and Detail Site Design Review and Historic District Standards. As evidenced in the findings below and with the supplemental documents from the Geo-Tech, preliminary Civil Engineering and future Structural Engineering it can be found that the proposed development complies with the development of a commercial building within the Ashland Modified Floodplain but outside of the FEMA floodplain and complies with the development standards for Severe Constraints due to the slope of the property.

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Physical and Environmental Constraints Review (AMC 18.3.10.050)

The subject property is subject to the Physical and Environmental Constraints Review Chapter due to the presence of the Ashland Modified Floodplain adopted on the maps of the City of Ashland.

18.3.10.060 Land Classifications

A. Flood Plain Corridor Lands. *Lands with potential stream flow and flood hazard. The following lands are classified as Flood Plain Corridor Lands.*

1. All land contained within the 100-year Flood Plain as defined by the Federal Insurance Administration and identified in the Flood Insurance Map (FIRM) adopted by the City Council as provided for in AMC 15.10.

The property is not within the 100-year floodplain as defined by the FEMA Flood Insurance Rate Maps.

2. All land within the area defined as Flood Plain Corridor Land in maps adopted by the Council as provided for in section 18.3.10.070 Official Maps.

The property is on land that was determined as the Ashland Modified Floodplain. The Ashland Modified Flood Zone was identified back in the 1980's based on City of Ashland identified discrepancies with the FEMA Flood Zone maps at the time. This map is based on an elevation line drawn on a map but lacks the necessary elevation data for floodplain elevation and delineation as required by FEMA. The FEMA Maps are flood hazard areas and the City's map is a flood protection area. Following the 1997 flood, the City of Ashland studied the impacts of the 1996/97 flood event and a plan for Flood Restoration was drafted. Otak Engineering presented the final documents to the City of Ashland in November 1997. The Ashland Creek Flood Restoration Project study identified the highest flood flows based on year event through research study of the creek, survey of high water marks and collection of detailed eye witness accounts and anecdotal information the Otak team pulled together a clearer picture of the New Year's Day flood scenario. What was determined using the survey data was that the flooding area is within the Water Street and Van Ness Streets right-of-way.

3. All lands which have physical or historical evidence of flooding in the historical past.

Upstream blockages during the 1996/97 event caused the original stream corridor to exist the natural drainage course and create a new course that ran through the front lawn of Lithia Park, through the front of the Plaza (note: majority of Ashland Plaza not in and never included in the floodplain designations) and down Water Street. Per the Ashland Creek Flood Restoration Plan completed in November 1997 and written by Otak Engineering, not long after the blockages were cleared, Ashland Creek was freely flowing in its banks below the flood stage but the ravages of the creek above the Winburn Way bridge, more water was directed through the plaza and down Water Street than flowing in the creek. The events of 1997 have largely been rectified through the construction of the new bridge at Winburn Way and the Calle Guanajuato. The construction of floodwalls and stabilization of the banks and redevelopment of the Calle Guanajuato, the study and stabilization of the East Main Street bridge at the Plaza and Bluebird Park. And most recently, the bridge under Water Street to the south of 165 Water Street and the improvement of properties immediately downstream of the bridge (51 Water Street, 70 Water Street and 96 Water Street) to

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City of Ashland

convey floodwaters was recently completed. The bridge was increased in size, the banks were stabilized, in-stream barriers were removed and non-native, noxious vegetation and trees that created barriers to floodwaters and debris removed. This project was started by the City of Ashland following the 1997 flood and was completed in 2012. Any flooding that happened near on the subject property was heavily impacted by upstream conditions and caused out of bank flooding that may not have happened had the blockages and stream re-direction not occurred.

18.3.10.060 Land Classifications

D. Severe Constraint Lands. The following lands are classified as Severe Constraint Lands, which have characteristics that severely limit normal development.

1. All areas that are within the floodway channels, as defined in AMC 15.10.

There are no floodway channels as defined in AMC 15.10.

2. All lands with a slope greater than 35 percent.

There is an embankment along the west property line that is more than 35 percent slope.

A. Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.

It can be found that the potential to impacts to the property and nearby areas have been considered. The construction of the structure 13-feet from the Water Street property line. The proposed structure encroaches approximately 32-feet into the Ashland Modified Floodplain. From the elevation line drawing approved with the Ashland Modified Floodplain, the flood "elevation" is 1845. The proposed ground floor, finished floor elevation at 1845.00, is the approximate elevation of the line drawn on the Ashland Modified Floodplain Map. The FEMA floodplain is across Water Street. There are no pillars or other barriers being constructed that could be found to be a barrier to possible floodwaters. No loose fill or other impacts that could have adverse impacts on downstream properties.

The hillside has been evaluated by Rick Swanson, P.E, G.E., and has been found to be reasonably stable and no areas of instability or seepage were observed. The soil types, Camas-Newberg-Evans and Shefflein Loam are typically found on shallow slopes, adjacent to floodplains and are relatively stable, with slight erosion hazard. The hillside will be removed and a structural retaining wall will be installed to accomplish the proposed site development. The retaining walls will be designed by the Structural Engineer with review by the Geotechnical Expert. The retaining wall will provide stability for the future development of the property above. The proposed development will not increase erosion, sedimentation of lower slopes as there are none, flooding problems or sever scarring of the sloped areas.

18.3.10.080 Development Standards for Flood Plain Corridor Lands

For all land use actions that could result in development of the Flood Plain Corridor, the following is required in addition to any requirements of AMC 15.10.

Ashland Municipal Code 15.10 does not apply to the subject property as AMC 15.10 is the building code regulations regarding construction within the FEMA regulated 100-year floodplain.

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MAR 20 2017

City of Ashland

A. Standards for Fill in Flood Plain Corridor Lands.

The only fill on the site will be poured concrete and other building, paving and landscaping materials necessary for the construction of the new structure.

The are no fill slopes nor is the floodway channel on the subject property.

Little fill in the sense of loose dirt, excepting the landscape areas is necessary to accomplish the proposed development. The proposal has below grade construction which will require soil removal. Poured concrete and other materials necessary for the construction of the structure. Aggregate base and paving materials necessary to construct the approved public street improvements (e.g. sidewalks, curb, gutter, alley and driveways) is the only "fill" proposed on the site.

It is not anticipated that more than 50 cu yards of "fill" will be placed on the site.

The proposed structure is not within the FEMA floodplain which has specific elevation data as to what the height of the elevation would be required to be raised too. The Ashland Modified Floodplain Boundary from 1989 was not based on surveyed elevation data. There are no survey markers provided for necessary survey data to determine the elevation for the finished floor elevations.

B. Crossings.

No crossings proposed.

C. Elevation of Non-Residential Structures.

The structure is not required to be flood proofed to the standards found in AMC 15.10 because those standards are specific to the elevation data provided in the Digital Flood Insurance Rate Maps (DFIRMs) and the FEMA Base Flood Elevations (BFE) which have necessary survey data that allows for surveys of finished floor elevations where development occurs within the FEMA floodplain.

Since the Ashland Modified Floodplain was adopted based on the same level of science and fact that the FEMA flood plain maps are adopted to and even to the data found through the Ashland Creek Flood Restoration, it is difficult to arbitrarily dictate the building be elevation to somewhere between 1845 and 1849.

D. Elevation of Residential Structures.

The residential units are sustainably above the FEMA floodplain.

E. Structure Placement.

In order to comply with the standards from the Employment District Design Standards, the Basic and Detail Site Review Standards and the Historic District Design Standards, the

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City of Ashland

structure has been placed within the floodplain corridor land. In order to remove the structure from the Ashland Modified Floodplain, the structure would be located on the southwest portions of the property and the parking lot could be along the street frontage. This is in consistent with Ashland's design standards. The documented flood elevations using the hydrologic modeling from the Ashland Creek Floodplain Restoration study found the water stayed within the rights-of-way and didn't encroach onto the subject property.

F. Residential Structure Placement.

N/A

G. New Non-Residential Structures. New non-residential uses may be located on that portion of Flood Plain Corridor Lands that equal to or above the flood elevations on the official maps adopted in section [18.3.10.070 Official Maps](#).

The FEMA floodplains which have clear elevation data that provides precise measurements for elevations above the FEMA floodplains are not located on the subject property. The City of Ashland Modified floodplain is not based on elevation data and cannot be definitively surveyed. The proposed structure is more than 50-feet from the floodplain, will not impact any riparian vegetation. The proposed structures lowest finished floor is at or above the elevation contained on the Ashland Modified Floodplain.

H. Building Envelopes.

No property line adjustments or partitions that require the identification of a building envelope are part of the application.

I. Basements.

No portion of the below grade parking area is habitable.

The flood-proofing standard from AMC 15.10 are directly correlated to the FEMA floodplain base flood elevations (BBFE) and there are no FEMA floodplains on the property.

J. Hazardous Chemicals. *No toxic chemicals will be stored on the site. The property had been previously identified as a Brownfield. The site has been cleaned up to the DEQ's recommended standards. The proposed development is consistent with the condition of approval from the DEQ report (DEQ Summary Attached).*

<http://www.deq.state.or.us/Webdocs/Forms/Output/FPController.aspx?SourceId=4951&SourceIdType=11>.

K. Fences.

No fences are proposed.

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City of Ashland

L. Decks and Other Structures.

Not applicable. The flood-proofing standard from AMC 15.10 are directly correlated to the FEMA floodplain, base flood elevations (BFE) and there are no FEMA floodplains on the property.

M. Local Streets and Utilities.

The existing public infrastructure and utility connections are within Water Street which is outside of the FEMA floodplain but within the Ashland Modified Floodplain. It is not possible for the existing public infrastructure to be relocated outside of the floodplain.

18.3.10.110 Development Standards for Severe Constraint Lands

Along the west property line there is an area of more than 35 percent slopes. Rick Swanson, P.E., G.E. from Marquess and Associates, LLC has reviewed the steep slope along the west property line. No slope failure or seepage were evident. The Geo-Tech provided an assessment that the slope is stable and that with appropriate engineering, the retaining wall will further stabilize the topography. There is currently a retaining wall on the public alley and the adjacent property to the south along the same hillside. These retaining walls do not exhibit any evidence of failure. The soil type, Camas-Newberg-Evans and Sheffelin Loam are both stable soil types found throughout the area. The Geo-Tech's evaluation letter is attached.

18.3.10.090 Development Standards for Hillside Lands

B. Hillside Grading and Erosion Control.

The grading, retaining wall design, drainage and erosion control plans are designed by Structural and Civil Engineers with review by a geotechnical expert (geo-techs don't typically design). All cuts, grading and if any fill proposed will conform to the applicable building code.

The proposed retaining wall construction would be one of the first site improvements and ideally the construction on the wall would begin in May and end prior to October 31.

No partition or subdivision is proposed and the site will not be retained in a natural state.

The cut slope is proposed to be retained with a structural retaining wall.

No exposed cut slopes are proposed. The retained cut slope is be more than seven feet in height and is not proposed to be terraced. The vertical height of the existing hillside is 8 – 12 feet and the retaining wall will be approximately 10 – 12 feet tall.

The encroachment into the steep slope area is not for a structure but a retaining wall. The intent of the "split pad or stepped footings" is to "cut" a residence into the hillside to reduce the massing and to keep the structure low on the hills to limit houses from sticking out of the hillside above town. The applicant finds that it was not the intent of the hillside

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MAR 20 2017

City of Ashland

design standards to prevent the development of Employment zoned lands that happen to have a steep embankment that has been manipulated for decades. In order to reduce the effective visual bulk of the retaining wall, a living, green screen is proposed in front of the retaining wall adjacent to the parking spaces. The portions of the retaining wall where a landscape buffer is located between the parking area and the wall, a climbing plant is proposed to grow up the wall to screen the wall and reduce the visual bulk.

The soil types, Camas-Newberg-Evans and Schefflin Loam have little erosive qualities and are not soil types typically found on Ashland's hillsides where highly erosive decomposed granite is the predominant soil material. No fill on the lands classified as Hillside Lands is proposed.

6. Revegetation Requirements.

Following site development, all areas of proposed landscaping will be revegetated as required by the City of Ashland codes. With the final landscaping plan, it can be shown that vegetation can be substantially established within one year of installation.

7. Maintenance, Security, and Penalties for Erosion Control Measures.

All landscaping and erosion control will be maintained in perpetuity.

The property has existed long before January 1, 1998 and the erosion control security bond is not applicable.

8. Site Grading. The grading of a site on Hillside Lands shall be reviewed considering the following factors.

The applicability of this section is questionable as the intent of Employment Zoned lands is to develop the site to the highest and best use and the majority of the hillside lots that the intent of the ordinance was addressing are the steep, residentially zoned slopes above town. Keeping development away from the hillside (ten feet per the Geotech) would reduce the developable area of the Employment Zoned land substantially. There are no unstable or hazardous areas of the site.

9. Inspections and Final Report.

The geotechnical expert will inspect the site and provide a final report to the City of Ashland as requested. The report will indicate that the approved grading, drainage, and erosion control measures were installed as per the approved plans and the scheduled inspections periodically throughout the project.

C. Surface and Groundwater Drainage.

It can be found on the proposed preliminary Civil Engineering plans, and will be shown on the building permit submittals that, collection and treatment of new impervious surface

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City of Ashland

runoff from the development complies with the standards for surface, ground water and storm water treatment. As proposed, storm water facilities for the new driveways, parking areas and roof drain systems can be accommodated on the site and released into the City of Ashland approved destination point in accordance with the Storm Water Facility Design Requirements. Storm drainage will be installed as part subsurface site preparation for the underground parking and therefore, one of the first improvements constructed on the site. The surface parking area and driveway are proposed to drain first to a parking lot bio-swale for treatment of the surface generated storm water as a result of the site development. This flow retarding system is intended to minimize increases in run-off volume and peak flow rate.

All storm water drainage has been designed by a Civil Engineer with the consultation of the Geo-Technical Expert and the project Structural Engineer.

D. Tree Conservation, Protection and Removal.

Three trees that are more than six-inches in diameter at breast height are on the sloped area of the site. There are two Oak trees, a 24-inch DBH oak and an 11-inch, multi-trunk fruitless mulberry and a 10-inch maple. There are two deciduous trees along the Water Street frontage. One is a 12-inch DBH Liquid Ambar and the other is a 15-inch DBH fruitless mulberry.

The trees are not suitable for conservation for a number of reasons. The two trees adjacent to Water Street, the Liquid Ambar and the Mulberry are both trees that are notorious for their penchant for damaging sidewalks, curbs, streets, utilities with their strong, surface rooting growth pattern. Both trees also have fruit that litters the ground and creates trip hazards. Both trees also are in a location that would prevent the required street improvements in accordance with the City's codes.

The Oak trees and the mulberry tree along the hillside slope will be substantially, negatively impacted by the site construction and would not survive the amount of cut necessary within the root zone in order to allow for the development of the parking area and driveway.

Replacement trees will be planted in the landscape areas to replace the trees removed on the hillside. The two trees in the Water Street right-of-way (the Mulberry and Liquid Ambar) will be replaced with street trees in the new sidewalk and street tree grates.

H. Exception to the Development Standards for Hillside Lands.

1. 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. *The site is zoned Employment and is unique in that there are no other Hillside Lands and the area of steep slope is isolated along a property line. In order to develop the site in accordance with the standards for the Site Review and Historic District Design Standards, encroachment into the steep slopes is necessary.*

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MAR 20 2017

City of Ashland

2. The exception will result in equal or greater protection of the resources protected under this chapter.

The proposed exception for the retaining wall along the parking area to be structurally retained instead of unretained loose soil. The retaining provide protection to the subject property that is “down slope” of the unretained slope. Eventually, when the property to the east which is also Employment zoned develops, the proposed retaining wall will protect their property from slope failure due to the structural retention proposed.

3. The exception is the minimum necessary to alleviate the difficulty.

The exception is the minimum necessary to alleviate the difficulty in not developing the property in accordance with the standards from the Site Review and Historic District Design Standards.

4. The exception is consistent with the stated Purpose and Intent of chapter **18.3.10 Physical and Environmental Constraints Overlay** chapter and section **18.3.10.090 Development Standards for Hillside Lands**.

The proposed exception is consistent with the purpose and intent of the chapter and insures the development does not create soil erosion, sedimentation of lower slopes as there are none, and prevents slide damage. The development standards for hillside lands appear to be focused primary on retention of the natural hillsides and the retention of the natural slopes. The “natural” physiographic conditions of the site that created the embankment are called into question as there has been documented development on the property as long as there has been a City of Ashland.

B. That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.

The applicant has considered the potential hazards from development of the Ashland Modified Floodplain. The Ashland Modified Floodplain was created without surveyed elevations and without a flood water modeling study. The FEMA floodplain is based on flood modeling, and more recently, following the Ashland Flood Restoration Study was undertaken following the 1997 flood. It was found using oral account, evidence of flooding, and floodplain modeling, that the drainage system upstream of the subject property had numerous areas of failure including heavily vegetated banks, unsecured bridges, undersized culverts, channelization from previous flood scarring, instream hazards that contributed to the flooding in 1997. It was found that the flood “elevation” from the Ashland Restoration Study that the subject property didn’t flood and that the floodwaters stayed within Water Street. The proposed development is outside of the FEMA floodplain. In the event of an even more major, 1997 flood was considered a 25-year event, it is found that minor property protections such as sandbags can prevent flooding to the structure.

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MAR 20 2017

City of Ashland

The construction of the retaining wall on the stable soil slopes will not create hazards to adjacent properties. The retaining wall will not cause slope failure, erosion or siltation on to adjacent properties.

C. That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.

The applicant finds that due to previous site developments, adverse impacts to the environment will not occur as a result of the proposed development. The site development is proposed in accordance with the Site Design Review Standards for commercial development and it can be found that the impacts from the proposed development will not have negative environmental impacts.

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.

18.4.2.040 Non-Residential Development

The proposed development of the Employment zoned land with a mixed-use commercial structure will have a positive impact upon the streetscapes of Water and Van Ness Streets. The building is proposed to have a minimal setback as . Outdoor spaces for pedestrian activity and outdoor seating areas for guests, customers and tenants of the building are proposed that will improve the projects appearance and site amenities. Landscaping is proposed to enhance the site and provide screening of the parking lot and trees to provide cooling of the surface parking areas. The proposed public transportation improvements will enhance the pedestrian environment and will improve bicycle transit by providing an abundance of bicycle parking facilities as encouraged in the Off-Street parking chapter of the municipal code.

The proposed building is designed to be consistent with the highest standards for compliance with the detail site review, large scale and historic district design standards even though the site is on lower order, less traveled City streets adjacent to the railroad tracks.

B. Basic Site Review Standards.

1. Orientation and Scale.

The proposed building is clearly oriented towards the public streets. The streets have equal functional classifications, the proposed building is oriented towards both streets. The Water Street frontage has its most prominent pedestrian entrance as close to the intersection as practicable. No parking is proposed between the building and the street, all parking is behind the façade of the structure.

The proposed building occupies the majority of the two street frontages. The only gap created is for the driveway access from Van Ness under the structure. The second and third story facades

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MAR 20 2017

are continuous over the driveway access. A pedestrian sidewalk is proposed to extend from the Van Ness Street improvements under the bridge to the rear of the building and the large public plaza area.

The majority of the proposed building entrances are located within 20-feet of the street right-of-way. The entrances are clearly visible, have alcoves, lighting, pedestrian covering and changes in materials to emphasize the entrances.

Public sidewalks are proposed along the public street frontages, pedestrian walkways are provided for each business entrance from the public pedestrian sidewalks. Landscape screening is proposed for the parking spaces that are accessed from the alley along the south property line to screen the vehicles from Water Street.

2. Streetscape.

One street tree for every 30-feet of frontage in compliance with the spacing standards for street trees have been provided. See preliminary landscape plan.

3. Landscaping.

The proposed landscaping complies with the minimum standards and slightly more than 15 percent of the site has been provided as landscape area. A recycle and refuse area that will be screened in accordance with the standards from AMC 18.4.4 is proposed along the west property line.

More than seven percent of the parking lot area has landscaped areas. There are parking lot shade trees provided for every seven parking spaces. There are 21 surface parking spaces and five parking lot shade trees proposed.

An exception to the parking lot screening standards for the reduction of the parking lot buffer adjacent to the property line has been requested. The proposed parking lot is more than eight feet below the embankment and therefore, headlight encroachment, automobile noise, exhaust, etc. will not negatively affect the adjacent property. The retaining wall is proposed to be screened with a living, green screen.

4. Designated Creek Protection.

Not applicable

5. Noise and Glare.

All artificial lighting will comply with the standards of 18.4.4.050. There are no residential zones in the vicinity of the project site. Two, new Sternberg Commercial street lights are proposed at the intersection of the two public streets and on Water Street at the intersection of the alley and Water.

6. Expansion of Existing Sites and Buildings.

Not applicable

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City of Ashland

C. Detailed Site Review Standards.

The subject property is within the Detailed Site Review Standards.

1. Orientation and Scale.

Floor Area Ratio (FAR) of 0.50.

The proposed Floor Area Ratio exceeds .50. The proposed structure is 42,841 square feet which is more than the required .50 FAR of 15,481 square feet.

The infill building is adjacent to the public sidewalk. The proposed building frontage is more than 100-feet in length. The building has substantial offsets, jogs and other distinctive changes in the building façade. The walls within 30-feet of the public street have more than 20 percent of the wall area as windows and doorways. No blank walls are proposed.

The proposed building has substantial changes in mass, surfacing and the exterior finish materials to emphasize the entrances. The proposed building has alcoves for the entrances. The upper floors, awnings and marquees are proposed to provide protection for pedestrians from rain and sun.

2. Streetscape.

Colored and scored concrete are proposed to designate people areas for both the sidewalks and the covered outdoor seating area at the rear of the building. The internal sidewalks provided through the development will match the San Diego Buff city sidewalk.

The building is at no point more than five feet from the public sidewalk. The alcoves that are recessed more than five feet have plaza areas, and outdoor seating areas.

3. Buffering and Screening.

There are no incompatible uses on adjacent lots. All the surrounding properties are Employment Zoned and generally all have commercial uses on the sites.

A landscape buffer with a parking lot shade tree is proposed to buffer the surface parking lot from Water Street.

4. Building Materials.

More than 15 percent of the exterior walls have substantial changes in relief. There are cornices, bases, fenestration, changes in material such as brick, siding, stucco, metal and wood. No bright or neon paint colors are proposed the majority of the building is not glass.

D. Additional Standards for Large Scale Projects.

The proposed building is more than 10,000 square feet in gross floor area and has more than 100-feet of frontage and is considered a Large-Scale Building.

1. Orientation and Scale.

The proposed 42,841 square foot building is less than the maximum 45,000 gross floor area. The below grade parking is not counted in the gross floor area for the purposes of determining maximum building area for this section of code.

As depicted on the Architectural Elevation plans, the proposed building façade has been divided into a series of distinct, separate “buildings” that range between 27 – 40-feet. Each “building”

has been created to give the impression that the site developed organically overtime similar to the development pattern found in the downtown. The various building divisions are created through material changes, changes in window type and promote a more human scale by reducing the massing, and the setbacks. The separate business entrances also anchor the “building” divisions. Sheltering roofs and distinct changes in architectural styles further reduce the building mass with interesting variations in setbacks and coverings. Street trees will also provide a softening effect and increase shading and changes in lighting throughout the day.

The corner unit at the intersection of Water and Van Ness is proposed as an anchor space. This portion of the building is proposed to have traditional building materials found in Ashland’s commercial developments, specifically found in the downtown area. The corner unit utilizes a post and lintel construction style, with a traditional reddish brick, strong, fiber cement base, aluminum, storefront style windows with divided light transoms and a recessed entrance with traditional, storefront double doors on the ground floor. This building is proposed to have upper story balconies that break up the vertical massing and provide a distinct relationship to modern development style in concert with the traditional style of the overall building façade. The divided light windows on the upper floors are smaller than those on the ground floor to retain the emphasis on the lower level. A well-defined cornice has been proposed on this building to “cap” it off.

The unit to the south has a more modern styling. This unit is recessed behind the façade of the corner unit. The exterior finish is proposed as a horizontal siding with stucco accents. This unit has a narrower frontage and has taller upper story windows with metal sunshade awnings giving it a more vertical presence over the more horizontal façade designs on the adjacent units. This unit has more modern design aesthetic with the use of metal, stucco, horizontal siding and glass. These are traditional design elements found in Ashland’s more “modern” historic buildings. The next building to the south has a more elongated façade reflecting a “Moderne” style of architecture. This 50-foot wide unit is divided into two tenant spaces which are reflected through the use of columns, and distinctive, recessed facades. This section of the building is lower in height in comparison to the adjacent units. This building has larger, storefront glazing, a lower, less substantial base reflective of architecture found on the Claycomb Mall building in downtown. Modern materials such as stucco, cement board, horizontal siding and metal railings on the upper story decks, create a distinctive break in the façade of the structure.

The end unit on Water Street has elements of traditional architecture though the choice of materials, brick, cement board, divided light windows that are more vertical than horizontal and modern elements such as expansive upper story decks with metal railings.

The “units” facing Van Ness utilize modern materials such as horizontal lap siding, cement base, aluminum storefront windows, metal railings and single pane glazing instead of more historically accurate divided light windows. A five foot parapet is provided along the entire façade of the structure to screen the rooftop mechanical equipment.

2. Public Spaces.

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The proposed building requires 4,841 square feet of plaza space. Within the recessed alcoves of the commercial spaces, along the frontage of the building 1,540 square feet (36 percent) of public plaza areas have been proposed. The remaining 2,744 square feet (2,990 provided) is found within the substantial outdoor seating areas to the side and the rear of the building. The outdoor plaza areas include sitting space in the form of tables and chairs and traditional benches. A water feature is proposed in the middle of the space. The outdoor area in the rear is on a southwest exposure and is therefore covered. The space will have substantial shade to protect from the summer sun and is covered to encourage year-round use and protection from rain and snow. Some of the metal awnings along the street frontages will have clear roofing within the metal frame to incorporate sunlight and shade.

The property is to the southwest of the street intersection. The plaza areas along the street frontages are on the east and north sides. These areas have limited view corridors due to the railroad tracks and the creek corridor and are within the naturally less sunny areas of the property. The provided mixture better addresses the City Standards both engaging the street corridors and providing a lively pedestrian area. The proposed building setbacks from property line vary from 13-feet (minimum sidewalk improvements) to more than 20-feet to provide for ample public pedestrian plaza areas along the street frontages while retaining the maximum setback in the detail site review zone of five feet unless provided as pedestrian plaza areas. The proposed site layout allows for vehicular access to and through the property, while retaining minimum setbacks and provision of a substantial pedestrian plaza area outside of the 13-foot pedestrian corridor.

The plaza areas on the front and rear provide for accesses to the street and the rear entrances of the commercial tenant spaces on the ground floor. Trees and landscaping are provided in the landscape areas adjacent to the outdoor spaces. Concern has been expressed that the proposal does not provide a “vibrant streetscape that provides an engaging transition between the street and the private site”. It can be found that providing 1,540 square feet (36 percent) of the required plaza area between the building and streets adequately provides for vibrant streetscape that will engage pedestrian as expressed in the Site Design Standards. This 1,540 square feet of plaza area has sitting and standing areas, benches and tables with chairs, provides for protection from wind by the building and provides a mixture of areas that provide sunlight and shade. The proposal also provides for ample area between the required parking spaces and the rear entrances of the ground floor commercial spaces to engage the customers of the business, the guests of the hotel and the residents of the residential units.

When compared to the only similar commercial developments in the vicinity, the Plaza Inn and Suites on Helman and Central (58,578 square feet in two buildings) and the Ashland Creek Condominiums (42,224 square feet) on Water and Central, the proposed public plaza area along the street at 1,540 square feet in area is more substantial than the plaza areas provided with those developments (none at the Water Street Condominiums and approximately 1,350 square feet behind an uninviting, disengaging four-foot metal hand rail at the Plaza Inn and Suites separated from the public sidewalk by landscape area).

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MAR 20 2017

City of Ashland

18.4.2.050 Historic District Development

The subject property is at the northeast corner of the Skidmore Academy Historic District. The property across Water Street is the northwest corner of the Railroad Historic District. The proposed building incorporates the main architectural themes found in Ashland's historic districts but is not an imitation of a specific architectural style. The standards speak to a comparison of historic buildings in the vicinity. In the case of the subject property, the adjacent properties are underdeveloped or have non-conforming residential development.

B. Historic District Design Standards.

1. Transitional Areas.

The property is located at the boundary of the Skidmore Academy Historic District, and the Detail Site Review zone. The proposed building has numerous traditional, architectural elements and materials, the scale, form, massing and some of the material elements are more modern in styling. It can be found that the proposed building is architecturally compatible with the historic district design standards and provides a solid neighborhood anchor for the future redevelopment of the adjacent employment zoned properties.

The Historic District Design Standards are primarily a contrast and comparison of the proposed site development and the development on immediately adjacent properties. The adjacent properties, and those within the 200-foot impact area, are underdeveloped, partially vacant or utilized as a non-conforming use such as, residences in the E-1 zone. Additionally, the graphics provided within the Historic District Design Standards are of residential properties and do not translate easily to commercial development. This complicates that comparisons necessary by code.

It can be found that the proposed building incorporates a number of the historic district design standard objectives such as sense of entry, provision of a base, fenestrations, a rhythm of openings, smaller masses to reduce bulk and scale.

2. Height.

The structure is proposed to be three stories and an average height of 40-feet, a five-foot parapet is proposed. This is the allowed building and parapet height in the Employment zone.

3. Scale.

The scale of the building is appropriate for an Employment zoned property that has two street frontages. The nearest commercial developments can be found on Central Avenue. The Ashland Creek Condominiums and the Plaza Inn and Suites on the south side of Central, are just over 200-feet away, too far to adequately judge scale. (Plaza Inn and Suites is 58,578 square feet in area and Ashland Creek Condominiums is 42,224 square feet in area). A graphical representation is provided on page A-3.0, 3.4 & 3.5 of the Architectural renderings that depicts the proposed development with the referenced commercial structures and properties.

The property on the corner of Van Ness and Helman, 160 Helman, is partially vacant, a previous development proposal for the site would have completely screened the subject property from Helman. The future development of 160 Helman will likely screen the building from view by the residential properties to the west. Due to the topography, with the current adjacent site

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development, the building will appear as a two-story from Helman Street until the adjacent Employment zoned properties develop at a higher intensity that dictates larger building areas.

There is a 4,058-square foot, two story commercial building with residential above to the northwest, across Van Ness. This structure is on a 3,500-square foot lot, has nearly 80-feet of façade along Van Ness Street. Though on a smaller scale, the floor area ratio of this site at 1.15 percent Floor Area Ratio is similar to proposal.

4. Massing.

The proposed building is divided into smaller, varied masses. The architecture differs from the residentially inspired Plaza Inn and Suites and is more consistent with historically appropriate commercial architecture. The recessed entrances, canted bay windows, covered pedestrian areas, wide sidewalks, street trees all provide visual relief and reduce the massing. The proposed vertical and horizontal rhythms are symmetrical.

5. Setback.

The proposed building is setback the maximum allowed by the municipal code. The maximum setback from the public sidewalk in the Detail Site Review overlay is five feet, the proposed setback is at no point more than five feet.

6. Roof.

The proposed flat roof with a staggered parapet is consistent with traditional streetscapes found the developed commercial areas of Ashland such as A Street and in the downtown.

7. Rhythm of Openings.

The proposed pattern of wall to door and window openings on the street frontages is maintained within each clearly defined "building unit". The pattern, and a compatible width to height ratio is maintained across the entire building façade even though the window style changes to retain consistent window styles within the different vertical divisions.

8. Base or Platforms.

The proposed building has a well-defined base. The base is reflective of the style of the building. The base is not consistent across the entire façade and materially changes with the style of the façade division.

9. Form.

The proposed buildings form is consistent with commercial development and the design is In order to add visual interest, the proposed building incorporates complex paneled exteriors with columns, framed bays, transoms, and windows to create multiple surface levels. There is a clear visual division shall be maintained between ground level floor and upper floors.

10. Entrances.

Well-defined, covered, recessed, primary entrances are provided into each tenant space on the street frontages. Awnings and marquees are proposed to emphasize the entrances.

11. Imitation of Historic Features.

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The building design is consistent with this standard. The proposed building is clearly contemporary in design while providing historical context with the incorporation of materials and architectural elements found on commercial buildings in Ashland's historic districts.

18.4.3 Parking Access and Circulation:

The proposed development requires 63 vehicle parking spaces.

Commercial / Retail: 2528 / 350 = 7.36

Office: 3,680 / 500 = 7.22

Coffee: 1 per 4 seat = 4

Total: 18.5

Hotel Use: 26 units + 1 manager = 27

Residential:

1 br. 500 sf unit: 2 X 1.5 = 3

2 br. Units: 7 X 1.75 = 12.25

3 br. Units: 1 X 2 = 2

Total Residential Spaces: 17.25

Total Required Automobile Spaces: 62.75

The proposal accommodates for 21 parking spaces above ground, to the side and rear of the proposed structure. An additional 22 parking spaces are proposed underground, beneath the structure. The parking spaces are accessed via the driveway near Van Ness through to the alley that connects to Water Street. A total of 43 of the required 63 are provided for on site.

Additional parking is proposed utilizing the various Parking Management Strategies' provided within the land use ordinance to meet parking demands. One additional parking space is provided for within the public alley that cannot be connected through to Helman Street due to the topography. A head-in parking space is proposed with a stairway that provides pedestrian access to and through the development. In preliminary discussions with the City of Ashland Public Works Division, will be permitted with an encroachment permit approval.

The remaining required parking spaces are requested to be accounted for through the implementation of Parking Management Strategies from AMC 18.4.3.060. The parking management strategies have been reviewed by the project Transportation Engineer, Kelly Sandow and it has been found that the proposed uses, the mixture of uses, how their demand offsets each other and the location of the proposed structure all reduce parking demand. It can be found that the proposed parking management strategies are supported through the provided traffic data. The requested parking management credit is 33 percent or 21 vehicle parking spaces.

The proposal requires 26 bicycle parking spaces. Commercial requires 16.5 bicycle parking spaces, residential requires 9.5 bicycle parking spaces. The bicycle parking is accommodated throughout the site.

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18.4.3.060 Parking Management Strategies

A. On-Street Parking Credit. Credit for on-street parking spaces may reduce the required off-street parking spaces up to 50 percent, as follows.

1. Credit. One off-street parking space credit for one on-street parking space
With the proposed street improvements, nine, on-street parking spaces will be created. The nine spaces are contiguous with the property frontage, comply with the separation from driveway and intersection standards and presently, development in the immediate vicinity is very low and on-street parking is not in demand along the frontages of the property at the same capacity as the on-street parking demands found on the properties to the south of Central Avenue.

B. Alternative Vehicle Parking. Alternative vehicle parking facilities may reduce the required off street parking spaces up to 25 percent, as follows.

1. Motorcycle or scooter parking. One off-street parking space credit for four motorcycle or scooter parking spaces.

Six motorcycle parking spaces are proposed to provide a single vehicle parking credit.

2. Bicycle parking. One off-street parking space credit for five additional, non-required bicycle parking spaces.

There are 30 additional covered bicycle parking spaces provided distributed throughout the site. The 30 additional spaces provide a credit for six vehicle parking spaces.

C. Mixed Uses.

Several users are proposed to occupy the structure. The uses of the site, retail / commercial and office space peak parking demands are off-set by the peak parking demand for the residential uses and a mixed-use credit of six parking spaces. Additionally, a parking space is provided for each hotel accommodation unit. According to the Traffic Institute Hotels often have 60 percent occupancy and even when fully occupied, the associated parking is not fully occupied because visitors that come by air take a taxi or shuttle and stay in Ashland without their personal vehicle. Additionally, the property and the neighborhood is very walkable, where most errands can be accomplished on foot and receives a WalkScore of 89 out of 100.

<https://www.walkscore.com/score/165-water-st-ashland-or-97520>

This reduces the dependence of automobiles both from the development but also to the site. The customers and clients of the commercial business that live and / or work in the area are able to walk or bike to the proposed development.

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18.4.3.080 Vehicle Area Design

A. Parking Location

The proposed parking is located to the side and rear of the proposed building.

B. Parking Area Design.

The required parking area is proposed to be designed in accordance with the standards. The proposed parking spaces are 9 X 18 with up to 50 percent of the provided parking spaces as compact. The parking spaces have the required 22-foot back up, except the compact car parking spaces adjacent to the south side of the structure where a compact automobile turning radi is shown on the Architectural renderings. Another 22-parking spaces are provided underground.

One additional parking lot shade tree is proposed. The parking area has been designed to minimize the adverse environmental impacts. The parking lot is designed to capture and treat surface run-off through a landscape swale. A raised pedestrian walkway is proposed to provide access from the surface parking spaces to the building.

18.4.5.030 Tree Protection.

The trees on the subject property are proposed for removal. There several smaller deciduous trees on the adjacent property to the east, uphill from the subject property. These trees will have six-foot chain link fence installed at the dripline of the trees to protect them from the proposed site development. These trees are on the adjacent property and no construction activities will occur within the tree protection zones. The driplines of the trees do not encroach across the property lines.

18.4.6.020 Public Facilities

B. Exceptions and Variances.

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 or proposed use of the site.

The location of the public infrastructure at the intersection of the two streets, particularly the fire hydrant, would require relocation at a high cost to the property owner. Installing street improvements that comply with the standards for sidewalk and park row width including curb return at the intersection are cost prohibitive when considering an intensification of the site is not proposed.

b. The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable.

The connectivity of the property and the neighborhood will have superior transportation facilities through the installation of sidewalk to city standards on Water Street along the frontage of the property. The sidewalk on Van Ness will be improved in width, from four-feet to six-feet, the requested area of exception is to transition the existing curbside sidewalk along the property to the east. There is also a substantial grade change along the frontage of the property and the proposed location of the sidewalk allows for a transition area that will not increase the steepness or the cross slope of the property.

i. For transit facilities and related improvements, access, wait time, and ride experience.

Not applicable

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.

Van Ness and Water Streets are both 'shared' streets without dedicated bicycle lanes. The proposal will not have a negative impact on the bicycle facilities. The provision of ample, secure bicycle parking facilities will encourage employees of the commercial uses of the site to utilize alternate transportation over vehicles.

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- 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.

The proposal is to add sidewalks where none currently exist on Water Street and to widen the sidewalk on Van Ness. Street trees are proposed on both frontages. A truncated dome and accessible cross walk is proposed for the intersection of Water and Van Ness. The proposed improvements improve the comfort level of walking along the street and provides a safer crossing of Water Street along the Van Ness sidewalks. The area where the sidewalk on Van Ness requires the exception will have a parking bay between the sidewalk and the street which will provide a feeling of safety as the sidewalk surface is not directly adjacent to the travel lane.

- c. The exception is the minimum necessary to alleviate the difficulty.

The exception is the minimum necessary to alleviate the difficulty of improving to full city standards since a transition to the sidewalk on the property up-hill to the west is necessary.

- d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection [18.4.6.040.A](#).

The purpose and intent contains standards for street connectivity and design as well as cross sections for street improvements including installation of new streets and improvements to existing streets. The increased sidewalk width for a majority of the frontage while maintaining connectivity is consistent with the standards.

18.4.7 Signs.

A single projecting sign for the Magnolia Building is proposed currently. This sign is an architectural feature. The signs for the individual businesses will comply with the sign code standards for sign area based upon business frontage with the sign sizes varying based on the frontage dimensions. No plastic or internally illuminated signs will be permitted.

18.4.8 Solar Access.

The proposed property has a 60 foot wide right-of-way for Van Ness Street to the north but also a 70-foot wide railroad right-of-way beyond that. The proposed structure complies with the solar setback as the rights-of-way are allowed to be shadowed by development.

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.

Adequate city facilities exist to service the proposed development.

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MAR 20 2017
City of Ashland

Water: There is an existing 16-inch water main in Water Street. There is also a 16-inch main in Van Ness. The new water services are proposed adjacent to Water Street, along the curb line to reduce the infringement into the sidewalk and the 13-foot pedestrian corridor. There is a fire hydrant on Water Street. The fire connection vault is proposed to be located within the sidewalk adjacent to the alley along Water Street as required by the City of Ashland Water Department. The water line sizes are substantial enough to comply with the water needs for the new structure.

Sanitary Sewer: There is an eight-inch sanitary sewer line in the Water Street In discussion with the Wastewater Department Supervisor, there are no capacity issues with the public sanitary sewer lines. New sewer connections will be made to connect the proposed structure to the public infrastructure.

Electrical: Substantial upgrades are required to the electrical infrastructure. The primary power will come from a pole on Helman and Van Ness. A new transformer will be installed behind the sidewalk adjacent to the new structure, this will connect to a new junction box that is proposed to be located on the south side of the alley. A public utility easement will be provided for all public utilities that are on the private property. Solar panels are proposed on the roof of the building to off-set the demands on the electrical system.

Storm Sewer: There is a 12-inch Storm sewer main in Van Ness Street and a 10-inch main in Water. In consultation with the Street Division, there are no capacity issues with the city's facilities. When considering that post development peak flows are not to exceed pre-development peak flows, there should be little discernable impacts on the storm sewer facilitates.

Transportation: According the Transportation System Plan, both Water and Van Ness Water Street are classified as Neighborhood Collectors. This street classification anticipates less than 1,500 ADT and are meant to provide access to residential and neighborhood commercial areas.

Water Street has a 40-foot right-of-way and has a varied improved width. Water Street is currently "improved" with curb, gutter on the subject property side of the street (west) and curb, gutter, and a five-foot curbside sidewalk the east side of Water Street. Across from the subject property there is an on-street parking bay near the driveway that accesses the surface parking area for the residence at 16 Van Ness. The proposal is to upgrade Water Street with five-foot hardscape parkrow and eight feet of sidewalk. A public pedestrian access easement will be provided to provide the required pedestrian access across the property.

Van Ness Street has a variable width right-of-way with 60-feet of ROW at the west side of the property and reduces to 40-feet at the intersection of Van Ness and Water Street. Van Ness, is improved with curb, gutter and a four-foot curbside sidewalk. The proposal is for the majority of the sidewalk along the frontage of the proposed building to comply with the standards (five-foot hardscape park row and an eight-foot sidewalk). The sidewalk is proposed to transition to a five-foot curbside adjacent to the new, on-street parking parallel parking spaces that will be constructed along Van Ness.

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City of Ashland

The public alley along the south side of the property cannot be completed through to Helman Street due to the topography is proposed to have a pedestrian stairway to provide pedestrian access to and through the development.

A Traffic Impact Analysis (TIA) was completed by Kelly Sandow from Sandow Engineering with the following summary:

All intersections operate within the mobility standards with the exception of Water Street/Main Street. The Water St Approach does not meet standards in the future year condition with the development in place. The simple mitigation is to restripe the approach to be two lanes with a separate left and through lane.

The TIA was reviewed by the City of Ashland Public Works Division and comments and concerns were provided in response that expressed concerns regarding the inability to stripe Water Street to afford necessary future year condition. The comments from the City discussed a planned improvement of a traffic light to be partially funded through the ODOT ARTS program and that the light is the preferred mitigation. As addressed by the Traffic Engineer, the proposed development increases traffic at the intersection by less than two percent. Any recommended financial contributions to the light to cover the difference between the grant funding and the City's proportional share should not exceed that of the cost of striping.

The Public Works Dept. also expressed concern about Oregon Department of Transportation (ODOT) review of the impact to North Main Street since North Main Street is an ODOT facility. ODOT has stated they have no comment because the proposal is off-highway, and is not a zone change (Attachments include the TIA, Engineers response, and ODOT response to request for comment).

E. Exception to the Site Development and Design Standards.

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

The requested reduction of a portion of the parking lot buffer adjacent to the property line requires an exception. The property is unique in that there is a more than 35 percent slope along the property line. A retaining wall will be constructed to accommodate the parking and the parking will be more than 8-feet below the grade of the adjacent property which will effectively screen the vehicles parking in the spaces adjacent to the property line. The exception will not have any negative impacts on the adjacent properties.

18.5.4.050 Conditional Use Permit

A. Approval Criteria.

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

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MAR 20 2017

City of Ashland Page 31 of 37

The proposed hotel requires a conditional use permit in E-1 zone. It can be found that the proposed hotel complies with the standards of the zoning district. The target use in the zone is employment with the potential for up to 15 dwelling units per acre. The proposed hotel will not have any greater adverse material effects on the livability of the impact area. The residentially zoned properties are across Helman Street, uphill to the west, and across Ashland Creek off of Oak Street to the east. The proposed use complies with the standards for the non-residential zone, employment zoned property setbacks, lot coverage, landscaping, openspace, parking requirements, maximum heights and overall City of Ashland Site Design Review standards for commercial development in the Employment zone.

The proposal complies with relevant Comprehensive Plan policies. Specifically, the City of Ashland Comprehensive Plan recognizes the importance of tourism on Ashland Economy. Section 7.06, Future Growth and Development of Ashland's Economic Bases has an entire section devoted to Tourism (7.06.02). It finds that tourism can be beneficial because tourists patronize a wide variety of establishments and consequently contribute to diversification of the goods and products produced locally. Tourism thus promotes specialization in production and consumption of a greater variety of goods than the community itself can efficiently produce. (Ashland Comprehensive Plan; pg. 19 – 20). The Comprehensive Plan notes that in order to meet demand (in 2005) more than 9.5 acres of land were needed to meet the current demand.

The Comprehensive Plan states "If no additional rooms are built, more people will stay in nearby communities and come to Ashland by car, causing additional traffic and parking problems. Building motels and hotels in Ashland will allow the city to encourage the use of public transport or shuttle services in town, and will provide additional employment and tax base. At present occupancy rates, however, it would take an additional nine and one half acres to provide the number of rooms that will be demanded at the peak month in the year 2005...The City should accommodate new hotel rooms sufficient to allow tourists whose primary destination is Ashland to stay in the City limits." (Ashland Comprehensive Plan, The Economy; pg. 28)

The State of Oregon also recognizes that importance of providing tourist accommodations and the property is eligible for Oregon Enterprise Zone tax relief.

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.

Adequate city facilities exist to service the proposed development.

Water: *There is an existing 16-inch water main in Water Street. There is also a 16-inch main in Van Ness. The new water services are proposed adjacent to Water Street, along the curb line to reduce the infringement into the sidewalk and the 13-foot pedestrian corridor. There is a fire hydrant on Water Street. The fire connection vault is proposed to be located behind the sidewalk adjacent to the alley along Water Street. The water line sizes are substantial enough to comply with the water needs for the new structure.*

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Electrical: *Substantial upgrades are required to the electrical infrastructure. The primary power will come from a pole on Helman and Van Ness. A new transformer will be installed behind the sidewalk adjacent to the new structure, this will connect to a new junction box that is proposed to be located on the south side of the alley. A public utility easement will be provided for all public utilities that are on the private property. Solar panels are proposed on the roof of the building to off-set the demands on the electrical system.*

Storm Sewer: *There is a 12-inch Storm sewer main in Van Ness Street and a 10-inch main in Water. In consultation with the Street Division, there are no capacity issues with the city's facilities. When considering that post development peak flows are not to exceed pre-development peak flows, there should be little discernable impacts on the storm sewer facilitates.*

Transportation: *According the Transportation System Plan, both Water and Van Ness Water Street are classified as Neighborhood Collectors. This street classification anticipates less than 1,500 ADT and are meant to provide access to residential and neighborhood commercial areas.*

Water Street has a 40-foot right-of-way and has a varied improved width. Water Street is currently "improved" with curb, gutter on the subject property side of the street (west) and curb, gutter, and a five-foot curbside sidewalk the east side of Water Street. Across from the subject property there is an on-street parking bay near the driveway that accesses the surface parking area for the residence at 16 Van Ness. The proposal is to upgrade Water Street with five-foot hardscape parkrow and eight feet of sidewalk. A public pedestrian access easement will be provided to provide the required pedestrian access across the property.

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The public alley along the south side of the property cannot be completed through to Helman Street due to the topography is proposed to have a pedestrian stairway to provide pedestrian access to and through the development.

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All intersections operate within the mobility standards with the exception of Water Street/Main Street. The Water St Approach does not meet standards in the future year condition with the

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The TIA was reviewed by the City of Ashland Public Works Division and comments and concerns were provided in response that expressed concerns regarding the inability to stripe Water Street to afford necessary future year condition. The comments from the City discussed a planned improvement of a traffic light to be partially funded through the ODOT ARTS program and that the light is the preferred mitigation. As addressed by the Traffic Engineer, the proposed development increases traffic at the intersection by less than two percent. Any recommended financial contributions to the light to cover the difference between the grant funding and the City's proportional share should not exceed that of the cost of striping.

The Public Works Dept. also expressed concern about Oregon Department of Transportation (ODOT) review of the impact to North Main Street since North Main Street is an ODOT facility. ODOT has stated they have no comment because the proposal is off-highway, and is not a zone change (Attachments include the TIA, Engineers response, and ODOT response to request for comment).

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.

The target use in the zone is employment with the potential for up to 15 dwelling units per acre. The proposed hotel will not have any greater adverse material effects on the livability of the impact area. The residentially zoned properties are across Helman Street, uphill to the west, and across Ashland Creek off of Oak Street to the east. The proposed use complies with the standards for the non-residential zone, employment zoned property setbacks, lot coverage, landscaping, openspace, parking requirements, maximum heights and overall City of Ashland Site Design Review standards for commercial development in the Employment zone.

a. Similarity in scale, bulk, and coverage.

This is a challenging criterion to address since the adjacent commercial properties in the impact area are under-developed and the majority of the residentially zoned lots in the impact area are smaller than the minimum lot area in the R-2 zone. The proposed building will have a three-story presence on Water and Van Ness Streets but due to the topographical "bowl" on the north and west sides, the massing is reduced. Due to the lack of commercial development in the impact area it can be found that the proposed development complies with scale, bulk and coverage standards. The Ashland Creek Condominiums at Central and Water and the Plaza Inn and Suites at Helman and Water Streets are both similar scale with 58,578 square feet of building area and 42,224 square feet respectively, with two and three story construction, the proposed 42,841 square foot building can be found to be similar in scale and bulk. The proposed coverage is consistent with the maximum lot coverage allowed in the zone.

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.

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The proposed generation of traffic and the effects on the surrounding streets from the hotel can be found similar to or less than the impacts of an office use of comparable size. It can be found that typically hotel guests that are within walking distance of the downtown take advantage of the proximity and walk to their destinations. Additionally, bicycle parking is provided for with the development, the site is near the through town connections to the Bear Creek Greenway providing easy access to bicycle facilities. The property receives a Walkscore of 89 out of 100 which is considered very walkable.

c. Architectural compatibility with the impact area.

The proposed structure is architecturally compatible with the Historic District Design Standards and will not detract from any historic commercial structures in the vicinity as there are none. The impact area is underdeveloped or residential which does not provide any basis for comparison of architectural compatibility.

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

The proposed hotel will not have greater adverse negative impacts on air quality, including the generation of dust, odors, or other environmental pollutants when compared to an office use of similar size.

e. Generation of noise, light, and glare.

The proposed hotel will not have greater generation of noise, light or glare over what a similarly sized office use would.

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

The proposed hotel development will have no impact on the development of adjacent properties as envisioned in the comprehensive plan. In fact, the upgrades to the electric utilities will assist the development of the adjacent properties to higher intensities as envisioned in the Comprehensive Plan.

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

A hotel use is allowed with a Conditional Use Permit in the employment zone.

18.5.7.040 Approval Criteria

B. Tree Removal Permit.

2. Tree That is Not a Hazard.

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 18.3.10.

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MAR 20 2017
City of Ashland

The trees are proposed for removal to permit the applicant to be consistent with other applicable ordinance requirements and standards applicable to the Site Design Standards and the Physical and Environmental Constraints ordinance.

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 removals will not have significant negative impacts on erosion, soil stability, flow of surfaces waters, protection of adjacent trees or existing windbreaks. The areas where the trees are located, post removal will be redeveloped as part of the larger, comprehensive site development.

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.

There are several trees within 200-feet of the subject property. The proximity to the heavily vegetated creek area provides substantial species diversity, canopy coverage and tree densities. The proposed development replaces canopy, tree densities, sizes and species diversity.

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.

The residential density is not increased or decreased as a result of the tree removals.

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.

Mitigation trees are proposed throughout the property. There are five trees proposed within the parking lot to mitigate the removal of the five trees on the site. The conifer tree that is in a state of decline will not be mitigated for.

Conclusion:

The applicants have gone to great lengths to design the building and site in a manner that complies with the Basic, Detail, Large-Scale Building Design, and the Historic District Design Standards for the City of Ashland. The proposed building is an efficient use of the land, allows for intensification of uses across the spectrum of allowed uses in the Employment zone including office, retail, restaurant, hotel and residential uses. The proposal provides adequate transportation for pedestrian, bicycle and vehicular access to and through the site. The proposed plaza areas encourage outdoor engagement of both the pedestrian streetscape and for the tenants and guests of the property.

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We believe that after the past year of planning and meeting with City staff, and the Historic Commission the proposed building exceedingly complies with the standards, furthers the intent and purpose of the Employment Zone and is consistent with implementing the Comprehensive Plan and provides employment that meets both the City of Ashland needs and identified needs of the State of Oregon.

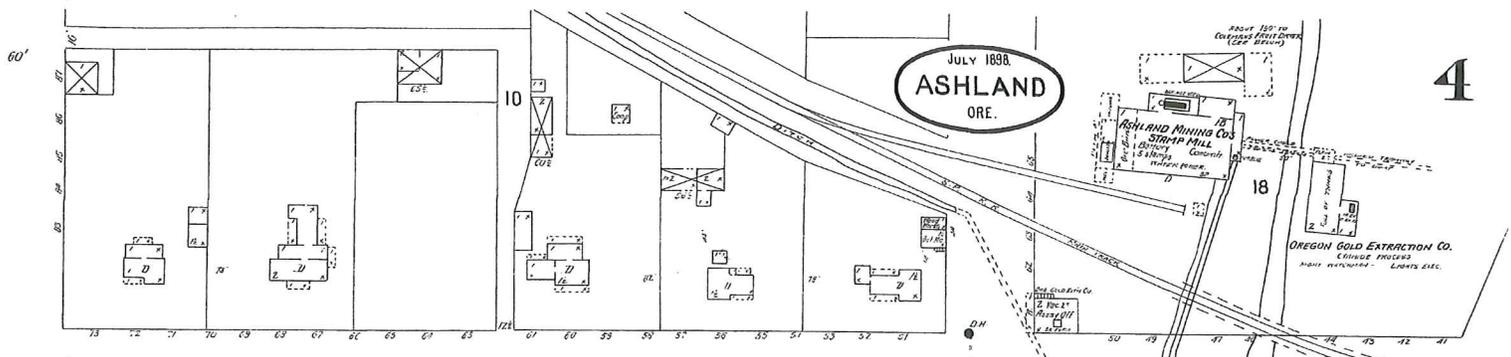
Attachments:

- 1) SANBORN FIRE INSURANCE MAP 1889; SECTION 4
- 2) FEMA FLOODPLAIN MAP
- 3) DEQ SITE CLEAN-UP CLEARANCE
- 4) GEOTECH EVALUATION
- 5) SITE SURVEY
- 6) ARCHITECTURAL SITE PLAN AND ELEVATIONS
- 7) PRELIMINARY LANDSCAPE PLANS
- 8) PRELIMINARY CIVIL PLANS
- 9) TRAFFIC IMPACT ANALYSIS
- 10) TRAFFIC IMPACT ANALYSIS REVIEW RESONSE
- 11) ODOT RESPONSE
- 12) PARKING ANALYSIS

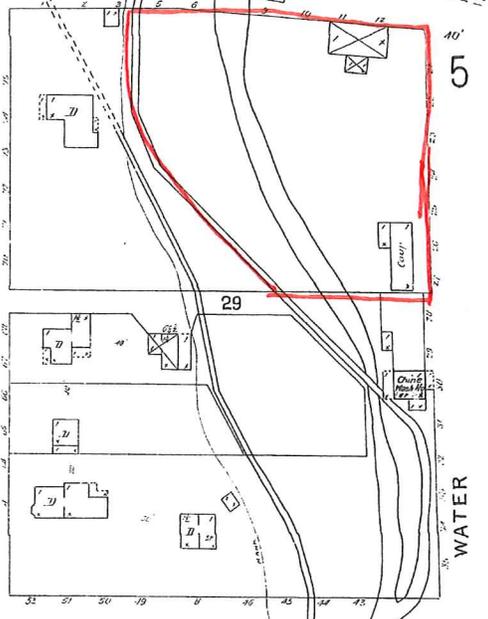
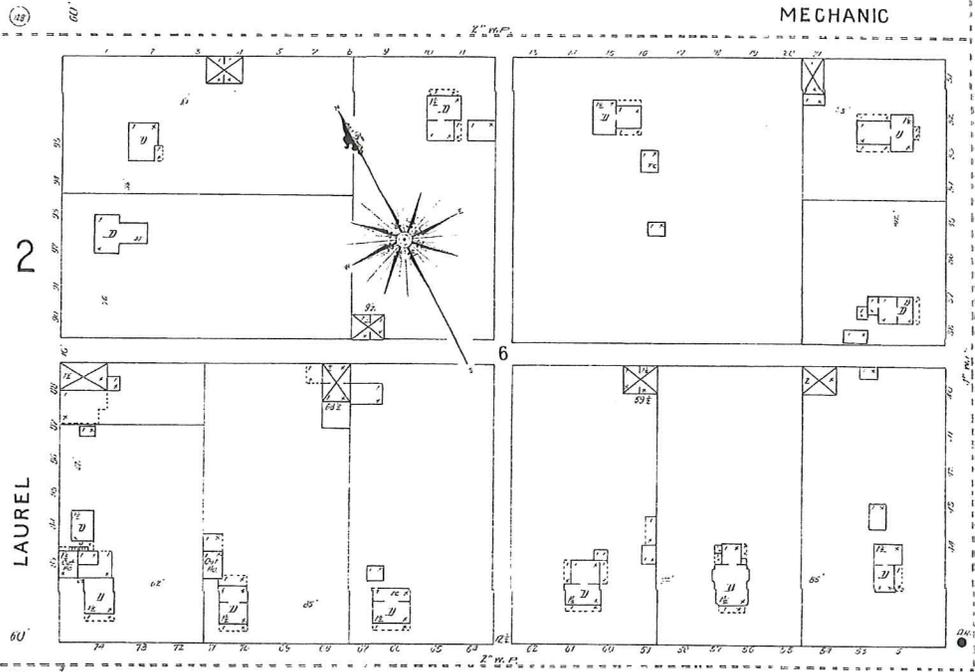
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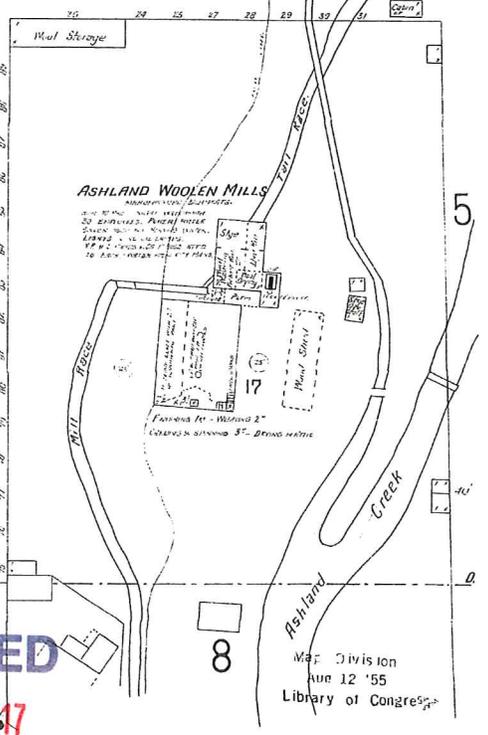
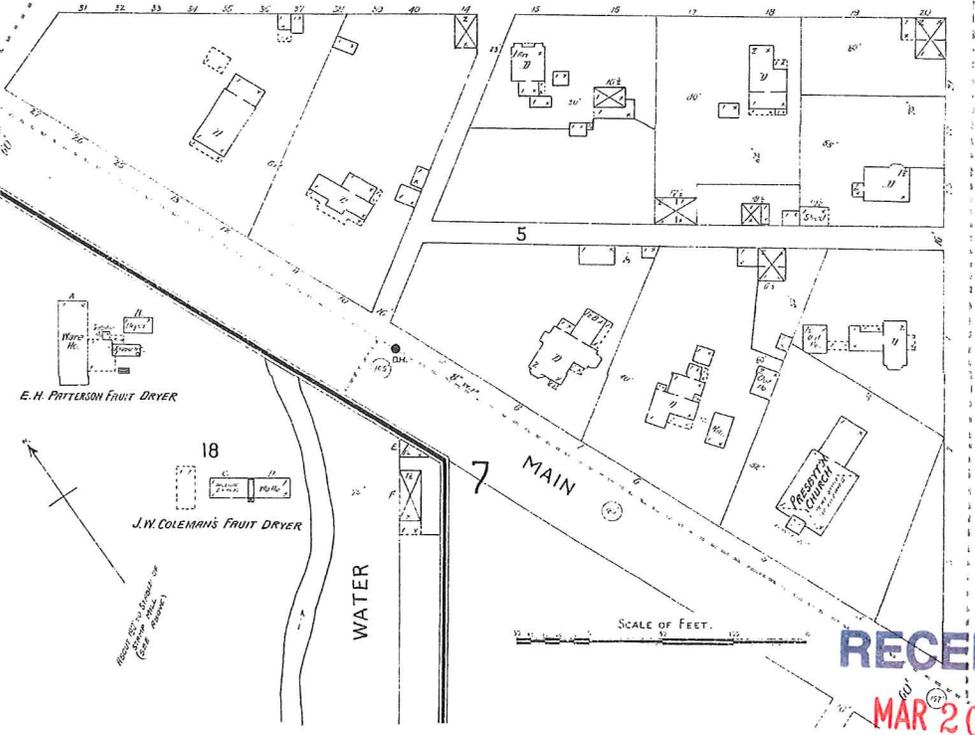
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MECHANIC



FACTORY



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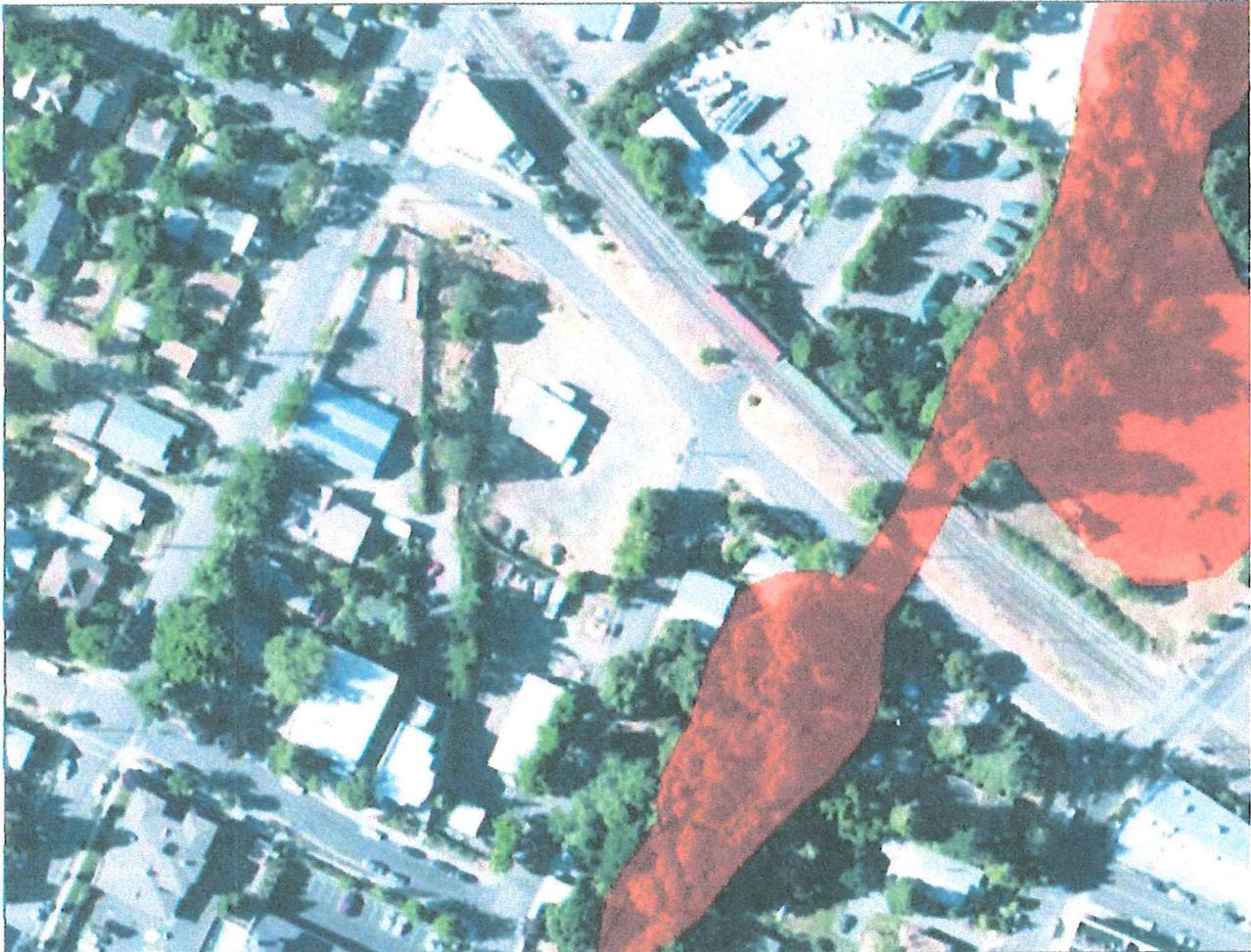
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Map Division
Aug 12 '55
Library of Congress

Oregon SFHA

Oregon Special Flood Hazard Area, also known as the "100-year" flood. Data from FEMA Flood Insurance Rate Maps; see official FEMA info for regulatory purposes



DLCD, DOGAMI | DigitalGlobe, Microso

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Oregon

Kate Brown, Governor

Department of Environmental Quality

Western Region

165 E. 7th Avenue

Eugene, Oregon 97405

(541) 686-7836

January 6, 2016

Mike Davis
SOS Plumbing and Drain, Inc.
206 S. Pacific Hwy
Talent, OR 97540

RE: Conditional No Further Action Determination for SOS Plumbing and Drain, Inc.
ECSI #4951

Dear Mr. Davis:

The Oregon Department of Environmental Quality (DEQ) has completed a review of the available information and the closure report entitled Near Surface PCS Removal and Groundwater Site Investigation, dated September 14, 2015, and submitted to DEQ on your behalf. The site address is 165 Water Street, Ashland, Jackson County Oregon. The tax lot is 391E04CC, Tax Lot 2000 on the Jackson County tax map.

DEQ has determined that the remedial action to address environmental contamination at the SOS Plumbing and Drain, Inc. Ashland Site is complete, and no further action is required, however, no groundwater use at the facility is allowed.

The only potentially complete exposure pathway that could present an unacceptable risk is for construction workers who could encounter soil at a depth that contains petroleum hydrocarbons at levels above DEQ's Risk-Based Cleanup levels. However, this risk will be managed by a Contaminated Media Management Plan (CMMP), which will be required to be used when excavating contaminated soil at the site. The CMMP is required by an Easement and Equitable Servitudes (EES) that is now attached to the property deed. Both documents are attached to this letter.

The EES also prohibits use of groundwater from the site, and limits the use of the site to non-agricultural use, and further prohibits residential use on the ground floor of any future buildings.

Based on the removal of contamination and the sample results for soil, groundwater, and soil gas, acceptable risk levels are not exceeded or can be managed with the CMMP. Therefore, DEQ has determined that a Conditional No Further Action determination may be granted for this site.

This determination is based on DEQ regulations and the facts as we now understand them including, but not limited to the following:

- The site was originally used as a fuel storage facility. Fuel oil was delivered via a former rail spur on the site. Fuel oil was stored on site in above ground tanks and was distributed to retail customers.

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- The original cause of the contamination of soil and groundwater at the site appears to have been from petroleum hydrocarbons which were related to heating oil distribution and supply.
- Over two hundred tons of contaminated soils have been removed from the site for appropriate disposal at a permitted landfill.
- No groundwater use at the facility is allowed.
- No residential use is allowed on the ground floor of any future structures.
- No agricultural use of the land is allowed.
- Public notice was necessary since a removal action was done at the site. Letters soliciting comments were sent to neighboring properties, and notices were placed on DEQ's website. No comments regarding the proposed Conditional No Further Action determination were received.

Based on the available information, the SOS Plumbing and Drain Inc. Ashland Site is currently protective of public health and the environment. As long as the use restrictions listed above are maintained, the site requires no further action under the Oregon Environmental Cleanup Law, ORS 465.200 et seq. unless new or previously undisclosed information becomes available, or there are changes in site development or land and water uses, or more contamination is discovered. DEQ has updated the Environmental Cleanup Site Information (ECSI) database to reflect this decision.

This letter only applies to the release discussed above. If contaminated soil or groundwater is encountered in the future, it must be handled and disposed of in accordance with the CMMP and local, state and federal regulations. Monitoring wells should be maintained or decommissioned in accordance with Oregon Water Resources Department regulations.

A copy of the staff memo supporting this No Further Action decision can be viewed online. Go to <http://www.deq.state.or.us/lq/ecsi/ecsiquery.asp> and search ID #4951. DEQ recommends keeping a copy of all of the documentation associated with this remedial action with the permanent facility records. If you have any questions, please contact Norman Read at 541-687-7348, or via email at read.norm@deq.state.or.us.

Sincerely,



Michael E. Kucinski, Manager
Western Region Environmental Cleanup Section

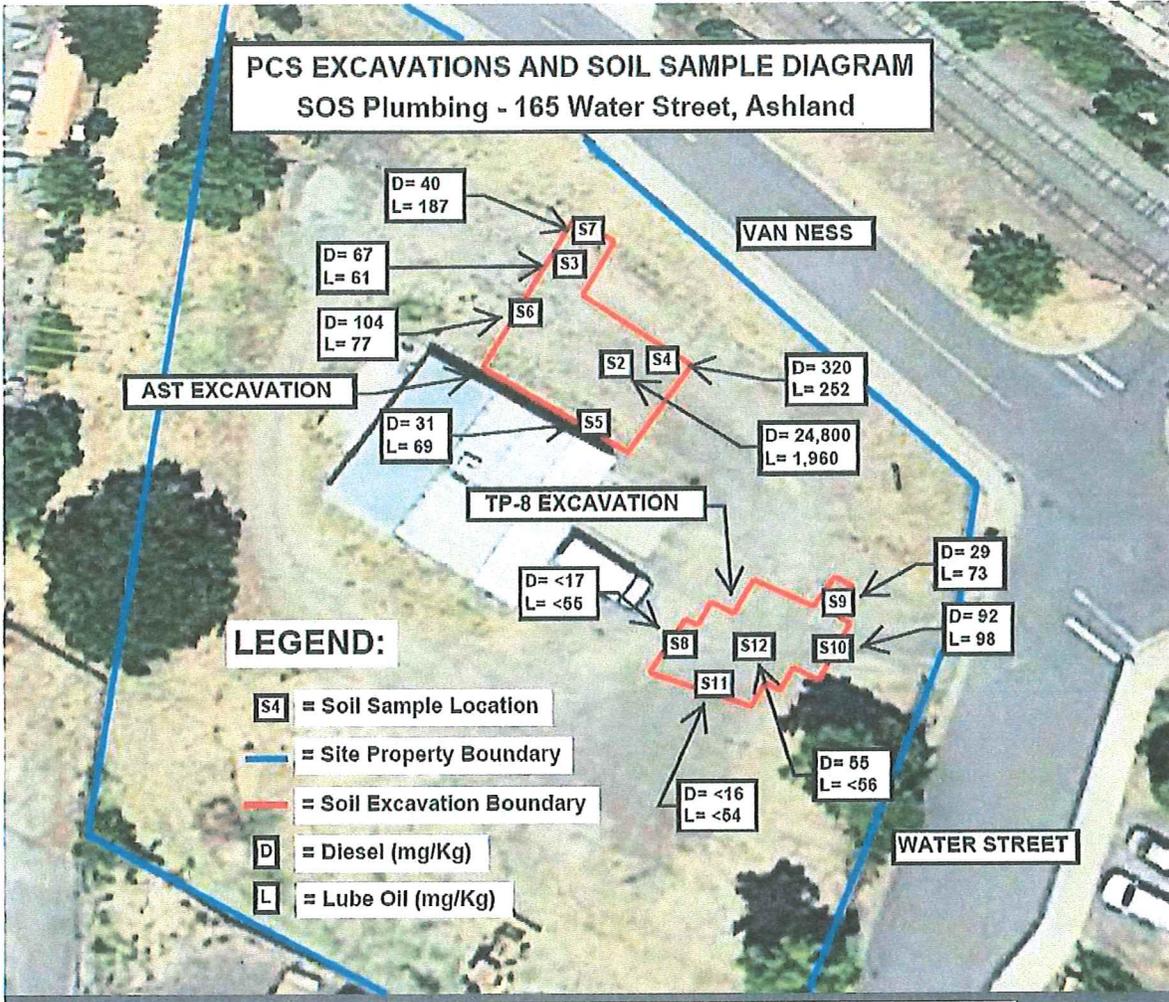
Attachments: Site Map
Easement and Equitable Servitudes
Contaminated Media Management Plan

cc: Dave Fawcett, Coleman Creek Consulting, Inc., 810 Leonard Street, Ashland, OR 97520
Norm Read/DEQ
File ECSI #4951

ec: Kris Byrd/OWRD kristopher.r.byrd@state.or.us

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Attachment – Site Map



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YOUR PROFESSIONAL ENGINEERING TEAM SINCE 1957

P 541-772-7115 F 541-779-4079 1120 EAST JACKSON PO BOX 490 MEDFORD, OR 97501
EMAIL: info@marquess.com WEB: www.marquess.com

Date: January 20, 2017

To: Gil Livni
Amy Gunter

From: Rick Swanson, P.E., G.E.

RE: Geotechnical Reconnaissance
165 Water Street, Ashland, Oregon
MAI Job No. P17-9005

As requested by Amy, we have prepared this letter regarding the steep slope that forms the west boundary of 165 Water Street, Ashland, Oregon. On January 11, 2017, we visited the site and observed the steep slope and the general site conditions. We understand the slope is an old railspur embankment.

The subject slope is about 12' high and inclined at about 3 horizontal to 1 vertical to as steep as 2 horizontal to 1 vertical. The slope is vegetated with weeds and a few scattered mature trees. The top of the slope appears to be somewhat locally rounded due to the scattered placement of miscellaneous materials (presumably from the people who occupy the ground at the top of the slope). We did not observe any signs of slope instability or seepage from the slope.

The slope appears to be reasonably stable. If future improvements, such as a parking lot, are set back from the toe of the slope, perhaps at least 10', it would be reasonable to leave the slope as-is and landscape it to your liking. If future improvements require the removal of the slope, or portions of the slope, we would recommend installing retaining walls to support the slope.

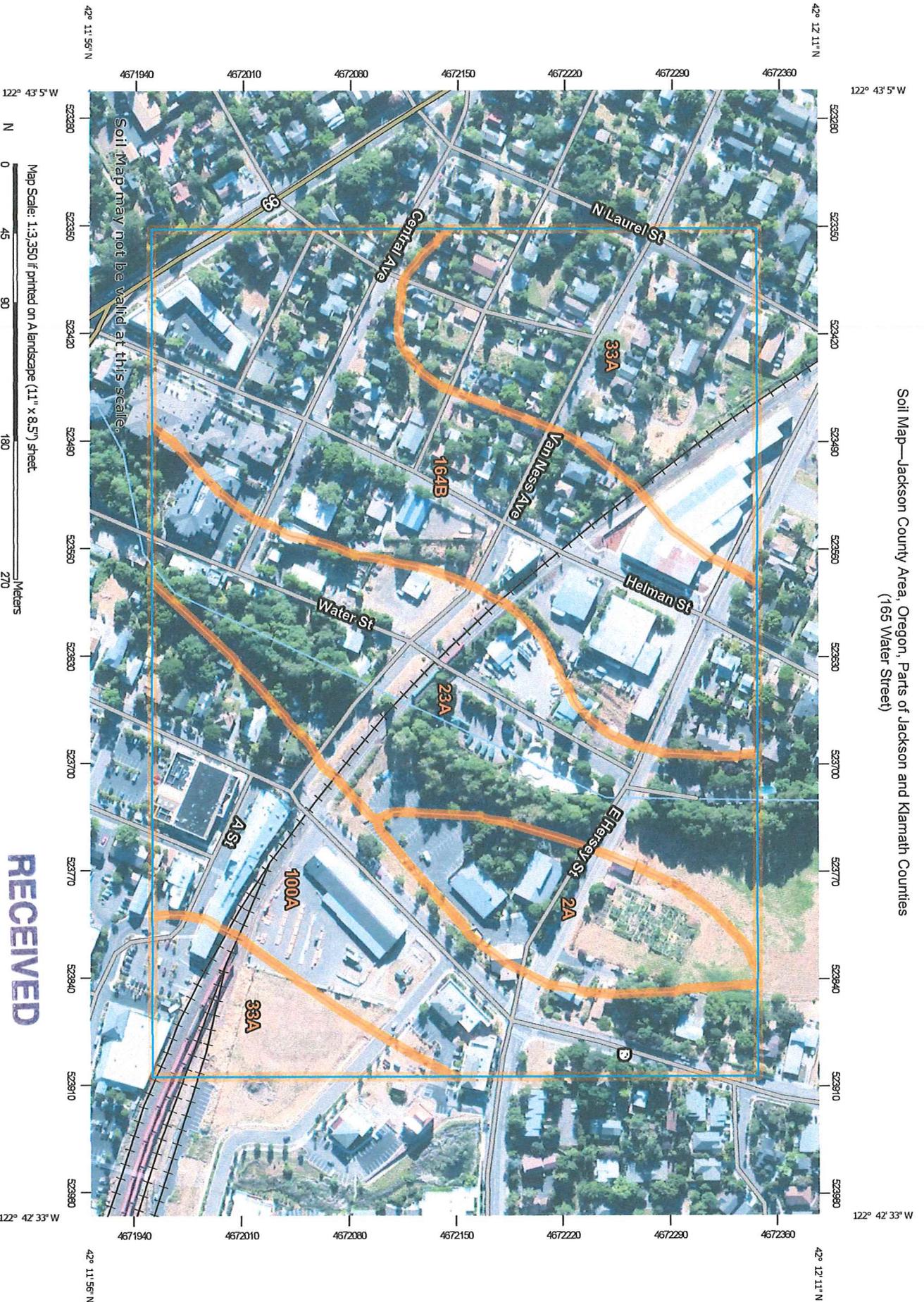
This brief letter has been prepared in accordance with generally accepted soil and foundation engineering principles and practices in this area. No other warranty, either expressed or implied, is made.



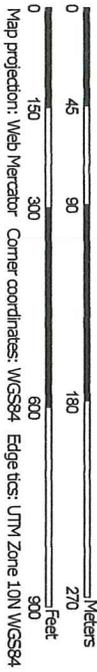
EXPIRES: 6-30- 2018

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Soil Map—Jackson County Area, Oregon, Parts of Jackson and Klamath Counties
(165 Water Street)



Map Scale: 1:3,350 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

USDA
Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

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MAP LEGEND

- Area of Interest (AOI)
- Area of Interest (AOI)
- Soils**
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points
- Special Point Features**
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features
- Water Features**
- Streams and Canals
- Transportation**
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads
- Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Jackson County Area, Oregon, Parts of Jackson and Klamath Counties
Survey Area Data: Version 13, Sep 16, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 28, 2010—Jul 17, 2010

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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Map Unit Legend

Jackson County Area, Oregon, Parts of Jackson and Klamath Counties (OR632)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2A	Abin silty clay loam, 0 to 3 percent slopes	4.2	7.8%
23A	Camas-Newberg-Evans complex, 0 to 3 percent slopes	11.8	21.8%
33A	Coker clay, 0 to 3 percent slopes	11.5	21.2%
100A	Kubli loam, 0 to 3 percent slopes	10.9	20.1%
164B	Shefflein loam, 2 to 7 percent slopes	15.8	29.1%
Totals for Area of Interest		54.2	100.0%

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TO: Karl Johnson
City of Ashland

FROM: Kelly Sandow
Sandow Engineering

DATE: February 13, 2017

RE: Magnolia Development TIA-Response to City of Ashland Comments



RENEWAL 06 / 30 / 18

The City of Ashland has provided comments, dated February 1st, 2017, in response to the review of Sandow Engineering's Magnolia Development Traffic Impact Analysis (TIA) dated January 18th, 2017. Sandow Engineering is providing the following response to the comments.

1. The City feels that the proposed mitigation at the N. Main/Water Street is not an acceptable mitigation because of the following:
 - a. Sight distance from Water Street onto N. Main Street is poor, and is part of why this intersection is a concern. Geometry of this intersection should be reviewed to determine how the two southerly movements, along with the existing crosswalks, will be effected.
 - b. The intersection experiences long delays and long queue lengths at this time and additional developmental traffic will increase these delays/lengths. The available storage shown in Tables 8 and 9 for the SB movement on Water Street is stated to be 500 feet but there's only 100 feet to the "Beaver Slide" from Lithia Way, which will be the first street that would be blocked. If traffic blocks the "Beaver Slide" then traffic could back up to Lithia Way which is a safety concern.
 - c. There is not adequate width to stripe for two southbound lanes without removing parking, and parking in the downtown area is already insufficient.
 - d. The planned improvement at this intersection is a traffic signal, which at this point is in the ODOT ARTS Grant Process and is being partially funded, and as such this is the mitigation recommended for this intersection by the City.

The signalization of this intersection was recently brought to the attention of Sandow Engineering. Sandow Engineering agrees that a traffic signal is one possible mitigation strategy to improve the intersection of Main Street and Water Street. The signalization option was analyzed using Synchro and it was determined that under the 2023 background condition the intersection of Main Street and Water Street will operate better than the mobility standard ($v/c = 0.60$). The 2023 build condition will also operate better than the mobility standard ($v/c = 0.61$). Therefore, a traffic signal would adequately address the background capacity issues which are expected to occur by 2023. The synchro outputs for the analysis are attached.

In addition to improving capacity, signalization will also help to improve safety at the intersection as discussed in response to comment 3. That being said the development is adding 19 trips to the intersection of Main Street and Water Street during the PM peak hour. In existing conditions the intersection has 1200 vehicles entering the intersection during the PM peak hour. The development is only increasing entering volumes at the intersection by 1.6% and therefore should not be

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required to pay for the traffic signal. The cost of the signal is disproportionate to the impact this development has on the intersection.

The mitigation of restriping the intersection for two separate turn lanes was determined to improve the v/c ratio and to be more proportional to the impact of the development.

2. The City's TSP uses a commuter/summer adjustment in its traffic study analysis and the City feels that the same should be used for this project instead of a commuter adjustment.

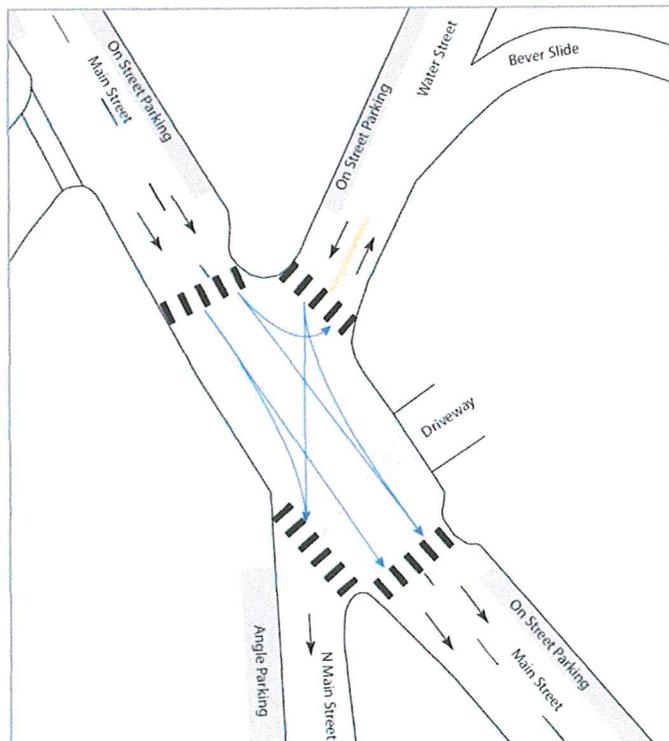
Sandow Engineering agrees that consistency with the TSP is important. In this case, it was determined that using the commuter only adjustment was appropriate as traffic counts were taken in December which is a peak shopping season in the downtown area. Additionally, it should be noted that traffic counts were also taken while Southern Oregon University was in session. Therefore, using engineering judgement, it was determined that the commuter seasonal adjustment alone was adequate to determine peak traffic volumes.

3. It appears that the crash rate for this intersection in Table 2, based upon the ADT, is incorrect. With the numbers used the crash rate calculates to over 1.0 threshold. This should be reviewed.

The ADT included in Table 2 for the intersection of Water Street and Main Street was a typo. 10,370 is the correct ADT for the intersection. The crash rate of 0.32 is the correct rate using an ADT of 10,370.

4. The City defers to ODOT methodology when evaluating crash data for whether further investigation is necessary. The intersection of Water Street / Main Street would be considered a 3ST based on N. Main Street being one way and the intersection should also have a higher safety concern due to the fact that there was a fatal accident here.

The ODOT Analysis Procedures Manual (APM) intersection crash rates into four categories, three-legged signalized/unsignalized (3 SG/ST) and four-legged signalized/unsignalized (4 SG/ST). The intersection of Main Street and Water Street consists of Main Street which is a one-way road, Water Street which is a two-way road, and N Main



Tech Memo
From: Kelly Sandow
RE: Magnolia Development Response to Comments
Date: 2.13.2017
Page 3

Street which is a southbound one-way road that is approximately aligned with Water Street (see figure below). Without considering the N Main Street connection, the intersection would be considered a 3ST intersection. Although Water Street and N Main Street are not directly aligned, their alignment is such that a vehicle from Water Street can make a through movement directly to N Main Street. Additionally, if the intersection were signalized, the N Main Street leg would be considered as part of the intersection. Therefore, the intersection of Main Street and Water Street would be considered a 4ST.

The 95th Percentile Statewide Average for an unsignalized four-legged intersection (4ST) within an urban area is 0.408 crashes/MEV. As discussed above the crash rate for the intersection of Water Street and Main Street was determined to be 0.32 crashes/MEV which is under the 95th Percentile Statewide Average, therefore further investigation is not necessary.

The trips generated by the development site are not expected to increase vehicle traffic for the southeast through movement on Main Street, the southwest through movement from Water Street, or the left-turn movement from Main Street onto Water Street (the movements with crashes that have occurred in the last 5 years) and therefore is not expected to perpetuate any of the existing crash patterns.

Additionally, as mentioned discussed in the response to comment 1, the city is looking to improve the intersection of Main Street and Water Street by installing a traffic signal. This improvement will help to improve safety by reducing rear-end collisions due to lack of visibility at the pedestrian crossing and angle collisions by assigning right-of-way.

5. ODOT should be involved since it is their intersection. Were they given this TIA for review?

The TIA guidelines state that “all land use actions that either propose direct or indirect access to a State highway or a boulevard will need to provide the City of Ashland with the information outlined below. The governing jurisdiction will then inform ODOT of the intended land use action and provide pertinent review material.” As such Sandow Engineering was under the impression that the City would provide ODOT with the TIA if necessary. However, if the City requests it, we would be happy to provide ODOT with a copy of the TIA.

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City of Ashland

SANDOW
ENGINEERING

TECH MEMO

TO: City of Ashland
FROM: Kelly Sandow P.E.
Sandow Engineering
DATE: February 20th, 2017
RE: Magnolia Development Parking Analysis



RENEWAL 06 / 30 / 18

This memo provides a parking analysis to determine the parking need for the Magnolia Development off Water Street. The development is a mix of residential, retail, and hotel land uses. These types of uses have peak parking demands that occur at different times of the day and not necessarily during the same time period. Therefore, there is opportunity for some land uses to share parking and reduce the overall number of needed parking spaces. This letter evaluates the potential for shared parking and how much parking is needed on-site.

PARKING ANALYSIS:

As stated previously, the site consists of several different land uses that have peak demand for parking at different times of the day and on different days of the week. Table 1 illustrates the time periods of peak parking demand as provided by the ITE Parking Generation Manual 4th Edition for each of the development's land uses.

TABLE 1: PEAK PARKING TIME BY LAND USE

Land Use	Parking Demand Peak Day	Parking Demand Peak Hour
Residential (Apartments)	Weekday	10:00-11:00 PM
Retail	Friday	6:00-7:00 PM
Hotel	Saturday	8:00-9:00 AM

As shown land uses do not have peak parking demands occur at the same time. There is opportunity for the land uses to share parking.

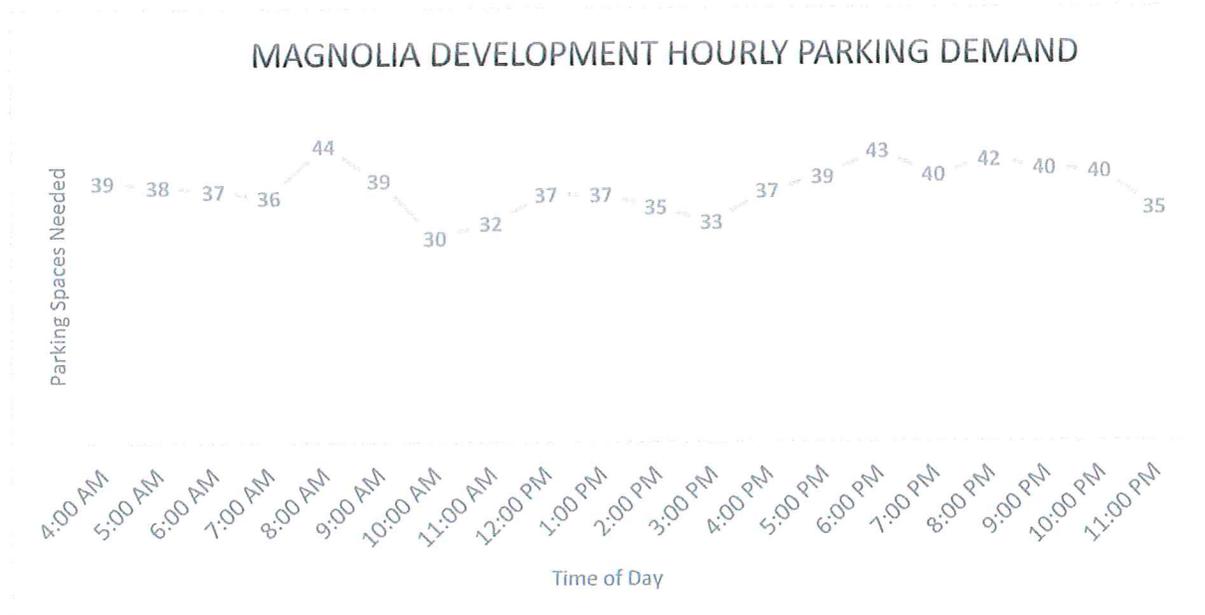
The total number of parking spaces needed by the Magnolia Development was determined as described below:

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Step 1: Determining the number of spaces required for each land use individually using the City of Ashland parking requirements as per Ashland Code 18.43.030. The parking calculation is included in Attachment A.

Step 2: Determining the hourly parking demand for each building. The hourly parking demand for each building was calculated using data contained within the ITE Parking Generation Manual. The Parking Generation Manual provides the utilization of parking spaces for typical weekdays and weekend days by hour. The data is provided as a percentage of the peak usage. The required number of parking spaces, per Ashland Code (Step 1), was assumed to be the peak usage (100%). The parking utilization was distributed hourly according to the ITE data. The parking demand numbers are illustrated in Attachment A. The hourly demand for each land use was summed up to determine the total hourly demand for the entire development. Figure 1 illustrates the parking demand by hour.

FIGURE 1: PEAK PARKING DEMAND BY TIME OF DAY



As shown, the entire development experiences a peak parking demand from 8:00 AM – 9:00 AM of 44 parking spaces. The site will be near peak occupancy from 9:00 AM to 10:00 AM and from 6:00 PM to 11:00 PM. This is primarily due to the parking demand for the hotel. Hotels have the highest parking demand from 8:00 PM to 9:00 AM weekdays, retail has the highest parking demand around noon, and the Apartments have the highest parking demand occurring after 8:00 PM on weekdays. Because of this peak parking demand is not the accumulation of the peak for each land use.

The development plans include 42 off-street parking spaces and 9 on-street parking spaces for a total of 51 spaces. There are enough parking spaces throughout the entire site to accommodate the peak parking demand. It should be noted that the parking numbers for each land use are calculated from the

Tech Memo
From: Kelly Sandow PE
RE: Magnolia Development Parking Analysis
Date: 2.20.17
Page 3

Ashland Parking Code which assumes the land uses are standalone. However, the development is comprised of a variety of uses within one building. The parking generation numbers used to develop the City parking requirements do not take into consideration internal trips which result in one parking space being used while visiting multiple land uses. Therefore, the parking generation numbers estimated in the analysis will be higher than general day to day operations and represent worst case scenario.

FINDINGS:

The report concludes the following:

- The Magnolia Development is proposing 42 off-street parking and 9 on-street parking spaces.
- The Magnolia Development has a peak parking demand of 44 vehicles. Peak occupancy is about 86% of total spaces provided.
- The peak parking demand occurs from 8:00 to 9:00 AM on typical weekdays. The site will operate near peak demand from 8:00 AM to 9:00 AM and from 6:00 PM to 11:00 PM on typical weekdays.
- The land uses of Apartments, Hotel, and Retail have individual peak parking demands that occur at times of the day and do not overlap; i.e Hotels have a peak parking demand in the early mornings on weekdays and retail has a peak parking demand after 6:00 PM on weekdays. Therefore, providing opportunities for shared parking.

As shown, the anticipated maximum usage on site is well below the available parking spaces on site. Additionally, these parking numbers do not take into consideration internal trips where people park at visit multiple land uses on site; i.e. a residential trip stopping in a retail shop. Therefore, there is sufficient available parking to meet the parking demand for the site.

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Hotel Rate	27	27	27	6962	Retail Rate	350	64	39
Hotel Rate	1	1	27	20		20	0	38
Hotel Rate	28	28	27	20		20	0	37
0:00	4:00 AM	79%	22	0:00	4:00 AM	0%	0	36
5:00 AM	6:00 AM	79%	22	5:00 AM	6:00 AM	0%	0	44
6:00 AM	7:00 AM	79%	22	6:00 AM	7:00 AM	0%	0	39
7:00 AM	8:00 AM	77%	22	7:00 AM	8:00 AM	13%	3	30
8:00 AM	9:00 AM	100%	28	8:00 AM	9:00 AM	27%	5	32
9:00 AM	10:00 AM	96%	27	9:00 AM	10:00 AM	60%	12	37
10:00 AM	11:00 AM	55%	15	10:00 AM	11:00 AM	75%	15	37
11:00 AM	12:00 PM	52%	15	11:00 AM	12:00 PM	90%	18	35
12:00 PM	1:00 PM	60%	17	12:00 PM	1:00 PM	100%	20	33
1:00 PM	2:00 PM	60%	17	1:00 PM	2:00 PM	100%	20	37
2:00 PM	3:00 PM	55%	15	2:00 PM	3:00 PM	98%	19	39
3:00 PM	4:00 PM	52%	15	3:00 PM	4:00 PM	91%	18	43
4:00 PM	5:00 PM	53%	15	4:00 PM	5:00 PM	76%	15	40
5:00 PM	6:00 PM	58%	16	5:00 PM	6:00 PM	67%	13	42
6:00 PM	7:00 PM	62%	17	6:00 PM	7:00 PM	72%	14	40
7:00 PM	8:00 PM	66%	18	7:00 PM	8:00 PM	51%	10	40
8:00 PM	9:00 PM	68%	19	8:00 PM	9:00 PM	52%	10	40
9:00 PM	10:00 PM	68%	19	9:00 PM	10:00 PM	44%	9	40
10:00 PM	11:00 PM	68%	19	10:00 PM	11:00 PM	29%	6	35
11:00 PM	12:00 AM	68%	19	11:00 PM	12:00 AM	0%	0	

max 44

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MAGNOLIA

A MIXED-USE DEVELOPMENT



DRAWING INDEX

- ARCHITECTURAL**
- A.0 COVER SHEET
 - A1.0 SITE PARKING PLAN
 - A1.1 SITE PLAN
 - A1-P COLORED SITE PLAN & PROJECT INFO.
 - A2.0 FIRST STORY FLOOR PLAN
 - A2.1 SECOND STORY FLOOR PLAN
 - A2.2 THIRD STORY FLOOR PLAN
 - A-3.0 KEY MAP & BUILDING ELEVATION PERSPECTIVES
 - A-3.1 EXTERIOR ELEVATIONS
 - A-3.2 EXTERIOR ELEVATIONS
 - A-3.3 EXTERIOR ELEVATIONS
 - A-3.4 BUILDING ELEVATION PERSPECTIVES
 - A-3.5 BUILDING ELEVATION PERSPECTIVES
 - A-4.0 PARTIAL BUILDING SECTION & ELEVATION
 - A-4.1 PARTIAL BUILDING SECTIONS & ELEVATIONS
 - A-4.2 PARTIAL BUILDING SECTION & ELEVATION
 - A-4.3 PARTIAL BUILDING SECTION & ELEVATION
 - A-4.4 COLUMN DETAILS
- TREE REMOVAL PLAN**
- TR-1 TREE REMOVAL PLAN
- LANDSCAPE**
- L1.1 COLORED LANDSCAPE PLAN
 - L1.1 LANDSCAPE PLAN
- CIVIL**
- C1.0 PRELIMINARY GRADING & DRAINAGE PLAN
 - C1.1 PRELIMINARY GRADING SECTIONS
 - C1.2 PRELIMINARY EROSION CONTROL PLAN



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PROJECT NAME
MAGNOLIA MIXED-USE DEVELOPMENT
ASHLAND, OREGON

REVISIONS BY

REVISIONS	BY

FILE: 1506p-A0 Cover Sheet

DATE: 01-31-17

SCALE: AS SHWN

DRAWN: DLE

JOB #

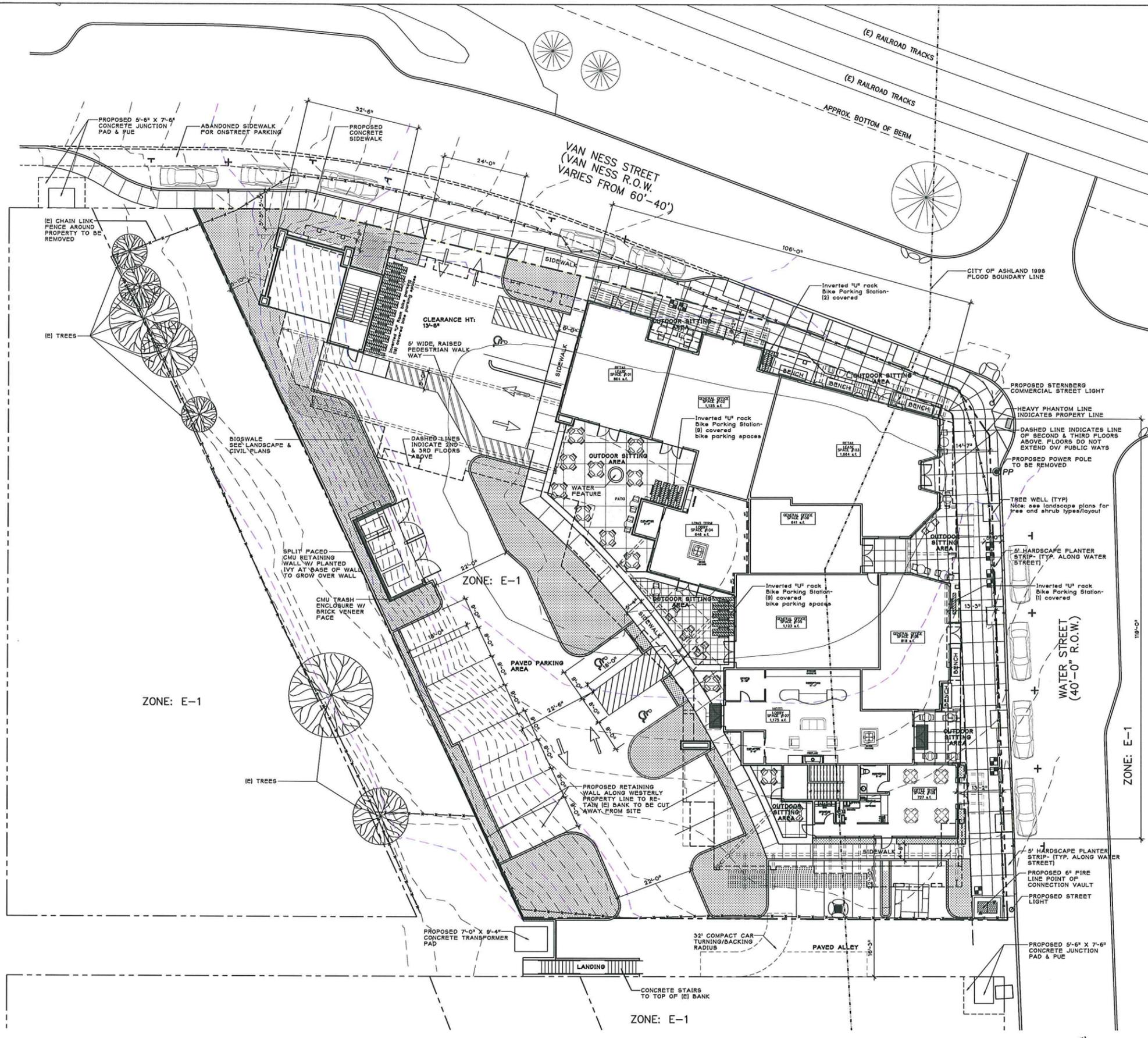
SHEET A.0

OF 7

VICINITY MAP



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PROJECT NAME
 MAGNOLIA MIXED-USE DEVELOPMENT
 ASHLAND, OREGON

REVISIONS	BY

FILE: 1506p-A10 Site Plan
 DATE: 03-17-17
 SCALE: AS SHWN
 DRAWN: DLE
 JOB #
 SHEET A1.1
 OF 7

1 SITE PLAN
 SCALE: 3/32" = 1'-0"





NORTH ELEVATION (ALONG VAN NESS AVENUE)
SCALE: N.T.S.



AVERAGE ROOF HEIGHT	
H1	22' - 5"
H2	32' - 8"
H3	40' - 2"
H4	33' - 2"
H5	31' - 2"
H6	31' - 2"
H7	34' - 2"
H8	22' - 5"
25' - 4" / 8 = 32' - 5"	

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NORTH PERSPECTIVE (ALONG VAN NESS AVENUE)



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MAGNOLIA MIXED USE
165 WATER STREET
ASHLAND, OREGON 97520

REVISIONS:	BY
FILE:	
DATE:	01/31/17
SCALE:	
DRAWN:	JEH
JOB #	1506
SHEET	A-3.1
OF	



WALL SECTION

WALL ELEVATION

PARTIAL SECTION D (ADJACENT TO WATER STREET)
SCALE: 1/2" = 1' - 0"



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165 WATER STREET
ASHLAND, OREGON 97520

REVISIONS:	BY

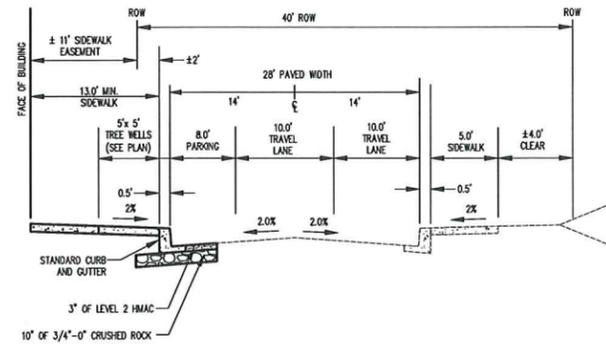
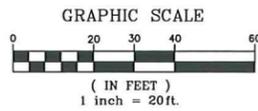
FILE:	
DATE:	01/31/17
SCALE:	
DRAWN:	JEH
JOB #	1506
SHEET	A-4.2
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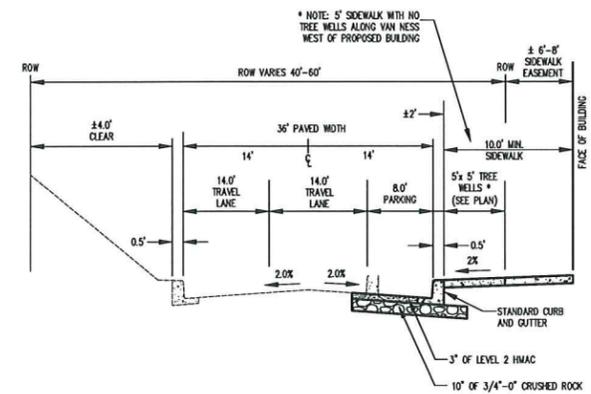
MAGNOLIA MIXED USE

PRELIMINARY GRADING, DRAINAGE, & UTILITY PLAN

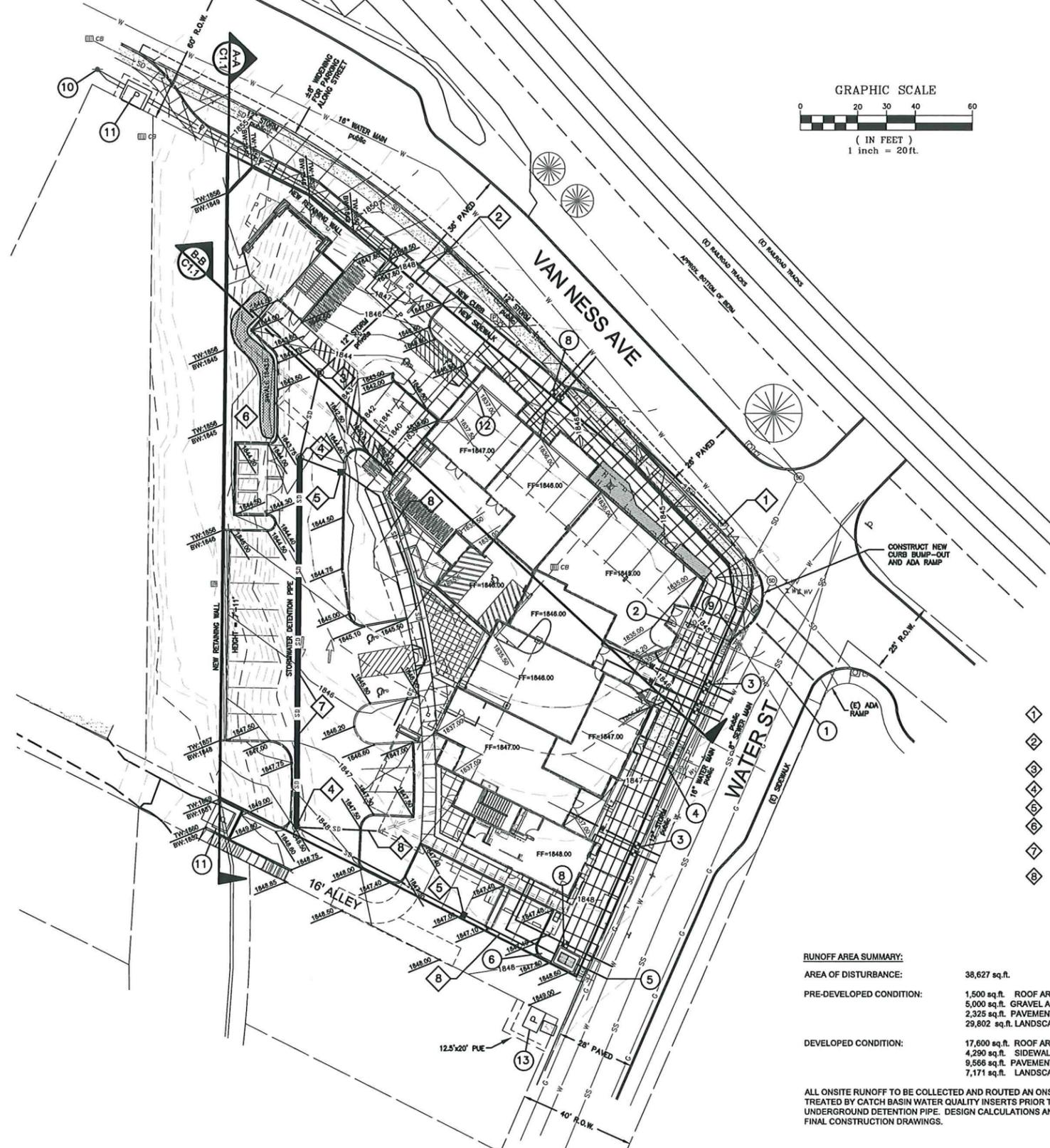
MARCH 2017



STREET CROSS SECTION: WATER STREET
NOT TO SCALE



STREET CROSS SECTION: VAN NESS AVE
NOT TO SCALE



- GRADING & DRAINAGE NOTES:**
- 1 PROPOSED STORM POINT OF CONNECTION TO EXISTING MH
 - 2 NEW MANHOLE CONNECT TO EXISTING LINE TO THE NORTHWEST WITH INSIDE DROP
 - 3 PROPOSED FLOW CONTROL MH
 - 4 NEW MANHOLE
 - 5 NEW CATCH BASIN WITH WATER QUALITY INSERT
 - 6 NEW VEGETATIVE STORM WATER SWALE
 - 7 24" PIPE FOR RUNOFF DETENTION PRIOR TO RELEASE TO CITY'S SYSTEM
 - 8 ROOF DRAIN LINES

RUNOFF AREA SUMMARY:

AREA OF DISTURBANCE:	38,627 sq.ft.
PRE-DEVELOPED CONDITION:	1,500 sq.ft. ROOF AREA 5,000 sq.ft. GRAVEL AREA 2,325 sq.ft. PAVEMENT/SIDEWALK AREA 29,802 sq.ft. LANDSCAPE & NATURAL AREA
DEVELOPED CONDITION:	17,600 sq.ft. ROOF AREA 4,290 sq.ft. SIDEWALK 9,566 sq.ft. PAVEMENT AREA 7,171 sq.ft. LANDSCAPE

ALL ONSITE RUNOFF TO BE COLLECTED AND ROUTED AN ONSITE BIOFILTRATION SWALE OR TREATED BY CATCH BASIN WATER QUALITY INSERTS PRIOR TO BEING DETAINED IN AN UNDERGROUND DETENTION PIPE. DESIGN CALCULATIONS AND SIZING TO BE SUBMITTED WITH FINAL CONSTRUCTION DRAWINGS.

- UTILITY NOTES:**
- 1 SANITARY SEWER POINT OF CONNECTION TO CITY SYSTEM. CONNECT TO SANITARY MAIN LINE WITH 6" LATERAL IF EXISTING LATERAL IS NOT SIZED CORRECTLY
 - 2 SANITARY SEWER POINT OF CONNECTION TO BUILDING
 - 3 INSTALL (8) NEW 1" METERS AND BACK-FLOW DEVICES FOR EACH COMMERCIAL GROUND FLOOR SPACE. METER LOCATIONS TO BE COORDINATED WITH THE CITY OF ASHLAND WATER DEPARTMENT
 - 4 EXISTING FIRE HYDRANT TO REMAIN
 - 5 PROPOSED 6" FIRE LINE POINT OF CONNECTION TO CITY SYSTEM. WATER TAP TO BE PERFORMED BY CITY OF ASHLAND CREWS, CONTRACTOR SHALL COORDINATE
 - 6 PROPOSED D.C.D.A. ASSEMBLY IN VAULT WITH FIRE DEPT. CONNECTION
 - 7 FIRE LINE CONNECTION TO BUILDING. RISER SHALL BE INSIDE PROPOSED MECHANICAL ROOM LOCATED IN BASEMENT
 - 8 INSTALL NEW 2" WATER METER AND BACK-FLOW DEVICE FOR RESIDENTIAL UNITS ON UPPER FLOORS
 - 9 EXISTING POWER POLE TO BE RE-LOCATED FOR CONSTRUCTION. WORK SHALL BE COORDINATED WITH UTILITY COMPANIES
 - 10 POWER, TELEPHONE, AND CABLE TV POINT OF CONNECTION AT CORNER OF VAN NESS AVE AND HELMAN ST. ROUTE LINE IN UNDERGROUND CONDUIT TO BUILDING AS SHOWN. FINAL LOCATIONS TO BE DETERMINED BY UTILITY PROVIDER
 - 11 NEW TRANSFORMER LOCATION TO BE COORDINATED WITH THE POWER COMPANY
 - 12 POWER, TELEPHONE, AND CABLE TV POINT OF CONNECTION TO BUILDING, COORDINATE ALL WORK WITH UTILITY COMPANIES
 - 13 PROPOSED POWER SECTIONALIZER VAULT

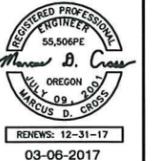
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SHEET INDEX:

C1.0	PRELIMINARY GRADING & DRAINAGE PLAN
C1.1	PRELIMINARY GRADING SECTIONS
C1.1	PRELIMINARY EROSION CONTROL PLAN

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MAGNOLIA MIXED USE DEVELOPMENT
ASHLAND OREGON

SHEET NAME:
PRELIMINARY GRADING & DRAINAGE PLAN
DRAWN BY: MDC
CHKD BY: DAC
DATE: MARCH 2017

REVISIONS:
JOB NO. 1597
SHEET NO. C1.0
SHEET 1 of 3

MAGNOLIA MIXED USE

PRELIMINARY GRADING SECTIONS

MARCH 2017

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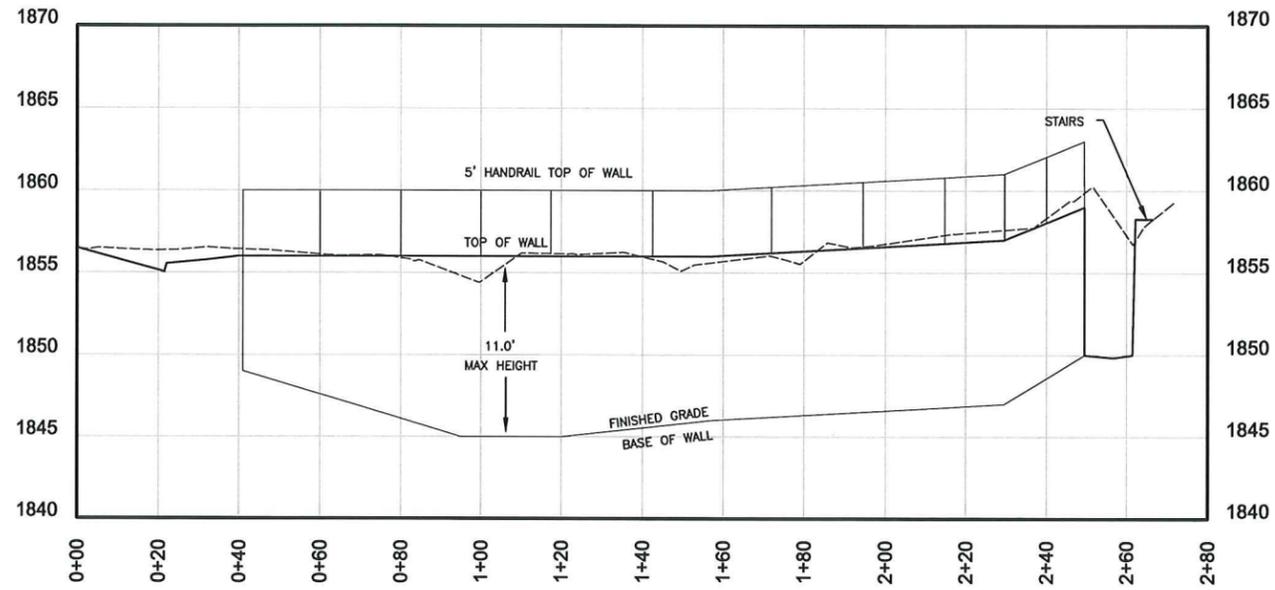
MAGNOLIA
 MIXED USE DEVELOPMENT
 OREGON
 ASHLAND

SHEET NAME:
 PRELIMINARY
 GRADING
 SECTIONS

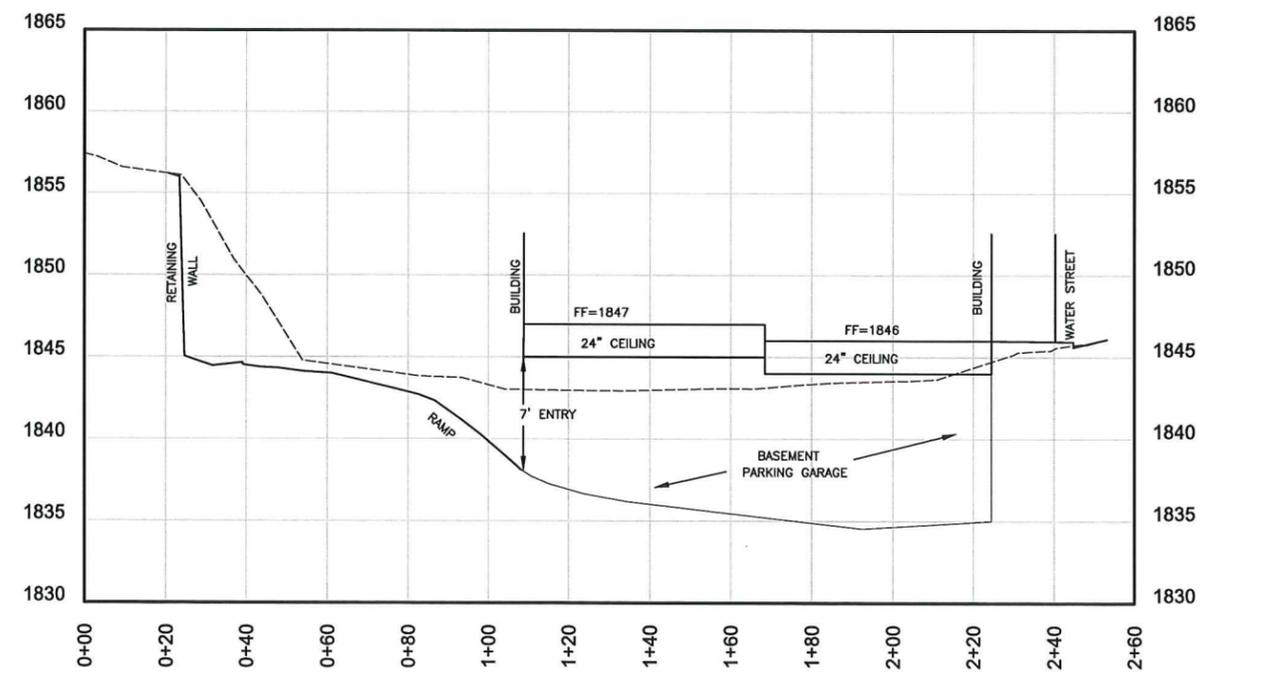
DRAWN BY: MDC
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 DATE: MARCH 2017

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JOB NO. 1597
 SHEET NO. C1.1
 SHEET 2 of 3



A-A RETAINING WALL PROFILE
 C1.1 SCALE: H: 1"=20' V: 1"=5'



B-B GRADING SECTION
 C1.1 SCALE: H: 1"=20' V: 1"=5'

LEGEND

	EXISTING	PROPOSED		EXISTING	PROPOSED
DECIDUOUS TREE			STORM SEWER CLEANOUT		
CONIFEROUS TREE			STORM SEWER CATCH BASIN		
FIRE HYDRANT			STORM SEWER MANHOLE		
WATER BLOW-OFF			GAS METER		
WATER METER			GAS VALVE		
WATER VALVE			GUY WIRE ANCHOR		
DOUBLE CHECK VALVE			POWER POLE		
AIR RELEASE VALVE			POWER VAULT		
SANITARY SEWER CLEANOUT			POWER JUNCTION BOX		
SANITARY SEWER MANHOLE			POWER RISER		
SIGN			TELEPHONE/TELEVISION POLE		
STREET LIGHT			TELEPHONE/TELEVISION VAULT		
MAILBOX			TELEPHONE/TELEVISION JUNCTION BOX		
PUBLIC ACCESS CURB RAMP			TELEPHONE/TELEVISION RISER		
			CENTERLINE SURVEY MONUMENT		

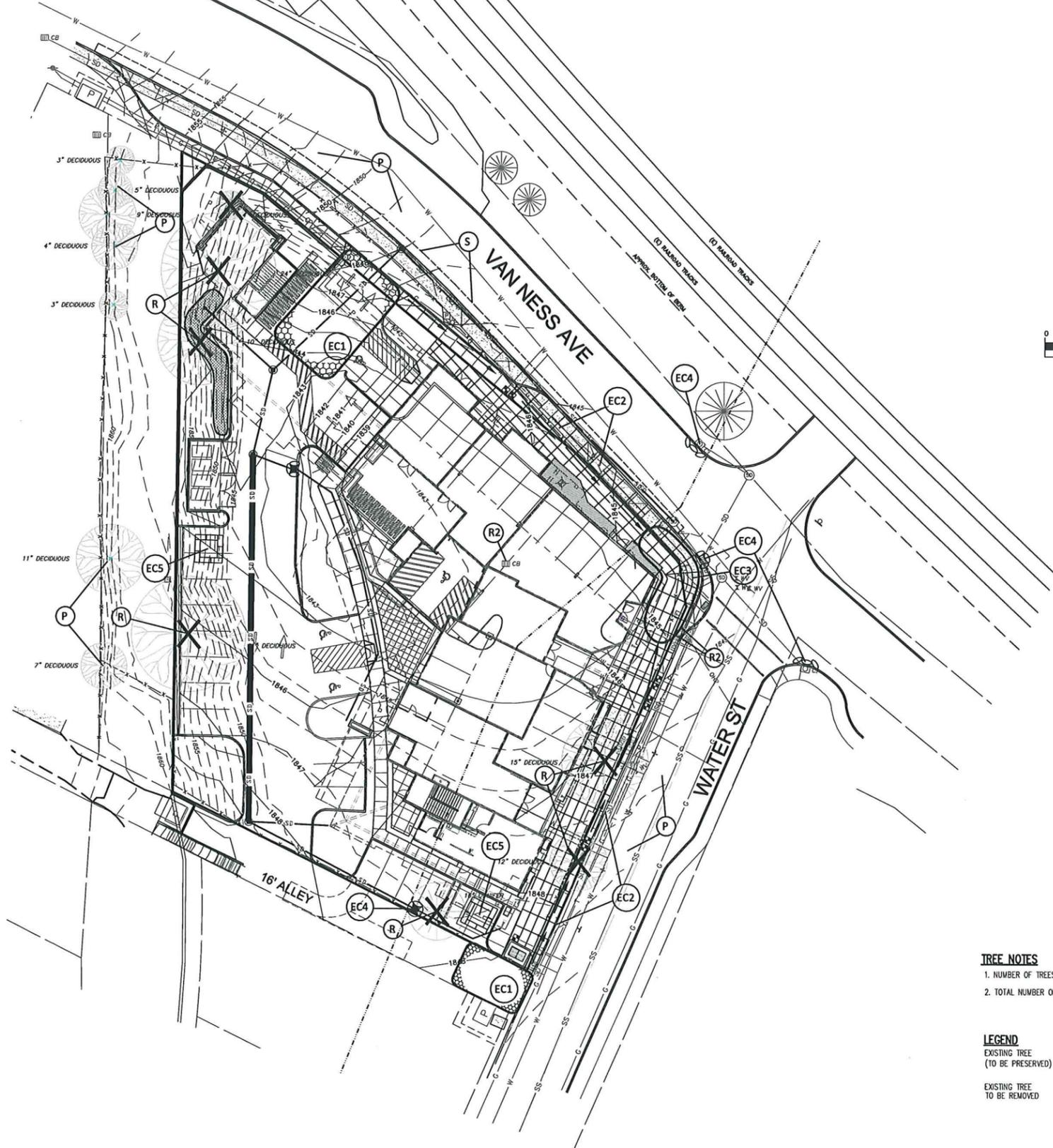
	EXISTING	PROPOSED
RIGHT-OF-WAY		
BOUNDARY LINE		
PROPERTY LINE		
CENTERLINE		
DITCH		
CURB		
EDGE OF PAVEMENT (E.O.P.)		
EASEMENT		
FENCE LINE		
GRAVEL EDGE		
POWER LINE		
OVERHEAD WIRE		
TELEPHONE LINE		
TELEVISION LINE		
GAS LINE		
STORM SEWER LINE		
SANITARY SEWER LINE		
WATER LINE		
IRRIGATION LINE		

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MAGNOLIA MIXED USE

PRELIMINARY EROSION CONTROL PLAN

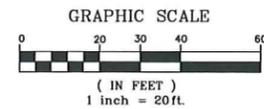
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GRADING AND EROSION LEGEND

- 1850 EXISTING CONTOUR (1' INTERVAL)
- 1850 FINISHED GRADE CONTOUR (1' INTERVAL)
- SHADING REPRESENTS AREAS OF CUT
- CONCRETE WASHOUT
- INLET PROTECTION
- GRAVEL/ROCK CONSTRUCTION ENTRANCE
- TEMP. EROSION CONTROL FENCE

TOTAL PARCEL ACREAGE: 0.74 ACRES
 TOTAL DISTURBED ACREAGE: 0.88 ACRES
 AREA OF GRADING:
 0.88 ACRES TOTAL



EROSION CONTROL NOTES:

- EC1** INSTALL ROCK CONSTRUCTION ENTRANCE PER DETAIL ON SHEET C052. SWEEPING OF STREET SHALL BE REQUIRED IF SEDIMENT BECOMES VISIBLE ON ASPHALT SURFACE.
- EC2** INSTALL 8" DEEP 'V' CUT OFF DITCH ALONG STREET CURB
- EC3** INSTALL 2' DEEP SEDIMENT POND AT PROPERTY LOW POINT
- EC4** INSTALL SILT SACK OR BIO-BAG INLET PROTECTION
- EC5** INSTALL 10' X 10' STRAW BALE CONCRETE WASHOUT BASIN LINED WITH 6 MIL VISQUEEN BARRIER (OR APPROVED EQUAL)

DEMOLITION NOTES:

- P** PROTECT EXISTING FEATURE. ANY DAMAGE AS A RESULT OF CONSTRUCTION SHALL BE REPAIRED BY CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
- R** REMOVE AND HAUL OFF-SITE IN APPROVED DISPOSAL SITE.
- R2** CONTRACTOR SHALL COORDINATE WITH LOCAL UTILITY REPRESENTATIVE FOR RE-LOCATION OR REPLACEMENT OF EXISTING UTILITY FEATURE AND SERVICE.
- S** SAWCUT. AFTER NEW PAVEMENT IS PLACED, CONTRACTOR SHALL SAND AND SEAL JOINT PER CITY OF ASHLAND STANDARDS.

TREE NOTES

1. NUMBER OF TREES REMOVED FOR INFRASTRUCTURE: 7
2. TOTAL NUMBER OF RESTORATION TREES TO BE PLANTED: SEE L.S. PLAN

LEGEND

- EXISTING TREE (TO BE PRESERVED)
- EXISTING TREE TO BE REMOVED

NOTE:
 SIGNIFICANT VARIATION AND DEGREE OF EROSION CONTROL EFFORT WILL BE DICTATED BY WEATHER CONDITIONS. THE DEVELOPER AND CONTRACTOR SHOULD BE PREPARED TO PROVIDE EXTRA EROSION CONTROL PROVISIONS AND EFFORT DURING WINTER AND WET WEATHER CONDITIONS BEYOND THAT NORMALLY REQUIRED DURING SUMMER AND DRY WEATHER CONDITIONS. FINE GRAINED AND UNCONSOLIDATED SOILS ON SLOPING SITES MAY BECOME UNSTABLE WHEN SUBJECT TO EXCESSIVE MOISTURE.

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MAGNOLIA
 MIXED USE DEVELOPMENT
 OREGON
 ASHLAND

SHEET NAME:
 PRELIMINARY
 EROSION
 CONTROL PLAN

DRAWN BY: MOC
 CHKD BY: DAC
 DATE: MARCH 2017

REVISIONS:

JOB NO.
 1597

SHEET NO.
 C1.2
 SHEET 3 OF 3