



CITY OF ASHLAND



TREE COMMISSION MINUTES

February 8, 2018

Commissioners Present:	Parks Liaison
Christopher John	Peter Baughman
Mike Oxendine	
Asa Cates	Staff Present:
	Derek Severson
Commissioners Absent:	
Neff	

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

Oxendine/Cates m/s to approve the minutes of January 4, 2018 as presented.

III. ANNOUNCEMENTS & LIAISON REPORTS

- Council Liaison (None)
- Parks & Recreation Liaison Peter Baughman reported that he is working with Planning staff to renew the land use permit for Parks’ on-going maintenance of the creek corridor trees in Lithia Park.
- Community Development Liaison Derek Severson reported that Nathan Emerson was absent due to family leave and should be back for the March meeting.

IV. PUBLIC FORUM

None.

V. TYPE I REVIEWS

PLANNING ACTION: PA- 2018-00024

SUBJECT PROPERTY: 485 East Main Street

OWNER/APPLICANT: Chris Hald

DESCRIPTION: A request for Tree Removal Permit to remove a tree on the property at 485 East Main Street that is currently lifting up and damaging the pavement in the parking lot.

COMPREHENSIVE PLAN DESIGNATION: Commercial; **ZONING:** C-1; **ASSESSOR’S MAP:** 39 1E 09 BD; **TAX LOT:** 600

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).

Cates noted that he had made a site visit to the property.

Severson gave a brief staff report explaining that the request was to remove a tree that growing in contact with the stair landing and lifting and damaging surrounding pavement, as illustrated in photos provided with the application, and the removal was requested to alleviate these issues.

Property owner and applicant Chris Hald noted that the tree, an Ailanthus, was a volunteer that should have been removed previously and that it also drops branches on cars in the parking area. Hald pointed out that the tree wraps around the landing by approximately four-inches. Hald noted in response to a question from Commissioner John that there is little unpaved on the property where a mitigation tree could be planted.

John/Oxendine m/s to approve the request. Voice vote: All AYES. Motion passed.

PLANNING ACTION: PA- 2017-02332

SUBJECT PROPERTY: 164 & 172 Clear Creek Drive

OWNER: Kerry K. Kencairn Revocable Living Trust

APPLICANT: Magnolia Fine Homes, LLC

DESCRIPTION: A request for Site Design Review approval to construct two new three-story, attached wall, mixed-use buildings for the two properties located at 164 and 172 Clear Creek Drive. The proposed buildings are 3,060 square feet each and would consist of ground floor commercial space with one upper level, two-bedroom residential condominium on each lot. The application also includes a request for Exception to the Site Development and Design Standards to allow 35.5 percent of the ground floor space to be dedicated to residential use (foyer and garage) where 35 percent is the maximum typically allowed.

COMPREHENSIVE PLAN DESIGNATION: Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 09 BA; **TAX LOT:** 14706 & 14707

Severson gave a brief staff report, noting that the application did not include a tree removal request and was presented only for any comments the Commission might have with regard to the proposed landscaping plan.

No one was present on the applicant's side to speak.

Oxendine/John m/s to approve the application as submitted. Voice vote: All AYES. Motion passed.

PLANNING ACTION: PA-2018-00095
SUBJECT PROPERTY: 1068 East Main Street
OWNER: Marcel Verzeano Trust (Paulena E.C. Verzeano, *trustee*)
APPLICANT: KDA Homes, LLC
DESCRIPTION: A request for a Tree Removal Permit to remove a 26-inch diameter-at-breast-height Douglas Fir tree from the property at 1068 East Main Street. *(This request modifies PA #2017-02134, the subdivision approval where the tree was previously identified to be preserved and protected as Tree #12. The project arborist notes that the tree has a co-dominant leader with included bark which is causing an extremely weak connection at a point ten feet up the 60-foot tall tree, posing a hazard that the upper portion of the tree will split and fall. The applicants would also like to discuss the requirement that Trees #1, #2, #7, #8 and #9 be fully enclosed with tree protection fencing and the East Main Driveway closed during construction, and request to utilize the driveway during work to move and remodel the existing house on the property.)*
COMPREHENSIVE PLAN DESIGNATION: High Density, Multi-Family Residential;
ZONING: R-3/Pedestrian Places Overlay; **ASSESSOR'S MAP:** 39 1E 09AD; **TAX LOT #:** 6800 and 6801.

Applicant Mark Knox and Arborist Tom Madera explained the request, provided photos and emphasized that the driveway had been paved for a long time and they would like to use it during work to move and remodel the existing house, but not during the subdivision's site work.

Severson provided a staff report, noting that the Commission had initially reviewed this project at the Outline Plan stage, at which time the Commission recommended: **1) protection, watering and arborist supervision of work in TPZ's; 2) that Trees #1, #2, #7, #8 and #9 be fully enclosed with tree protection fencing and the East Main Street driveway closed during construction; 3) That the applicant attempt to save Tree #14 (40-inch d.b.h. Douglas Fir) near the house; and 4) That the applicants attempt to save Tree #24 (24-inch d.b.h. Oak Tree), near Mountain Avenue at the corner.**

He further explained that the applicants came back at Final Plan with requests to modify the original decision to remove Trees #14 and #24 which they determined could not be preserved given the proposed construction in their vicinity. There was no quorum on the Tree Commission to consider this request, and the Planning Commission ultimately approved the removal of these two trees.

He noted that the current request has to do with a 26-inch d.b.h Douglas Fir previously identified as Tree #12. While it was missed at the subdivision level, subsequent visits by the project arborist have noted that this tree has a co-dominant leader with included bark causing an extremely weak connection

approximately ten feet up the 60-foot tall tree, and the applicants are requesting to be able to remove it for the hazard posed. Severson distributed staff photos.

In addition, at the subdivision level the Commission had recommended and the Planning Commission required that **Trees #1, #2, #7, #8 and #9** be fully enclosed with tree protection fencing and the East Main Driveway closed during construction. Staff has allowed individual protection of these trees and for the driveway to remain open during the house move given the logistics of circulating to move the house, but we have indicated once the house move is complete the trees need to be fully fenced and the driveway closed. The applicants would like to further discuss this requirement with the Commission as closing the site's only driveway poses some logistical complications during site development, and specifically would like to use the driveway during the house move by Doc Chapman and subsequent remodeling, but would then close the drive during site work for the subdivision improvements.

Cates explained the basis of the recommendation to the applicants, and noted that Tree #18 also has a split top.

All three Commissioners noted that in visiting the site they felt that the tree protection and signage looked good, and they appreciated seeing tree protection zones that extended well out from the trunks. Knox noted that Madera had been on site supervising.

John noted that with regard to the split top, a "U" has been shown to be significantly stronger than a "V" form, and in his professional opinion this form could be cabled. He noted that Tree #13 has historically had Tree #12 and Tree #14 nearby for protection in winds, and feels that the removal of #12 after #14 is removed would increase the danger to Tree #13. He recommended that the tree be pruned and cabled to reduce the likelihood of the top splitting. He further suggested that the use of the driveway during the house move and remodeling seemed like common sense. Oxendine concurred with John's assessment. John emphasized that the project on the whole has done well with regard to the protection of significant trees. Madera noted that he was still concerned that the included bark suggested a split was possible.

Cates noted that a lot of the site's trees have been removed and he would like to see some extra attention focused on Tree #13. Madera noted that the stump of Tree #14 could be retained to avoid root disturbance to Tree #13. He further noted that the house and foundation were being removed from its root zone, and that it was providing shade for the proposed open space and a buffer between the house and the greater subdivision development. Cates questioned whether the tree protection fencing could be expanded to cover the full protection zone to

avoid storage of materials or other root zone soil compaction given that open space was proposed in this area. Madera and Knox indicated that this was possible and they would work with the excavation contractor to see that this happened.

John/Cates m/s to recommend that the hazard posed by Tree #12 could be mitigated with cabling and pruning by an arborist, rather than removal, and that its removal would adversely affect Tree #13. The Commission further recommended that the use of the driveway be allowed as needed for work on the existing house, that the stump of Tree #14 be retained to avoid root disturbance to #13, and that the tree protection zone for Tree #13 be expanded once the house is moved to avoid storage of equipment and materials in the area. Voice vote: All AYES. Motion passed.

PLANNING ACTION: PA-2018-00225

SUBJECT PROPERTY: 438 Wightman Street (*South of Shasta Hall/481 Stadium Street, near the corner of Stadium and Ashland Streets*).

OWNER/APPLICANT: Southern Oregon University

DESCRIPTION: A request for a Tree Removal Permit to remove four Leyland Cypress trees from the University property at 438 Wightman Street (south of Shasta Residence Hall at 481 Stadium Street, near the corner of Stadium & Ashland Streets). The application explains that these trees have declined due to a combination of drought stress and Cypress Bark Beetles (*Phloeosinus*), and other dead cypress which were previously removed in the vicinity showed signs of beetle infestation. (*These trees were previously identified to be preserved and protected in PA #2011-01576, the North Campus Village project.*)

COMPREHENSIVE PLAN DESIGNATION: Southern Oregon University; **ZONING:** SO;

ASSESSOR'S MAP: 39 1E 10CD; **TAX LOT #:** 4200.

Commissioner Oxendine recused himself as serving as the University's arborist posed an actual conflict of interest in this matter.

Severson provided a brief staff report, explaining that the removals were requested due to a combination of drought stress and the presence of cypress bark beetles. Severson further noted that the application proposes to create a long planting bed in this location to accommodate the planting of mitigation trees (and other specimens). He explained that the University adopts a Master Plan in cooperation with the City Council which is then adopted by the city ordinance every ten years. The current master plan, which was modified with the dorm construction a few years ago, identifies a future mixed-use university building along the street where these trees are located and Planning staff would like to work with the University to identify specific planting locations for mitigation trees to avoid large-stature tree plantings to avoid creating future conflicts in this area

identified for a future building to be constructed. Severson concluded that the applicants had done some maintenance pruning of these trees today in order to avoid branches touching surrounding trees and thus spreading beetles.

Commissioners discussed cypresses and beetles, with John noting that the trees typically cannot come back from infestation. Commissioners noted that the proposed three-for-one mitigation was above and beyond the code's requirements.

**Cates/John m/s to approve with the mitigation proposed by the applicants.
Voice vote: All AYES. Motion passed.**

VI. TYPE II or TYPE III REVIEWS

None.

VII. STREET TREE REMOVAL PERMITS

PLANNING ACTION: PW-2018-00043

SUBJECT PROPERTY: 508 North Main Street

APPLICANT: Jasmine Lillich for owners John & Kristen Lillich

DESCRIPTION: A request for a Street Tree Removal Permit to remove a 34-inch diameter Fir tree located on the Glenn Street frontage of the property at 508 North Main Street. The application requests the removal on the basis of the tree posing a hazard, noting that the tree has begun to lean and that the root growth has damaged a fence and sidewalk.

John noted that he had given a bid on a project on the site years ago, but that it had not involved this tree. He stated that he didn't believe this would prejudice his review of the application or that it posed any actual or potential conflict with the current request. Other Commissioners were comfortable with his participation.

Severson gave a brief staff report, noting that the removal was requested because the tree had begun to lean and its root growth was damaging the adjacent fencing and sidewalk.

No one was present to speak on the applicants' behalf.

Oxendine, John and Baughman all noted that this was a very healthy tree. Oxendine further noted that he thought the sidewalk noted as being damaged was a walkway poured in "easy mix" concrete that was not properly installed and that the damage was as much attributed to the site preparation and materials as to the tree. Oxendine and Cates noted that the tree showed good growth and good

“reaction wood.” Commissioners discussed the need for a more detailed tree assessment form, noting that in the case of 485 East Main the photos were sufficiently detailed to illustrate the issue but that in most cases including this one a more detailed assessment form was needed to illustrate that the applicants had thoroughly considered the tree’s condition and options for treatment.

After further discussion, Commissioners did not feel that the applicant had met the burden of proof in demonstrating that the tree posed a hazard.

Cates/Oxendine m/s to deny the request. Voice vote: All AYES. Motion passed.

VIII. DISCUSSION

- **Tree of the Year Update (*Voting underway during February*)**

Severson explained that the on-line voting was live and would continue through the month of February. Vote tallies will be brought to the March meeting for consideration.

He indicated that in March, the Commission might want to consider whether they wanted to give plaques to two trees (i.e. one for 2017 and one for 2016) and also whether a plaque should be given to the city’s first Heritage Tree, Silver Maple at SOU. He suggested that these might be good events to consider for the Arbor Day celebration.

- **March 20, 2018 Annual Presentation to City Council & Annual Arbor Day/Week Proclamation**

Severson asked whether a Tree Commissioner was available to make this brief presentation to the Council which typically recounts accomplishments from the past year - planning actions reviewed, arbor day/tree plantings - and most importantly in his view provides an opportunity to promote upcoming Arbor Day activities on live television. Oxendine noted that he would be available for this presentation, and Cates noted that he would likely attend as well.

- **April 21, 2018 Earth Day Tabling Opportunity (11:00 a.m. to 4:00 p.m.)**

Severson asked if Commissioners were going to be available and had interest in tabling at SOU for Earth Day. He noted that the Commission had paid to table last year but did not ultimately have a presence, and it would require not only the time commitment of being there to set up, table and take down, but also figuring out some sort of activity and preparing it.

Cates noted that he would be available for set-up. Oxendine noted that he could help with set-up and in developing an activity, but that he would not be there for the tabling. John noted that he would be available to table.

Cates noted that there would be at least one other tree-focused booth, and he thought it might be advisable to arrange to be placed near this booth and near the City's Conservation booth as well.

- **April 1-7, 2018 Arbor Week and April 27, 2018 Arbor Day**

Severson suggested looking at activities that would celebrate Arbor Day/Week and promote the Commission without requiring significant effort such as:

- Tree of the Year Ceremony *and/or*
- Heritage Tree Ceremony at SOU
- A Tree Walk at SOU with one or more Commissioners
- A Tree Planting (near or at SOU) with one or more Commissioners...

Baughman noted that he thought a tree planting could be arranged. Cates, Oxendine and John noted that they would like to be present for the tree planting and help in the planning.

Oxendine noted that he would be out beginning on April 7th for approximately two weeks, and noted that he had yet to begin planning any activities for SOU's Arbor Week. He suggested that it might be in May to better relate to the tree carnival in Medford on May 12th... Commissioners discussed that May 11th might be a good "lead-up" date to the activities in Medford.

Oxendine noted that he was on the board for Oregon Community Trees as well, and would be participating in the planting of Redwood Trees in Eugene on March 2nd. Eugene will be hosting the World Outdoor Track & Field Championship in 2020, expecting 400,000 participants/people to show up. They have done a carbon emissions report off of the Eugene Olympic trials which had 395,000 people attend. That report showed that 395,000 people put off 36 million tons of CO2. They did the calculations on the sixty-five year projected growth plan for Giant Sequa's and if they planted 2021 by 2021 they will sequester enough CO2 to offset the 2020 event.

IX. ADJOURNMENT: The meeting was adjourned at 7:23. Severson noted that the next meeting would be on March 8, 2018.