

Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please fill out a Speaker Request Form and place it in the Speaker Request Box by staff. You will then be allowed to speak. Please note that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

**ASHLAND PLANNING COMMISSION  
REGULAR MEETING  
March 8, 2022  
AGENDA**

<https://zoom.us/j/99467333769>

I. **CALL TO ORDER:** 7:00 PM, via Zoom

II. **ANNOUNCEMENTS**

A. **Housing Production Strategy advisory group – PC volunteers**

III. **CONSENT AGENDA**

A. **Approval of Minutes**

1. February 8, 2022 Regular Meeting

IV. **PUBLIC FORUM**

V. **UNFINISHED BUSINESS**

A. Approval of Draft Findings for PA-T2-2022-00036, 329 Granite

B. Recommendation to City Council for PA-T2-2021-00031, 375/475 E. Nevada

VI. **TYPE II PUBLIC HEARINGS**

**PLANNING ACTION:** PA-T2-2022-00037

**SUBJECT PROPERTY:** 165 Water Street, 160 Helman Street and 95 Van Ness (*corner of Van Ness & Water Streets*)

**APPLICANT/OWNER:** Rogue Planning & Development Services, LLC, *agent for*

**DESCRIPTION:** A request for an eight-lot commercial subdivision to construct a phased mixed-use development for the three properties at 95 Van Ness Street, 165 Water Street and 160 Helman Street. The applicant's Phase I requests Site Design Review approval for five mixed-use buildings consisting of two ground floor commercial spaces with two residential units above in each building, as well as associated surface parking, utility infrastructure and street improvements. The remaining three building sites would be developed in a later phase. The application also includes a request for a Physical & Environmental (P&E) Constraints Review Permit because the proposal includes development on severe constraints lands with slopes greater than 35 percent and on floodplain corridor lands; a request for an Exception to the Development Standards for Hillside Lands; a request for a Tree Removal Permit to remove 20 trees on the three properties and within the adjacent rights-of-way; a request for an Exception to the Site Development and Design Standards to allow 3,087 square feet of plaza space where the standards require 5,624 square feet; and a request for an Exception to Street Standards to allow parking bays with street trees in bump-outs along Van Ness Avenue rather than standard park row planting strips. **COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 04CC; **TAX LOTS #:** 2000, 2100 & 7100

VII. **ADJOURNMENT**

**CITY OF  
ASHLAND**



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please email [ann.seltzer@ashland.or.us](mailto:ann.seltzer@ashland.or.us). 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 1).

**CITY OF  
ASHLAND**  
ASHLAND PLANNING COMMISSION  
REGULAR MEETING  
*Draft* Minutes  
February 8, 2022

I. **CALL TO ORDER:** 7:00 PM, via Zoom  
Chair Haywood Norton called the meeting to order at 7:00 p.m.

**Commissioners Present:**

Michael Dawkins  
Haywood Norton  
Roger Pearce  
Lynn Thompson  
Lisa Verner  
Kerry KenCairn

**Staff Present:**

Bill Molnar, Community Development Director  
Brandon Goldman, Planning Manager  
Derek Severson, Senior Planner  
Aaron Anderson, Associate Planner  
April Lucas, Development Services Coordinator  
Michael Sullivan, Administrative Assistant

**Absent Members:**

None

**Council Liaison:**

Paula Hyatt, not present

II. **ANNOUNCEMENTS**

Community Development Director Bill Molnar made the following announcements:

- Mr. Molnar informed the Commission that an appeal had been filed to the Land Use Board of Appeals (LUBA) on its decision to approve PA-T1-2021-00158, 351 Walker. It is now incumbent upon the appellant to make their argument to LUBA.
- Staff met with the TownMakers LLC design team following their January 25<sup>th</sup> presentation to the Commission. The design team was informed that legislative action was likely necessary before development plans could proceed.
- On February 1, 2022 the City Council had its first reading on the Housing in C-1 and E-1 Zones that had been recommended by the Commission at the December 14, 2021 meeting. The City Council decided to postpone a decision until the Chamber of Commerce could examine an economic diversification policy.
- An appointment of a seventh member to the Planning Commission will be made by the City Council at the February 15 or March 1, 2022 meeting.

III. **CONSENT AGENDA**

A. **Approval of Minutes**

1. December 14, 2021 Regular Meeting

Commissioners Dawkins/KenCairn m/s to approve the December 14, 2021 Regular Meeting Minutes. Commissioner Verner abstained due to her absence from the meeting. Voice Vote: all AYES. Motion passed. 5-0.

2. January 25, 2022 Study Session

Commissioners Verner/Thompson m/s to approve the January 25, 2022 Study Session Minutes. Voice Vote: all AYES. Motion passed. 6-0.

IV. **PUBLIC FORUM** - None

V. **TYPE II PUBLIC HEARINGS**

- A. **PLANNING ACTION:** PA-T2-2022-00036  
**SUBJECT PROPERTY:** 329 Granite St  
**OWNER/APPLICANT:** Rogue Planning Services for Clarke

**DESCRIPTION:** An application for a Physical and Environmental constraints review permit (P&E) for the construction of a new single-family residential home on hillside lands with severe constraints for the vacant parcel at 329 Granite Street. The application for the P&E includes a request for six different exceptions to the development standards. The development also requires a limited activity and uses permit in the Water Resource Protection Zone (WRPZ) for a driveway crossing an identified waterway, two variances for an allowance of the maximum grade of a driveway and an allowance to exceed the maximum lot coverage, and finally a tree removal permit for the removal of nineteen significant trees. **COMPREHENSIVE PLAN DESIGNATION:** Woodland / LDR; **ZONING:** WR / RR-.5; **MAP:** 39 1E 08 EE, **TAX LOT:** 704

### Ex parte contact

Commissioner KenCairn recused herself due to her presence on the design team. Commissioners Dawkins, Verner, and Norton conducted site visits; no ex parte contact was reported.

### Staff Report

Associate Planner Aaron Anderson presented the Commission with the Staff's report on the development site plans. Mr. Anderson detailed the three main components of the plan; 1) a Physical and Environmental Constraints (P&E) review; 2) Limited Activity and Uses Permit for the Water Resources Protection Zone (WRPZ); 3) two Type II variances for lot coverage and driveway grade. Mr. Anderson also noted that the published packet listed six exceptions to the Hillside Standard, but that the standard relating to building envelopes in 18.3.10.090.E.1.a only applies to newly created lots, and would therefore not be included in the discussion.

Mr. Anderson gave a brief history of the parcel before moving on to the site and plan review. He identified the Twin Creek waterways that run through the property and the buffer zone around the creeks that the P&E and WRPZ maps refer to. He explained that despite the steep slopes of the hillside this site was required to be considered buildable for a single-family building or duplex as the code allows. The Buildable Land Inventory (BLI) designates the property as vacant and buildable for one unit, and in 2004 a Type I Land Use Action approved a P&E exception for the development of a driveway, but was never acted upon. Mr. Anderson then provided the Commission with site plans detailing the variances requested on the application, including exceptions to the maximum grade of a driveway and hillside building height (see Attachment #1). In addition, the plans call for a Tree Removal Permit for the removal of eighteen significant trees.

Mr. Anderson explained that the development called for three exceptions to the City's Grading code: 1) currently the code allows for up to one hundred feet of driveway to be developed on 35% slopes, and this plan would call for nearly the entire driveway to exceed these standards; 2) retention in natural state standard be reduced from 89.57% to 69.3%; and 3) that the maximum cut slope and terracing of retaining walls be nearly double the fifteen foot maximum standard. There would also be two building design exceptions requested for downhill wall height limitations and horizontal building plane limitations.

Mr. Anderson informed the Commission that this proposal went before the Tree Commission on February 3, 2022 for review as it would require the removal of eighteen significant trees from both the driveway and building envelope. The Tree Commission reviewed the application and voted three-to-one to approve it. He concluded by stating that Staff recognizes that the buildable lot has severe constraints and that it would be reasonable to anticipate that exceptions would be necessary to develop the property.

### Questions of Staff

Commissioners Roger Pearce and Lynn Thompson commended Mr. Anderson on the quality of his presentation. Commissioner Thompson questioned Mr. Anderson about the intent of the grading code with regards to terracing and cut slope standards. Given that this proposal called for allowing nearly double the standard she questioned what the implication would be in approving these exceptions. Mr. Anderson stated the applicant's civil engineer could speak to the exceptions but stated using smaller terraced sections could result in a much bigger disturbance to the site. Mr. Molnar added that this site is much steeper than the case studies that were evaluated when the Hillside Development Standards were adopted.

### Applicant's Presentation

The property owners Katie and Joe Clarke thanked the Commission, Staff, and their design team for the work put into this proposal.

Applicant Amy Gunter began by stating that despite the steep slope and difficult terrain her team would be able to develop the property with as little impact on the surrounding area as possible. She detailed the topographical differences between the map of the area used by Jackson County and the one used by her design team, including a difference of 56ft in the property's stated height above sea level. She also noted that in examining the map there did not appear to be a more developable lot further down the hillside. She added that this area of the site had been chosen for being the flattest, most buildable location, while the driveway allowed emergency vehicle access to the property. Ms. Gunter stated that the structure would utilize step foundations to decrease the downhill wall height and to reduce mass, while also exceeding all required setbacks. She also noted that one of the trees marked for removal by the plan would now be retained.

Ms. Gunter outlined the WRPZ on the property around the Twin Creek waterways and detailed how the plans for the driveway had been structured to largely avoid interfering with the riparian habitat. Due to the nature of the terrain the greatest impact would be around the driveway switchback and turnaround, and the culvert beneath the driveway that would allow the creek to continue running through the property. She pointed out that the northern branch of the stream was considered by her team to have a higher ecological value, and therefore the plans were designed to have as little impact on that region as possible. Ms. Gunter called attention to the code calling for a "hardship exception" to build structures in riparian habitat, but calls for a lesser review for driveways, indicating that such development would be acceptable in the region. With regards to the driveway she also pointed out that the average slope of the driveway would be around 15% and that the code appears to support exceptions to the maximum grade allowed in order to access more buildable property.

Ms. Gunter presented the Commission with written testimony from various experts who gave findings and opinions approving development. These included Geotechnical Engineers Robin Warren and Eric Swanson, Ashland Fire Chief Ralph Sartain, and Fire Code Professional Margueritte Hickman. Ms. Gunter noted the Fire Professional's Opinion that development could provide additional fire protection through fuel reduction and by providing greater access to potential wildfires in the area (see Attachment #2).

### **Questions for the Applicant**

Ms. Gunter addressed Commissioner Thompson's earlier question. She acknowledged that the property was located on nearly double the maximum slope allowed for a buildable lot, but added that it was her belief that this lot and grade were not conceived when the grade ordinance was adopted. If the team were to adhere to the existing code it would result in significant cuts into the hillside, whereas fewer but higher terraces would have a reduced impact on the terrain. She added that her geotechnical team concluded that this retaining wall design would be a better solution for the property.

Commissioner Pearce expressed hesitancy in approving the project due to its insistence in developing on the highest and most difficult to reach portion of the lot, and suggested that the project would potentially require fewer variances and exceptions if it was developed closer to the driveway opening. Engineer Todd Powell responded by pointing out that the slopes near the site entrance were between 40-60% grade and cautioned that this made developing on that portion extremely difficult. He further emphasized that the top of the site was the best location for building construction.

Commissioner Thompson remarked that the proposal's Wildfire Fuels Reduction Plan made reference to wood mulch and straw wattles set around the property during development and queried what their purpose, duration, and potential danger on the site would be. Mr. Powell responded that, while many materials were listed in the proposal, no mulch would be used on site due to fire danger, and that straw wattles would be placed to halt erosion on the developed slopes and terraces. They would remain on site until the contractor could reseed the ground and stabilize the soil, typically a matter of months after development. The wattles would then be removed at the discretion of an Erosion Control Inspector, in this case the geotechnical expert on the project.

### **Public Testimony**

**Jasmin Holley**/Ms. Holley's property neighbors the development site and she had previously met with the design team to bring several concerns to their attention. After meeting with the design team she compiled a list of Conditions of Approval that she requested be made part of the Commission's decision. (see Attachment #3). In addition to her written testimony she also raised a concern over the flood risk of a heavily developed site, but commended the design team for keeping the riparian habitat almost entirely intact.

### **Applicant's Rebuttal**

Ms. Gunter addressed the concerns raised during Ms. Holley's testimony. She stated that sporadic road access interruptions

would be unavoidable, but they would be brief or have prior notice given, and there should be no limitations on roadside parking by residences. When discussing construction hours Ms. Gunter cited the current city ordinance that allowed for activity between the hours of 7:00 a.m. to 7:00 p.m. for weekdays and 8:00 a.m. to 6:00 p.m. on the weekends, and stated they do not support Ms. Holley's request to expand on those limitations. Ms. Gunter then stated that she had no objections to Ms. Holley's other requests.

Chair Norton closed the public hearing and record at 8:23 p.m.

### Deliberation and Discussion

Commissioner Dawkins stated that due to the steepness of the slopes on the lot he agreed with the developers that they chose the best buildable spot to locate the house. Commissioner Pearce concurred with Commissioner Dawkins' assessment but lamented that the proposal did not examine other possible areas on the site for the building or explain why the requested minimum exceptions and variances were the best possible avenue for development. He further remarked that treating this area as the only buildable space on the lot was disappointing without exploring other potential areas in the proposal. He conceded that the engineering of the plan was well thought-out but that the legal arguments were lacking, and concluded that this likely was the most promising location on the lot for development.

Commissioners Verner and Dawkins echoed the concerns raised by Commissioner Pearce and remarked that at first glance the number of variances and exceptions necessary for development were troubling. After further discussion Commissioner Dawkins pointed out that this is a legal lot of land, and that declaring it unsuitable for development would not be fair to the owners. Commissioner Dawkins argued that changing the proposal to locate the house elsewhere would also be unlikely to reduce the number of variances and exceptions necessary for development.

Commissioner Thompson voiced support for the minimal impact the proposal would have on the surrounding area. She called attention to the potential for wildfire mitigation that development could provide, as well as increased access to emergency response services to the area. Based on the applicant's design to accommodate emergency vehicles and restore the vegetation after development Commissioner Thompson declared that she was inclined to grant approval.

**Commissioners Dawkins/Pearce m/s to approve PA-T2-2022-00036 with staff's recommendations. DISCUSSION:** The Commission clarified Ms. Holley's recommended Conditions of Approval are not included in the motion to approve. **Roll Call Vote: Dawkins, Pearce, Thompson, Verner, and Norton, YES. Motion passed 5-0.**

#### **B. PLANNING ACTION: PA-T2-2021-00031**

**SUBJECT PROPERTY:** 375 & 475 East Nevada Street

**APPLICANT:** Rogue Planning & Development Services, LLC for

**OWNERS:** Peter & Laura Schultz (*owners, 375 E. Nevada St.-Tax Lot 1000*), David Young (*owner, 475 E. Nevada St.-Tax Lots 1100,1200 & 1300*)

**DESCRIPTION:** A request for a Minor Comprehensive Plan Map Correction to clarify the City of Ashland's Urban Growth Boundary for four properties located at 375 & 475 East Nevada Street. The application asserts that there are differences in the UGB's location between the official paper maps and the current GIS maps in use by both the County and the City, and that the original maps' scales were such that the line width could significantly alter the boundary location. The application asks to make clear that the portions of the four properties in question are within the City of Ashland's Urban Growth Boundary as Residential Reserve (1.37 acres of Tax Lot 1000) and North Mountain Neighborhood Plan (2.08 acres of Tax Lots 1100, 1200 & 1300).

**PLEASE NOTE:** The "*1982 Ashland/Jackson County Urban Growth Boundary Agreement*" also requires review and approval of applications to correct errors in the Comprehensive Plan Map by both the Ashland City Council and Jackson County Board of Commissioners. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential Reserve & North Mountain; **ZONING:** RR-.5 & NM-MF; **MAP:** 39 1E 04A; **TAX LOT #:** 1000, 1100, 1200 & 1300.

### Ex Parte Contact

Commissioners Dawkins, Verner, and Norton conducted site visits. No ex parte contact was reported.

### Staff Report

Senior Planner Derek Severson reminded the Commission that Type II map amendments are typically processed at the city level,

but that this decision would ultimately need approval from both the City Council and the County Board of Commissioners and would therefore be processed as a Type III procedure.

Mr. Severson related that when the applicants discussed platting the Katherine Mae Subdivision with Jackson County it found that there was an issue with leaving County RR-5 zoned remnant properties outside the Urban Growth Boundary (UGB) of less than the minimum required five-acre lot area. Recording the Katherine Mae Subdivision would require an exception to Goal 14 of Oregon's Statewide Land Use-Planning goals. The County informed the applicant that such an action would be costly and unlikely to be approved (see Attachment #4).

Mr. Severson detailed how in examining this case staff looked through various official and unofficial maps to determine if an error occurred in splitting the parcels along the UGB. These maps included "The Tarp," an unofficial reference map from 1984, a map detailing the Urban Growth Boundary Agreement between the city and county from 1982, as well as the adopted zoning map from that same agreement. Another map was provided to staff from the applicant potentially from the 1989 Urban Growth Boundary Agreement. The boundary lines on this map partially obscure the parcel lines, but staff was unable to confirm if this map was officially adopted. Finally the Adopted Comprehensive Plan Map was adopted in 2008 and appears to be consistent with the 1982 Urban Growth Boundary Agreement. Mr. Severson concluded that Staff was as equally frustrated with the divisions created by the UGB, but could not find any indications that the boundaries were made erroneously.

### Questions of Staff

Commissioner Thompson commented that the narrative of the Urban Growth Boundary Agreement would be the most important aspect of this decision and pointed out that the 1982 Urban Growth Boundary Agreement map showed the City limits as being the same as the UGB line. She then inquired if there was any question over the city limits. Mr. Severson responded there was no dispute, and that if one line was found to have been made in error then both lines would likely be relocated. He then pointed to a location on the map where the lines did diverge but then reconnected before reaching the boundary of the disputed line. He stated that to staff this indicated a deliberate decision regarding boundary placement and not a cartographic error.

Commissioner KenCairn questioned if such a division of the parcels could be considered a taking and if a potential devaluation of property could be met with legal action. Commissioner Pearce responded that it would not constitute a taking and that the UGB only constitutes a jurisdictional line and does not affect the use of the parcel except in terms of development. Commissioner KenCairn responded that because of this protracted legal dispute it had already affected the property's potential development.

Commissioner Pearce commented that per Ordinance 2951, which was adopted in 2008, the city limits were seen as being conterminous with the zoning map and therefore there was no basis to address the location of the city limits during this meeting.

**Commissioners Thompson/Verner m/s to approve extending the meeting to 10:00 p.m. Voice Vote: all AYES. Motion passed 5-0.**

### Applicant's Presentation

Attorney Garrett West stated the reason for this planning action was because his team believes there is a discrepancy and mapping conflict between the county and the city over the location of the UGB line. Mr. West clarified his team is not suggesting any change to the city limits at this time. He stated that the county maps show the city's UGB line as encompassing the disputed property, while the city's maps show them bisecting the property. Mr. West asserted that this discrepancy likely occurred when the city transitioned from physical to digital GIS maps and that the large lines drawn to demarcate the boundary lines obfuscated the border. The result was the unintended divisions of the Nevada Street properties along the UGB line. In a letter to the Commission Mr. West cited several properties in the city where the current GIS map shows the UGB to conform to the lot lines rather than divide them into smaller parcels (see Attachment #5). His team believes that this consistency elsewhere in the city shows a clear oversight with regards to the Nevada Street parcel divisions. Mr. West stated that procedurally it made legal sense to seek ratification of a decision from both the city and the County Board of Commissioners. This would provide clarity for future applicants and also make the code consistent between the city and county. Mr. West did not recommend requesting an exception to Goal 14 because he did not believe it would be approved.

Attorney Brent Hall concluded the presentation by reiterating the salient arguments made by the applicants, and elaborated that there is a area of interpretation over where the UGB line was originally intended to be located. He argued that there is precedent for moving the UGB line without adjusting the city limits as seen elsewhere, and that the reasons for those departures could

readily apply to this correction. Mr. Hall itemized the past decisions as; 1) there was potential to increase level, buildable land with access to the city services; 2) an increase to potential density for the city by approximately twenty units; 3) increasing affordable housing adjacent to a future public street that would be extended for development. Mr. Hall concluded by assuring the Commission that this case could not result in urban sprawling because of adjacent properties and the I5 freeway. For these reasons he contended that there is good reason for a Type II minor amendment and that it would not be necessary to bring this issue back to the county given that it had already agreed with the applicant's team where the boundary line is located.

### Questions of the Applicant

Commissioner Thompson pointed out that there were two GIS maps promulgated by the Jackson County development services that appear to be dissimilar in where they place the UGB; one is consistent with the city's division of the parcel, while the other follows the lot lines, and questioned the applicants why this might be. Ms. Gunter explained that the purpose of including two incompatible GIS maps was to illustrate the changes made to the UGB line on the county level over the past two years. When Jackson County deferred judgement to the city it changed its map to match the city's. However, it recently changed once again and now follows the property lines and further muddles an already unclear situation. Commissioner Thompson responded that these GIS maps are all unofficial and thus the narrative is the most important aspect of this item, and that when examining the 1982 map it seems to clearly intend for the UGB to follow the city limits in this area. Because of this Commissioner Thompson questioned why this case could not be processed as a minor correction per the 1982 Urban Growth Boundary Agreement and not be subject to Ashland municipal codes. Ms. Gunter argued that if the UGB did divide the parcels that the remnant lot pieces would be below the minimum requirement to constitute parcels on their own, and would then require an exception to Goal 14. Commissioner Thompson asserted that a map correction is an incorrect legal avenue to process this request, and that the correction should be a change to the UGB. She voiced agreement that the outlying parcels should be incorporated into the city but questioned if the applicant's request was the best way to achieve that.

Chair Norton closed the public hearing at 9:33 p.m. but left the public record open as this is a Type III action.

### Deliberation and Discussion

Commissioner Pearce agreed with Commissioner Thompson on her assessment, and stressed that there appeared to be no discrepancy between the 1982 Urban Growth Boundary Agreement map and the map description that accompanied the ordinance. In fact the description made specific mention of divergences between the UGB and city limit lines, and the properties of East Nevada Street were not listed. Commissioner Pearce concluded by recommending to the City Council that the UGB line is correct as shown on the current maps and not a result of any cartographic mistake. He added that he would encourage the city and county to cooperate to amend the UGB line to make it follow parcel boundary lines.

**Commissioners Pearce/Dawkins m/s to recommend to the City Council that based on Ordinance 2227 and the 1982 Urban Growth Boundary Agreement, the UGB boundary in this location is correct and there is no cartographic error that needs correction. DISCUSSION:** Commissioner Verner inquired if it would be proper to include in the motion a recommendation for the City Council to work with Jackson County to change the UGB to match property lines. Commissioners Thompson stated there is a process for this under the original agreement. Commissioner Pearce added the Commission can state their preference for the UGB to follow property lines and recommend the City Council follow that procedure in the future, but they cannot recommend a specific process for the Council to follow. Commissioner Verner expressed concern that this leaves the applicants in limbo and the motion does not provide direction to the applicants on where to go from here. Commissioners Thompson and KenCairn stated the applicants still have options; and noted they can advocate to the City Council to work with the County to change the UGB boundary. **Roll Call Vote: Dawkins, Pearce, Thompson, Verner, and Norton, YES. Commissioner KenCairn, abstained. Motion passed 5-0.**

Commissioner Pearce thanked the applicants for sticking with this process and stated the Commission is frustrated as well; but stated it would be inappropriate for them to state it was a cartographic error when that does not appear to be the case.

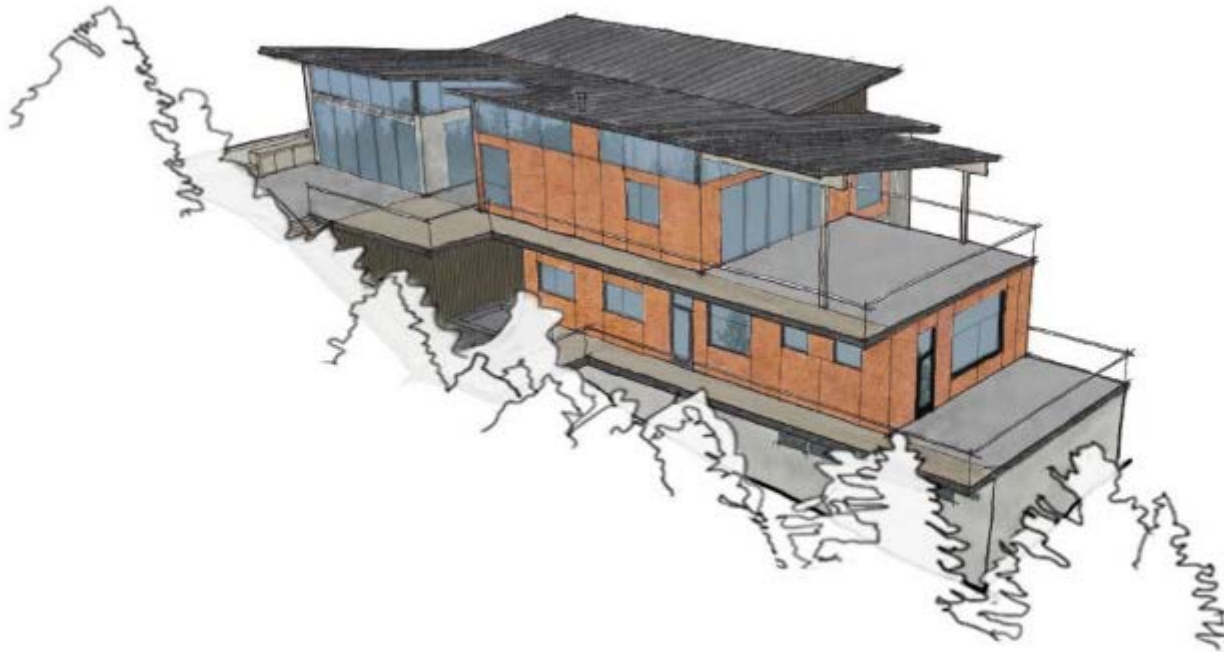
## VI. ADJOURNMENT

Meeting adjourned at 9:46 p.m.

*Submitted by,  
Michael Sullivan, Administrative Assistant*

# 329 Granite Street

## Planning Commission Hearing February 8, 2022



A Type-2 Planning Action for the development of a new driveway and home on steep slopes

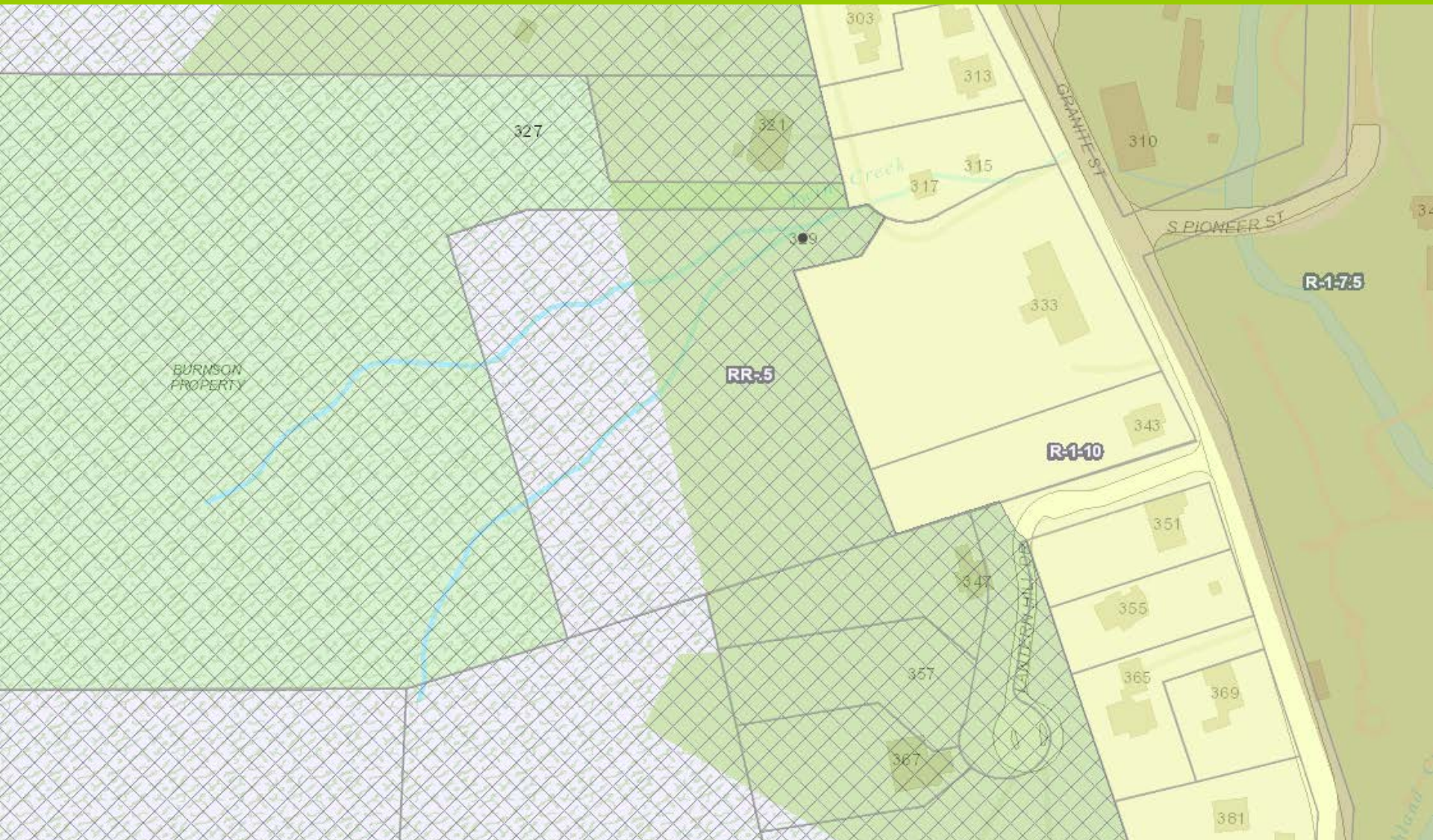


# 329 Granite Street

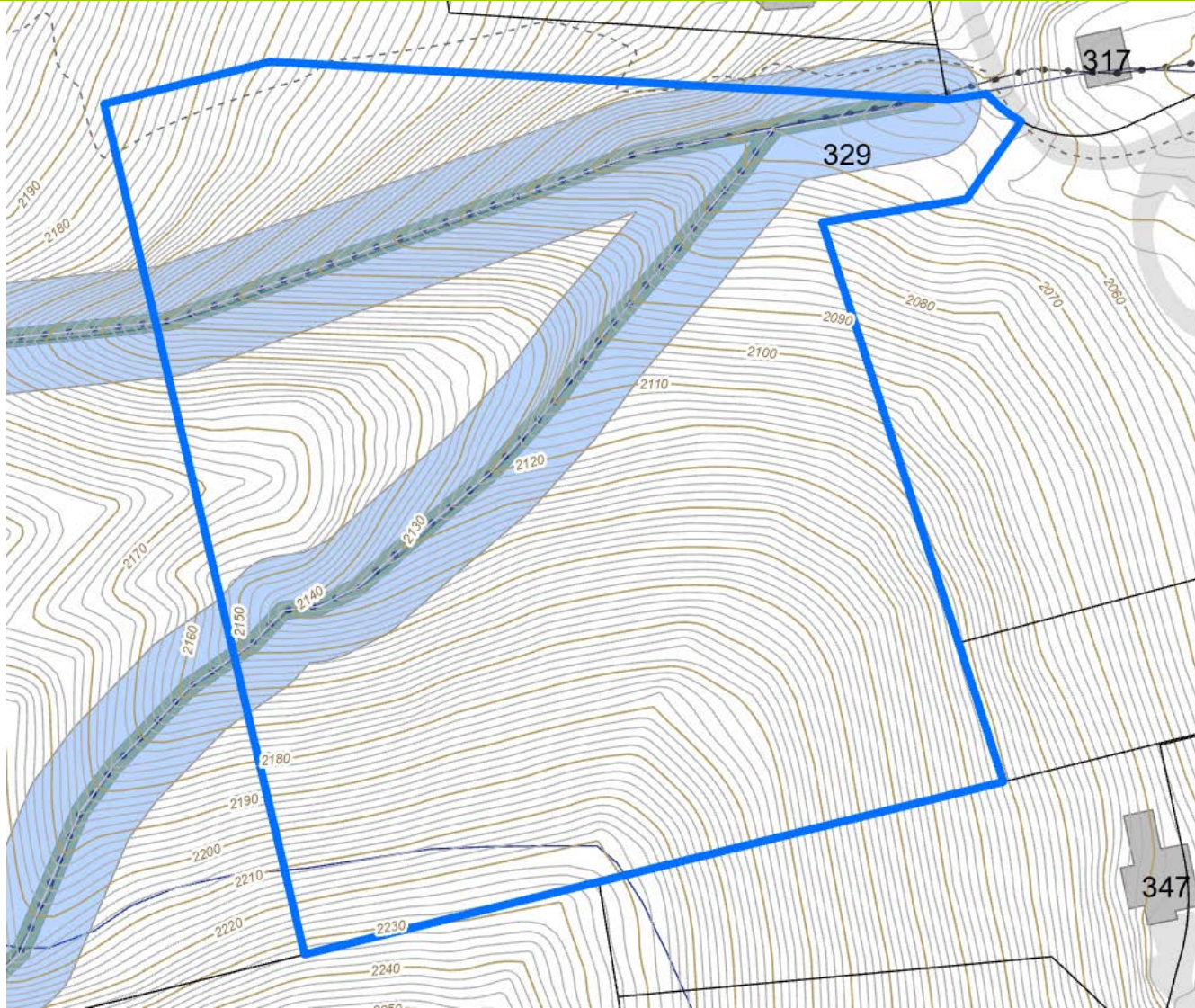
## Components of the application

- P&E for flood zone, hillside, and severe constraints
  - With 5\* requested exceptions
- Limited Uses for WRPZ (crossing)
- 2- Variances
  - Lot Coverage (Type II)
  - Driveway Grade (Type II)

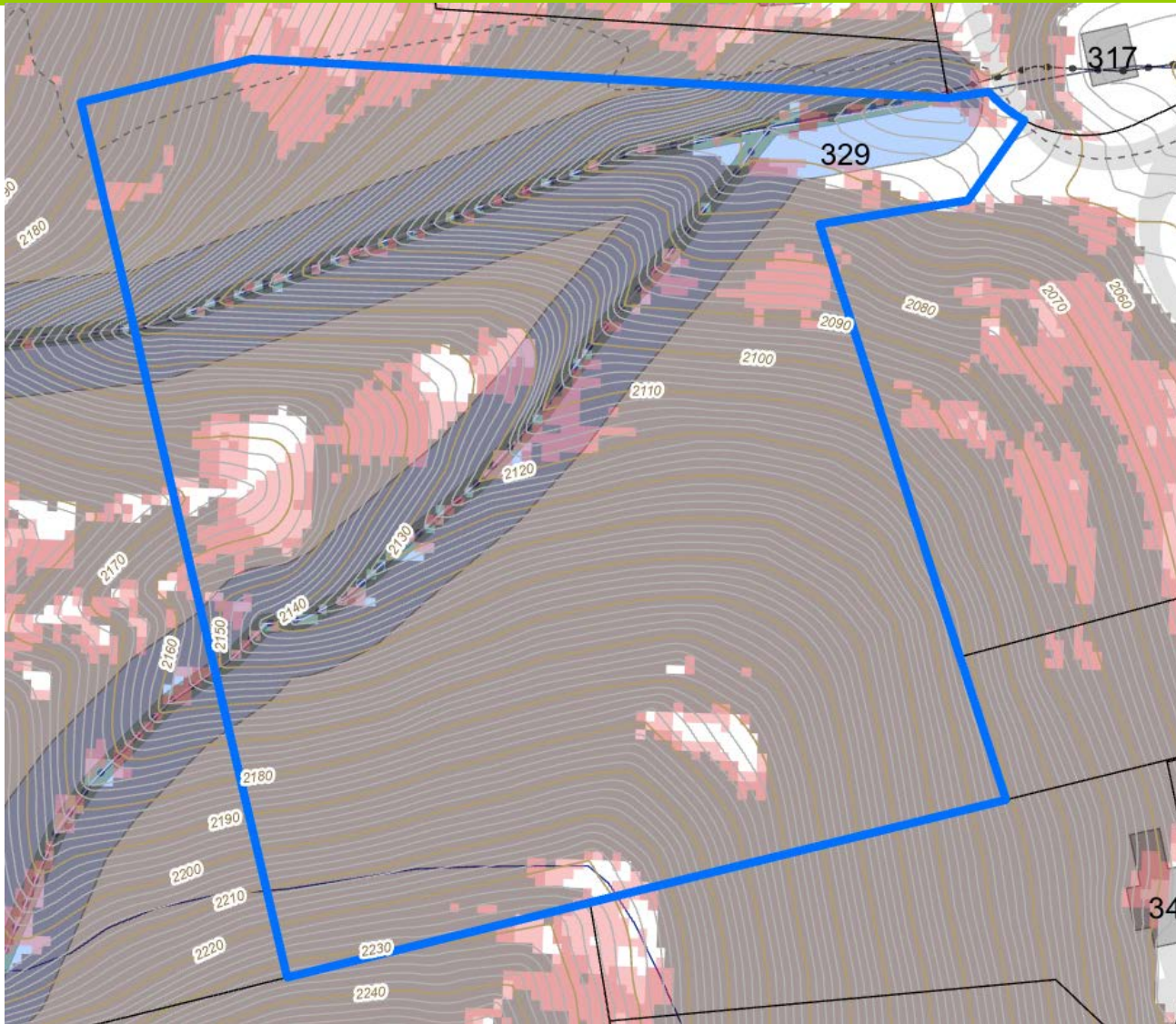
# 329 Granite



# 329 Granite



# 329 Granite

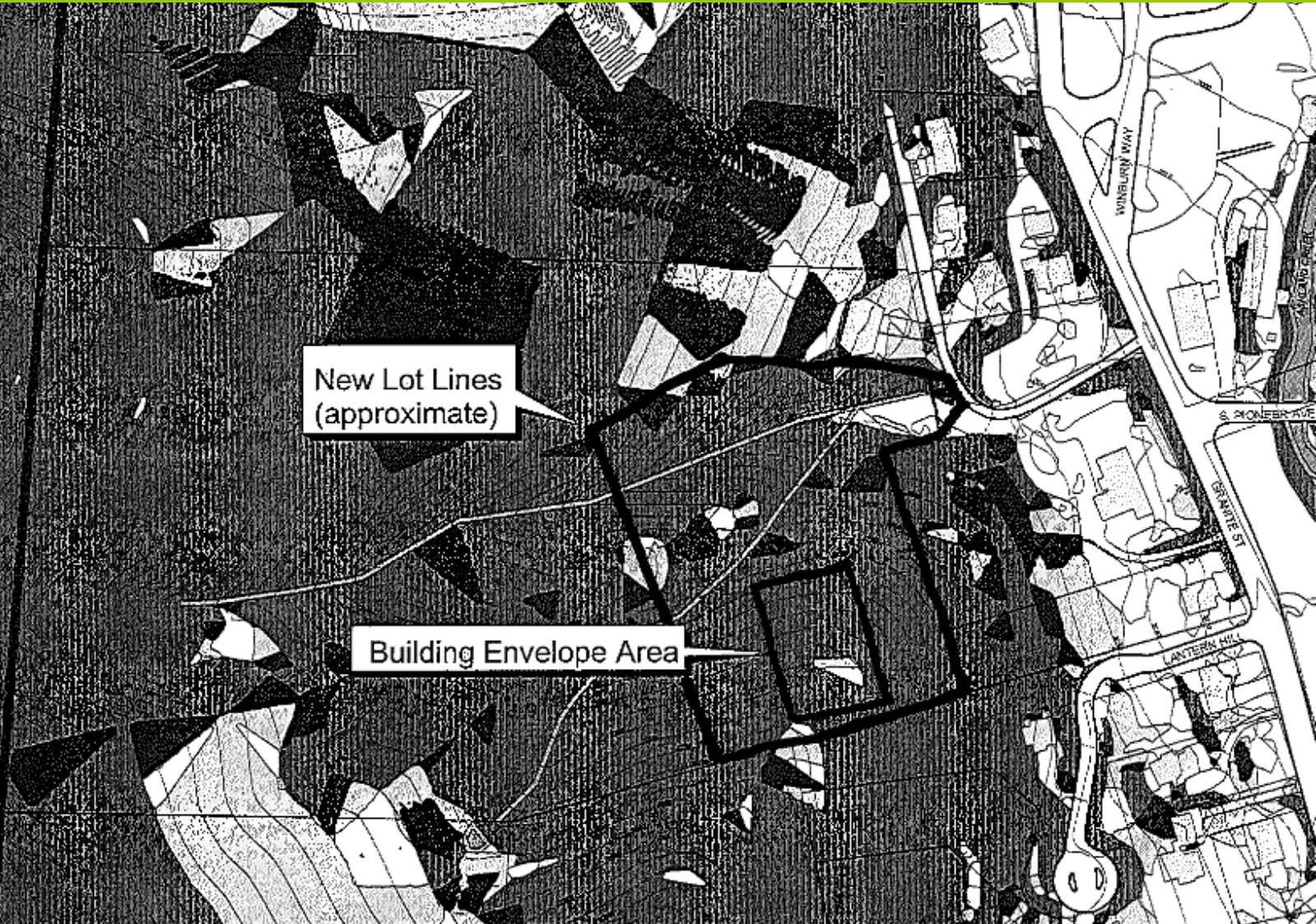
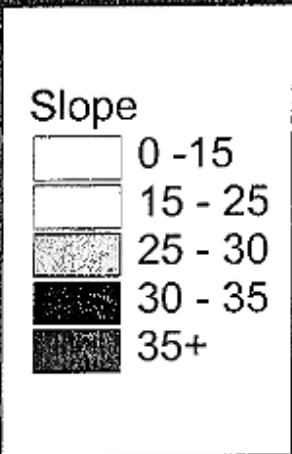


# 329 Granite Street

## Background

- Lot was created prior to the adoption of our Hillside ordinances.
- Allowed for the development of a single-family home and ARU or duplex (AMC 18.3.10.090.A.1.a)
- Identified on the BLI map as vacant
- Shortly after the donation of the land in 2004 a type-1 land use action was approved for a P&E for the development of a driveway only.
  - construction never moved forward

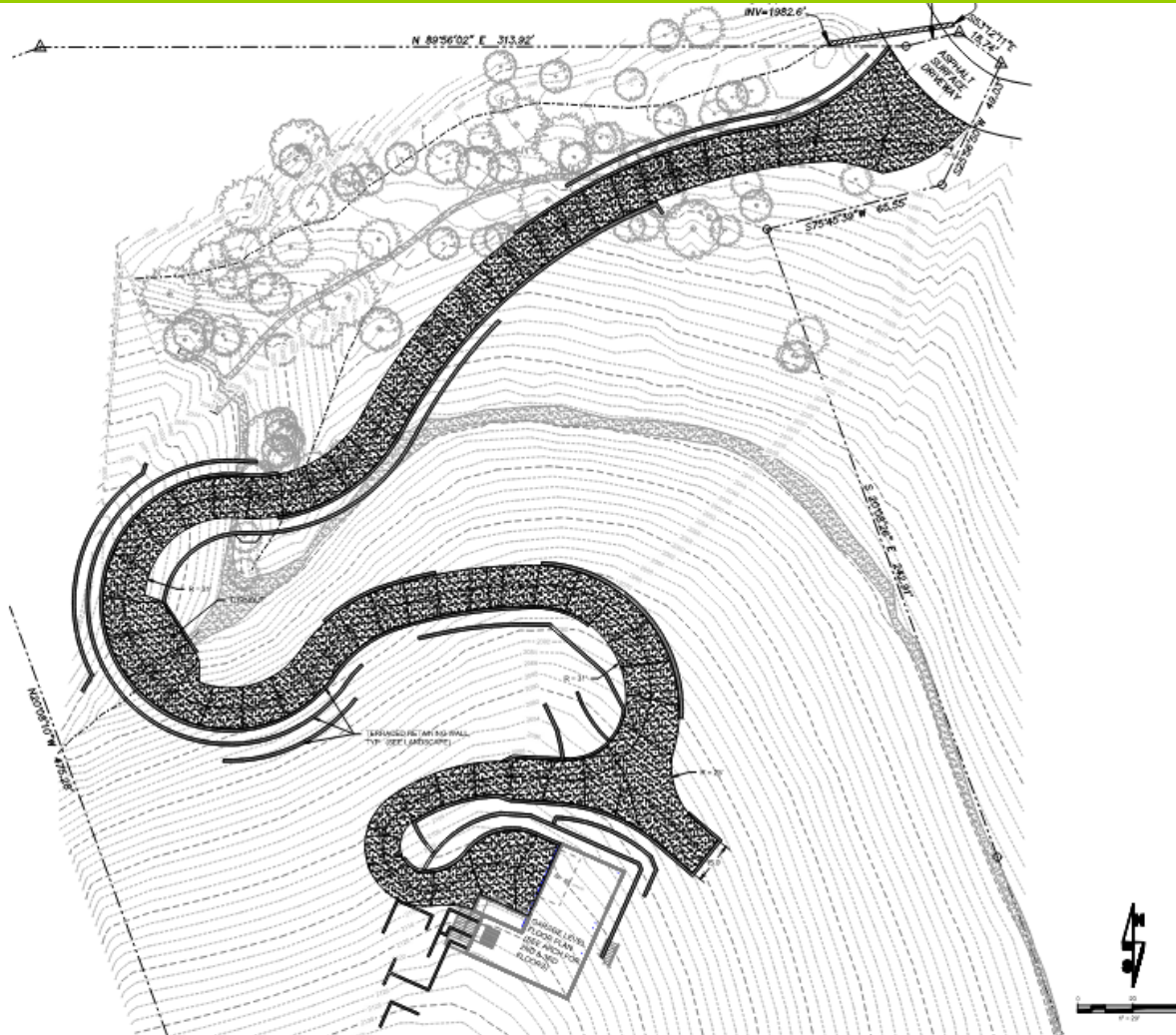
# 329 Granite



New Lot Lines  
(approximate)

Building Envelope Area

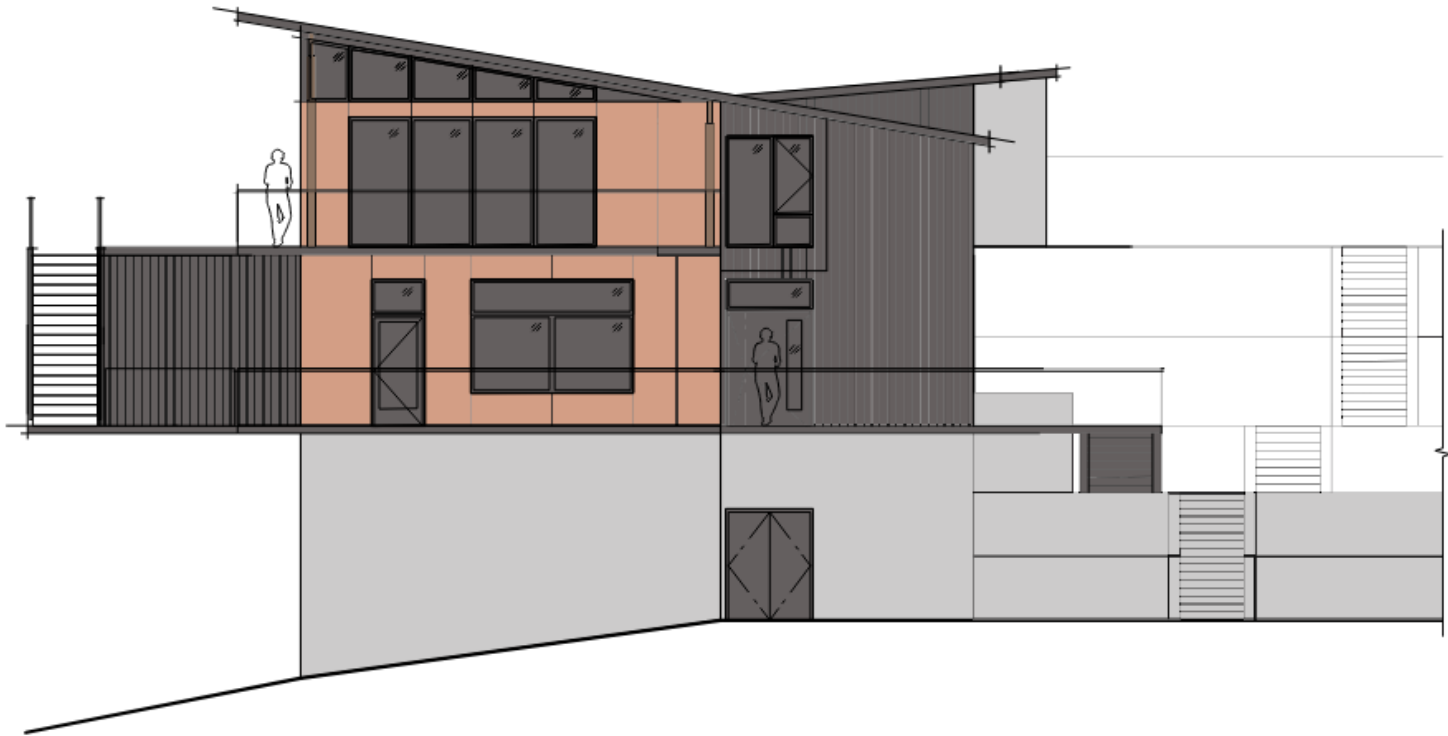
# 329 Granite



PLAN VIEW - RESIDENTIAL DRIVEWAY

SCALE: 1" = 20' (10/20/20)

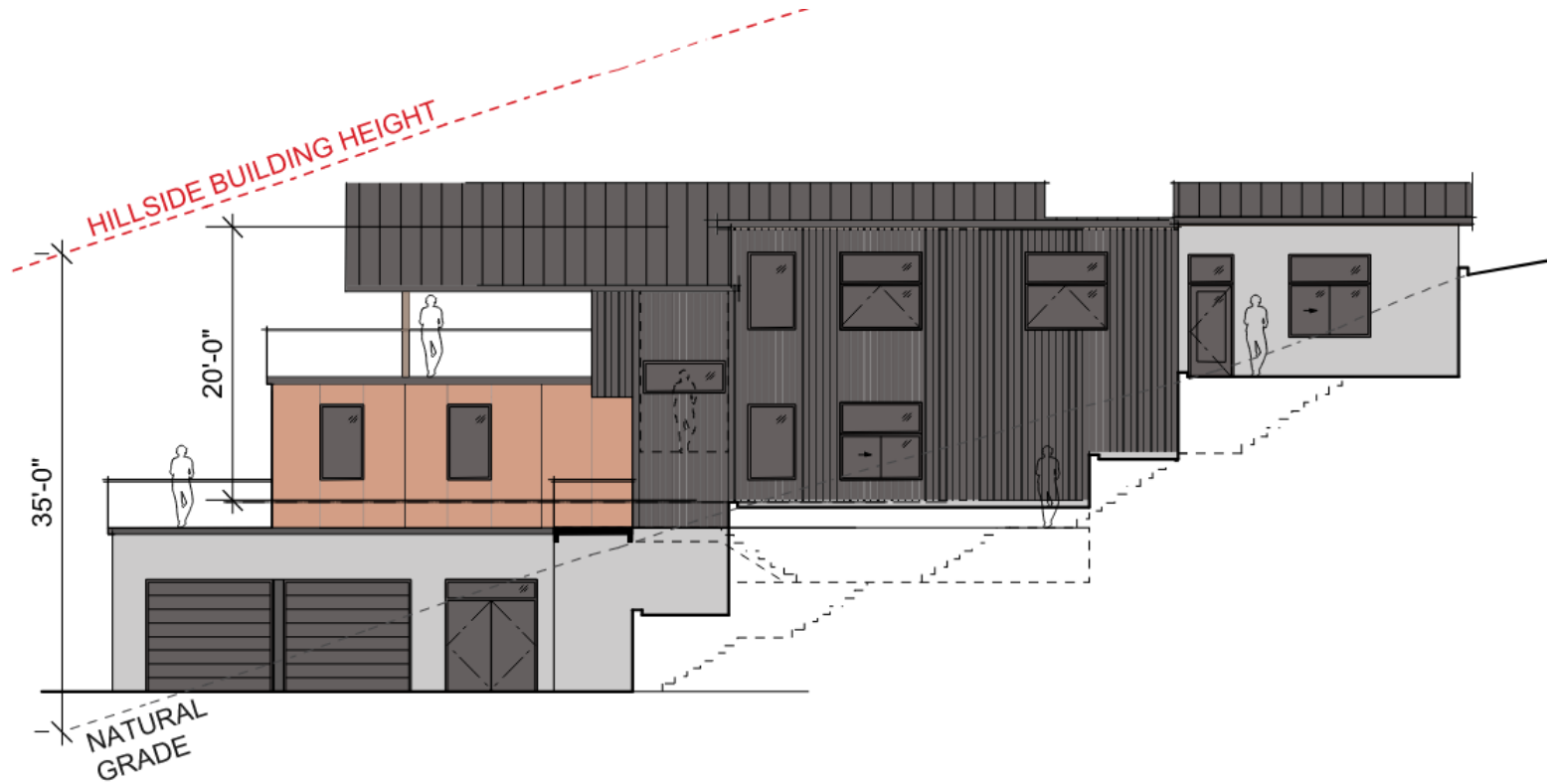
# 329 Granite



North Elevation



# 329 Granite



West Elevation

# 329 Granite



East Elevation

# 329 Granite

## SHEET INDEX

### COVER SHEET

### ARCHITECTURAL

- A 0.1 SITE PLAN
- A 1.1 FLOOR PLANS
- A 2.1 ELEVATIONS
- A 3.1 SECTIONS

### CIVIL

- C 2.0 EROSION CONTROL PLAN
- C 2.1 EROSION CONTROL DETAILS
- C 4.0 DRIVEWAY ALIGNMENT PLAN
- C 4.1 DRIVEWAY PROFILE
- C 4.2 SITE DRAINAGE PLAN

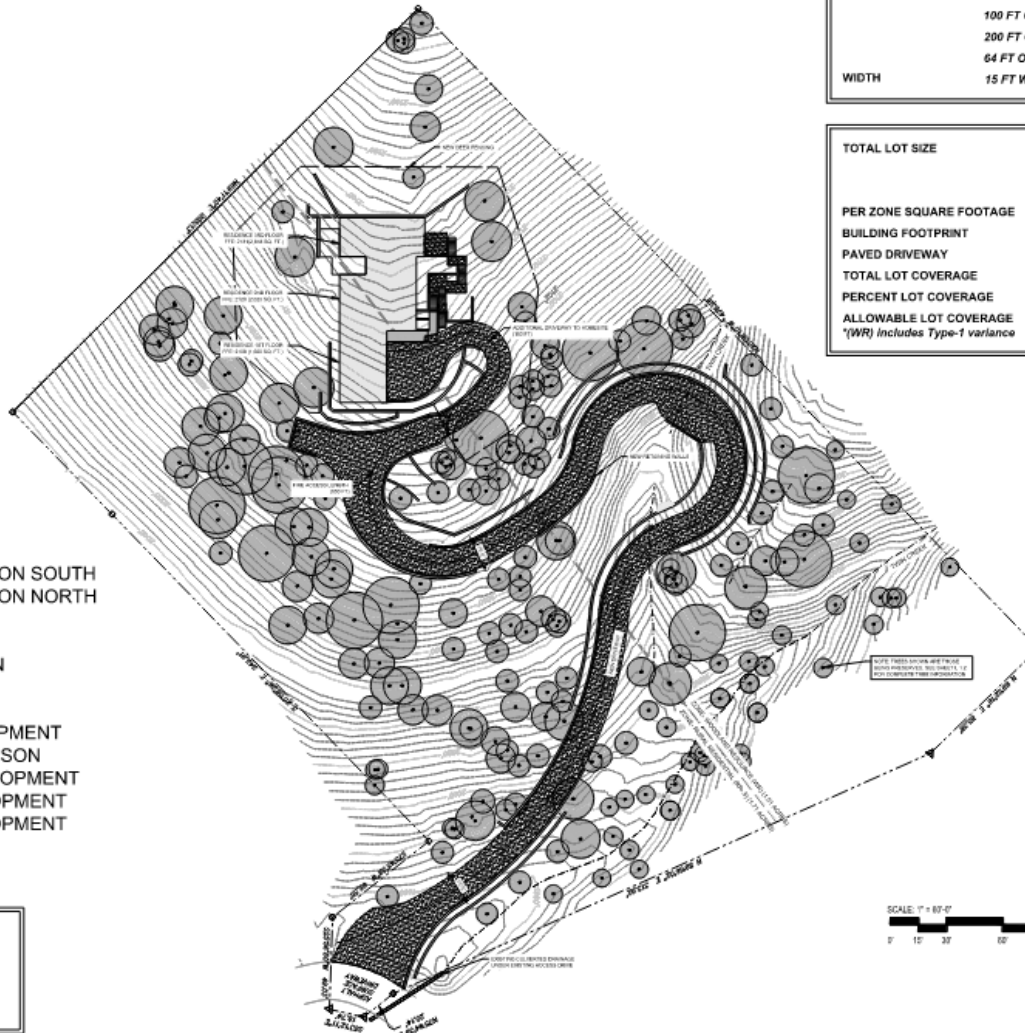
### LANDSCAPE AND SITE

- L 1.0 SITE PLAN
- L 1.1 GRADING & DRAINAGE PLAN
- L 1.2 TREE PROTECTION & REMOVAL PLAN
- L 1.3 SLOPE ANALYSIS W/ IMPROVEMENTS
- L 1.4 CUT/FILL ANALYSIS PLAN
- L 1.5A PLANTING, MITIGATION & REVEGETATION SOUTH
- L 1.5B PLANTING, MITIGATION & REVEGETATION NORTH
- L 1.6 LOT COVERAGE ANALYSIS
- L 1.7 FIRE PREVENTION & CONTROL
- L 1.8 WATER RESOURCE PROTECTION PLAN
- L 1.9 SECTIONS & DETAILS
  
- L 2.0 EXHIBIT- GRADING PLAN 2004 DEVELOPMENT
- L 2.1 EXHIBIT- SITE DISTURBANCE COMPARISON
- L 2.2 EXHIBIT- SLOPE ANALYSIS 2004 DEVELOPMENT
- L 2.3 EXHIBIT- TREE REMOVAL 2004 DEVELOPMENT
- L 2.4 EXHIBIT- TREE REMOVAL 2020 DEVELOPMENT

### ORIGINAL SURVEY

#### ORDINANCE REQUIREMENTS

- 18.3.10 - PHYSICAL AND ENVIRONMENTAL CONSTRAINTS IN HILLSIDE LANDS AND SEVERE CONSTRAINTS
- 18.4.5.030 - TREE PRESERVATION AND PROTECTION
- 18.5.7 - TREE REMOVAL PERMITS
- 18.3.10.100 - DEVELOPMENT STANDARDS FOR WILDFIRE LANDS



<b>DRIVEWAY</b>	<b>TOTAL LENGTH: 814 FT</b>
<b>LENGTH &amp; SLOPE</b>	50 FT OF LENGTH @ 8.0% SLOPE
	50 FT OF LENGTH @ 15.0% SLOPE
	200 FT OF LENGTH @ 18.0% SLOPE
	150 FT OF LENGTH @ 15.0% SLOPE
	100 FT OF LENGTH @ 17.0% SLOPE
	200 FT OF LENGTH @ 15.0% SLOPE
	64 FT OF LENGTH @ 12.0% SLOPE
<b>WIDTH</b>	<b>15 FT WIDE WITH MINIMUM 12' PAVED</b>

<b>TOTAL LOT SIZE</b>	<b>3.22 ACRES</b>	<b>140,363 SF</b>
	(WR)	(RR-5)
<b>PER ZONE SQUARE FOOTAGE</b>	1.51 AC = 65,875 SF	1.71 AC = 74,488 SF
<b>BUILDING FOOTPRINT</b>	2,020 SF	1,524 SF
<b>PAVED DRIVEWAY</b>	5,614 SF	8,714 SF
<b>TOTAL LOT COVERAGE</b>	7,634 SF	10,238 SF
<b>PERCENT LOT COVERAGE</b>	11.6%	13.7%
<b>ALLOWABLE LOT COVERAGE</b>	7.7%	20%
<i>(WR) Includes Type-1 variance</i>		



DRAWN BY:  
DKK

SCALE  
1"=60'-0"  
WHEN PRINTED ON 11X17"

Clarke Residence  
329 Granite Street  
ASHLAND, OR 97520

JOB NO. 2011  
REVISION DATE

COVER SHEET

ISSUE DATE:  
1.3.22

COVER



# 329 Granite

Staff Photo



# 329 Granite

Staff Photo



# 329 Granite

Staff Photo



# 329 Granite

Staff Photo



# 329 Granite

Staff Photo





# 329 Granite

Staff Photo



# 329 Granite

## Summary of the request

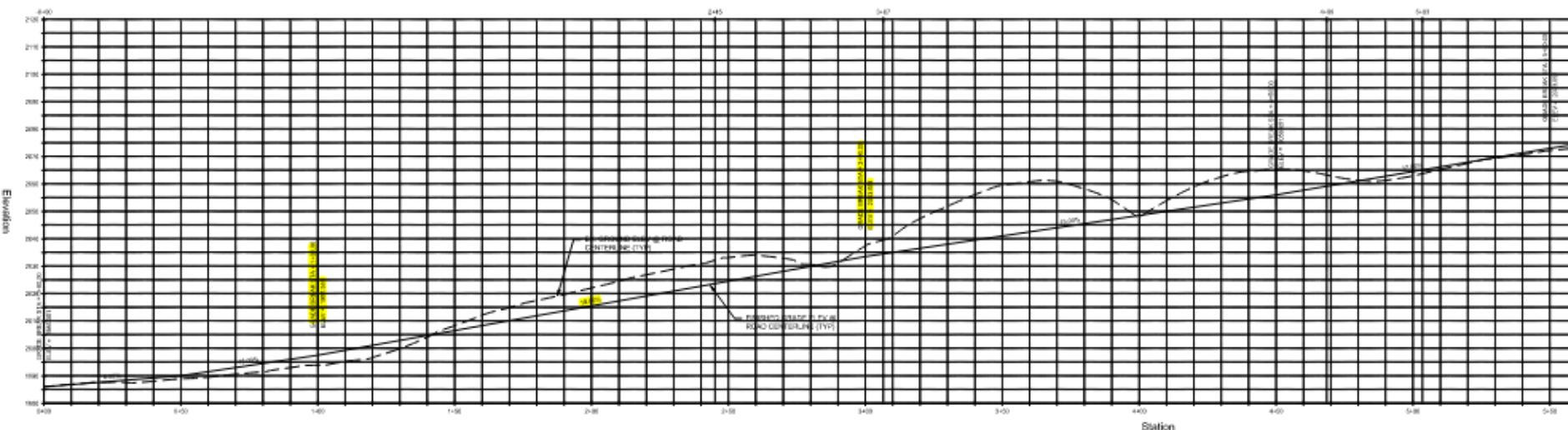
- **A Physical & Environmental Constraints Permit**
- **Two Variances:**
  - Driveway Grade (Type II)
  - Lot Coverage (Type II)
- **A Limited Activities & Uses Permit** to construct a new driveway crossing the Water Resource Protection Zone (WRPZ)
- **A Tree Removal Permit** for the removal of **18** significant\* trees

\*Significant Tree. A conifer tree having a trunk 18 caliper inches or larger in diameter at breast height (DBH), or a deciduous tree having a trunk 12 caliper inches in diameter at breast height.

# 329 Granite

## Variance #1

- Driveway Grade
  - From Flag Drive standards at AMC 18.5.3.060
  - Variances may be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent for not more than 200 feet
  - 814' in length, 124' vertical feet for an avg slope of 15.23%



PROFILE VIEW - STA 0+00 TO STA 5+50

# 329 Granite

## Variance #2

- Lot Coverage
  - The application requests an increase of 4.7-percent above the allowed 7-percent for the WR portion of the property. (a 66-percent increase)
  - When considering the development in the aggregate the total project proposes less lot coverage than would be allowed

	(WR)	(RR-.5)
TOTAL LOT AREA	1.51 ACRES = 65,875 SF	1.71 ACRES = 74,488 SF
BUILDING ENVELOPE	2,049 SF	1,530 SF
PAVED DRIVEWAY	5,614 SF	8,155 SF
LOT COVERAGE	7,663 SF	9,685 SF
* allowable by code; (WR) includes Type-1 Variance	5,072 SF (7%+ 0.7%)	14,897 SF (20%)
AVERAGE SITE SLOPE		64.57%
TOTAL PROJECT AREA	33%	28%
% REQUIRED TO REMAIN IN NATURAL STATE		>89.57%= (64.57%+25%)
	>59,004 SF	>66,719 SF
ALLOWABLE DISTURBANCE	<6,871 SF	<7,769 SF
PROPOSED DISTURBANCE	21,887 SF	21,130 SF

WR 7% allowed  
11.7% proposed

RR-.5 20% allowed  
13.7% proposed



# 329 Granite

## 5\* Requested exceptions

- The P&E is for each of the following land classifications: flood zone, hillside, and severe constraints.
- The application also includes requests for exceptions from the following standards:
  - The standards allow new driveways on slopes greater than 35 percent for a length not to exceed 100 feet.
  - The proposal retains 69.3 percent of the site in its natural state verses 89.57 percent per the code.
  - The standards allows a maximum cut slope of 15' and require terracing, with terrace heights not to exceed 5 feet. The application proposes 30' w/ 10' terrace
  - The standards require that downhill building walls greater than 20 feet
  - The standards require that a continuous horizontal building plane greater than 36 feet in length include at least a six-foot off-set.

# 329 Granite

## Exceptions –Grading

- Driveways: 18.3.10.090.A.3.2.b. (Allows 100' in 35% slopes)
- Retention in Natural State: 18.3.10.B.3 (69.3% vs 89.57 %)
- Maximum Cut Slope Retaining Wall Height: 18.3.10.090.B.4.b.

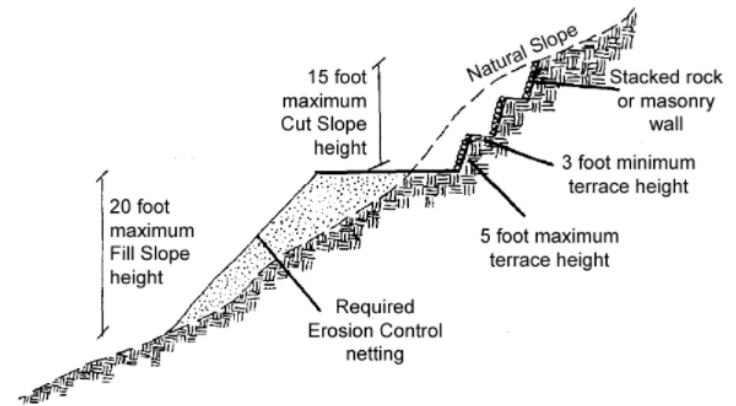
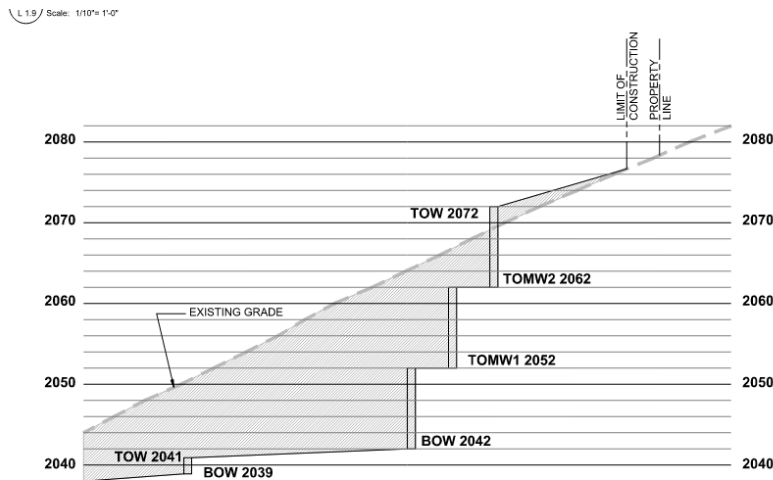
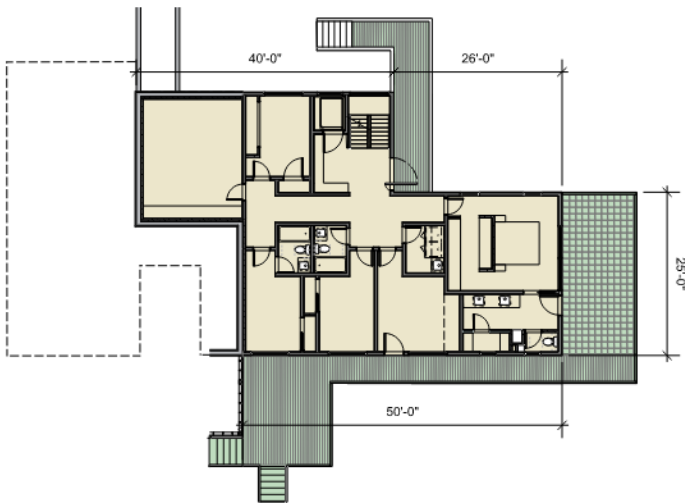


Figure 18.3.10.090.B.4.b. Cut and Fill Slopes

# 329 Granite

## Exceptions – Building Design

- ~~Building Location and Design Standards: 18.3.10.090.E.1.a~~
  - Only a requirement for newly created lot
- Downhill Wall Height Limitation: 18.3.10.090 E.2.c
- Horizontal Building Plane Limitation: 18.3.10.090.E.2.d.





# 329 Granite

## Tree Commission Recommendations

- The application includes a request to remove 18 significant trees that are in the driveway and building envelope.
- The Tree Commission reviewed the application at their Feb meeting and voted 3-1 in favor of recommending approval of the application.

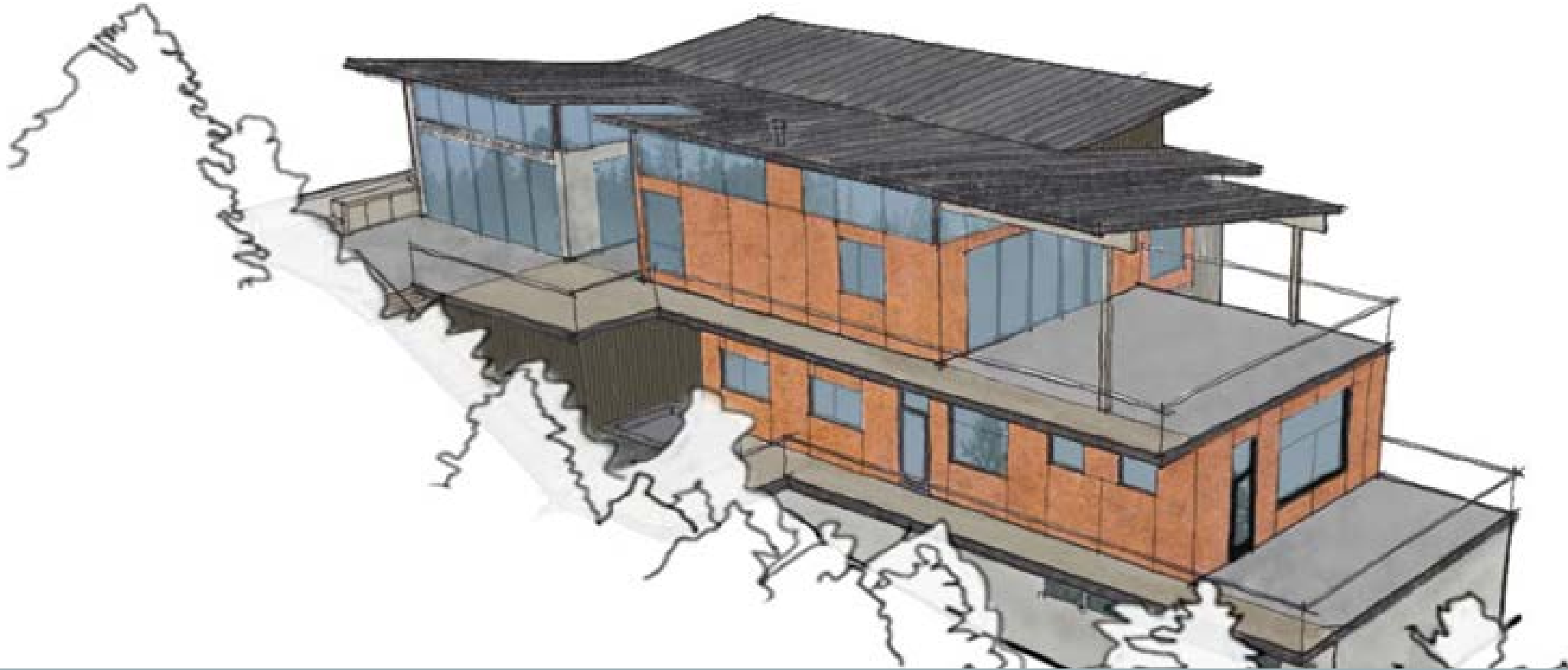
# 329 Granite

## Summary and conclusion

- Staff Recognizes that this is a buildable lot with severe constraints.
- The property has an average slope of 64%.
- Two identified watercourse traverse the property.
- The property is split zoned between WR and RR.5
- The WR zone is very restrictive to lot coverage.

Staff further understands that based on the above it is reasonable to anticipate exceptions are necessary to develop the property.

If the Planning commission finds that the applicant has met their burden of proof and approves the application findings will be presented at the next Planning Commission meeting for consideration.



REQUEST FOR PHYSICAL AND ENVIRONMENTAL  
CONSTRAINTS REVIEW PERMIT  
TO ALLOW THE CONSTRUCTION OF A RESIDENTIAL HOME

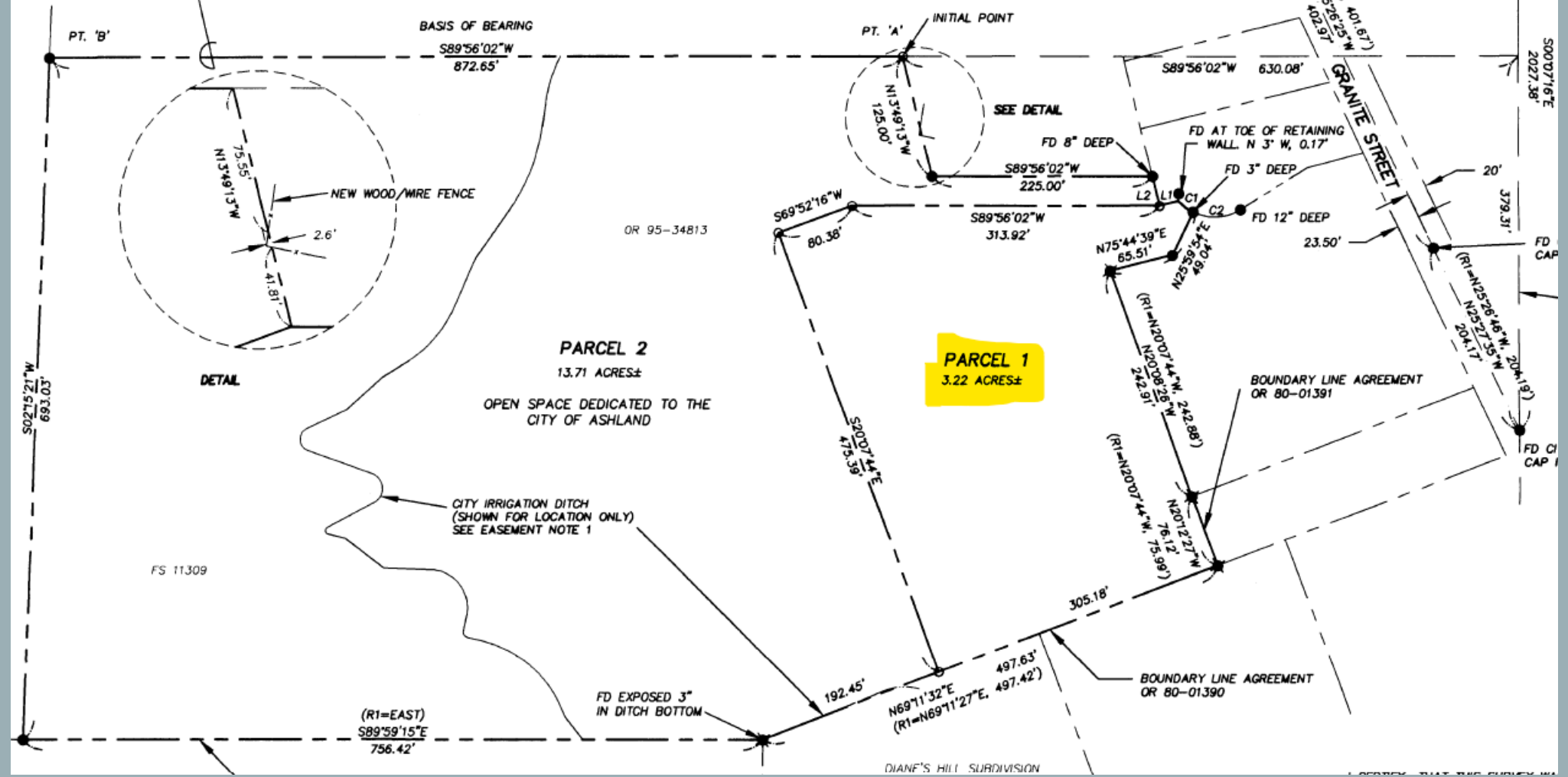
LINE TABLE		
LINE	LENGTH	BEARING
L1	20.14	S75°44'39"W
L2	30.69	N13°49'13"W

NOTE: THIS LINE IS 330 FEET SOUTH OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 8 PER FS 10635.

OR 98-17044

FS 8409

SECTION 8



ON

PT. 'B'

BASIS OF BEARING

PT. 'A'

INITIAL POINT

SEE DETAIL

PARCEL 2

13.71 ACRES±

PARCEL 1

3.22 ACRES±

OPEN SPACE DEDICATED TO THE CITY OF ASHLAND

BOUNDARY LINE AGREEMENT OR 80-01391

CITY IRRIGATION DITCH (SHOWN FOR LOCATION ONLY) SEE EASEMENT NOTE 1

BOUNDARY LINE AGREEMENT OR 80-01390

FD EXPOSED 3" IN DITCH BOTTOM

DIANE'S HILL SUBDIVISION

S02°15'21"W  
693.03'

FS 11309

(R1=EAST)  
S89°59'15"E  
756.42'

S89°56'02"W  
872.65'

OR 95-34813

S69°52'16"W  
80.38'

S89°56'02"W  
313.92'

S89°56'02"W  
225.00'

S89°56'02"W  
630.08'

(R1=N25°03'02"W, 401.67')  
N25°26'25"W  
402.97'

1648.07'

500.0716'E  
2027.38'

379.31'

FD CAP

(R1=N25°26'46"W, 204.13')  
N25°27'55"W  
204.17'

FD CAP

(R1=N20°07'44"W, 242.98')  
N20°08'56"W  
242.91'

(R1=N20°07'44"W, 75.98')  
N20°12'27"W  
16.12'

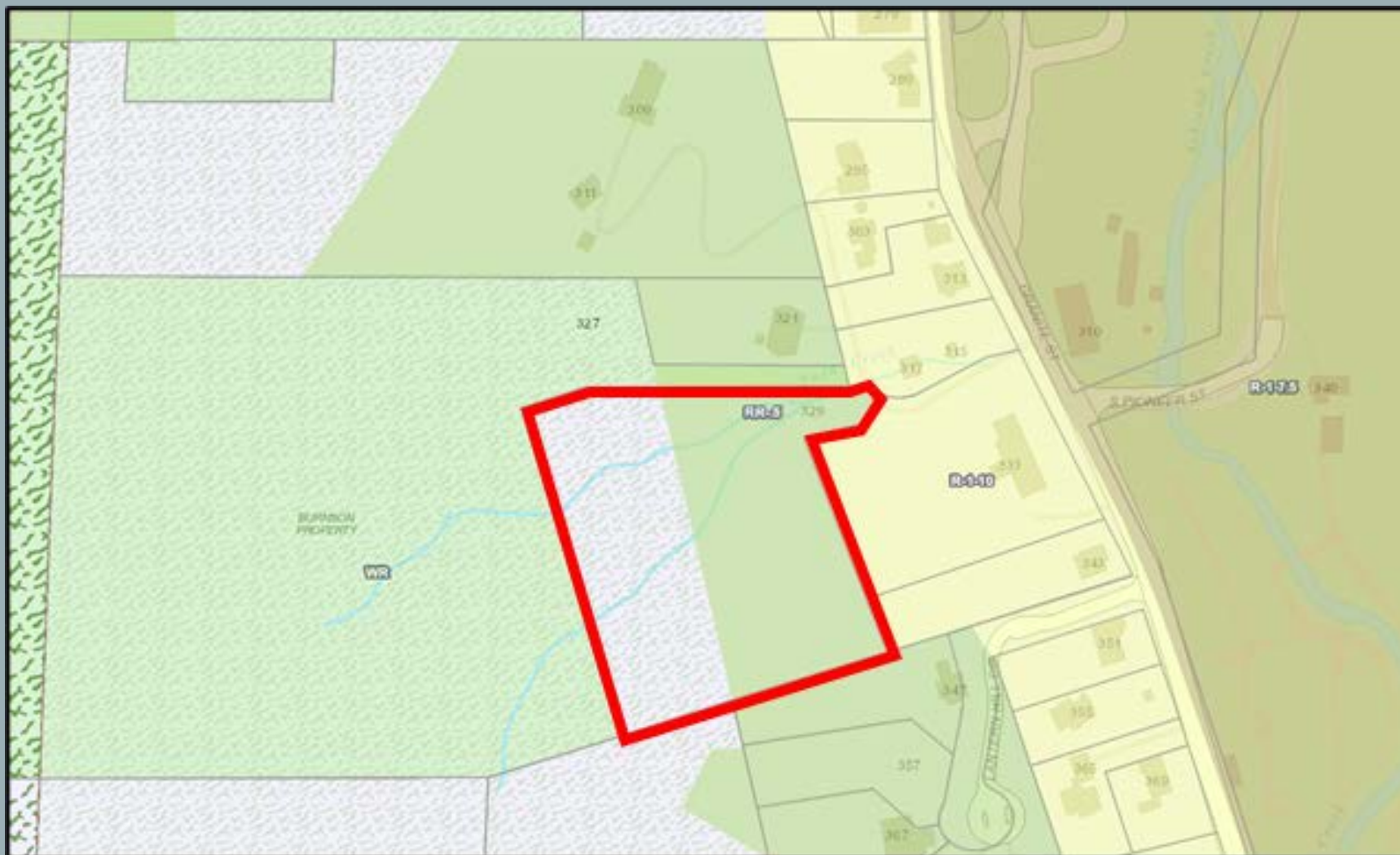
305.18'

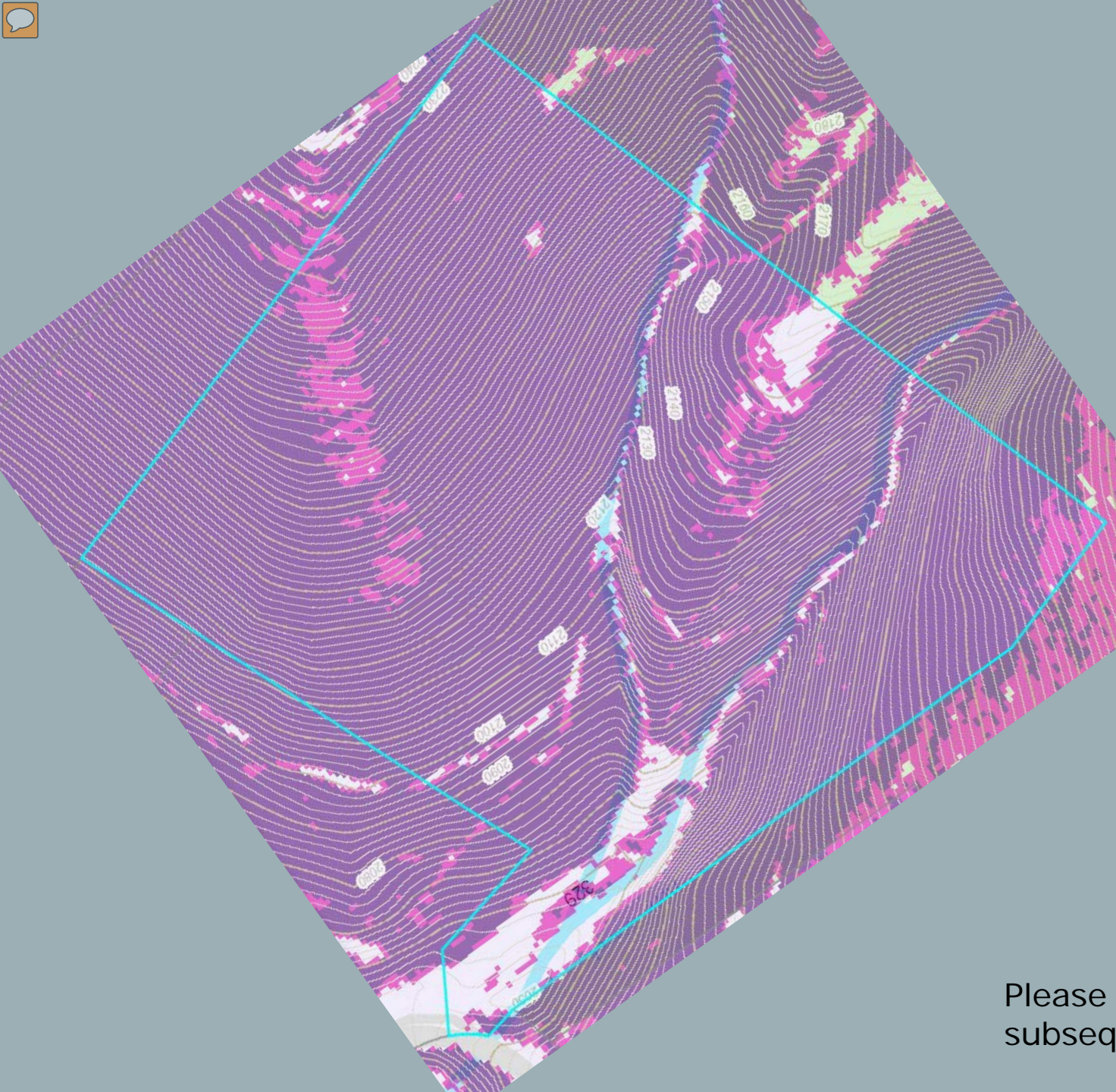
N69°11'32"E  
(R1=N69°11'27"E, 497.42')  
497.63'

192.45'




# ZONING OVERLAY





# CITY OF ASHLAND SLOPE MAP

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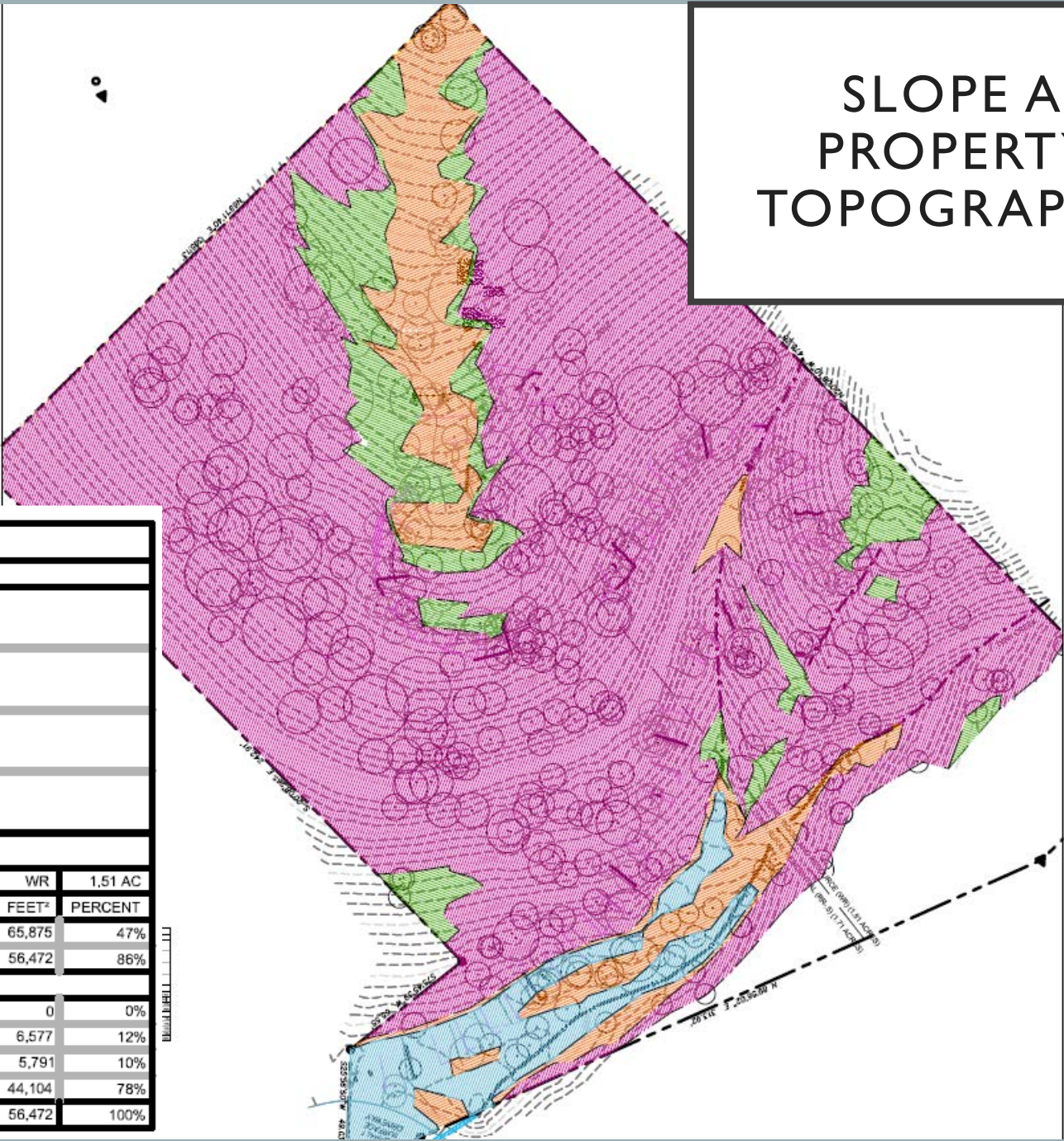


I agree to the above terms and conditions





OK

Please extend credit to Jackson County GIS in any subsequent works derived from its data, such as maps.

# SLOPE ANALYSIS OF PROPERTY BASED ON TOPOGRAPHICAL SURVEY



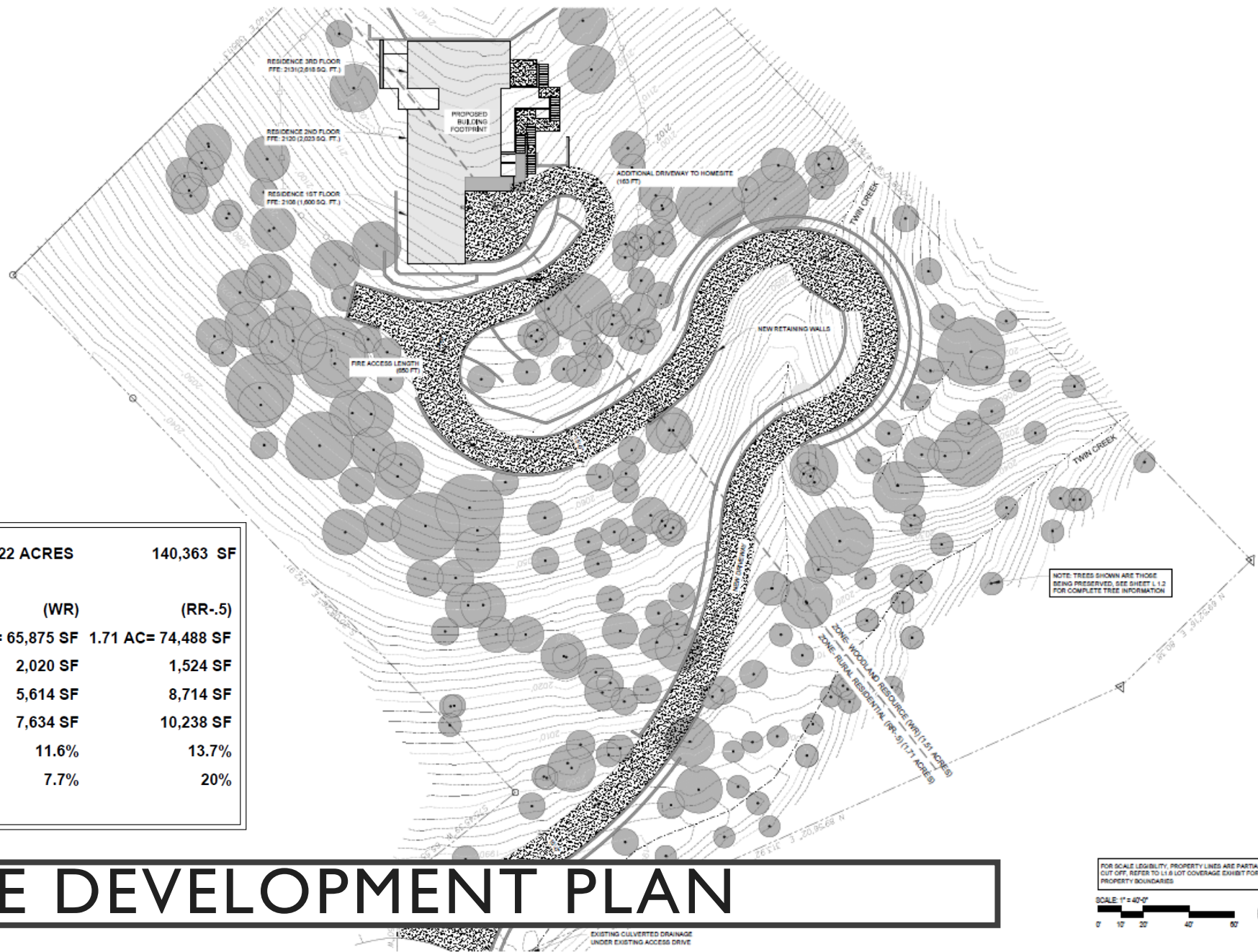
## SLOPE ANALYSIS LEGEND

SYMBOL	DESCRIPTION
	LESS THAN 25%
	25% TO 35%
	35% TO 40%
	GREATER THAN 40%

## LOT SLOPE INFORMATION

LOT 39 1E 08DD; TL #704	RR-5	1.71 AC	WR	1.51 AC
	FEET <sup>2</sup>	PERCENT	FEET <sup>2</sup>	PERCENT
TOTAL LOT	74,488	53%	65,875	47%
AREA OF SLOPE ANALYSIS	73,165	98%	56,472	86%
<b>SLOPE ANALYSIS</b>				
LESS THAN 25%	6,519	9%	0	0%
25% TO 35%	5,918	8%	6,577	12%
35% TO 40%	4,967	7%	5,791	10%
GREATER THAN 40%	55,761	76%	44,104	78%
TOTAL	73,165	100%	56,472	100%





<b>TOTAL LOT SIZE</b>	<b>3.22 ACRES</b>	<b>140,363 SF</b>
	<b>(WR)</b>	<b>(RR-.5)</b>
<b>PER ZONE SQUARE FOOTAGE</b>	<b>1.51 AC = 65,875 SF</b>	<b>1.71 AC = 74,488 SF</b>
<b>BUILDING FOOTPRINT</b>	<b>2,020 SF</b>	<b>1,524 SF</b>
<b>PAVED DRIVEWAY</b>	<b>5,614 SF</b>	<b>8,714 SF</b>
<b>TOTAL LOT COVERAGE</b>	<b>7,634 SF</b>	<b>10,238 SF</b>
<b>PERCENT LOT COVERAGE</b>	<b>11.6%</b>	<b>13.7%</b>
<b>ALLOWABLE LOT COVERAGE</b>	<b>7.7%</b>	<b>20%</b>
<i>*(WR) includes Type-1 variance</i>		

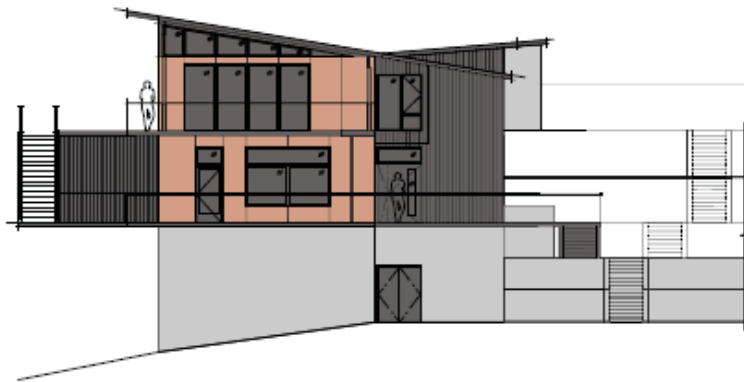
# SITE DEVELOPMENT PLAN

FOR SCALE LEGIBILITY, PROPERTY LINES ARE PARTIALLY CUT OFF. REFER TO L1-1 & L2 FOR COMPLETE TREE INFORMATION.

SCALE: 1" = 40'-0"

EXISTING CULVERTED DRAINAGE UNDER EXISTING ACCESS DRIVE

329 Granite Street  
Elevations



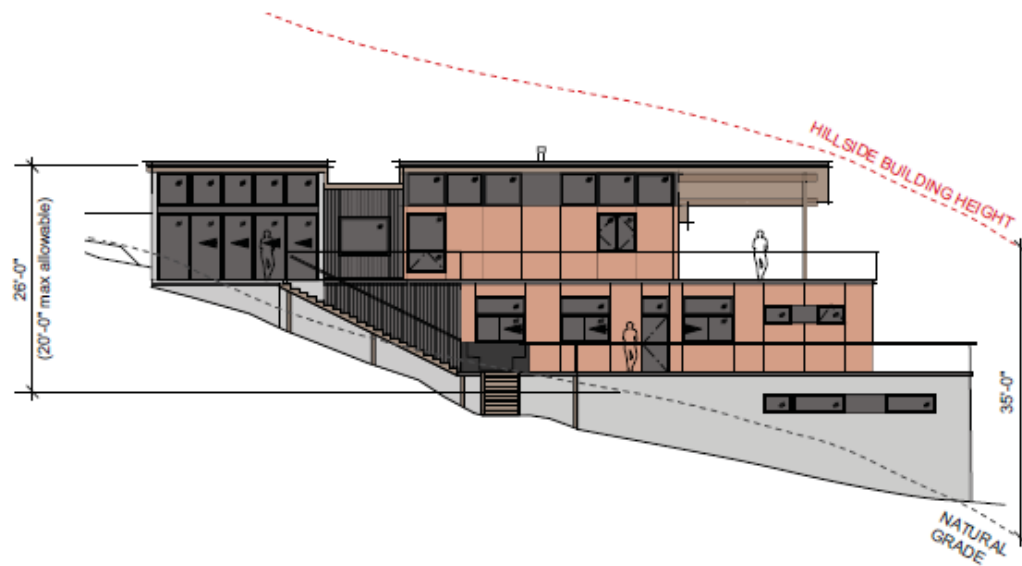
North Elevation



West Elevation



South Elevation



East Elevation

ARCHITECTURAL ELEVATIONS A.2.1



# Contextual Views

Granite & Winburn

329 Granite



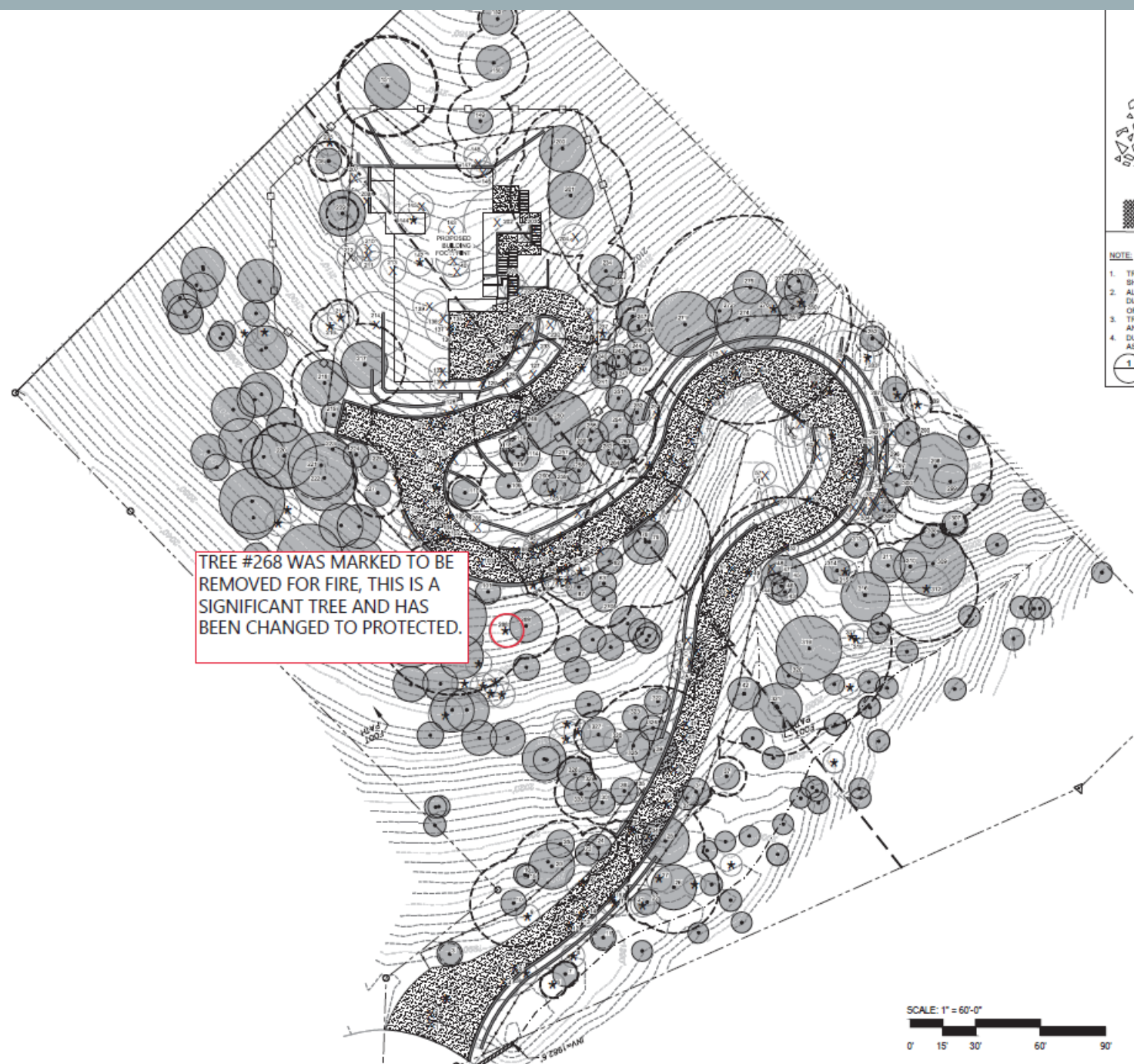
Street View



View Location Key

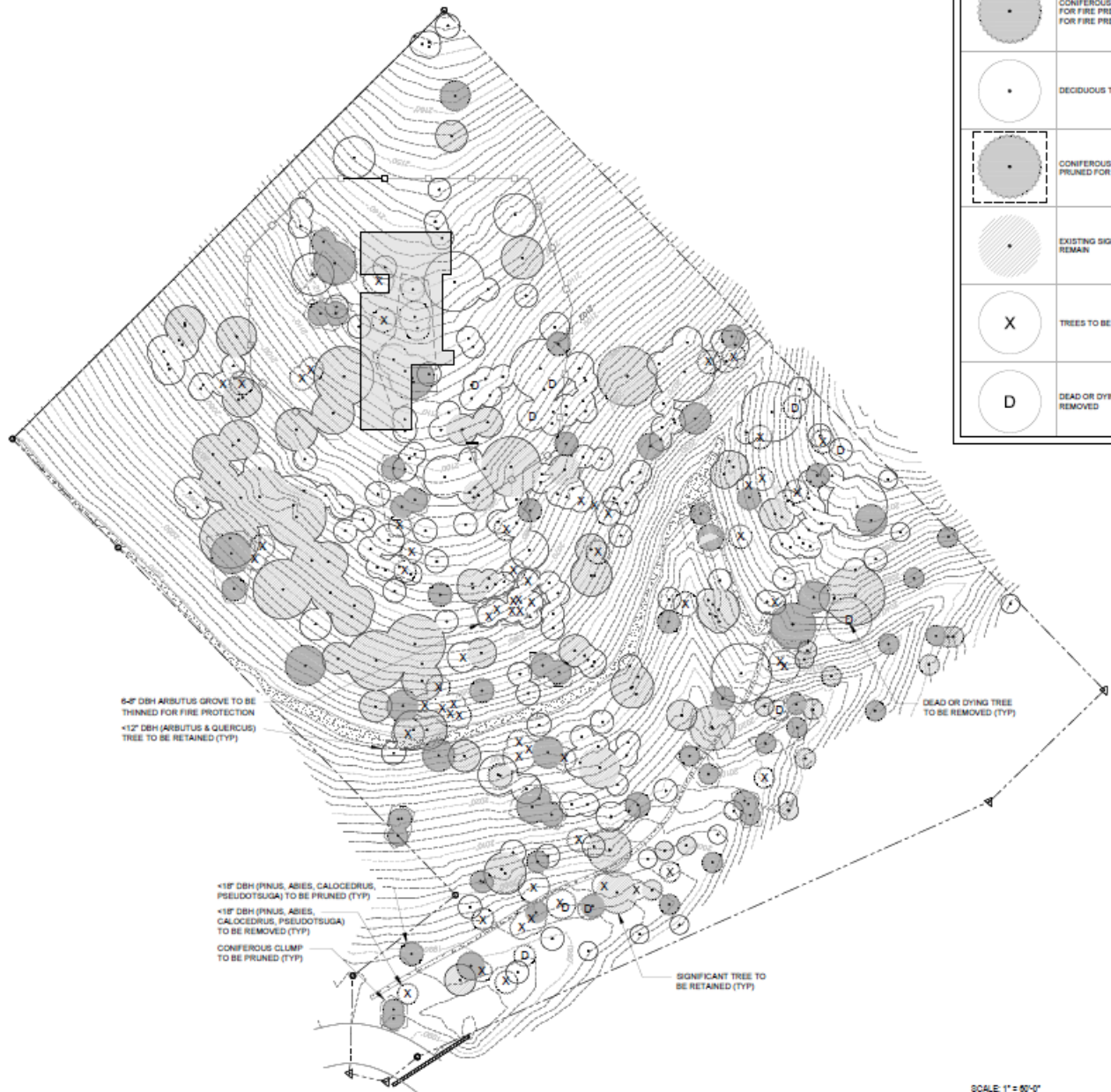


Rendered View



# TREE REMOVAL DATA

2022 DEVELOPMENT TREE DATA	
<b>L1.2 TREE PROTECTION PLAN TREE SURVEY DATA</b>	
292	TREES SURVEYED FOR 2022 DEVELOPMENT AREA
71	ADDITIONAL TREES ADDED TO SURVEY FOR 2004 DEVELOPMENT AREA EXHIBIT (TREES HAVE NO ASSIGNED NUMBER)
44	ADDITIONAL RIPARIAN TREES SURVEYED (TREES HAVE NO ASSIGNED NUMBER)
407	TOTAL TREES SURVEYED
	<i>ONLY 80% OF THE SITE CONTAINS TREE SURVEY DATA, TREES OUTSIDE OF LIMITS OF CONSTRUCTION WERE NOT SURVEYED</i>
<b>L1.2 TREE REMOVAL DATA FOR 2022 DEVELOPMENT</b>	
19	SIGNIFICANT TREES TO BE REMOVED FOR DEVELOPMENT
103	ADDITIONAL TREES TO BE REMOVED FOR DEVELOPMENT
122	TOTAL TREES TO BE REMOVED FOR DEVELOPMENT
47	LESS THAN SIGNIFICANT TREES TO BE REMOVED FOR FIRE SAFETY (PLUS ADDITIONAL CONIFERS <18" DBH OUTSIDE OF THE TREE SURVEY DATA)
169	TOTAL TREES TO BE REMOVED



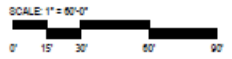
6-8" DBH ARBUTUS GROVE TO BE THINNED FOR FIRE PROTECTION  
 +12" DBH (ARBUTUS & QUERCUS) TREE TO BE RETAINED (TYP)

<18" DBH (PINUS, ABIES, CALOCEDRUS, PSEUDOTSUGA) TO BE PRUNED (TYP)  
 <18" DBH (PINUS, ABIES, CALOCEDRUS, PSEUDOTSUGA) TO BE REMOVED (TYP)  
 CONIFEROUS CLUMP TO BE PRUNED (TYP)

SIGNIFICANT TREE TO BE RETAINED (TYP)

DEAD OR DYING TREE TO BE REMOVED (TYP)

	CONIFEROUS TREES TO BE PRUNED FOR FIRE PREVENTION (SEE PRUNING FOR FIRE PREVENTION NOTES)
	DECIDUOUS TREE TO REMAIN
	CONIFEROUS TREE CLUSTER TO BE PRUNED FOR FIRE PREVENTION
	EXISTING SIGNIFICANT TREE TO REMAIN
	TREES TO BE REMOVED
	DEAD OR DYING TREES TO BE REMOVED



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 IC  
 SCALE  
 1"=60'-0"  
 WHEN PRINTED ON 11X17

Clarke Residence  
 329 Granite Street  
 ASHLAND, OR 97520

JOB NO. 2017  
 REVISION DATE

**FIRE PREVENTION & CONTROL**

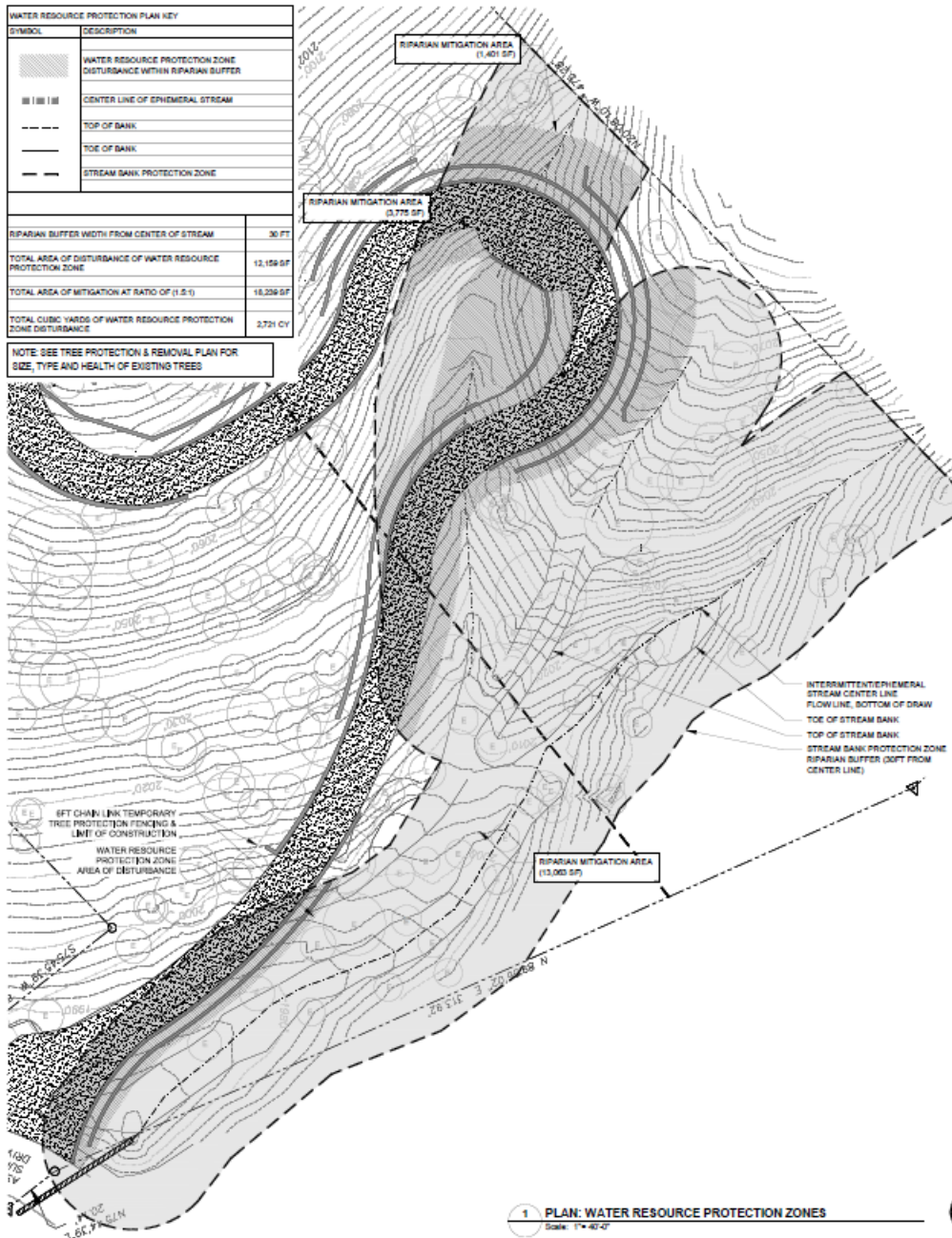
ISSUE DATE:  
 1.3.22

**L 1.7**

WATER RESOURCE PROTECTION PLAN KEY	
SYMBOL	DESCRIPTION
	WATER RESOURCE PROTECTION ZONE DISTURBANCE WITHIN RIPARIAN BUFFER
	CENTER LINE OF EPHEMERAL STREAM
	TOP OF BANK
	TOE OF BANK
	STREAM BANK PROTECTION ZONE

RIPIARIAN BUFFER WIDTH FROM CENTER OF STREAM	30 FT
TOTAL AREA OF DISTURBANCE OF WATER RESOURCE PROTECTION ZONE	13,159 SF
TOTAL AREA OF MITIGATION AT RATIO OF (1.5:1)	18,239 SF
TOTAL CUBIC YARDS OF WATER RESOURCE PROTECTION ZONE DISTURBANCE	3731 CY

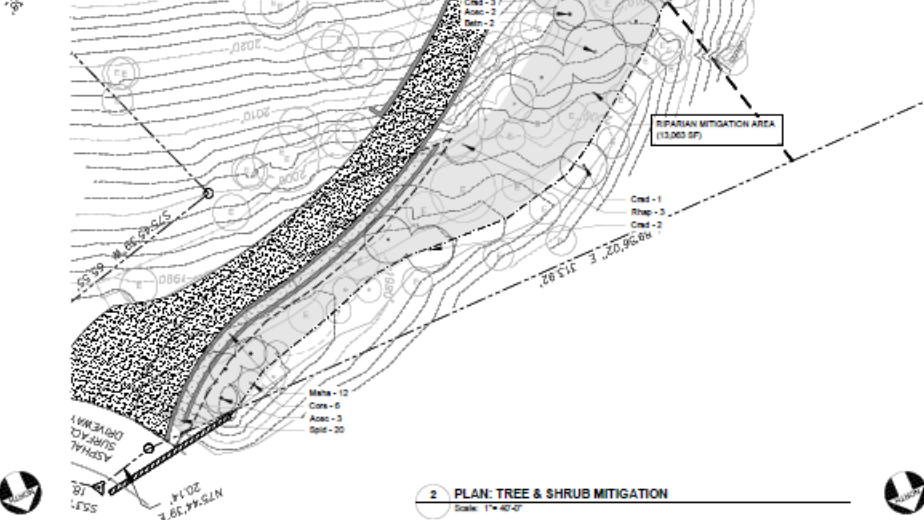
NOTE: SEE TREE PROTECTION & REMOVAL PLAN FOR SIZE, TYPE AND HEALTH OF EXISTING TREES



Riparian Mitigation Plant Legend			
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
<b>TREES</b>			
Ascc	<i>Asseulus californica</i>	California Buckeye	8'-2"
Acac	<i>Acer glabratum</i>	Vine Maple	8'-2"
Acng	<i>Acer glabrum</i>	Roadside Mountain Maple	7' CAL
Arns	<i>Artemisia tridentata</i>	Sagebrush Scrubshrubbery	7' CAL
Batr	<i>Betula nigra</i> "Duraleaf"	Duraleaf River Birch	1.5' CAL
Crad	<i>Crataegus douglasii</i>	Black Hawthorn	7' CAL
Rhap	<i>Rhamnus purshiana</i>	Cascara	7' CAL
<b>SHRUBS</b>			
Matr	<i>Mahonia repens</i>	Creeeping Oregon Grape	1 GAL
Carb	<i>Cercocarpus betuloides</i>	Blackleaf Mountain Mahogany	5 GAL
Cora	<i>Cornus melanocarpa</i>	Red Stem Dogwood	1 GAL
Garf	<i>Garrya remondii</i>	Mountain Silk Tassel	3 GAL
Hoid	<i>Holodiscus discolor</i>	Cowparsony	3 GAL
Maha	<i>Mahonia aquifolium</i>	Oregon Grape	2 GAL
Marim	<i>Malvastrum mexicanum</i>	Maricopa Elderberry	15 GAL
Spil	<i>Spiraea araliifolia</i>	Rose Meadowsweet	1 GAL
Syma	<i>Symphoricarpos alba</i>	Common Snowberry	2 GAL

MITIGATION REQUIREMENT NOTES FOR WATER RESOURCE PROTECTION ZONES, SEE CITY OF ASHLAND CODE 18.3.11.110

- WORK AREAS ON THE IMMEDIATE SITE SHALL BE IDENTIFIED AND MARKED TO REDUCE DAMAGE TO TREES AND VEGETATION. TEMPORARY CONSTRUCTION FENCING SHALL BE PLACED AT THE DRIP LINE OF TREES BORDERING THE WORK AREA. NO EQUIPMENT MANEUVERING, STAGING, OR STOCKPILING SHALL OCCUR OUTSIDE OF DESIGNATED WORK AREAS.
- TREES SHALL NOT BE USED AS ANCHORS FOR STABILIZING EQUIPMENT.
- STOCKPILING OF SOIL OR SOIL MIXED WITH VEGETATION, SHALL NOT BE PERMITTED IN WATER RESOURCE PROTECTION AREAS ON A PERMANENT BASIS. TEMPORARY STORAGE SHALL EMPLOY EROSION CONTROL MEASURES TO ENSURE SEDIMENTS ARE NOT TRANSPORTED TO ADJACENT SURFACE WATERS.
- TEMPORARY EROSION CONTROL MEASURES SHALL BE INSTALLED TO PREVENT ENCROACHMENT AND FLOW OF RUNOFF, MATERIALS, OR OTHER DEBRIS INTO THE WATER RESOURCE. THESE MEASURES SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF EXCAVATION, GRADING, SITE CLEARING, CONSTRUCTION, OR SIMILAR SITE WORK RESULTING TO CHANGES TO THE LAND. ACCESS ROADS, STAGING AREAS, STORAGE AREAS, AND OTHER AREAS OF TEMPORARY DISTURBANCE NECESSARY TO COMPLETE THE PROPOSED ACTIVITY SHALL BE RESTORED AS SOON AS POSSIBLE, BUT NOT MORE THAN 90 DAYS AFTER AUTHORIZED LAND DISTURBANCE. EROSION CONTROL MEASURES SHALL BE IN PLACE CONCURRENTLY WITH CONSTRUCTION OR ESTABLISHMENT OF THE PROPOSED ACTIVITY. TEMPORARY MEASURES USED FOR INITIAL EROSION CONTROL SHALL NOT BE LEFT IN PLACE PERMANENTLY.



1 PLAN: WATER RESOURCE PROTECTION ZONES  
Scale: 1"=40'-0"

2 PLAN: TREE & SHRUB MITIGATION  
Scale: 1"=40'-0"



505 A ST. STE 3, ASHLAND, OR 97520  
503.689.3700



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SCALE  
1"=40'-0"  
WHEN PRINTED ON 11X17

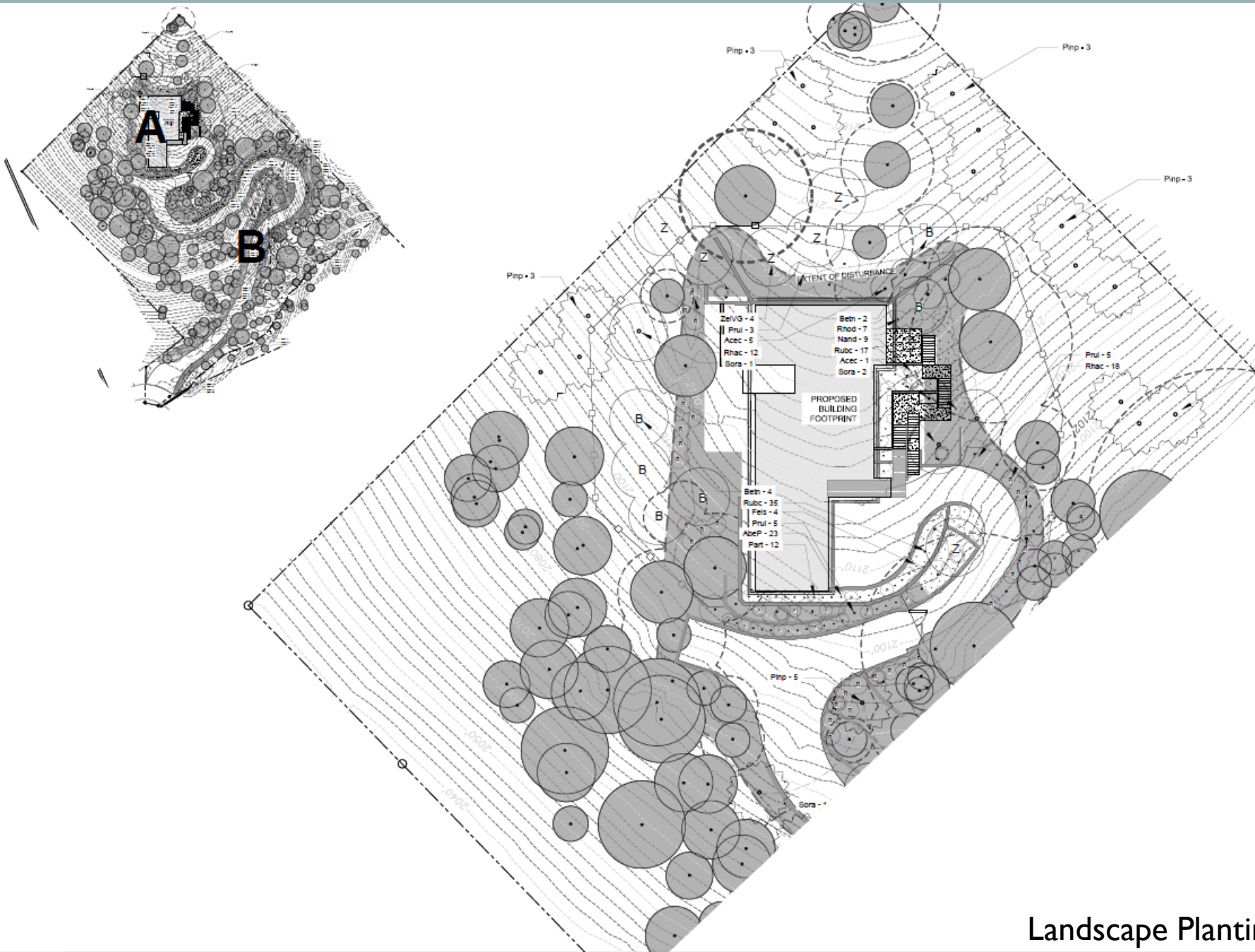
Clarke Residence  
329 Granite Street  
ASHLAND, OR 97520

08/16/2020  
REVISION DATE

WATER RESOURCE PROTECTION PLAN

ISSUE DATE:  
1.3.22

L 1.8

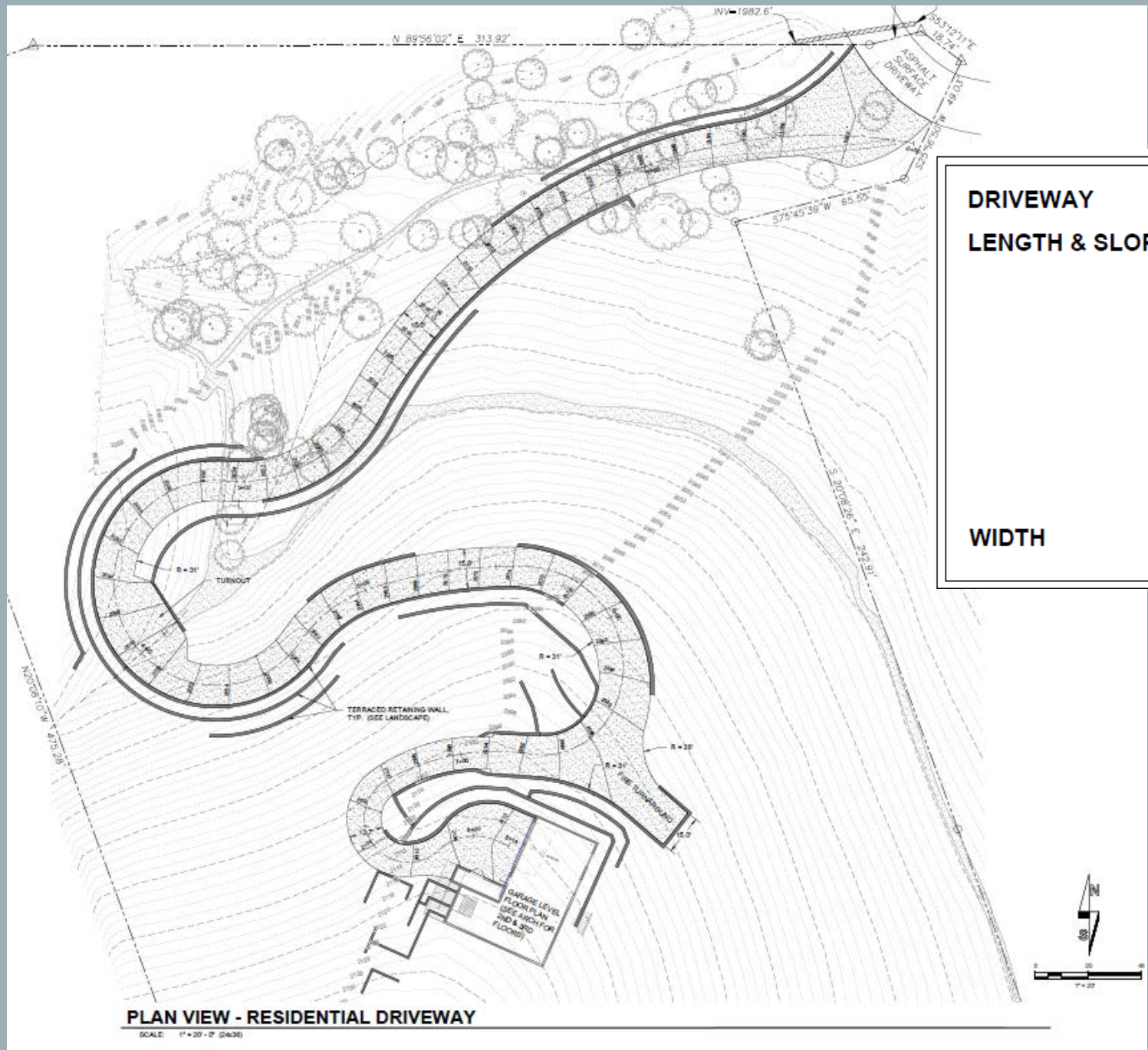


Landscape Planting Plan L 1.8A



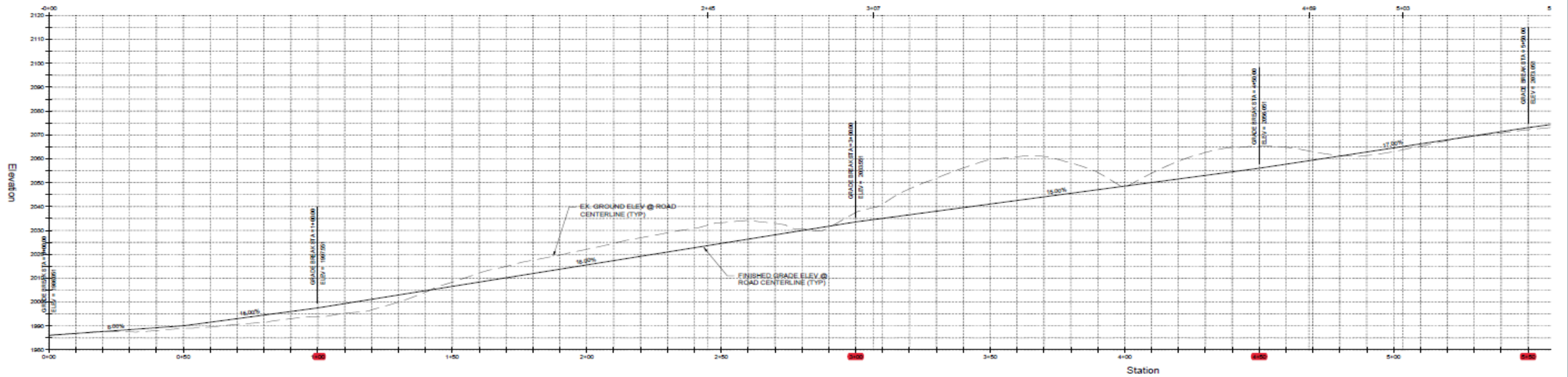


Landscape Planting Plan L I.8B  
Includes riparian mitigation trees



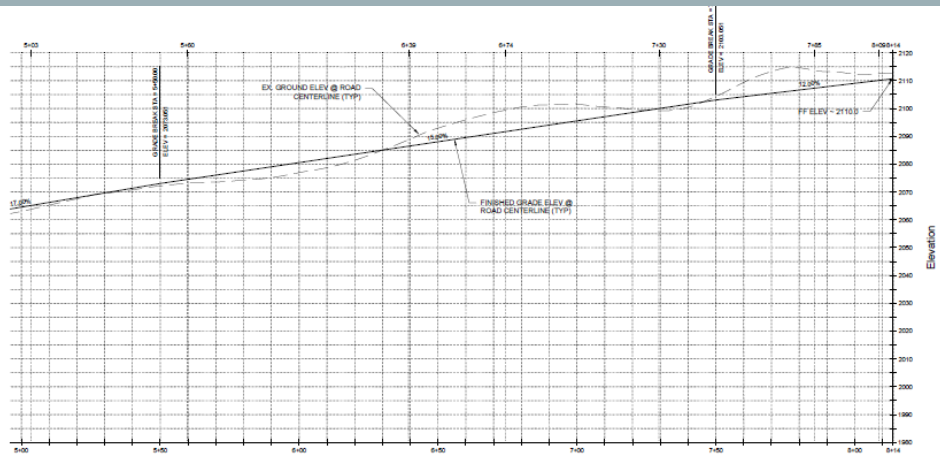
<b>DRIVEWAY LENGTH &amp; SLOPE</b>	<b>TOTAL LENGTH: 814 FT</b>
	50 FT OF LENGTH @ 8.0% SLOPE
	50 FT OF LENGTH @ 15.0% SLOPE
	200 FT OF LENGTH @ 18.0% SLOPE
	150 FT OF LENGTH @ 15.0% SLOPE
	100 FT OF LENGTH @ 17.0% SLOPE
	200 FT OF LENGTH @ 15.0% SLOPE
	64 FT OF LENGTH @ 12.0% SLOPE
<b>WIDTH</b>	<b>15 FT WIDE WITH MINIMUM 12' PAVED</b>

# DRIVEWAY GRADE PROFILES C4.1



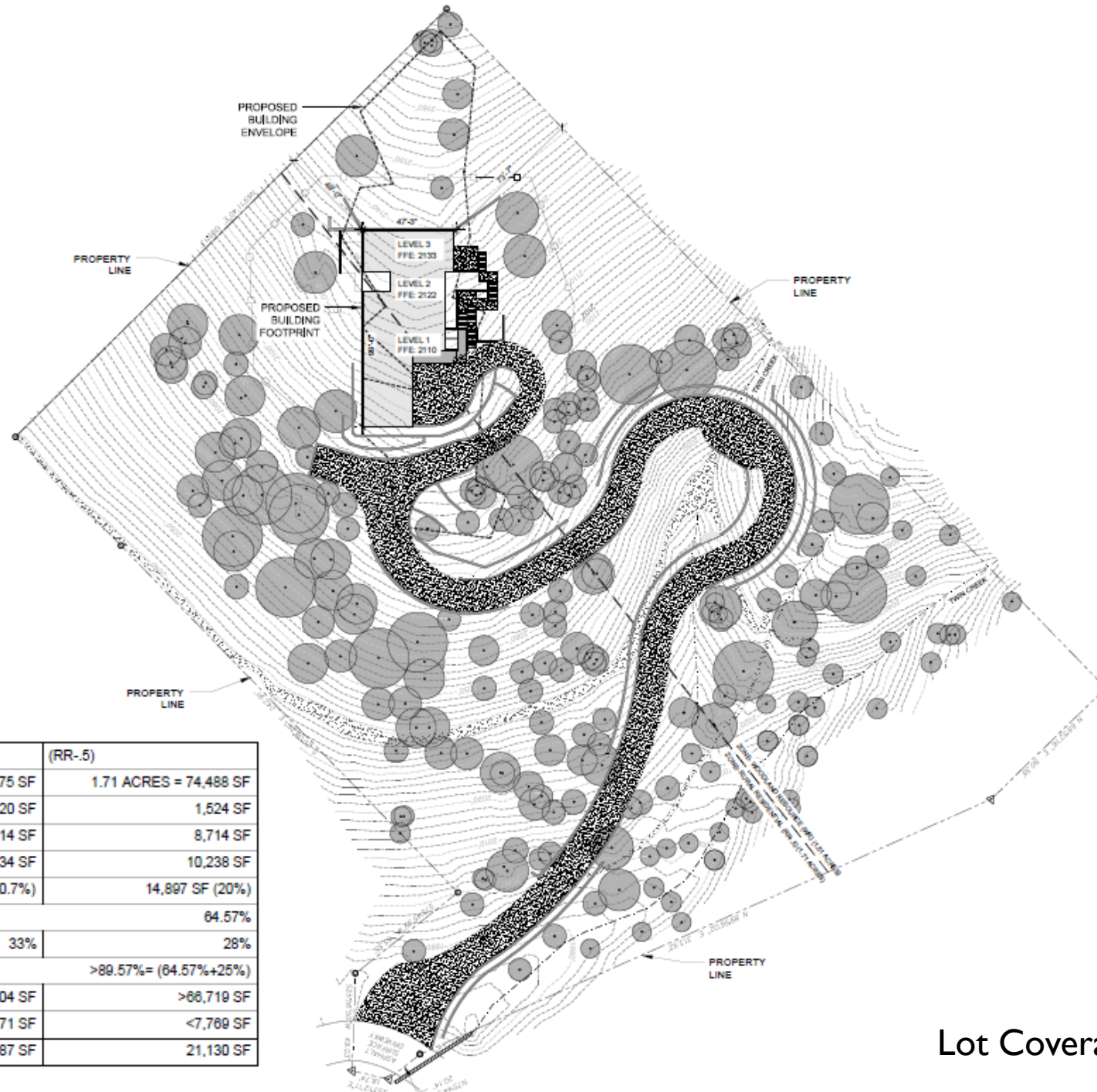
PROFILE VIEW - STA 0+00 TO STA 5+50

SCALE: 1" = 20' - 0" (24x36)



PROFILE VIEW - STA 5+50 TO STA 8+14

SCALE: 1" = 20' - 0" (24x36)



	(WR)	(RR-5)
TOTAL LOT AREA	1.51 ACRES = 65,875 SF	1.71 ACRES = 74,488 SF
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	>59,004 SF	>66,719 SF
ALLOWABLE DISTURBANCE	<8,871 SF	<7,769 SF
PROPOSED DISTURBANCE	21,887 SF	21,130 SF



## GEOTECHNICAL EXPERT FINDINGS

“In our opinion, the proposed building site is suitable for development with the proposed single-family home...If the geotechnical recommendations for the development are followed, in our opinion, there are no significant risks of slope instability on the lot”

Applied Geotechnical Engineering and Geologic Consulting LLC

Robin L. Warren, G.E., P.E.

Further, Eric Swanson, G.E., P.E. has reviewed the previous geotechnical report, and the 1979 and 1999 geologic mapping of the area and found that there are no active faults, i.e. faults displaying movement during the last 10,000 to 15,000 years, known to exist within Jackson County.

The (Ashland) area is in relative hazard Zone D, reflecting low amplification, no liquefaction, and low landslide hazard

Neither of the geologic maps of the area show the existence of landslides near the property.



## FIRE CHIEF FINDING

“With you providing a sprinklered residence, a wide turning radius on your approach, “turn-out” locations allowing vehicles to pass, and the fact you are creating a fire break and defensible space surrounding this property I do not have issue with the application submitted.”

Ralph Sartain, Fire Chief, Ashland Fire & Rescue



# FIRE PROFESSIONAL OPINION

Fuels reduction requirements of the OFC, Ashland amendments and the AMC either meet or exceed the requirements of the WUIC.

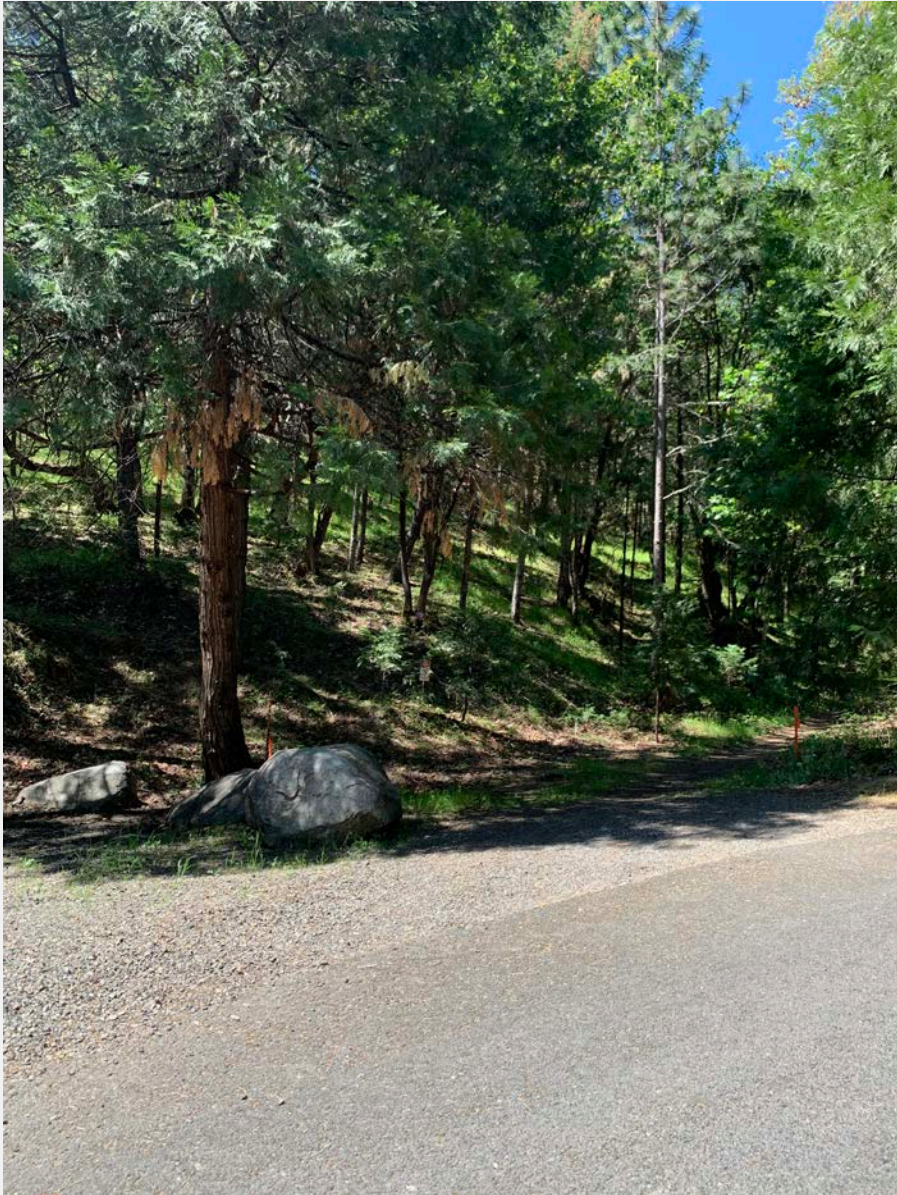
"The intent of limiting the grade for fire apparatus access is as much about the ability to respond to an incident quickly and efficiently as it is about the capabilities of the apparatus performance both uphill and downhill. By limiting the section of the grade to no more than 200 feet, it limits the power needed for the engine or ambulance to climb the grade and it limits the brake usage to descend the grade."

"It is my opinion that the intent of this section of the code from a fire apparatus perspective is that there could be multiple sections of up to 18% grade up to 200 feet length on a driveway depending on the total length of the driveway and the distance between the segments."

"The development of this lot provides added safety to this neighborhood. Through the development of this lot, fuels reduction will be required to be implemented and maintained. This will help to improve the potential to slow a fire if it moves through and reduce the potential for a crowning fire to occur. This also provides a greater potential for firefighters to make an impact on a wildfire and reduce the potential negative impacts of fire to the neighborhood."

Margueritte Hickman, Fire Code Professional  
Sage Fire Solutions

# ENTRANCE TO PROPERTY







At proposed switchback

South branch of Twin Creek

PHOTOS OF PROPERTY IN SW CORNER OF BUILDING  
ENVELOPE (NOTICE EVIDENCE OF CAMPFIRES)



# CONCLUSION



# Contextual Views

Lantern Hill Drive

329 Granite



Street View



View Location Key



View from Up the Hill, As Indicated in Yellow on 'Street View' Image

# Contextual Views

West Fork Street

329 Granite



Street View



View Location Key



20x Magnified Street View

# Contextual Views

Glenview Drive

329 Granite



Street View



View Location Key



5x Magnified Street View

2022 DEVELOPMENT TREE DATA	
<b>L1.2 TREE PROTECTION PLAN TREE SURVEY DATA</b>	
292	TREES SURVEYED FOR 2022 DEVELOPMENT AREA
71	ADDITIONAL TREES ADDED TO SURVEY FOR 2004 DEVELOPMENT AREA EXHIBIT (TREES HAVE NO ASSIGNED NUMBER)
44	ADDITIONAL RIPARIAN TREES SURVEYED (TREES HAVE NO ASSIGNED NUMBER)
407	TOTAL TREES SURVEYED
<i>ONLY 80% OF THE SITE CONTAINS TREE SURVEY DATA, TREES OUTSIDE OF LIMITS OF CONSTRUCTION WERE NOT SURVEYED</i>	
<b>L1.2 TREE REMOVAL DATA FOR 2022 DEVELOPMENT</b>	
19	SIGNIFICANT TREES TO BE REMOVED FOR DEVELOPMENT
103	ADDITIONAL TREES TO BE REMOVED FOR DEVELOPMENT
122	TOTAL TREES TO BE REMOVED FOR DEVELOPMENT
47	LESS THAN SIGNIFICANT TREES TO BE REMOVED FOR FIRE SAFETY (PLUS ADDITIONAL CONIFERS <18"DBH OUTSIDE OF THE TREE SURVEY DATA)
169	TOTAL TREES TO BE REMOVED
<b>TREE COMPARISON EXHIBIT</b>	
<b>L2.3 TREE REMOVAL EXHIBIT (TREES TO BE REMOVED FOR DRIVEWAY AND WALL DEVELOPMENT FOR 2004 DEVELOPMENT)</b>	
26	SIGNIFICANT TREES TO BE REMOVED
41	ADDITIONAL TREES TO BE REMOVED
67	TOTAL TREES TO BE REMOVED
<b>L2.4 TREE REMOVAL EXHIBIT (TREES TO BE REMOVED FOR DRIVEWAY AND WALL DEVELOPMENT FOR 2022 DEVELOPMENT)</b>	
16	SIGNIFICANT TREES TO BE REMOVED
81	ADDITIONAL TREES TO BE REMOVED
97	TOTAL TREES TO BE REMOVED



DRAWN BY:  
IC/KK

SCALE  
NOT TO SCALE  
WHEN PRINTED ON 11X17

Clarke Residence  
329 Granite Street  
ASHLAND, OR 97520

JOB NO. 2031  
REVISION DATE

TREE  
PROTECTION  
& REMOVAL  
PLAN

ISSUE DATE:  
1.3.22

L 1.2B

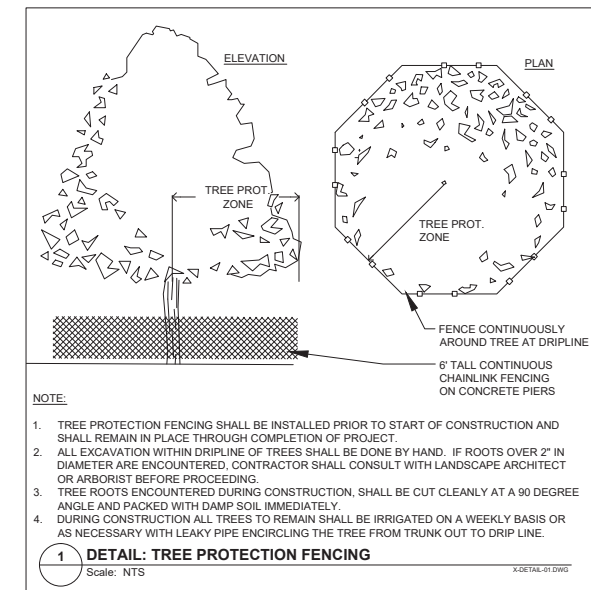
#	Type	DBH (Inches)	Height (Feet)	Crown Radius (Feet)	Tree Protection Radius (Feet)	Tolerance to Construction	Condition	Notes
1	Cedar	10	30	10	10	Moderate		Remove
2	Cedar	7	25	6	7	Moderate		Remove
3	Pine	7	50	6	5	Good		Protect
4	Oak	14	60	20	11	Good		Remove
5	Fr	12	60	15	12	Moderate		Remove
6	Cedar	6	40	6	6	Moderate		Remove For Fire
7	Apple	6	30	8	6	Moderate		Protect
8	Fr	9	50	5	9	Moderate	Dead	Remove For Fire
9	Fr	6	50	10	8	Moderate		Remove For Fire
10	Madrone	9(X)	50	5	20	Poor		Protect
11	Oak	6	40	8	5	Good		Protect
12	Cedar	6	40	8	6	Moderate		Remove For Fire
13	Fr	15	70	10	15	Moderate		Remove For Fire
14	Fr	9	50	10	9	Moderate		Protect
15	Cedar	8	50	5	8	Moderate		Protect
16	Fr	11	50	9	11	Moderate		Protect
17	Fr	6	40	8	6	Moderate	Dead	Remove For Fire
18	Fr	12	50	10	12	Moderate		Remove For Fire
19	Fr	12	50	15	12	Moderate		Remove For Fire
20	Oak	24	70	30	18	Good		Protect
21	Fr	6	60	10	6	Moderate	Dead	Remove For Fire
22	Fr	10	60	10	10	Moderate		Protect
23	Fr	10	60	8	10	Moderate		Protect
24	Madrone	9	50	8	9	Poor		Protect
25	Madrone	6(X)	40	6	11	Poor		Protect
26	Fr	21	100	20	21	Moderate		Protect
27	Fr	7	70	8	7	Moderate		Remove For Fire
28	Pine	24	90	15	18	Good		Protect
29	Fr	9	60	10	9	Moderate		Remove For Fire
30	Fr	10	70	15	10	Moderate		Protect
31	Fr	7	50	15	7	Moderate		Protect
32	Oak	10	50	10	8	Good		Protect
33	Oak	11	55	15	8	Good		Remove
34	Oak	7	60	7	5	Good		Remove
35	Oak	6	40	10	5	Good		Remove
36	Madrone	11	50	15	14	Poor		Protect
37	Madrone	7	40	10	9	Poor		Protect
38	Madrone	6	40	6	9	Poor		Remove
39	Madrone	12(X)	55	15	30	Poor		Protect
40	Madrone	7	40	10	9	Poor		Remove
41	Madrone	10(X)	50	20	19	Poor		Remove
42	Madrone	12(X)	55	25	23	Poor		Protect
43	Madrone	10(X)	50	15	31	Poor		Protect
44	Madrone	8	50	15	10	Poor		Protect
45	Madrone	30	60	15	30	Poor		Protect
46	Madrone	8	50	15	10	Poor		Protect
47	Madrone	10(X)	50	15	19	Poor		Protect
48	Madrone	10	50	15	13	Poor		Remove
49	Cedar	7	40	7	7	Moderate		Remove For Fire
50	Fr	9	60	5	9	Moderate		Remove
51	Oak	8	50	6	6	Good		Remove
52	Oak	8	50	6	6	Good		Remove
53	Fr	8	50	8	8	Moderate		Remove For Fire
54	Fr	8	50	8	8	Moderate		Remove
55	Madrone	10	30	10	13	Poor		Remove
56	Madrone	12	30	10	15	Poor		Remove
57	Fr	8	45	10	8	Moderate		Remove
58	Fr	7	40	7	7	Moderate		Remove
59	Fr	7	40	7	7	Moderate		Remove For Fire
60	Fr	7	40	7	7	Moderate		Remove
61	Madrone	12	45	10	15	Poor		Remove
62	Madrone	12	45	10	15	Poor		Remove
63	Madrone	10	45	10	13	Poor		Remove
64	Fr	13	60	10	13	Moderate		Remove
65	Madrone	8	50	10	10	Poor		Remove
66	Madrone	10	50	10	13	Poor		Remove
67	Madrone	7(X)	50	10	14	Poor		Remove
68	Madrone	10(Mult)	50	10	25	Poor		Remove
69	Cedar	6	30	5	6	Moderate		Remove
70	Madrone	11(X)	50	8	21	Poor		Remove
71	Madrone	10(X)	50	8	19	Poor		Remove
72	Madrone	10	50	8	13	Poor		Remove
73	Madrone	10	50	8	13	Poor		Remove

74	Fr	7	50	6	7	Moderate		Remove For Fire
75	Madrone	12(X)	40	10	23	Poor		Remove
76	Madrone	10	50	15	13	Poor		Remove
77	Fr	7	55	7	7	Moderate		Remove For Fire
78	Madrone	12(Mult)	50	10	30	Poor		Protect
79	Madrone	10(Mult)	50	10	25	Poor		Protect
80	Madrone	12(Mult)	40	25	30	Poor		Remove
81	Madrone	10	40	10	13	Poor		Remove
82	Madrone	8	40	10	8	Poor		Protect
83	Madrone	9	40	10	11	Poor		Protect
84	Fr	10	50	8	10	Moderate		Remove For Fire
85	Madrone	6	40	10	8	Poor		Remove For Fire
86	Madrone	6	40	10	8	Poor		Remove For Fire
87	Madrone	8	40	10	10	Poor		Protect
88	Madrone	6	40	10	8	Poor		Remove
89	Madrone	6	40	10	8	Poor		Remove For Fire
90	Madrone	6	40	10	10	Poor		Remove For Fire
91	Madrone	6	40	10	8	Poor		Remove For Fire
92	Madrone	12	40	10	15	Poor		Remove
93	Madrone	8	40	10	10	Poor		Remove
94	Madrone	6	40	10	8	Poor		Remove For Fire
95	Madrone	12	40	10	15	Poor		Remove
96	Madrone	12	40	10	15	Poor		Remove
97	Madrone	10(X)	40	10	19	Poor		Remove
98	Madrone	8	40	10	10	Poor		Remove For Fire
99	Madrone	6	40	10	8	Poor		Remove For Fire
100	Pine	6	45	8	5	Good		Remove
101	Oak	10	45	15	8	Good		Protect
102	Madrone	10	45	10	13	Poor		Remove
103	Madrone	10	40	10	13	Poor		Remove
104	Pine	9	60	8	7	Good		Remove For Fire
105	Pine	9	60	7	7	Good		Remove For Fire
106	Madrone	8	40	10	10	Poor		Remove
107	Madrone	8	40	10	10	Poor		Remove
108	Madrone	8	40	10	10	Poor		Remove
109	Madrone	10	40	7	13	Poor		Protect
110	Oak	10	40	6	8	Good		Protect
111	Fr	6	40	15	6	Moderate		Remove For Fire
112	Madrone	14(X)	40	8	25	Poor		Remove
113	Madrone	8	40	10	10	Poor		Remove
114	Madrone	12	40	10	15	Poor		Protect
115	Madrone	8	40	6	10	Poor		Protect
116	Fr	6	45	6	6	Moderate		Remove
117	Fr	8	45	10	8	Moderate		Remove
118	Madrone	8	40	10	10	Poor		Protect
119	Madrone	8	40	6	10	Poor		Protect
120	Madrone	8	35	6	10	Poor		Remove
121	Madrone	8	35	5	10	Poor		Remove
122	Pine	10	50	15	8	Good		Remove
123	Madrone	22	35	6	28	Poor		Remove
124	Madrone	9	30	6	11	Poor		Remove
125	Madrone	7	30	6	9	Poor		Remove
126	Oak	6(X)	40	10	7	Good		Remove
127	Madrone	18	45	7	23	Poor		Remove
128	Madrone	12	40	10	15	Poor		Remove
129	Madrone	10	40	10	13	Poor		Remove
130	Madrone	10(X)	40	10	18	Poor		Remove
131	Madrone	8	40	10	10	Poor		Remove
132	Madrone	8	40	10	10	Poor		Remove
133	Madrone	8	40	10	10	Poor		Remove
134	Madrone	10	40	10	13	Poor		Remove
135	Madrone	10	40	10	13	Poor		Remove
136	Pine	20	60	15	15	Good		Remove
137	Pine	8	20	4	6	Good		Remove
138	Pine	12	60	8	9	Good		Remove
139	Pine	12	60	8	9	Good		Remove
140	Pine	8	60	10	6	Good		Remove
141	Pine	12	60	10	9	Good		Remove
142	Pine	9	45	7	7	Good		Remove For Fire
143	Pine	11	60	10	8	Good		Remove
144	Pine	12	60	10	9	Good		Remove For Fire
145	Oak	10	45	8	8	Good		Remove

#	Type	DBH (Inches)	Height (Feet)	Crown Radius (Feet)	Tree Protection Radius (Feet)	Tolerance to Construction	Condition	Notes
146	Madrone	8	30	7	10	Poor		Remove
147	Madrone	8	30	7	10	Poor		Remove
148	Madrone	8	30	7	10	Poor		Protect
149	Madrone	9(X)	30	7	16	Poor		Protect
150	Madrone	12	30	10	15	Poor		Protect
151	Madrone	10(Mult)	30	30	23	Poor		Protect
152	Pine	12	45	10	9	Good		Protect
153	Oak	10	45	10	8	Good		Protect
154	Madrone	9(X)	45	15	20	Poor		Protect
155	Oak	8	45	8	6	Good		Protect
156	Oak	10	45	10	8	Good		Protect
157	Pine	12	55	15	9	Good		Protect
A	Madrone	10(X)	55	20	23	Poor		Remove
B	Madrone	12(X)	55	20	28	Poor		Remove
C	Oak	9	40	10	7	Good		Remove
D	Madrone	7	45	10	9	Poor		Remove
200	Madrone	8 (Mult)	50	30	18	Poor		Protect
201	Madrone	12 (Mult)	50	30	28	Poor		Protect
202	Oak	8 (Mult)	40	10	15	Good		Remove
203	Madrone	9	40	10	11	Poor		Remove
204	Madrone	6	40	10	8	Poor		Remove
205	Madrone	8	50	10	10	Poor	Dead	Remove For Fire
206	Madrone	7	40	10	9	Poor		Protect
207	Fr	12	50	15	12	Moderate		Remove
208	Oak	12	40	10	9	Good		Remove
209	Oak	9	40	12	7	Good		Protect
210	Oak	9	40	10	7	Good		Remove
211	Fr	9	50	12	9	Moderate		Remove
212	Pine	10	50	10	8	Good		Remove
213	Oak	7	40	10	5	Good		Remove
214	Oak	12	40	15	9	Good		Remove
215	Pine	10	50	14	8	Good		Remove For Fire
216	Pine	12	50	10	9	Good		Remove For Fire
217	Madrone	15	50	14	19	Poor		Protect
218	Madrone	12	40	12	15	Poor		Protect
219	Madrone	10 (X2)	50	10	18	Poor		Protect
220	Madrone	12	50	25	15	Poor		Protect
221	Madrone	13	50	15	16	Poor		Protect
222	Madrone	13						







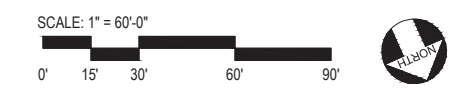
- NOTE:**
- TREE PROTECTION FENCING SHALL BE INSTALLED PRIOR TO START OF CONSTRUCTION AND SHALL REMAIN IN PLACE THROUGH COMPLETION OF PROJECT.
  - ALL EXCAVATION WITHIN DRIPLINE OF TREES SHALL BE DONE BY HAND. IF ROOTS OVER 2" IN DIAMETER ARE ENCOUNTERED, CONTRACTOR SHALL CONSULT WITH LANDSCAPE ARCHITECT OR ARBORIST BEFORE PROCEEDING.
  - TREE ROOTS ENCOUNTERED DURING CONSTRUCTION, SHALL BE CUT CLEANLY AT A 90 DEGREE ANGLE AND PACKED WITH DAMP SOIL IMMEDIATELY.
  - DURING CONSTRUCTION ALL TREES TO REMAIN SHALL BE IRRIGATED ON A WEEKLY BASIS OR AS NECESSARY WITH LEAKY PIPE ENCIRCLING THE TREE FROM TRUNK OUT TO DRIP LINE.
- 1 DETAIL: TREE PROTECTION FENCING**  
Scale: NTS

- PLAN NOTES**
- TREES SHOWN ON PLAN WITHOUT AN ASSIGNED NUMBER ARE BOTH FROM A LATER SURVEY AND ARE OUTSIDE OF THE PROJECT LIMIT OF DISTURBANCE. THEY ARE INCLUDED ON THIS PLAN AS A VISUAL REPRESENTATION AND ARE USED FOR THE TREE REMOVAL EXHIBIT ON SHEET L2.3 ONLY.
  - THE AMOUNT OF TREES TO BE REMOVED FOR FIRE PREVENTION EXTENDS BEYOND THE LIMIT OF THE TREE SURVEY TO THE ENTIRE PROPERTY, AND THEREFORE IS NOT INCLUDED IN THE TOTAL TREES TO BE REMOVED.
  - 121 TOTAL TREES ARE MARKED TO BE REMOVED FOR DEVELOPMENT ONLY. ALL TREES TO BE REMOVED FOR DEVELOPMENT ARE SHOWN IN THE TREE INVENTORY LIST AND MARKED ON PLAN.
  - ALL TREES WITH AN ASSIGNED NUMBER THAT HAVE BEEN MARKED TO BE REMOVED FOR FIRE ARE LISTED IN THE TREE INVENTORY AND REMOVED FROM SUBSEQUENT SHEETS.



- TREE PROTECTION AND REMOVAL NOTES**
- PRIOR TO DELIVERING EXCAVATION EQUIPMENT OR COMMENCING ANY CONSTRUCTION ACTIVITIES ON THE SITE, THE GENERAL CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT FOR A PRE-CONSTRUCTION MEETING WITH THE LANDSCAPE ARCHITECT AND EXCAVATION SUPERVISOR PRIOR TO COMMENCING ANY WORK ON THE SITE. THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED BY THE CONTRACTOR 48 HRS. IN ADVANCE FOR ALL SITE VISITS REQUESTED. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FROM THE OWNER'S REPRESENTATIVE THAT CONSTRUCTION MAY BEGIN AFTER ALL OF THE DESCRIBED FENCING IS IN PLACE. FENCING SHALL REMAIN IN PLACE UNTIL THE PROJECT IS COMPLETED.
  - FENCES MUST BE ERECTED TO PROTECT TREES TO BE PRESERVED AS SHOWN IN DIAGRAM. FENCING SHALL BE 6" TALL TEMPORARY CHAIN LINK PANELS INSTALLED WITH METAL CONNECTIONS TO ALL PANELS AREA INTEGRATED. THESE FENCES SHALL BE INSTALLED SO THAT IT DOES NOT ALLOW PASSAGE OF PEDESTRIANS AND/OR VEHICLES THROUGH IT. FENCES DEFINE A SPECIFIC PROTECTION ZONE FOR EACH TREE OR GROUP OF TREES. FENCES ARE TO REMAIN UNTIL ALL SITE WORK HAS BEEN COMPLETED. FENCES MAY NOT BE RELOCATED OR REMOVED WITHOUT THE PERMISSION OF THE LANDSCAPE ARCHITECT.
  - CONSTRUCTION TRAILERS, TRAFFIC AND STORAGE AREAS MUST REMAIN OUTSIDE FENCED TREE PROTECTION ZONES AT ALL TIMES.
  - ALL PROPOSED UNDERGROUND UTILITIES AND DRAIN OR IRRIGATION LINES SHALL BE ROUTED OUTSIDE THE TREE PROTECTION ZONE. IF LINES MUST TRANSVERSE THE PROTECTION AREA, THEY SHALL BE TUNNELED OR BORED UNDER THE TREE ROOTS. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IF ANY PROJECT PLANS CONFLICT WITH THIS REQUIREMENT.
  - NO MATERIALS, EQUIPMENT, SPILL, OR WASTE OR WASHOUT WATER MAY BE DEPOSITED, STORED, OR PARKED WITHIN THE TREE PROTECTION ZONE (FENCED AREA).
  - NOTIFY THE LANDSCAPE ARCHITECT IF TREE PRUNING IS REQUIRED CONSTRUCTION CLEARANCE.
  - ANY HERBICIDES PLACED UNDER PAVING MATERIALS MUST BE SAFE FOR USE AROUND TREES AND LABELED FOR THAT USE.
  - IF INJURY SHOULD OCCUR TO ANY TREE DURING CONSTRUCTION, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY. ALL DAMAGE CAUSED BY CONSTRUCTION TO EXISTING TREES SHALL BE COMPENSATED FOR BY THE OPENING PARTY, BEFORE THE PROJECT WILL BE CONSIDERED COMPLETE.
  - WATERING SCHEDULE: WATERING PROTECTED TREES SHALL FOLLOW THESE STANDARDS, HOWEVER PERIODS OF EXTREME HEAT, WIND, RAINFALL OR DROUGHT MAY REQUIRE MORE OR LESS WATER THAN RECOMMENDED IN THESE NOTES.
    - MOST SPECIES: 1 TIME PER MONTH DURING IRRIGATION SEASON (USUALLY MARCH THROUGH SEPTEMBER)
    - QUERCUS/OAK: DEEP WATER IN MAY AND SEPTEMBER. DO NOT WATER DURING OTHER MONTHS. FOR OAKS ALREADY IN THE VICINITY OF IRRIGATED CONDITIONS, AUTOMATIC SPRINKLERS OR REGULAR WATERING SHALL NOT BE ALLOWED TO SPRAY ON OR WITHIN 3 FEET OF THE TRUNK. THE WATER SHALL NOT BE ALLOWED TO POOL OR DRAIN TOWARDS THE TRUNK.
    - WATERING METHOD: HAND WATERING SYSTEMS, RECOMMENDED FOR TREES THAT ARE PART OF A DEVELOPMENT PROJECT THAT MUST BE WATERED TO INSURE TREE SURVIVAL DURING THE COURSE OF CONSTRUCTION UNTIL AUTOMATIC IRRIGATION IS INSTALLED.
  - EROSION CONTROL DEVICES SUCH AS SILT FENCING, DEBRIS BASINS, AND WATER DIVERSION STRUCTURES SHALL BE INSTALLED ON THE UPHILL SIDE OF THE TREE PROTECTION ZONE TO PREVENT SILTATION AND/OR EROSION WITHIN THE TREE PROTECTION ZONE.
  - BEFORE GRADING, PAD PREPARATION, OR EXCAVATION FOR THE FOUNDATIONS, FOOTINGS, WALLS, OR TRENCHING, ANY TREES WITHIN THE SPECIFIC CONSTRUCTION ZONE SHALL BE ROOT PRUNED 1 FOOT OUTSIDE THE TREE PROTECTION ZONE BY CUTTING ALL ROOTS CLEANLY AT A 90 DEGREE ANGLE TO A DEPTH OF 24 INCHES. ROOTS SHALL BE CUT BY MANUALLY DIGGING A TRENCH AND CUTTING EXPOSED ROOTS WITH A SAW, VIBRATING KNIFE, ROCK SAW, NARROW TRENCHER WITH SHARP BLADES, OR OTHER APPROVED ROOT-PRUNING EQUIPMENT.
  - ANY ROOTS DAMAGED DURING GRADING OR CONSTRUCTION SHALL BE EXPOSED TO SOUND TISSUE AND CUT CLEANLY AT A 90 DEGREE ANGLE TO THE ROOT WITH A SAW. PLACE DAMP SOIL AROUND ALL CUT ROOTS TO A DEPTH EQUALING THE EXISTING FINISH GRADE WITHIN 4 HOURS OF CUTS BEING MADE.
  - IF TEMPORARY HALL OR ACCESS ROADS MUST PASS OVER THE ROOT AREA OF TREES TO BE RETAINED, A ROAD BED OF 6 INCHES OF MULCH OR GRAVEL SHALL BE CREATED TO PROTECT THE SOIL. THE ROAD BED MATERIAL SHALL BE REPLISHED AS NECESSARY TO MAINTAIN A 6 INCH DEPTH.
  - SPOIL FROM TRENCHES, BASEMENTS, OR OTHER EXCAVATIONS SHALL NOT BE PLACED WITHIN THE TREE PROTECTION ZONE, EITHER TEMPORARILY OR PERMANENTLY.
  - NO BURN PILES OR DEBRIS PILES SHALL BE PLACED WITHIN THE TREE PROTECTION ZONE. NO ASHES, DEBRIS, OR GARBAGE MAY BE DUMPED OR BURIED WITHIN THE TREE PROTECTION ZONE.
  - MAINTAIN FIRE-SAFE AREAS AROUND FENCED AREA. ALSO, NO HEAT SOURCES, FLAMES, IGNITION SOURCES, OR SMOKING IS ALLOWED NEAR MULCH OR TREES.
  - DO NOT RAISE THE SOIL LEVEL WITHIN THE DRIP LINES TO ACHIEVE POSITIVE DRAINAGE, EXCEPT TO MATCH GRADES WITH SIDEWALKS AND CURBS, AND IN THOSE AREAS, FEATHER THE ADDED TOPSOIL BACK TO EXISTING GRADE AT APPROXIMATELY 3:1 SLOPE.
  - REMOVE THE ROOT WAD FOR EACH TREE THAT IS INDICATED ON THE PLAN AS BEING REMOVED.
  - EXCEPTIONS TO THE TREE PROTECTION SPECIFICATIONS MAY ONLY BE GRANTED IN EXTRAORDINARY CIRCUMSTANCES WITH WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT PRIOR TO ANY WORK COMMENCING.
  - AS A PROTECTIVE MEASURE TO COMPENSATE FOR CONSTRUCTION IMPACTS, TWO TO SIX WEEKS PRIOR TO CONSTRUCTION, ALL RETAINED TREES SHOWN ON THIS PLAN SHALL RECEIVE AN APPLICATION OF MYCORRHIZAL ALL PURPOSE SOLUBLE PER MANUFACTURER'S INSTRUCTIONS. THIS MYCORRHIZAL PRODUCT IS A SPECIALLY FORMULATED NATURAL ROOT BIOSTIMULANT WHICH ENHANCES THE ABSORPTIVE SURFACE AREA OF THE TREE'S ROOT SYSTEMS. THIS PROMOTES AND IMPROVES NUTRIENT AND WATER UPTAKE CAPABILITIES OF THE REMAINING ROOT STRUCTURE. DISTRIBUTE MYCORRHIZAL EVENLY WITHIN THE ACTIVE ROOT ZONE OF RETAINED TREES. APPLY 30 GALS. OF SOLUTION PER TREE 6" DBH AND GREATER, A MINIMUM OF 4" BELOW SOIL SURFACE IN QUANTITIES OF 1/2 GALLON AT EACH POINT OF APPLICATION. LOCATE THE ACTIVE ROOT ZONES WITH LANDSCAPE ARCHITECT PRESENT.
  - MYCORRHIZAL IS AVAILABLE FROM MYCORRHIZAL APPLICATION, INC., PHONE (541) 476-3665.

THE TREE PROTECTION ZONE FOR EACH TREE IS BASED ON THE GUIDELINES ESTABLISHED BY: Matheny, N. & Clark, J. 1998. *Trees and Development: A Technical Guide to Preservation of Trees During Land Development.* p. 72.



DRAWN BY:  
**IC/KK**

SCALE  
1"=60'  
WHEN PRINTED ON 11X17

**Clarke Residence**  
329 Granite Street  
ASHLAND, OR 97520

JOB NO. 2031  
REVISION DATE

**TREE PROTECTION & REMOVAL PLAN**  
ISSUE DATE:  
1.3.22

**L 1.2A**

## Aaron Anderson

---

**From:** Joan Holley <holleyrealty@aol.com>  
**Sent:** Monday, January 31, 2022 6:54 PM  
**To:** Planning Commission - Public Testimony  
**Cc:** Aaron Anderson  
**Subject:** Advisory commission testimony request

[EXTERNAL SENDER]

Jasmin (joan) Holley

I will attend by computer and my name by computer is either j holley, jazz, jazzi or jasmin  
Properties adjacent to the subject property are 333 Granite Street and 315-317 Granite Street  
My phone is 720-300-0076

Planning Department  
City of Ashland

January 31, 2022

RE: Advisory commission testimony request

Re: 329 Granite Street Meeting on Thursday February 3, 2022 at 6pm and later Tuesday February 8<sup>th</sup>, 2022 at 7pm. I am not sure if both meetings are on the same subject - trees. I do not want to give up any rights to any meetings as I have many questions and concerns about the entire project and the effects on the area thereof. If the two meetings are on different issues then I wish to **attend and speak** at both.

To whom it may concern:

I have many concerns about this project as I have two properties that will be directly affected by what happens.

1. What tests have been finalized to show that erosion, soil stability, flow of surface waters, protection of adjacent trees and existing wind breaks are not issues with the removal of all trees that will be required to build this home and driveway?
2. What alternatives have been guaranteed by owners of 329 that will replace or adjudicate the statute requirements?
3. Is the density required by statute satisfied?
4. What has been guaranteed to be done by owner to mitigate all hazards to the surrounding area?
5. Water sources, water shed, erosion, bird- animal habitat: is there hazard to water sources, wetlands, nature etc etc etc, what is being proposed and how has it been tested, investigated etc etc etc.... A copy of these is requested by me.
6. It says 19 significant trees, but in total how many trees will have to be removed – 50, 100? What effect will all of these with the 19 significant trees have on the water route, water shed, erosion, soil integrity and wildlife?
7. How will these conditions affect my properties?
8. How will I know if any of my trees are being removed? I was not involved with the survey and do not want any of my trees at any location removed.
9. The right of access to the owner land is part of an easement? And if it is ~ 25 foot by ~25 entry is not a necessary entry, this implies a parking area, unsightly and necessitating removal of large trees that may not need to be removed with a 15 foot drive entry, which is quite sufficient.
10. Any proof that my land and trees will not be harmed or compromised by construction near or adjacent to my property lines and or trees should be provided to me and my counsel, if necessary, and not just run through a city council approval.
11. The construction of the driveway and the driveway entrance should also take into consideration the natural look of the area and as few trees as possible to be cut down.
12. What is the effect of their driveway entry on the easement area that is also for emergency vehicle turn around.
13. What is the effect of their driveway on my undeveloped parcel that is next to their driveway entry.
14. What statues have been changed, if any, to accommodate this project?

There should be written: tests, plats, surveys, investigations on the topics that i have mentioned above and I want to review them prior to an acceptance by the city council.

I OBJECT GREATLY TO AN AREA OF ~25 FT BY ~25 FT ENTRY TO A DRIVEWAY. IT IS NOT NECESSARY AND NOT A HARDSHIP ISSUE. IT SHOULD BE DESIGNATED A NON-PARKING AREA IF IT HAS ANY VALID REASON FOR BEING ACCEPTABLE.

Sincerely,  
Lylad,  
Jasmin (joan) Holley

## Aaron Anderson

---

**From:** Joan Holley <holleyrealty@aol.com>  
**Sent:** Tuesday, February 08, 2022 9:01 AM  
**To:** Planning Commission - Public Testimony  
**Subject:** PA-T2-2022-00036 329 Granite Street

[EXTERNAL SENDER]

Jasmin (joan) Holley

I will attend by computer and my name by computer is either j holley, jazz, jazzi or jasmin  
Properties adjacent to the subject property are 333 Granite Street and 315-317 Granite Street  
My phone is 720-300-0076

Planning Department  
City of Ashland

February 8, 2022

RE: Advisory commission testimony request

Re: 329 Granite Street Meeting on Tuesday February 8, 2022 at 7pm

To Whom It May Concern:

Some of my concerns have been answered. I still have other concerns that I am investigating. Time will tell if the mitigations for the changes made to the waterways etc. are effective or not and what damages to the eco-system have occurred, if any.

### **Request : Condition of Approval of PA-T2-2022-00036 329 Granite Street**

1. The Shared Driveway /access road for 295, 303, 309-11, 313, 315-17, 321, 329 Granite Street to be professionally assessed prior to any further vehicles, other than cars or SUVs without trailers, for this project driving on the road and prior to construction beginning.
2. During the construction of the project temporary repairs to be made as necessary to maintain the road.
3. The road will remain passable and functional at all times
4. At the conclusion of the project the road shall be reconstructed to be equal to or greater than the assessed condition.
5. All parties shall agree to the findings of the assessed condition prior to construction beginning.
6. There are large trees along both sides of this roadway and at the entry to the roadway and care is to be taken not to damage or hit them with larger equipment/vehicles. The owners of 329 take responsibility for these damages, if any.
7. That the hours of all construction/work shall not begin before 9am and will finish no later than 6pm in the evening during the week Monday to Friday only, no weekends.

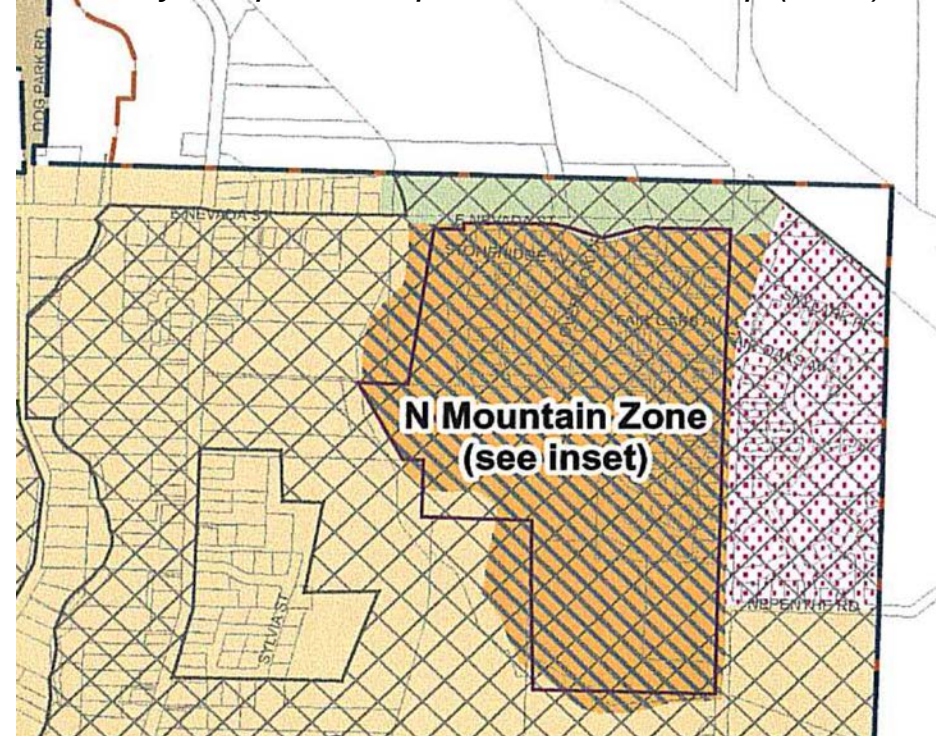
# 375-475 E. Nevada St. Correction

## Planning Commission Hearing February 8, 2022

*'The Tarp', unofficial reference map (mid-1980's)*



*Officially-Adopted Comprehensive Plan Map (2008)*



# 375-475 E. Nevada St. Correction Request

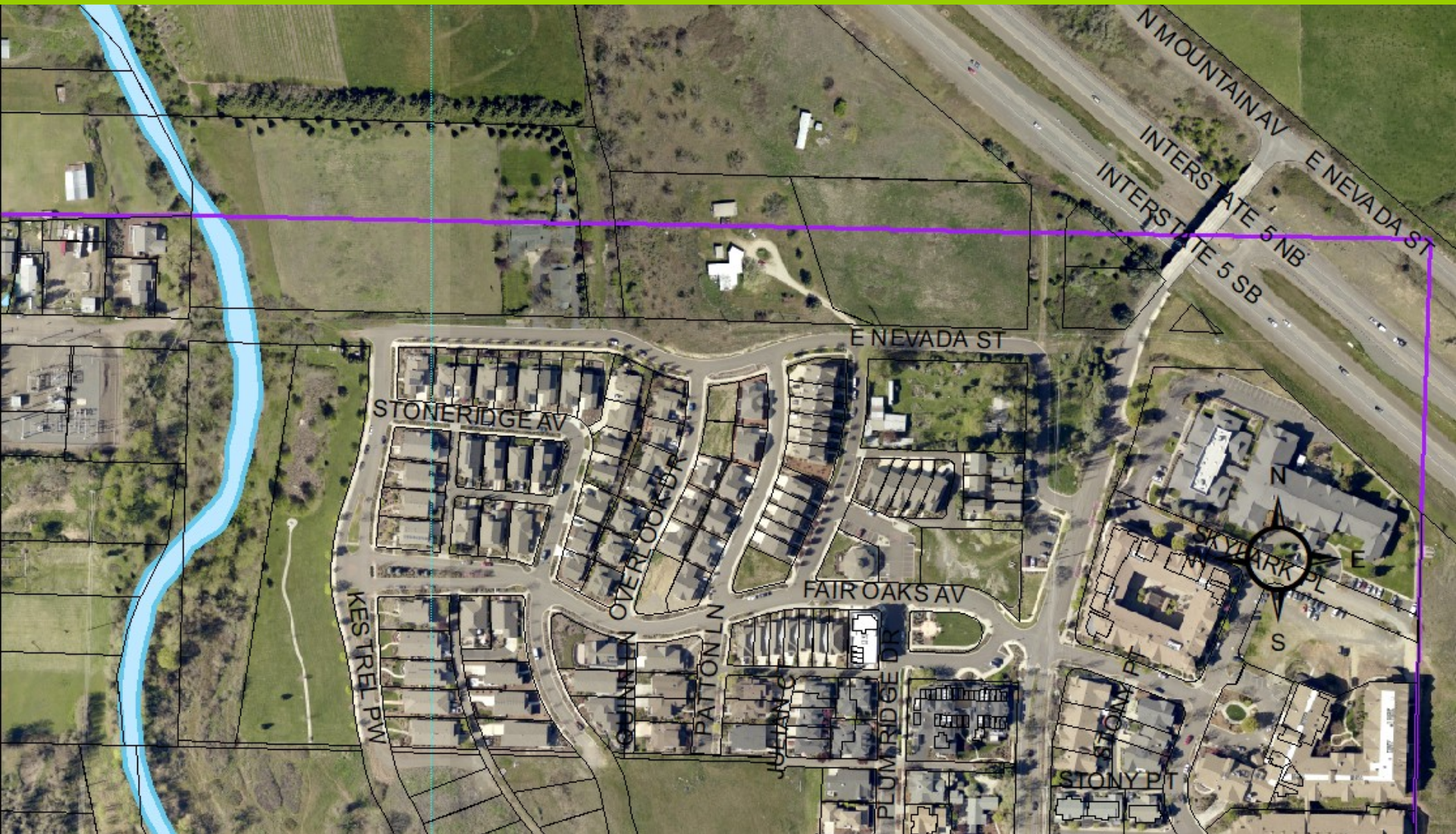
A Minor Comprehensive Plan Map Correction to clarify the City of Ashland's urban growth boundary for four properties located at 375 & 475 East Nevada Street. The application asserts that there are differences in the urban growth boundary location between the official paper maps and the current GIS maps in use by both the County and the City, and that the original maps' scales were such that the line width could significantly alter the boundary location. The application asks to make clear that the portions of the four properties in question are within the City of Ashland's urban growth boundary as Residential Reserve (**1.37 acres of Tax Lot 1000**) and North Mountain Neighborhood Plan (**2.08 acres of Tax Lots 1100, 1200 & 1300**).

- **AMC 18.5.9.020.A** provides that a "Type II" procedure may be used for minor map amendments or corrections (i.e. this could be a Planning Commission decision).
- However, the "**1982 Ashland/Jackson County Urban Growth Boundary Agreement**" requires review and approval of applications to correct errors in the Comprehensive Plan Map by both the Ashland City Council and Jackson County Board of Commissioners.
- As such, the application is being treated as a "Type III" procedure since it will involve a Council decision and adoption by ordinance.

If the City Council approves the current request, the applicant would then need to make a similar request to Jackson County for consideration by the Board of Commissioners.

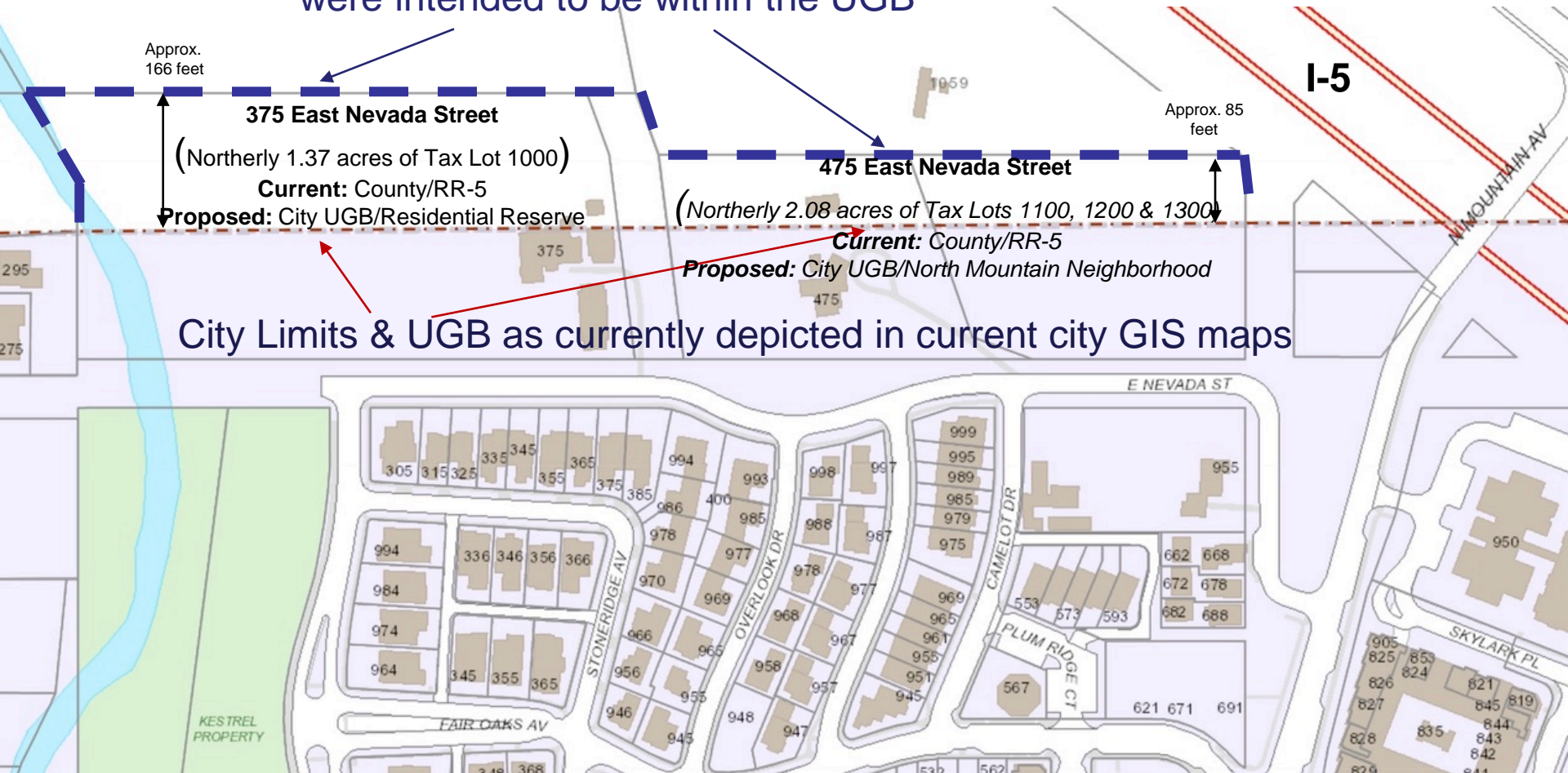
# 375-475 E. Nevada St. Correction

## Vicinity Map





UGB correction requested to clarify that these portions of the four tax lots were intended to be within the UGB

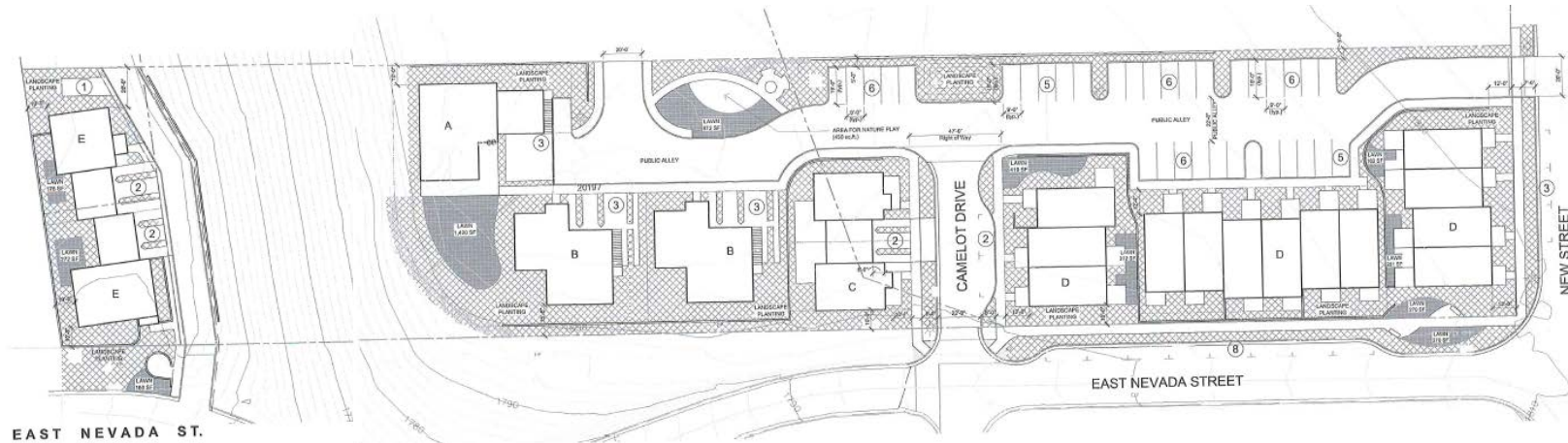


City Limits & UGB as currently depicted in current city GIS maps

# 375-475 E. Nevada St. Correction

## Katherine Mae Subdivision

Outline Plan & Site Design Review approval for a 20 lot, 23-unit subdivision in 2018, included a Comp Plan Map Amendment & Zone Change (RR-.5 to NM-MF).



# 375-475 E. Nevada St. Correction

When the applicant discussed platting the Katherine Mae Subdivision with Jackson County, it was discovered that there was an issue with leaving County RR-5 zoned remnant properties outside the Urban Growth Boundary with less than the minimum required five-acre lot area under their county zoning.

Goal 14 of Oregon's statewide land use-planning goals deals with "Urbanization." In the Oregon Administrative Rules (OAR), OAR 660-004-0040 discusses the "Application of Goal 14 to Rural Residential Areas." The subject properties here are within the counties Rural Residential zone (RR-5), and Goal 14 prohibits the urban use of these rural lands, and to that end prevents the creation of new lots or parcels smaller than the minimum size without an exception to Goal 14.

Recording the Katherine Mae Subdivision plat to divide the portions of the properties within the city limits would create new discrete parcels out of the remnant portions of the properties that lie outside the city limits and urban growth boundary, triggering an exception. **A Goal 14 exception would be a costly action with the County and in a pre-application with County staff, they have indicated to the applicant that approval of such an exception appears to be extremely unlikely.**

# 375-475 E. Nevada St. Correction

## Procedural Context

- **ORS 227.188** Provides that the city may authorize the Planning Commission to conduct hearings and make final decisions on applications for amendments to the city comprehensive plan map.
- **ORS 227.188(5)(c)** Makes clear that this allowance does not apply for “*An expansion of an urban growth boundary.*”
- **AMC 18.5.9.020.A** allows for a Type II procedure (*i.e. Planning Commission decision in keeping with ORS 227.188*) for applications involving minor map amendments or corrections.
- **1982 Ashland/Jackson County Urban Growth Boundary Agreement** requires review and approval by both the City Council and Jackson County Board of Commissioners for applications to correct errors in the city’s Comprehensive Plan Map.
- **The Greater Bear Creek Valley Regional Plan** developed through the Regional Problem Solving (RPS) process and adopted as Chapter XIV “Regional Plan Element” of the Ashland Comprehensive Plan back does not identify any areas for expansion of Ashland’s urban growth boundary. Should the city now seek to expand its urban growth boundary (<50 acres) it would require a minor amendment to the Regional Plan be processed by Jackson County with the City of Ashland as the applicant. *A correction would not be considered an expansion.*
- *In light of the above – staff are treating the action as a Type III with a hearing before the Planning Commission to yield a recommendation to Council, a Council hearing and decision which would then be forwarded to the Board of Commissioners for a hearing prior to the adoption of an ordinance.*

# 375-475 E. Nevada St. Correction

## Ashland/Jackson County Urban Growth Boundary Agreement

In addition to the Ashland Municipal Code (AMC), there is a 1982 “**Ashland/Jackson County Urban Growth Boundary Agreement (UGBA)**” which “*sets forth the mutually adopted urbanization program between the City and Jackson County.... (and) establishes an Urban Growth Boundary, an Area of Future Urbanization, Areas of Mutual Planning Concern, joint policies governing the urbanization of lands, and revision and administrative procedures.*” The UGBA requires review and approval of applications to correct errors in the Comprehensive Plan Map by both the Ashland City Council and Jackson County Board of Commissioners as follows:

***Correction of Errors.** If the City Council or the County Board of Commissioners become aware of an error in either the map or the text of the mutually adopted urbanization program, both bodies may cause an immediate amendment to occur to correct the error, after mutual agreement is reached. Such a correction shall be in the form of a public hearing and an ordinance, conducted separately or jointly by both bodies, which may take effect on an emergency basis. Public hearings before the Planning Commissions shall not be required where an amendment is intended specifically to correct an error.*

*Generally, an error is a cartographic mistake or text misprint, omission or duplication. Such errors are not derived from new data or suggested errors made in interpretations of the attitudes of the public, the governing bodies or data; the latter error types are considered under the amendment provisions cited herein.*

In discussions with Jackson County staff, they have confirmed that if the city determines an error has been made and the map requires correction, they would forward the issue to the Board of Commissioners for a decision, as detailed in this Urban Growth Boundary Agreement.

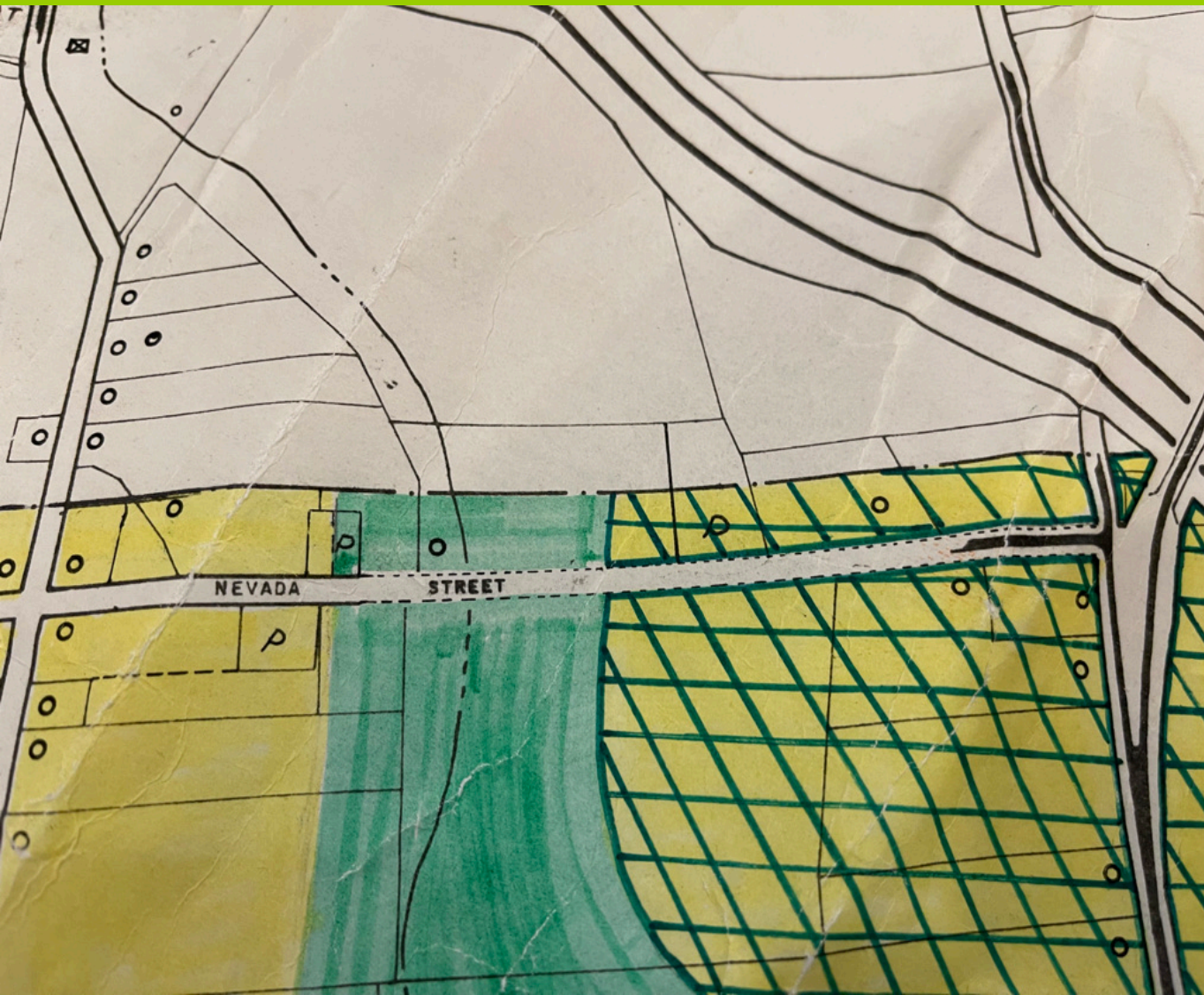
# 375-475 E. Nevada St. Correction

## Regional Plan Requirements

- Expansion of the urban growth boundary (*other than through the correction of a mapping error*) would trigger a minor amendment to ‘**The Greater Bear Creek Valley Regional Plan,**’ which is the regional plan adopted by the cities of Eagle Point, Central Point, Medford, Phoenix, Talent and Ashland in cooperation with Jackson County and the State of Oregon detailing how each city would address a doubling of the regions population over the next 50-60 years.
- When the Regional Plan was completed in 2012, the City of Ashland was the only participant in the region that chose not to identify urban reserve areas for the future expansion of its urban growth boundary, instead committing to accommodate anticipated growth through more efficient land use within the existing city limits and existing urban growth boundary.
- Should the city now seek to expand its urban growth boundary (<50 acres) it would require a minor amendment to the Regional Plan be processed by Jackson County with the City of Ashland as the applicant.
- In discussing the current application with staff from the state’s Department of Land Conservation and Development, they have indicated that if the application is “***truly a clarification of the UGB boundary based on the interpretation of historic documents, it does not constitute a UGB amendment and can be treated as a correction...***”
- The request here is to determine whether the current map accurately reflects the originally intended placement of the urban growth boundary, or if the urban growth boundary was incorrectly placed in the transition from the original paper maps to the currently adopted electronic maps and thus merits correction.

# 375-475 E. Nevada St. Correction

“The Tarp”, unofficial mid-1980’s reference map



# 375-475 E. Nevada St. Correction

## Map Legend from "The Tarp"





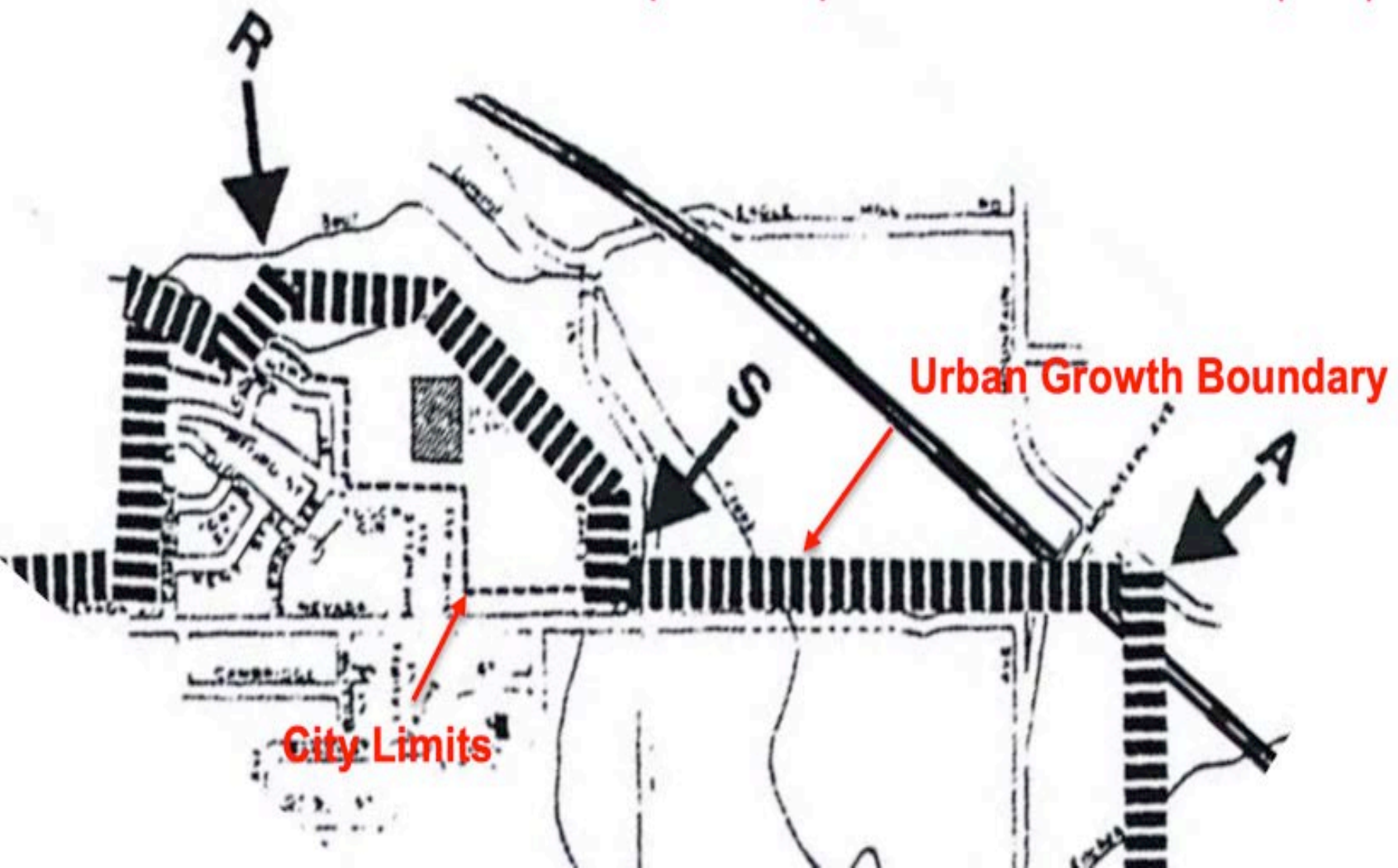
# 375-475 E. Nevada St. Correction

1982 Urban Growth Boundary Agreement UGBA Map



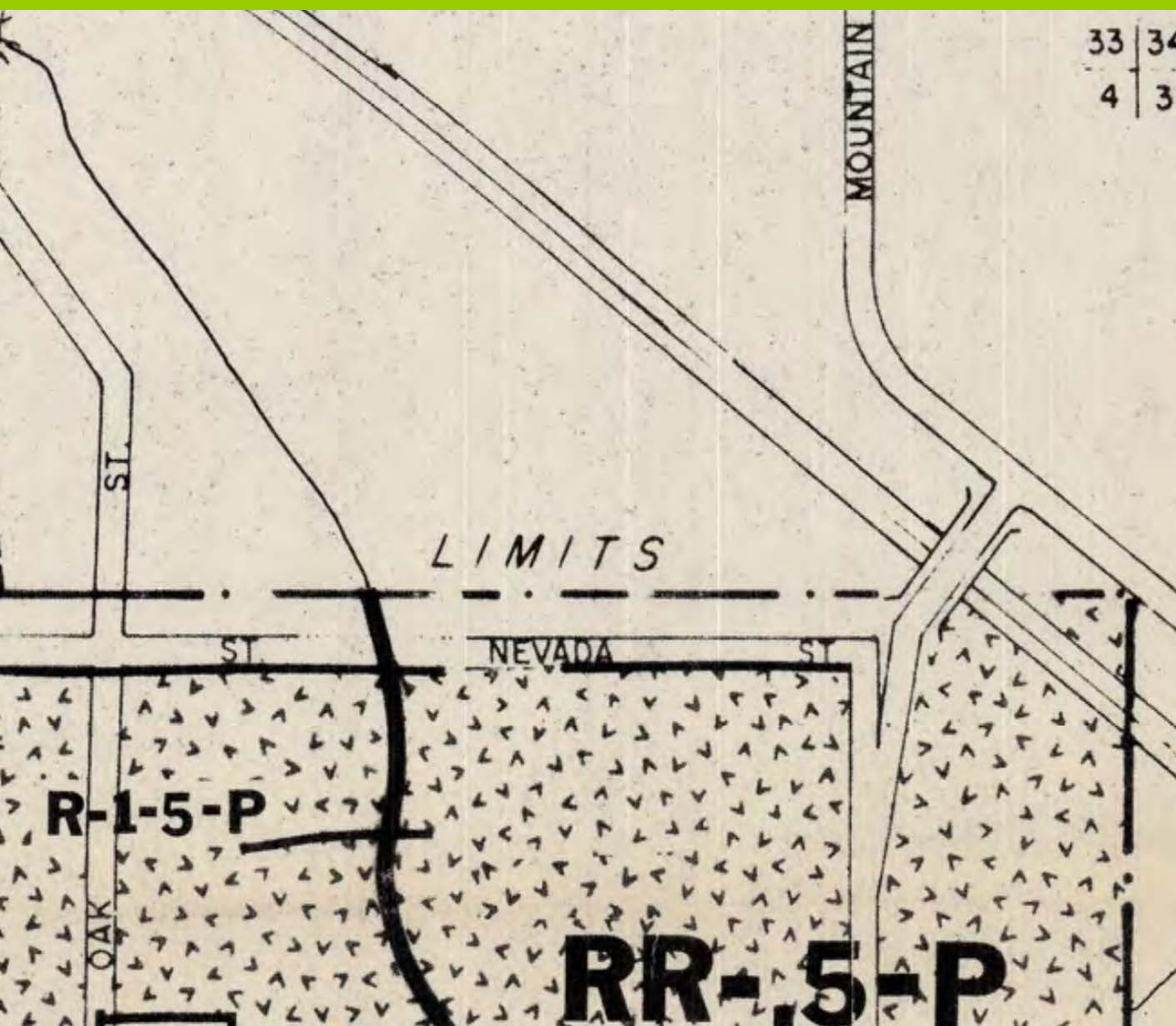
# 375-475 E. Nevada St. Correction

1982 Comprehensive Plan "Urbanization" Element Map



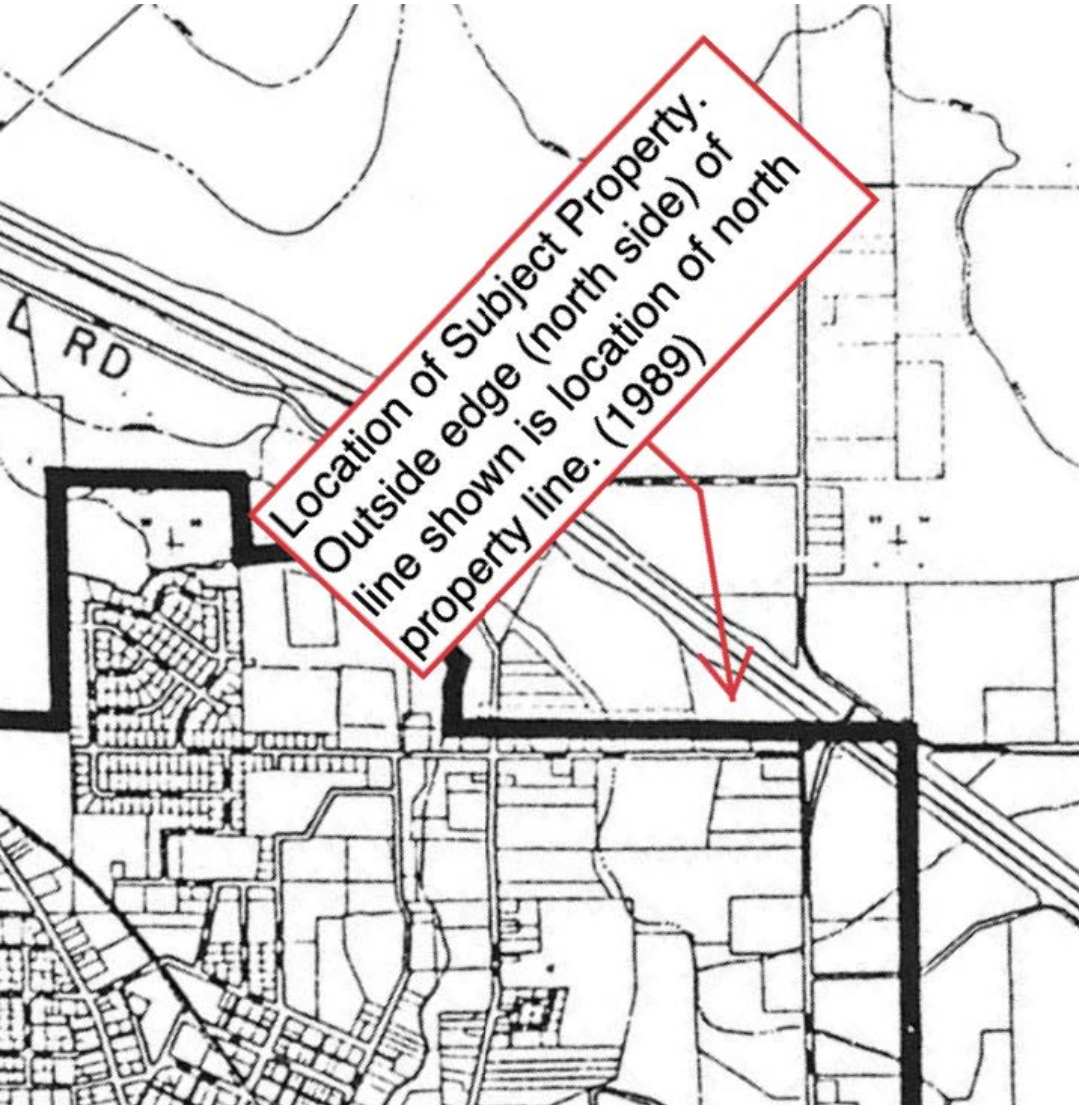
# 375-475 E. Nevada St. Correction

## 1982 Adopted Zoning Map



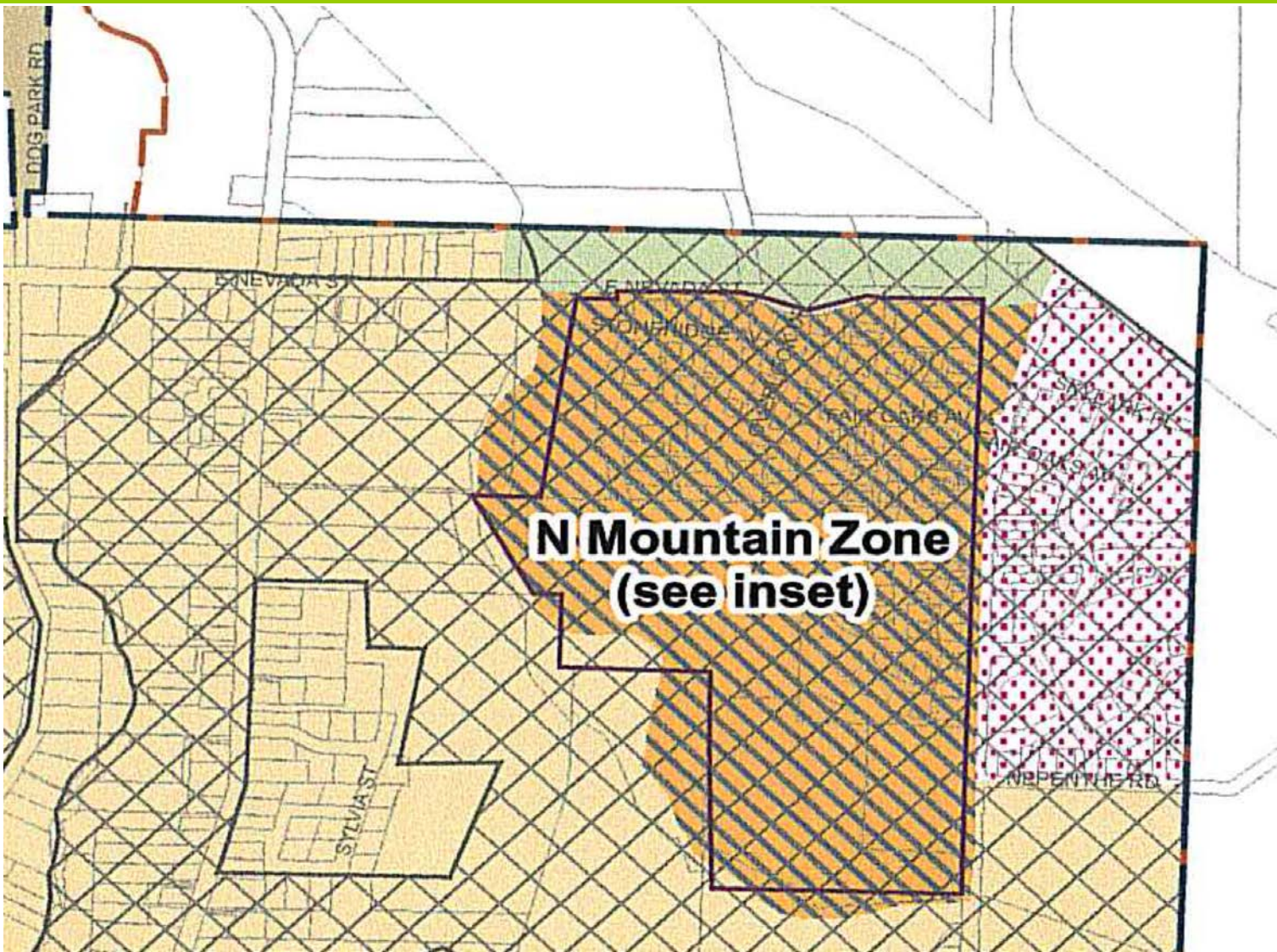
# 375-475 E. Nevada St. Correction

1989 Urban Growth Boundary Agreement UGBA Map (officially-adopted?)



# 375-475 E. Nevada St. Correction

## 2008 Official, Adopted Comprehensive Plan Map



# 375-475 E. Nevada St. Correction

## Conclusion

The most applicable criterion in considering a minor map correction is AMC 18.5.9.020.A.2, that “*A substantial change in circumstances has occurred since the existing zoning or Plan designation was proposed, necessitating the need to adjust to the changed circumstances.*”

It’s clear that the transition from the original paper maps to a computer-based Geographic Information System (GIS) enabled mapping by the city and county to become much more precise and represented a substantial change, and the key question is whether in more precisely mapping the boundaries, they were inadvertently placed incorrectly based on a misinterpretation of earlier, imprecise paper maps.

Staff believes that the boundary lines would have been much better placed to follow property lines as provided in AMC 18.2.1.030, and staff is equally frustrated that the size of resulting remnant properties in the county prevents further urbanization of lands in the city, however in reviewing the application materials and associated maps, staff have been unable to identify any clear error in the urban growth boundary line’s current placement that suggests it was placed differently than was originally intended and needs to be corrected. While each of the various maps pose some challenges in terms of clarity, scale and the identification of individual tax lot lines relative to the boundary line locations, all of them are generally consistent in depicting a straight urban growth boundary line in the same location as the city limits line – as was described in the Comprehensive Plan narrative in 1982 when the boundary was established - rather than having the boundary follow property lines. As such, staff are unable to say that a correction is merited here.

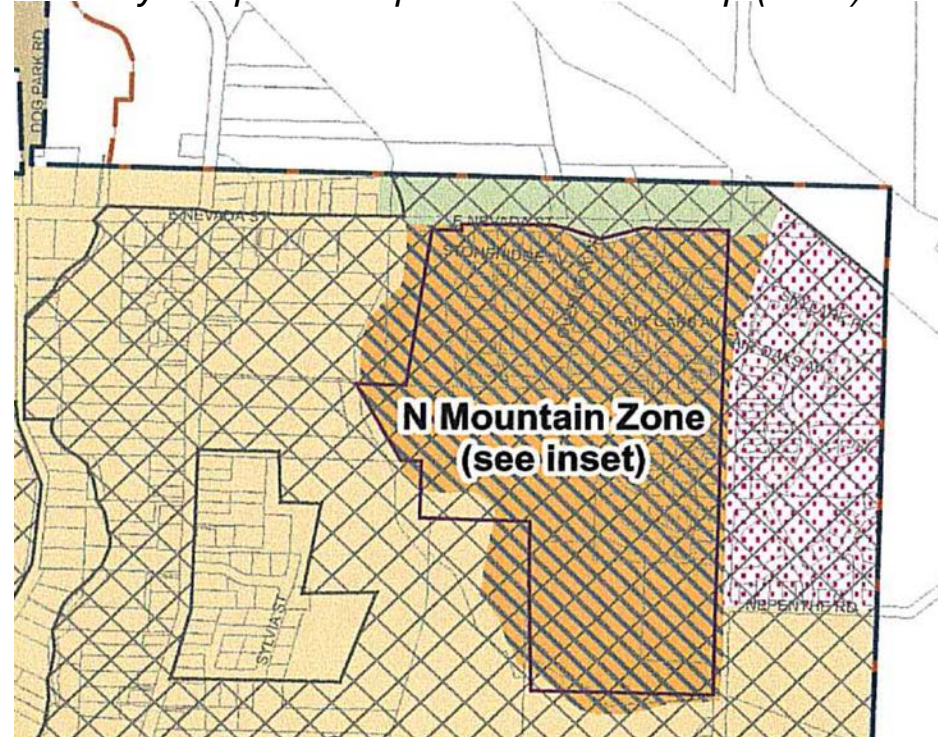
# 375-475 E. Nevada St. Correction

## Planning Commission Hearing February 8, 2022

*'The Tarp', unofficial (mid-1980's)*



*Officially-Adopted Comprehensive Plan Map (2008)*





O'CONNOR LAW | LLC

541.702.5350 | 670 G STREET, SUITE B, JACKSONVILLE, OR 97530

February 6, 2022

VIA EMAIL

Planning Commission

City of Ashland

c/o staff

[planning@ashland.or.us](mailto:planning@ashland.or.us)

**RE: Proposed Planning Action at 475 E Nevada St. (Young Properties) and  
375 E Nevada St. (Schultz Property)  
Planning Action: PA-T2-2021-00031**

Dear Ashland Planning Commission,

This law firm represents applicant David Young, Trustee of the Young Family Trust, which owns 475 E Nevada Street, Ashland, Oregon (39-1E-04A Tax Lots 1100, 1200, and 1300).

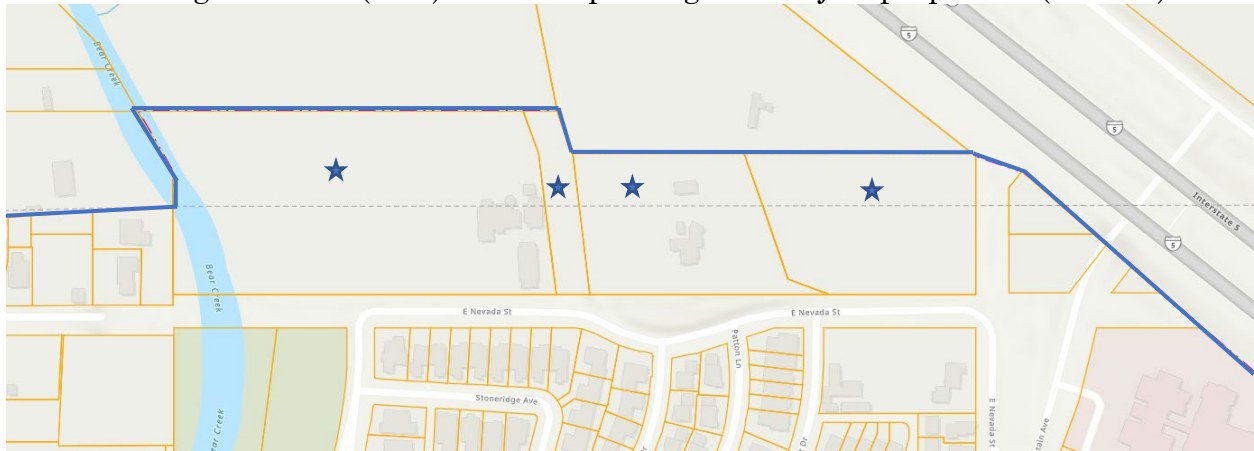
This document includes several different maps for illustrative purposes: **Figure 1** is a portion of the Jackson County's Geographic Information System ("GIS") Map and **Figures 2** and **3** are the City of Ashland's GIS Map. These GIS maps are not "official" maps but are non-binding interpretations of mapping documents made for every-day use. **Figure 4** is the City's 1982 Urban Growth Boundary ("UGB") Map, which is the "official" map that formed the basis for the Ashland/Jackson County Urban Growth Boundary Agreement (1982). **Figures 5, 6, and 7** are side-by-side comparisons of the foregoing maps and are used to highlight their inconsistencies and show that the City has generally interpreted the UGB as following property lines.

The applicants request that the City issue a Minor Comprehensive Plan Map Correction to clarify that the City of Ashland's UGB is correctly located on the subject properties' northern boundaries and does not go through the properties, as erroneously represented on the current City GIS Map. This type of correction is permitted by Section 11(D) of the Ashland/Jackson County Urban Growth Boundary Agreement (1982) and by Ashland Municipal Code § 18.5.9.020. The proposed correction involves approximately 1.77 acres of the Young property.



The issue is that Jackson County’s interpretive maps and the City’s interpretive maps show the UGB in conflicting locations relative to the properties. The County maps show the UGB line as following the northern property boundaries as they generally existed when the UGB was created. *See Figure 1* below. This means that the County believes the UGB is north of and encompasses the subject properties.<sup>1</sup>

**Figure 1: Jackson County’s GIS Map**  
Showing the UGB (blue) as encompassing the subject properties (starred).



The City’s GIS interpretive maps are different: they depict the UGB line as cutting the subject properties in half (not following the property lines). *Compare Figure 1* above with **Figure 2** below.

**Figure 2: City of Ashland’s GIS Map (zoomed in)**  
Showing the UGB (blue) as bisecting the subject properties (starred).

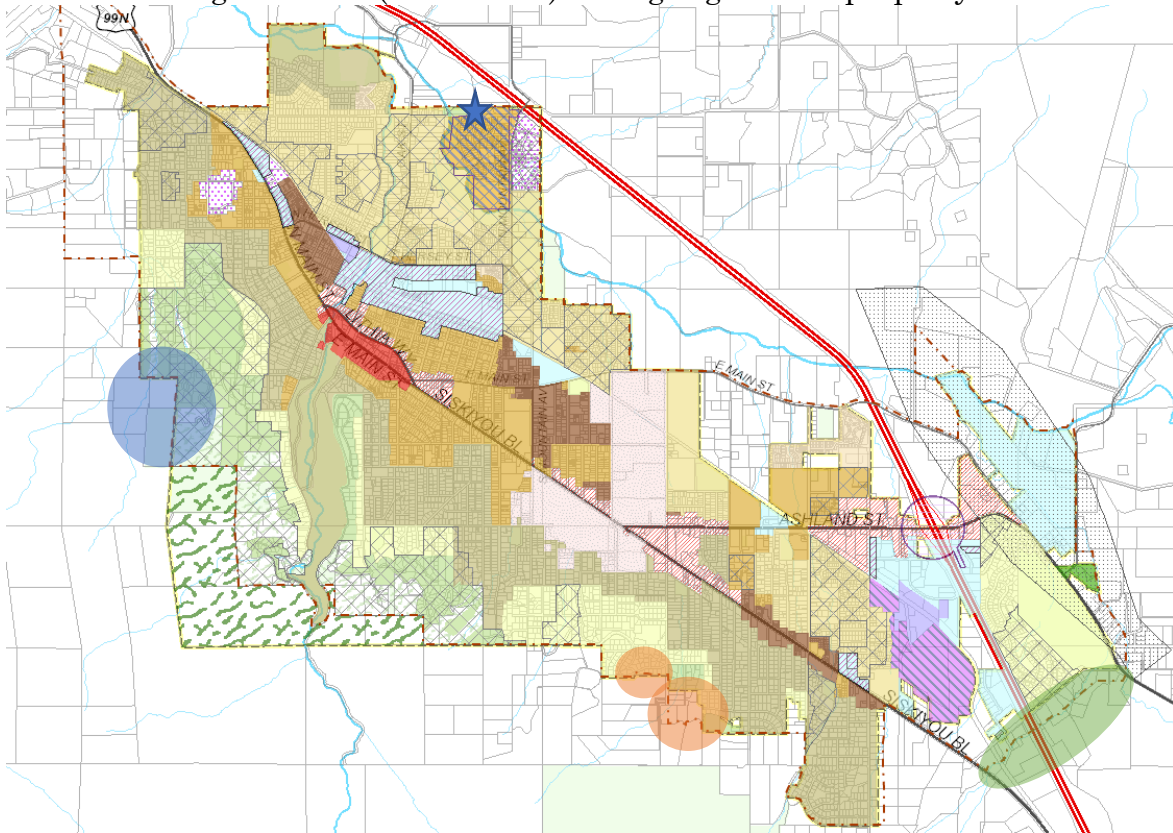


A zoom-out picture of Ashland’s GIS Map is below. *See Figure 3.*

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<sup>1</sup> The County disfavors UGB lines bisecting parcels. *See generally* Jackson County Land Development Ordinance (“LDO”) 3.7.3(C).

**Figure 3: City of Ashland's GIS Map (zoomed out)**  
Showing the UGB (dashed red) as angling around property lines.<sup>2</sup>



These conflicting interpretations have likely occurred because the various documents that created and modified the UGB do not provide a fine level of detail. For example, the area around E Nevada Street is not discussed in the text of the 1982 Comprehensive Plan. Further, the maps themselves were often hand drawn, “big picture,” and vague: the 1982 UGB Map is of such a scale that the pen stroke is larger than the subject properties. As can be seen in **Figure 4**, the official UGB line is so wide that it covers the entire properties—making it extremely difficult to determine where exactly the line exists.

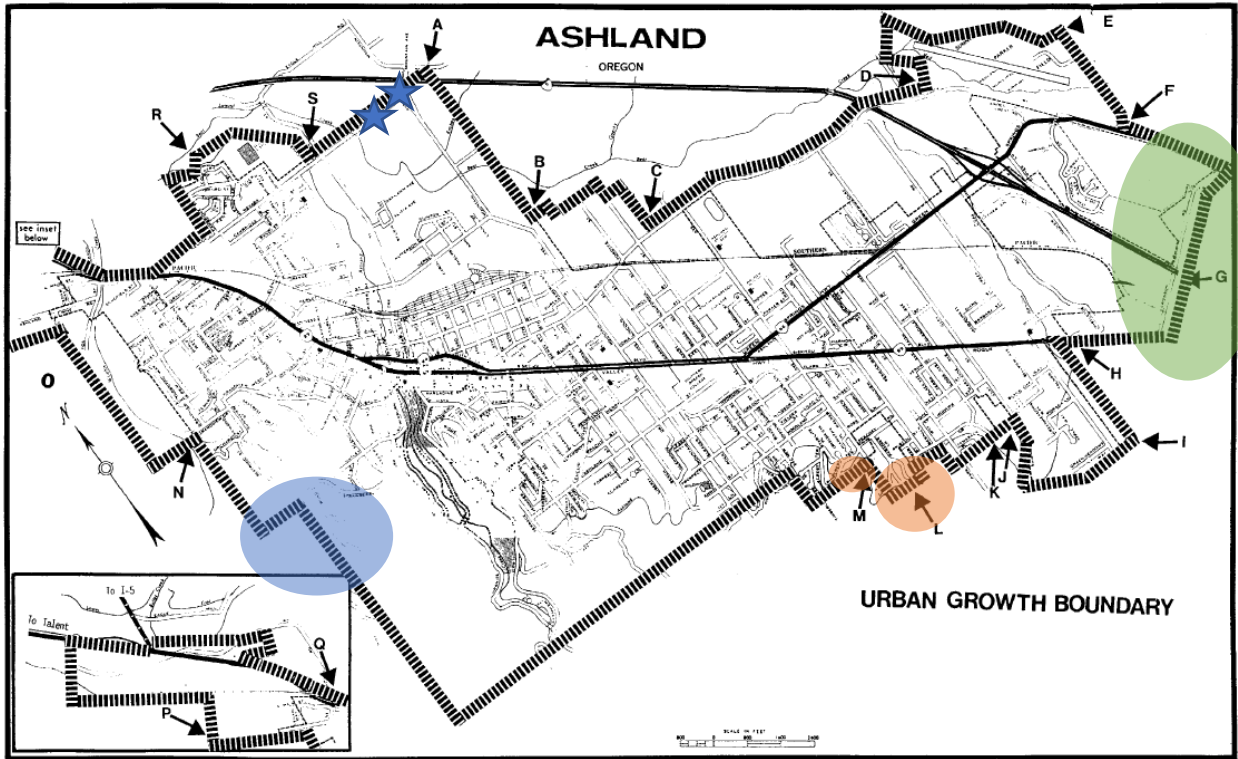
It is important for the City and County to have a single, consistent interpretation of where the UGB boundary line exists because it directly impacts the applicants’ abilities to engage in land use planning. If the UGB does not encompass the properties, then the applicants cannot receive city services (like water and sewer) on the northern part of the properties without a lengthy and costly goal exception (which is likely unobtainable).<sup>3</sup> If the properties are inside the UGB then it will maximize efficiency for the allocation of resources and for the use of land.

<sup>2</sup> The colored circles on the maps herein are for illustrative purposes only.

<sup>3</sup> Section (8) of the Urban Growth Boundary Agreement (1982) states that the City is the main provider for urban facilities and services within the UGB.

**Figure 4: City of Ashland's 1982 UGB Map**

Notice the UGB's generalized location and a lack of detail due to the thick line.

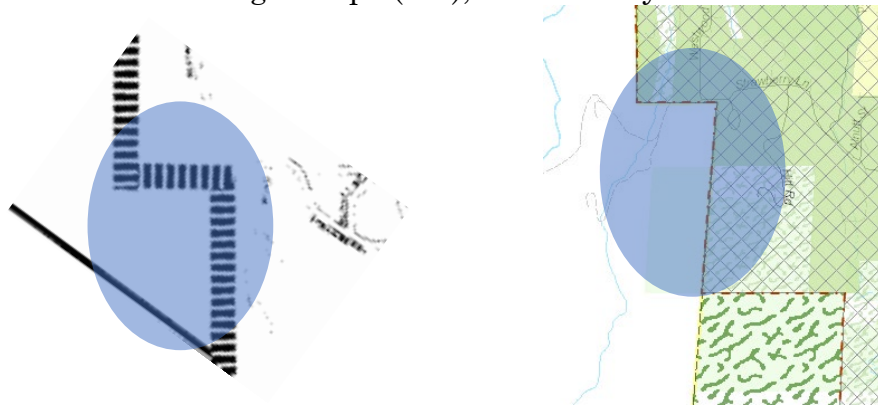


It makes most sense that the UGB would generally follow the property lines that existed when it was created because that provides clarity as to whom has jurisdiction and what can occur on the properties. Importantly, both the City's maps and the County's GIS maps generally follow this logic: they almost always depict the UGB as following property boundaries. This occurs even where official maps (like the above 1982 UGB Map) show the UGB as being a straight line.<sup>4</sup>

An example of how the City's interpretation of the UGB differs between maps can be seen at the blue oval along the western part of the City. The 1982 "official" map shows the UGB as being two straight lines at a 90° angle. However, as shown in **Figure 5** on below (comparing the 1982 map with the 2008 map), the City's GIS map has interpreted the UGB line as angling to follow the existing property lines instead of being straight.

<sup>4</sup> The applicant has not been able to locate any other location where the City's interpretation of where the UGB line exists conflicts with the County's interpretation. However, the applicant has located three parcels at the southernmost portion of Tolman Creek Road (39-1E-23BA Tax Lots 100, 101, 2100) where both entities have interpreted the UGB line as bisecting properties instead of adhering to the property lines. It is unclear whether this is an error resulting from the hand drawn maps or whether it was on purpose.

**Figure 5: Compare the 1982 City UGB Map with the City's GIS Map**  
The 1982 UGB line is a straight slope (left), but the City's GIS shows angles (right).



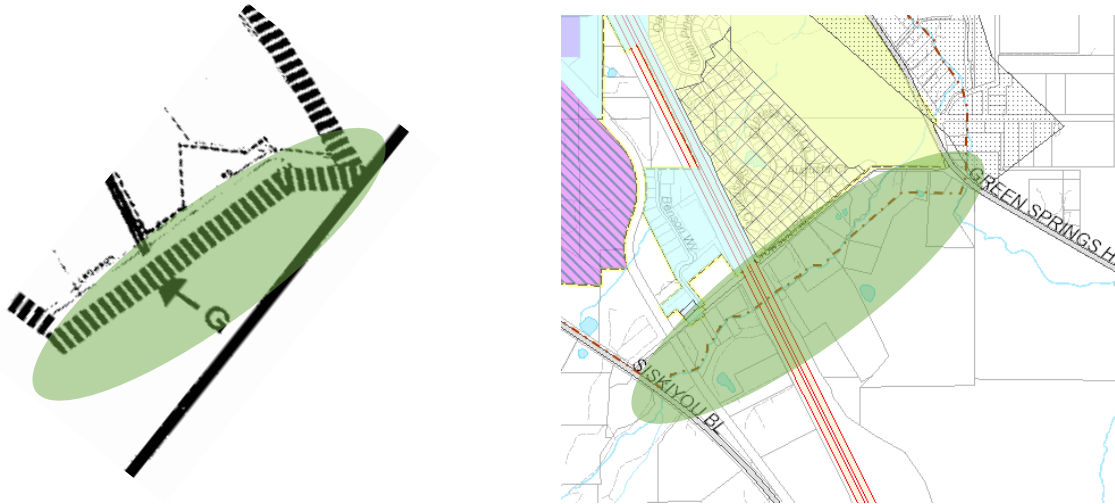
This happens in other areas of the UGB. See the orange ovals in **Figure 6** below. The UGB line is depicted as being relatively straight in the original UGB documents. However, on the current GIS maps it is accurately shown as having several angles and curves so as to follow the property lines.

**Figure 6: Compare the 1982 City UGB Map with the City's GIS Map**  
Notice the UGB is straight (left) but bends to follow the properties (right).



Also notice the City's southeastern boundary as depicted by the green ovals in **Figure 7** below: instead of being a straight line, both the City and County have both interpreted the UGB as following property boundaries. These examples are not exhaustive but are representative of how the UGB generally works.

**Figure 7: Compare the 1982 City UGB Map with the City's GIS Map**  
Notice that the UGB line is straight (left) but jagged (right).



Because the City and the County have both generally interpreted the UGB as following property boundaries and not as being perfectly straight lines, then it makes sense that this would also occur near the subject properties. This is what the County's GIS maps currently depict and is the reason that the County believes that the subject properties are included within the UGB. This further supports the contention that the City's current maps have this minor mapping error, which was carried over from hand-drawn cartography prior to the accuracy of GIS mapping.

It would also not make sense for the City to have different requirements for UGB line placement in different parts of the city. If the UGB line is meant to be straight, then it should be straight everywhere; if it is supposed to follow the property lines, then it should generally follow the property lines. Because the City has historically adopted the later interpretation, it makes sense to also apply it to the subject properties, which would mean that the subject properties are included within the UGB.

If the City disagrees with Jackson County and determines that the UGB bisects the subject properties, then both the City and County need to initiate the laborious process of amending the UGB itself, agreeing to amend the latest Ashland/Jackson county Urban Growth Boundary Agreement, or taking some other action to clarify for the applicants where the UGB is exactly so as to conform to the requirements of OAR 660-024-0020(2) ("The UGB \* \* \* must be shown on the city and county plan and zone maps at a scale sufficient to determine which particular lots or parcels are included in the UGB"). This would take significant resources and time, so it makes most sense for the City to simply correct this small error and acknowledge that the subject properties are within the UGB.

In conclusion, both the City and County have generally interpreted the UGB as following property lines, and the City should continue to apply this interpretation to

the subject properties at issue here. This will bring the City's maps in line with the County's interpretation and avoid any jurisdictional issues that could arise from the existence of competing maps. Applicants urge you to approve the application.

Please let me know if you have any questions.

Yours most sincerely,

**O'CONNOR LAW, LLC**

*s/ Garrett West*

---

Garrett K. West, OSB No. 174890

west@oconnorlawgroup.net

GKW:

cc: client; Amy Gunter

# **FINDINGS**

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**PA-T2-2022-00036**  
**329 Granite Street**

**DRAFT FINDINGS**

**BEFORE THE PLANNING COMMISSION**

March 08, 2022

IN THE MATTER OF PLANNING ACTION #PA-T2-2022-00036, A )  
 PHYSICAL AND ENVIRONMENTAL CONSTRAINTS REVIEW PERMIT )  
 (P&E) FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY )  
 RESIDENTIAL HOME ON A VACANT PARCEL AT 329 GRANITE )  
 STREET. IN ADDITION TO THE P&E THE DEVELOPMENT REQUIRES ) **DRAFT**  
 A LIMITED ACTIVITY AND USES PERMIT IN THE WATER )  
 RESOURCE PROTECTION ZONE (WRPZ), A VARIANCE TO THE ) FINDINGS,  
 MAXIMUM GRADE OF A DRIVEWAY, A VARIANCE TO LOT ) CONCLUSIONS,  
 COVERAGE, AND A TREE REMOVAL PERMIT FOR THE REMOVAL ) AND ORDERS.  
 OF EIGHTEEN SIGNIFIGANT TREES. )  
 ) **DRAFT**  
**OWNER:** JOSEPH AND KATHERINE CLARKE )  
**APPLICANT:** ROGUE DEVELOPMENT SERVICES )  
 \_\_\_\_\_ )

**RECITALS:**

- 1) The subject property is tax lot #704 of Assessor’s Map 39-1E-08-DD and has a SITUS address of 329 Granite Street.
- 2) The property is split zoned Rural Residential (RR-.5) and Woodland Residential (WR) and is 3.22 acres in size.
- 3) The subject property was created prior to the current Physical & Environmental Constraints Ordinance (AMC 18.3.10) and has an average slope of 64.57 percent. As provided at AMC 18.3.10.090.A.1.a, “Existing parcels without adequate buildable area less than or equal to 35-percent shall be considered buildable for one single-family dwelling and an accessory residential unit or a duplex...”
- 4) The subject property has a Water Resource and Protection Zone (WRPZ) which is identified as an ephemeral & intermittent watercourse named ‘Twin Creek.’
- 5) The application proposes the construction of a new single-family residential home which requires a Physical & Environmental (P&E) constraints review permit due to the topography. The application also requires a limited activity and uses permit in the Water Resource Protection Zone (WRPZ), a variance to the maximum grade of a driveway, a variance to lot coverage, and a tree removal permit for eighteen significant trees.
- 6) On January 31<sup>st</sup>, 2022 the application was deemed complete, and in accordance with AMC 18.5.1.050.B.4 a Notice of Complete application and public meeting was posted at the subject property in clear view from the public right-of-way and mailed to all property owners of record within 200 feet of the parcel.



## **DRAFT FINDINGS**

- 7) Ashland Municipal Code Chapter 2.62 “*Emergency Powers*” specifically delegates the authority to declare a state of emergency to the City Manager, subject to subsequent ratification by the City Council. On March 17, 2020, the City Council ratified the City Administrator’s March 15, 2020 Declaration of Emergency resulting from the Coronavirus contagion, and the Council has subsequently approved extension of this Declaration of Emergency through present. Among other things, this Declaration of Emergency provides for public meetings to be conducted by electronic means for the various City commissions and boards, including the Planning Commission.
- 8) The Planning Commission, following proper public notice, held a public hearing on February 8, 2022. The meeting was conducted electronically by Zoom. Public testimony was received, and exhibits were presented. Following the closing of the public hearing, the Planning Commission approved the application subject to conditions pertaining to the appropriate development of the site.
- 9) The criteria of approval for a Physical & Environmental (P&E) Constraints Review Permit are described in Ashland Municipal Code (AMC) 18.3.10.050 which require that all of the following criteria are met:
  - 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.
- 10) The criteria of approval for an Exception to the Development Standards for Hillside Lands are described in Ashland Municipal Code (AMC) 18.3.10.090.H which require that all of the following criteria are met:
  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.
  2. The exception will result in equal or greater protection of the resources protected under this chapter.
  3. The exception is the minimum necessary to alleviate the difficulty.
  4. The exception is consistent with the stated Purpose and Intent of chapter 18.3.10, Physical and Environmental Constraints Overlay, and section 18.3.10.090, Development Standards for Hillside Lands.
- 11) The criteria of approval for a Limited Activities and Uses Permit in the WRPZ are described in Ashland Municipal Code (AMC) 18.3.11.060.D which require that all of the following criteria are met:
  1. All activities shall be located as far away from streams and wetlands as practicable, designed to minimize intrusion into the Water Resource Protection Zone and disturb as little of the surface area of the Water Resource Protection Zone as practicable.
  2. The proposed activity shall be designed, located and constructed to minimize excavation, grading, area of impervious surfaces, loss of native vegetation, erosion, and other adverse impacts on water resources.

## **DRAFT FINDINGS**

3. On stream beds or banks within the bank-full stage, in wetlands, and on slopes of 25 percent or greater in a Water Resource Protection Zone, excavation, grading, installation of impervious surfaces, and removal of native vegetation shall be avoided except where no practicable alternative exists, or where necessary to construct public facilities or to ensure slope stability.
  4. Water, storm drain, and sewer systems shall be designed, located and constructed to avoid exposure to floodwaters, and to avoid accidental discharges to streams and wetlands.
  5. Stream channel repair and enhancement, riparian habitat restoration and enhancement, and wetland restoration and enhancement will be restored through the implementation of a mitigation plan prepared in accordance with the standards and requirements in section 18.3.11.110, Mitigation Requirements.
  6. Long-term conservation, management and maintenance of the Water Resource Protection Zone shall be ensured through preparation and recordation of a management plan as described in subsection 18.3.11.110.C, except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures
- 12) The criteria of approval for a Variance are described in Ashland Municipal Code (AMC) 18.5.5.050 which require that all of the following criteria are met
1. The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.
  2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.
  3. The proposal's benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.
  4. The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.
- 13) The criteria of approval for a Tree Removal are described in Ashland Municipal Code (AMC) 18.5.7.040.B.2 which require that all of the following criteria are met:
- 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.
  - 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.

## DRAFT FINDINGS

### SECTION 1. EXHIBITS

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

- Staff Exhibits lettered with an "S"
- Proponent's Exhibits, lettered with a "P"
- Opponent's Exhibits, lettered with an "O"
- Hearing Minutes, Notices, and Miscellaneous Exhibits lettered with an "M"

### SECTION 2. CONCLUSORY FINDINGS

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

2.1 The Planning Commission finds that it has received all information necessary to render a decision based on the complete Application Materials, Staff Report, public hearing testimony; and by their reference each of these are incorporated herein as if set out in full.

2.2.1 The Planning Commission finds that AMC Title 18 Land Use regulates the development of land envisioned by the Comprehensive Plan and to encourage efficient use of land resources among other goals. The Planning Commission finds that there is substantial evidence in the record to make findings that each of the request actions have been shown to meet the relevant approval criteria or meet those approval criteria through the imposition of certain binding conditions of approval.

2.2.2 The Planning Commission finds that the purpose of the Hillside Ordinance is to: *"Provide for safe, orderly, and beneficial development of districts characterized by diversity of physiographic conditions and significant natural features; to limit alteration of topography and reduce encroachment upon, or alteration of, any natural environment and to provide for sensitive development in areas that are constrained by various natural features."*

2.2.3 The Planning commission notes the complexity of developing the property a due to the physical constraints present, and further recognizes that the limitations regarding driveway grades poses added difficulty in developing the subject property due to the confluence of steep slopes, riparian protection zones, and tree preservation objectives.

2.2.4 The Planning Commission finds that the standards at AMC 18.3.10.090.E.1 which provides for the standards to the 'building envelope' only relate to 'newly created lots' and as such those standards at 18.3.10.090.E.1 et. seq. are not relevant to the application.

**Commented [AA1]:** Only because it was discussed at length in the staff report

2.3 The Planning Commission finds that all the individual components, and their approval criteria, of the planning action are related to the same underlying issue which is the physical constraints of the property (steep slopes and water courses). The Planning Commission notes that the Land Use Ordinance considers land steeper than 35-percent to be unbuildable. The Planning Commission further notes that the average slope of the subject lot is more than 60-percent. The Planning Commission finds that the Land Use Ordinance did not contemplate, and the standards

## **DRAFT FINDINGS**

within do not support, the development of such a property.

2.3.1 The Planning Commission finds that the proposal meets all applicable criteria for a Physical & Environmental (P&E) Constraints Review Permit as provided at AMC 18.3.10. The Planning Commission notes that the least steep portion of the lot is near the top of the property and the application has made every effort to minimize the impacts while at the same time site the home in the area of least steep slopes. The Planning Commission finds that the application includes detailed erosion and sediment control plans as well as a geotechnical report and that by following the recommendations in both that the potential hazards will have been mitigated. The Planning Commission finds that the landscaping plan and erosion control plan will minimize any adverse impacts and that the single-family home is well within the maximum development allowed

2.3.2 The Planning Commission notes that the application requests five exceptions to the Hillside Design standards as detailed below:

- a. General Requirements – New Streets and Driveways: 18.3.10.090.A.3.2.b.
- b. Retention in Natural State: 18.3.10.B.3.
- c. Grading – Maximum Cut Slope Retaining Wall Height: 18.3.10.090.B.4.b.
- d. Downhill Wall Height Limitation: 18.3.10.090 E.2.c
- e. Horizontal Building Plane Limitation: 18.3.10.090 E.2.d

The Planning Commission finds that the physical constraints of the property, and the incompatibility of the hillside standards for a property of this steepness create a demonstrable difficulty in meeting the hillside standards. Additionally, while the cut faces are significant and terraced sections exceed the amount permitted, without an exception for the taller cuts ultimately more of the hillside would need to be disturbed. The Planning commission finds that based on the statement of the engineer these exceptions are the minimum necessary to alleviate the difficulty.

2.3.3 The Planning Commission finds that the driveway design, based on the topography, has no alternative but to cross Twin Creek. The application states that the design specifically minimizes the impact on the WRPZ while also providing the required grade and access standards for Fire Department access. Given that the crossing was inevitable in the design phase the applicant has made efforts to ensure that the disturbance has been minimized and that no practicable alternative exists. The Planning Commission finds that the storm drain system has been designed by an engineer to ensure that it can pass the base flood, and that the application includes an extensive replanting plan of native species. The Planning Commission further finds that a management plan is not required as the property is residentially zoned and proposed to be occupied only by a single-family dwelling.

2.3.4 The application requires two variances: One for maximum grade to a driveway, and a second for amount of allowed lot coverage.

The application is requesting a variance to driveway grade to allow one segment of driveway to exceed the 15-percent maximum grade, but remain less than 18-percent, for a distance of 200 feet. Ashland's Land Use Ordinance at AMC 18.5.3.060.F requires that: "Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent for not more than 200 feet. Such variances

## **DRAFT FINDINGS**

shall be required to meet all of the criteria for approval in chapter 18.5.5 Variances.” The proposed driveway is 814-feet in total length with a vertical climb of 124-feet for an average slope of 15.23-percent with a range between 8-18 percent. The applicants have designed the driveway so that one section that is 200-feet in length has an 18-percent grade.

The second variance is for maximum allowed lot coverage. The code specifies that there are maximum allowed lot coverages for different zones. Shown at right is the subject property with the two separate zoning districts delineated by the dashed line bisecting the property. The western part is 1.51 acres and is zoned Woodland Reserve (WR), and the eastern part is 1.71 acres and is zoned Rural Residential (RR-.5). The WR zone allows for 7-percent lot coverage and the RR-.5 zone allows for 20-percent lot coverage. The application request to increase the amount of lot coverage on the WR zoned part from the allowed maximum of 7-percent to a total of 11.7-percent. This is an increase of 66-percent over the standard (3,052 sq ft over the allowed 4,611 sq. ft. for a total of 7,663). The RR-.5 part of the property is proposed to have a total of 13.7-percent lot coverage, which is 6.3-percent below the allowed maximum coverage of 20-percent. That said, when considering the property as a whole, the overall proposal has less lot coverage than would be allowed in total.

The Planning Commission finds that the property has a unique set of physical constraints in the significant slopes are throughout the property and intermittent stream channels bisect the access point from the building area. The positive benefits of allowing the 18% grade is that the height of the cuts from stations 2+80 to 4+80 are less than if the grade of the drive was at 15%. The Planning Commission further finds that the physical characteristics of the site which warrant the complex driveway construction, and increased lot coverage have not been self-imposed by the applicant. The Planning Commission concludes that the approval criteria for both variances has been met.

2.3.5 The application states that there are over 330 trees larger than six inches DBH (Diameter at Breast Height), and that the design of the project has taken efforts to minimize required tree removals. The application states that those trees identified for removal are because they are *“in the path of the proposed driveway, are in the building envelope, or within the required 30-foot buffer from the residence, are in poor condition, or the impacts of construction will irreparably harm the trees.”* The application asserts that, *“There are no specimen trees or trees of stellar quality that would necessitate preservation or redesign of the driveway, building envelope area, and proposed residence.”* With that said, the application includes a request a Tree Removal permit for eighteen significant trees, as well as Tree Removal permits for those regulated trees in the Riparian protection zone/floodplain of Twin Creek, and many smaller stature trees that are part of the wildfire fuel reduction plan. The Planning Commission finds that the regulated trees that are requested for removal meet the criteria of approval for trees that are not a hazard as they are located in the building envelope and driveway area.

2.4 During the public comment period Jasmin Holley supplied written comment expressing concerns about the development. Jasmin Holley also appeared during the hearing and provided testimony. Jasmin Holley supplied a set of proposed conditions of approval that she felt would mitigate her concerns. Except for restrictions on hours of construction (which is already regulated in the AMC) the applicant’s representative indicated that there were no concerns in principle, as such they have been included as conditions of approval.

## **DRAFT FINDINGS**

2.5.1 In Summary, the applicant has submitted a substantial set of findings addressing all of the relevant approval criteria for the planning action, the requested exceptions and variances. The application addresses the unique factor requiring the need for the requested variances is the fact that the areas of the property with the slopes of less than 35-percent, which were identified for the building envelope, are located considerably upslope from the access and thus require significant encroachment into the steep slopes and riparian protection zones so that the driveway could achieve the required grade. Additionally, the application asserts that the location of the two identified watercourses preclude development of the lower portion of the property. And finally, in discussing the exceptions in general the application states that the code did not anticipate a property with such steep slopes and that that these site conditions constitute “*a unique aspect because a parcel with this degree of slope cannot be created under present zoning ordinances.*”

2.5.2 The Commission finds that with the conditions below attached, the proposal satisfies the applicable approval criteria. The Planning Commission finds that the proposal meets all applicable criteria for a Physical & Environmental (P&E) Constraints Review Permit as provided at AMC 18.3.10 with five exceptions to the Development Standards for Hillside Lands, a Limited Activities and Uses Permit in the WRPZ as provided at AMC 18.3.11, two Variances as provided at AMC 18.5.5, and the removal of eighteen trees that are not a hazard as provided at AMC 18.5.7.

### **SECTION 3. DECISION**

3.1 Based on the record of the Public Hearings on this matter, and all materials submitted by the applicant the Planning Commission concludes that the applicant’s site planning, building design, engineering and landscape planning adequately address the criteria and standards for the Physical & Environmental (P&E) Constraints Review Permit with five associated design exceptions, two Variances, Limited Activities and Uses permit for the WRPZ, and tree removal permits. Therefore, the Planning Commission approves the Application, with the attached conditions of approval, noting that this decision is supported by evidence contained within the whole record.

1. That all proposals of the applicant shall be conditions of approval unless otherwise modified herein. To wit, During the hearing the applicant indicated consent with the suggested conditions submitted by Ms. Holley, they follow:
  - a. The Shared Driveway /access road for 295, 303, 309-11, 313, 315-17, 321, 329 Granite Street to be professionally assessed prior to prior to construction beginning.
  - b. During the construction of the project temporary repairs to be made as necessary to maintain the road.
  - c. The road will reasonably passable and functional at all times
  - d. At the conclusion of the project the road shall be reconstructed to a standard equal to or greater than the assessed condition.
  - e. That tree protection measures as designed remain in place during construction.
  - f. That all easements be physically marked on site prior to construction.

### **DRAFT FINDINGS**

2. That the plans submitted for the building permit shall be in substantial conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify this land use approval shall be submitted and approved prior to issuance of a building permit.
3. That the property owner shall sign in favor of local improvement districts for the future street improvements, including but not limited to sidewalks, parkrow, curb, gutter and storm drainage, for Granite Street prior to the issuance of a building permit.
4. That a revised Tree Protection Plan consistent with the standards described in AMC 18.4.5 be submitted for review and approval of the Staff Advisor prior to the issuance of a building permit. The plan shall incorporate the recommendations of the Tree Commission and identify the location and placement of fencing around the drip lines of trees identified for preservation. The tree protection fencing shall be installed according to the approved plan prior to any site work. No construction shall occur within the tree protection zone including dumping or storage of materials such as building supplies, soil, waste, equipment, or parked vehicles. The amount of fill and grading within the drip lines shall be minimized. Cuts within the drip line shall be noted on the tree protection plan, and shall be executed by handsaw and kept to a minimum. No fill shall be placed around the trunk/crown root.
5. That a Tree Verification Permit shall be applied for and approved by the Staff Advisor prior to permit issuance, tree removal, or any site work including demolition, staging, storage of materials, or excavation. The Tree Verification Permit is to inspect the identification of the tree to be removed and the installation of tree protection fencing for the trees to be protected on and adjacent to the site. The tree protection shall be chain link fencing six feet tall and installed in accordance with AMC 18.4.5.030.
6. That any temporary erosion control measures (i.e. silt fence and bale barriers) and silt fencing to protect the Twin Creeks Water Resource Protection Zone shall be installed according to the approved plan, inspected and approved by the Staff Advisor prior to any site work, staging, storage of materials, excavation or permit issuance.
7. That a pre-construction conference to review the requirements of the Hillside Development Permit shall be held on-site prior to site work, the issuance of an excavation permit or the issuance of a building permit, whichever action occurs first. The conference shall include the Ashland Planning Department, Ashland Building Department, any relevant Public Works or Utilities staff, and the applicant's project team including the project engineer, project geotechnical experts, landscape professional, arborist, the general contractor and excavation and utility subcontractors. The applicant or applicants' representative shall contact the Ashland Planning Department to schedule the preconstruction conference.
8. That all measures installed for the purposes of long-term erosion control, including but not limited to vegetative cover, rock walls, retaining walls and landscaping shall be maintained in perpetuity on all areas in accordance with AMC 18.3.10.090.B.7.
9. That a final 'General Fuel Modification Area' fuel reduction plan addressing the requirements in AMC 18.3.10.100.B shall be provided for the review and approval of the

## **DRAFT FINDINGS**

Fire Department prior to bringing combustible materials onto the property, and any new landscaping proposed shall comply with the wildfire overlay zone standards and shall not include plants listed on the Prohibited Flammable Plant List per Resolution 2018-028.

10. That the building permit submittals shall include the following:
  - a. Identification of all easements, including but not limited to any public and private utility easements, mutual access easements, , and fire apparatus access easements.
  - b. Solar setback calculations demonstrating that all new construction complies with Solar Setback Standard A in the formula  $[(\text{Height} - 6) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$  and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and the height(s) from natural grade.
  - c. Lot coverage calculations including all building footprints, driveways, parking, and circulation areas. Lot coverage shall be limited to no more than that described in the current Variance request.
  - d. That storm water from all new impervious surfaces and run-off associated with peak rainfalls must be collected on site and channeled to the City storm water collection system (i.e., curb gutter at public street, public storm pipe or public drainage way) or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals.
  - e. That written verification from the project geotechnical expert addressing the consistency of the building permit submittals with the geotechnical report recommendations (e.g. grading plan, storm drainage plan, foundation plan, etc.) shall be provided with the building permit.
  - f. That the building foundation shall be designed by an engineer or architect with demonstrable geotechnical design experience in accordance with AMC 18.3.10.090.F.
11. That prior to final inspection approval or the issuance of a certificate of occupancy:
  - a. Replacement trees to mitigate the trees removed shall be planted and irrigated according to the approved plan, or alternative mitigation addressed as provided in AMC 18.5.7.050.
  - b. That the flag drive shall be paved to a 12-foot width, with a vertical clearance of 13-feet, 6-inches and be able to withstand 44,000 lbs. prior to final inspection approval or the issuance of a certificate of occupancy. The flag drive shall be constructed so as to prevent surface drainage from flowing over the private property lines and / or public way in accordance with 18.5.3.060. The applicant shall provide certification that the driveway grade is consistent with that permitted herein prepared by a licensed land surveyor.
  - c. That the project geo-technical expert shall inspect the site according to the inspection schedule of the engineering geology report included in the application prior to the issuance of the certificate of occupancy, the project geo-technical expert shall provide a final report indicating that the approved grading, drainage and erosion



**DRAFT FINDINGS**

control measures were installed as per the approved plans, and that all scheduled inspections were conducted by the project geotechnical expert periodically throughout the project.

- d. The landscaping and irrigation for re-vegetation of cut/fill slopes and erosion control shall be installed in accordance with the approved plan prior to issuance of the certificate of occupancy. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.

\_\_\_\_\_  
Planning Commission Approval

\_\_\_\_\_  
Date

**Planning Commission  
Recommendation to  
City Council**

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**PA-T2-2022-00031  
375/475 East Nevada Street**

# Memo

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**DATE:** March 8, 2022  
**TO:** City Council  
**FROM:** Planning Commission  
**RE:** Planning Commission Recommendation to Council  
Planning Action PA-T2-2021-00031/375-475 E Nevada Street

With regard to PA-T2-2021-00031, a request for a Minor Comprehensive Plan Map Correction to clarify the City of Ashland's Urban Growth Boundary (UGB) for four properties located at 375 & 475 East Nevada Street, after conducting a public hearing, reviewing the application materials and the staff report on this matter, the Planning Commission does not believe that there is a mapping error to correct here. The 1982 Ashland/Jackson County Urban Growth Boundary Agreement addresses the correction of errors as follows:

***Correction of Errors.** If the City Council or the County Board of Commissioners become aware of an error in either the map or the text of the mutually adopted urbanization program, both bodies may cause an immediate amendment to occur to correct the error, after mutual agreement is reached. Such a correction shall be in the form of a public hearing and an ordinance, conducted separately or jointly by both bodies, which may take effect on an emergency basis. Public hearings before the Planning Commissions shall not be required where an amendment is intended specifically to correct an error.*

*Generally, an error is a cartographic mistake or text misprint, omission or duplication. Such errors are not derived from new data or suggested errors made in interpretations of the attitudes of the public, the governing bodies or data; the latter error types are considered under the amendment provisions cited herein.*

After detailed analysis of historical maps, the Planning Commission found that the UGB as currently depicted on the official city maps adopted in 2008 is consistent with that originally adopted by the city in 1982.

The Planning Commission would however strongly support any effort by the City Council and Jackson County Board of Commissioners to amend the UGB for these properties so that the UGB followed property lines, as is now policy for both jurisdictions, provided that such an effort could be accomplished within the parameters of the of the 1982 Ashland/Jackson County Urban Growth Boundary Agreement, which governs Ashland's UGB, and the 2012 Regional Problem Solving agreement, which regulates expansion of UGB's for the cities in the Greater Bear Creek Valley.



**TYPE II  
PUBLIC HEARING**

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**PA-T2-2022-00037  
165 Water Street, 160 Helman Street  
and 95 Van Ness**



**PLANNING ACTION:** PA-T2-2022-00037

**SUBJECT PROPERTY:** 165 Water Street, 160 Helman Street and 95 Van Ness (*corner of Van Ness & Water Streets*)

**APPLICANT/OWNER:** Rogue Planning & Development Services, LLC, *agent for*

**DESCRIPTION:** A request for an eight-lot commercial subdivision to construct a phased mixed-use development for the three properties at 95 Van Ness Street, 165 Water Street and 160 Helman Street. The applicant's Phase I requests Site Design Review approval for five mixed-use buildings consisting of two ground floor commercial spaces with two residential units above in each building, as well as associated surface parking, utility infrastructure and street improvements. The remaining three building sites would be developed in a later phase. The application also includes a request for a Physical & Environmental (P&E) Constraints Review Permit because the proposal includes development on severe constraints lands with slopes greater than 35 percent and on floodplain corridor lands; a request for an Exception to the Development Standards for Hillside Lands; a request for a Tree Removal Permit to remove 20 trees on the three properties and within the adjacent rights-of-way; a request for an Exception to the Site Development and Design Standards to allow 3,087 square feet of plaza space where the standards require 5,624 square feet; and a request for an Exception to Street Standards to allow parking bays with street trees in bump-outs along Van Ness Avenue rather than standard park row planting strips.

**COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 04CC; **TAX LOTS #:** 2000, 2100 & 7100

**NOTE:** The Ashland Historic Commission will review this Planning Action at an electronic public hearing on **Wednesday, March 2, 2022 at 6:00 PM**. See page 2 of this notice for information about participating in the electronic public hearing.

**NOTE:** The Ashland Tree Commission will review this Planning Action at an electronic public hearing on **Thursday, March 3, 2022 at 6:00 PM**. See page 2 of this notice for information about participating in the electronic public hearing.

**ELECTRONIC ASHLAND PLANNING COMMISSION MEETING: *March 8, 2022 at 7:00 PM.***



### **Historic and Tree Commission Meetings**

Notice is hereby given that the **Historic and Tree Commission** will hold an electronic public hearing on the above described planning action on the meeting date and time shown on Page 1. If you would like to watch and listen to the **Historic and Tree Commission** meetings virtually, but not participate in any discussion, you can use the Zoom link posted on the City of Ashland calendar website <https://www.ashland.or.us/calendar.asp>.

**Anyone wishing to submit written comments can do so by sending an e-mail to [PC-public-testimony@ashland.or.us](mailto:PC-public-testimony@ashland.or.us) with the subject line “Advisory Commission Hearing Testimony” by 10:00 a.m. on Wednesday, March 2, 2022.**

Oral testimony will be taken during the electronic public hearing. If you wish to provide oral testimony during the electronic meeting, send an email to [PC-public-testimony@ashland.or.us](mailto:PC-public-testimony@ashland.or.us) by **10:00 a.m. on Wednesday, March 2, 2022**. In order to provide testimony at the public hearing, please provide the following information: 1) make the subject line of the email “Advisory Commission Testimony Request”, 2) include your name, 3) specify the date and commission meeting you wish to testify at, 4) specify the agenda item you wish to speak to, 5) specify if you will be participating by computer or telephone, and 6) the name you will use if participating by computer or the telephone number you will use if participating by telephone.

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).

Notice is hereby given that the Ashland Planning Commission will hold an electronic public hearing on the above described planning action on the meeting date and time shown above. You can watch the meeting on local channel 9, on Charter Communications channels 180 & 181, or you can stream the meeting via the internet by going to [rvtv.sou.edu](http://rvtv.sou.edu) and selecting ‘**RVTV Prime.**’

The ordinance criteria applicable to this planning action are attached to this notice. Oregon law states that failure to raise an objection concerning this application, or failure to provide sufficient specificity to afford the decision makers 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.

Because of the COVID-19 pandemic, application materials are provided online and written comments will be accepted by email. Alternative arrangements for reviewing the application or submitting comments can be made by contacting (541) 488-5305 or [planning@ashland.or.us](mailto:planning@ashland.or.us).

A copy of the application, including all documents, evidence and applicable criteria relied upon by the applicant, and a copy of the staff report will be available on-line at [www.ashland.or.us/PCpackets](http://www.ashland.or.us/PCpackets) seven days prior to the hearing. Copies of application materials will be provided at reasonable cost, if requested. Under extenuating circumstances, application materials may be requested to be reviewed in-person at the Ashland Community Development & Engineering Services Building, 51 Winburn Way, via a pre-arranged appointment by calling (541) 488-5305 or emailing [planning@ashland.or.us](mailto:planning@ashland.or.us).

Anyone wishing to submit comments can do so by sending an e-mail to [PC-public-testimony@ashland.or.us](mailto:PC-public-testimony@ashland.or.us) with the subject line “**March 8 PC Hearing Testimony**” by 10:00 a.m. on Monday, March 7, 2022 Written testimony received by this deadline will be available for Planning Commissioners to review before the hearing and will be included in the meeting minutes.

Oral testimony will be taken during the electronic public hearing. If you wish to provide oral testimony during the electronic meeting, send an email to [PC-public-testimony@ashland.or.us](mailto:PC-public-testimony@ashland.or.us) by 10:00 a.m. on March 7, 2022. In order to provide testimony at the public hearing, please provide the following information: 1) make the subject line of the email “**March 8 Speaker Request**”, 2) include your name, 3) the agenda item on which you wish to speak on, 4) specify if you will be participating by computer or telephone, and 5) the name you will use if participating by computer or the telephone number you will use if participating by telephone.

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 Derek Severson at 541-522-2040 / [derek.severson@ashland.or.us](mailto:derek.severson@ashland.or.us).

## **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.

## **SUBDIVISION CRITERIA**

### **18.5.3.070 Preliminary Subdivision Plat Criteria**

- A. **Approval Criteria.** The approval authority, pursuant to subsection [18.5.3.030.A](#), may approve, approve with conditions or deny a preliminary subdivision plat on findings of compliance with all of the following approval criteria.
  - 1. The subdivision plan conforms to applicable City-adopted neighborhood or district plans, if any, and any previous land use approvals for the subject area.
  - 2. 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).
  - 3. Access to individual lots necessary to serve the development shall conform to the standards contained in section [18.4.3.080](#) Vehicle Area Design.
  - 4. The proposed streets, utilities, and surface water drainage facilities conform to the standards in chapter [18.4.6](#), and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.
  - 5. All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas(e.g., landscaping, tree preservation, common areas, access, parking, etc.) is ensured through appropriate legal instrument (e.g., Covenants, Conditions and Restrictions (CC&R's).
  - 6. Required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.
- B. **Conditions of Approval.** The approval authority may attach such conditions as are necessary to carry out provisions of this ordinance, and other applicable ordinances and regulations.

## **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.

## **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.

### **EXCEPTION TO THE DEVELOPMENT STANDARDS FOR HILLSIDE LANDS**

#### **18.3.10.090.H**

An exception under this section is not subject to the variance requirements of chapter 18.5.5 Variances. An application for an exception is subject to the Type I procedure in section 18.5.1.050 and may be granted with respect to the development standards for Hillside Lands if the proposal meets all of the following criteria.

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.
2. The exception will result in equal or greater protection of the resources protected under this chapter.
3. The exception is the minimum necessary to alleviate the difficulty.
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.

### **TREE REMOVAL PERMIT (AMC 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.



# ASHLAND PLANNING DIVISION

## STAFF REPORT

**PLANNING ACTION:** PA-T2-2022-00037

**APPLICANT:** Rogue Planning & Development Services, LLC (agent)

**OWNERS:** Magnolia Investment Group, LLC and Gil Livni

**SUBJECT PROPERTIES:** 165 Water Street, 160 Helman Street and  
95 Van Ness Avenue

**ASSESSOR'S MAP #:** 39 1E 04CC

**TAX LOTS #:** 2000, 2100 and 7100

**ORDINANCE REFERENCES:** See <https://ashland.municipal.codes/LandUse>

<b>AMC 18.2</b>	Zoning Regulations
<b>AMC 18.2.6</b>	Standards for Non-Residential Zones
<b>AMC 18.3.10</b>	Physical & Environmental Constraints
<b>AMC 18.3.12</b>	Site Development & Design Overlays
<b>AMC 18.3.13</b>	Residential Overlay
<b>AMC 18.4</b>	Site Development & Design Standards
<b>AMC 18.4.2</b>	Building Placement, Orientation & Design
<b>AMC 18.4.6</b>	Public Facilities
<b>AMC 18.5.1</b>	General Review Procedures
<b>AMC 18.5</b>	Application Review Procedures & Approval Criteria
<b>AMC 18.5.2</b>	Site Design Review
<b>AMC 18.5.3</b>	Land Divisions & Property Line Adjustments
<b>AMC 18.5.7</b>	Tree Removal
<b>AMC 18.6</b>	Definitions

**120-DAY TIMELINE:** June 10, 2022

### I. Request

The application proposes an eight-lot commercial subdivision to construct a phased mixed-use development for the three properties at the corner of Van Ness and Water Streets including 95 Van Ness Street, 165 Water Street and 160 Helman Street. The applicant's Phase I requests Site Design Review approval for five mixed-use buildings consisting of two ground floor commercial spaces with two residential units above in each building, as well as associated surface parking, utility infrastructure and street improvements. The remaining three building sites would be developed in a later phase. The application also includes a request for a Physical & Environmental (P&E) Constraints Review Permit because the proposal includes development on severe constraints lands with slopes greater than 35 percent and on floodplain corridor lands; a request for an Exception to the Development Standards for Hillside Lands; a request for a Tree Removal Permit to remove all of the trees on the property and within adjacent rights of way; a request for an Exception to the

Site Development and Design Standards to allow 3,087 square feet of plaza space where the standards require 5,624 square feet; and a request for an Exception to Street Standards to allow parking bays with street trees in bump-outs along Van Ness Avenue rather than standard park row planting strips. Each of these component requests are discussed below.

## **II. Background & History of Applications**

### **165 Water Street**

In December of 2020, the applicant submitted PA-T1-2020-00134, a request to modify Planning Action #2017-00200. This application was found to be incomplete, and was never completed. It is now considered to be void.

In July of 2018, Planning staff ministerially approved #PA-A-2018-00022, a request for a Property Line Adjustment between the properties at 165 Water Street and 160 Helman Street.

In June of 2017, the Planning Commission granted approval of Planning Action #2017-00200, 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. The application included 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. This approval was granted a one-time, 24-month extension as a ministerial permit which has now expired without the building being constructed.

In March of 1982, the Planning Commission granted approval of Planning Action #1982-013, a Site Review permit and Zoning Variance for a proposed automobile repair and tune-up shop. That application noted that there were no other actions in the recent past.

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

### **95 Van Ness Avenue**

There are no planning actions of record for 95 Van Ness Avenue by itself, however it was to have been combined with 160 Helman Street as part of PA-T1-2018-00033 discussed below.

### **160 Helman Street**

In August of 2019, James and Andrew Batzer made application as PA-T1-2019-00074 to partition the property at 160 Helman Street to create two parcels. The application was found to be incomplete, and was never completed. It is now considered to be void.

In February of 2019, Planning staff administratively approved PA-T1-2018-00033, a request for Site Design Review approval to construct a new 8,682 square foot, three-story mixed use building. The application included requests for Exception to the Street Standards to retain the existing landscaped parkrow configuration on the Helman Street frontage and to allow a curbside sidewalk with on-street parking bay along the Van Ness Avenue frontage, an Exception to the Site Design Standards to not provide a standard five-foot landscape buffer between the parking spaces and property line, and a request for a Tree Removal Permit to remove five Oak trees greater than six-

inches in diameter at breast height (d.b.h.) from the property. The application also proposed removal of two eight-inch d.b.h. Maple trees in the parkrow planting strip; five new street trees are proposed. This approval has now expired without the building being constructed.

In July of 2018, Planning staff ministerially approved #PA-A-2018-00022, a request for a Property Line Adjustment between the properties at 165 Water Street and 160 Helman Street.

In November of 2007, Planning staff administratively approved PA-2007-01833 granting a one-year extension of PA-2006-00612.

In December of 2006, the Planning Commission granted approval to PA-2006-00612, a request for Site Review approval for a mixed-use development comprised of general office space and six residential condominiums and a Tree Removal Permit to remove two trees greater than six-inches diameter-at-breast-height. This application expired without the buildings being constructed.

In February of 1992, the Planning Commission approved PA-92-024, a Conditional Use Permit to allow the temporary use of a refrigerator trailer as part of the Pyramid Juice Company's food manufacturing operation.

In August 1988, the Planning Commission approved PA-88-121, a Conditional Use Permit and Site Review approval for a food manufacturing use.

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

### III. Description of Properties

#### 165 Water Street

165 Water Street, at the corner of Van Ness Avenue and Water Street, is an irregularly-shaped, 38,515 square foot parcel with approximately 230 feet of frontage along Van Ness Avenue and 150 feet of frontage along Water Street. 165 Water Street is relatively flat for a significant portion of the site, however there is a sloped area at the rear of the property where it transitions up toward Helman Street with slopes in the vicinity of 65 percent.



Over the years, the property has contained a variety of uses including auto repair and a service station. According to the application materials provided, above ground fuel tanks were placed along Van Ness Street at some point in the past. Due to the presence of these fuel tanks, the applicants indicate that the site is considered to be a brownfield, but has been cleaned up and the case closed by the Department of Environmental Quality (DEQ). Information about the clean-up is included in the application submittal materials.

### 95 Van Ness Avenue

95 Van Ness is an irregularly shaped parcel at the corner of Van Ness Avenue and Helman Street, and is 5,824 square feet in area.

### 160 Helman Street

160 Helman Street is a trapezoidal 7,302 square foot parcel located on the east side of Helman St., between Central Avenue and Van Ness Avenue. The property is located in the Employment zoning district (E-1), and currently contains a building which has been used for food production as The Pyramid Juice Company.

The site is bounded by public rights-of-way on three sides with Helman St. to the west, Van Ness Ave. to the north and a public alley to the south. A day care facility is located across the alley to the south, residential units are located to the west across Helman St., a mixed-use commercial building is located to the north across Van Ness Ave., and 165 Water Street is located to the east of the site.

Currently, the building and equipment previously associated with Pyramid Juice are located on the site. The building is a warehouse that was constructed in 1948 and has been used for industrial uses. The application states that the site currently does not contain landscaping or trees, and is covered in pavement. Three trees are located in the planting strip on the Helman St. frontage.

Helman Street is classified as an avenue or major collector in the Transportation System Plan (TSP). Helman is paved with curbs, gutters, parkrows and sidewalks in place. Both Van Ness Avenue and Water Street are Neighborhood Streets in the vicinity of the subject property. Both are paved with curbs and gutters in place; Van Ness Avenue currently has curbside sidewalks in place along the subject property's frontage. Water Street lacks sidewalks or park rows along the property's frontage. An unimproved section of city alley right-of-way extends between Water Street and Helman Street.

Ashland Creek, a riparian stream, is located on the opposite side of Water Street, 125-165 feet to the east of 165 Water Street. As a riparian stream, Ashland Creek has a Water Resource Protection Zone which extends 50 feet from its top of bank. In addition, Ashland's modified floodplain corridor map identifies floodplain lands extending into roughly the easternmost 30 feet of 165 Water Street along its Water Street frontage and FEMA's 500-year floodplain extends onto a significant portion of the site.

Zoning for the subject properties and those in the immediate vicinity is E-1 (Employment) and the properties are within an R (Residential) overlay, as well as the Detail Site Review overlay zone. The subject property is also located within the Ashland Skidmore-Academy Historic District. Properties to the north, across the railroad tracks, are zoned M-1 (Industrial); to the west, along the west side of Helman Street, there is R-3 (High Density, Multi-Family Residential) zoning; to the south, beginning at Central Avenue, there is C-1 (Commercial) zoning; and to the east, there is R-2 (Low Density, Multi-Family Residential) zoning along Oak Street. The residences directly across Helman Street, on the west side of Helman from Van Ness Ave. to the alley, were constructed ranging from 1888 to 1947, and the four homes are listed as "historic contributing" in the National Register of Historic Places nomination.

The site is located in a transitional area with five zoning districts within 500 feet of the site. Helman St. generally divides the commercial and employment zones from the residential districts (R-2 and R-3) to the west. The E-1 district is centered around the railroad tracks with the subject site being the western edge of a larger employment that goes north to Hersey St., east to N. Mountain Ave. and south to mid-block between A and B Streets. The western edge of the R-2 zoning district that includes much of the Railroad District begins on the eastern side of Water St. Finally, the C-1 commercial zoning district begins south of Central Ave. and transitions into the C-1-D downtown commercial zoning district at Lithia Way.

#### **IV. Details of Application**

As mentioned above, the application is a request for an eight-lot commercial subdivision to construct a phased mixed-use development for the three properties at 95 Van Ness Street, 165 Water Street and 160 Helman Street. The applicant's Phase I requests Site Design Review approval for five mixed-use buildings consisting of two ground floor commercial spaces with two residential units above in each building, as well as associated surface parking, utility infrastructure and street improvements. The remaining three building sites would be developed in a later phase.

The application also includes requests for:

- A Physical & Environmental (P&E) Constraints Review Permit because the proposal includes development on severe constraints lands with slopes greater than 35 percent and on floodplain corridor lands.
- A request for an Exception to the Development Standards for Hillside Lands
- A request for a Tree Removal Permit to remove 20 trees on the three properties and within the adjacent rights-of-way.
- A request for an Exception to the Site Development and Design Standards to allow 3,087 square feet of plaza space where the standards require 5,624 square feet.
- A request for an Exception to Street Standards to allow parking bays with street trees in bump-outs along Van Ness Avenue rather than standard park row planting strips.

#### **V. Discussion**

The application materials include written findings in response to the applicable criteria for each of the component requests. The staff discussion below speaks to each of these component requests.

##### ***Subdivision***

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###### ***Access & Minimum Street Frontage***

The "Access & Minimum Street Frontage" standards in AMC 18.2.4.010 require that every lot abut upon a public street other than an alley for at least 40 feet, other than flag partitions or cul-de-sacs. As this is neither, the current Lot 5 configuration does not meet the standard. Planning staff believe that this can be addressed by conditioning any approval to require an eight-foot flag pole connection be provided from Lot 5 out to Helman Street along the alley consistent with the requirements of AMC 18.5.3.060.H. A condition to this effect has been recommended below.

### **Site Design Review**

The applicant's Phase I here requests Site Design Review approval for five mixed-use buildings, with the remaining three building sites to be developed in a later phase. Each of the five proposed buildings would include a shared wall, two-unit commercial office ground floor, and two three-bedroom residences on the upper floors. When all phases are complete, the eight buildings would include a total of 16 residential units above the ground floor commercial spaces.

The Site Design Review approval request here considers the first five buildings as well as associated surface parking, utility infrastructure and street improvements.

The application materials note that seven of the eight buildings are directly adjacent to the public streets with direct connections from the public sidewalks to the entrance of the commercial spaces provided, while one building (Lot #5) is behind a street facing building. This building is accessed from the pedestrian walkways that connect to the public sidewalk.

The application materials further explain that as proposed, 65 percent of the ground floor of each proposed building is commercial with between 1,500 and 1,700 square feet of commercial space, while 35 percent of the ground floor is committed to residential use in the form of garage parking, stairs and circulation.

All proposed parking is noted as being to the side and rear of the buildings, and the residential parking is to be within the footprints of the buildings in enclosed garages. Bicycle parking is noted as being provided throughout the property.

### ***Off-Street Parking Requirements & On-Street Parking Credits***

The application materials note that the proposed development requires 15.72 vehicle parking spaces for commercial uses in Phase One and an additional 9.198 parking spaces for commercial office use in Phase Two for a total of 25 (24.91) off-street parking spaces required for the commercial office uses. In addition, there are 32 off-street parking spaces required for the two/three bedroom residences. The residential parking is to be provided in the garages.

The application proposes to provide a total of 17 of the 25 required commercial off-street parking spaces on site, and to rely on eight on-street parking credits. With the proposed Van Ness Street improvements, seven new on-street parking spaces will be created in bays, in addition to the five on-street spaces available on Water Street and seven on-street spaces present on Helman Street.

Consideration of the 2017 application included lengthy discussion of the appropriate magnitude for a reduction in off-street parking requirements based on on-street credits, based on a recognition that while there was significant street frontage where on-street parking was allowed, there was also a spill-over in parking demand from the nearby downtown during the busiest times. The Planning Commission at that time ultimately determined that an eight space on-street credit was appropriate, particularly given that the applicant was proposing to create additional on-street parking spaces and in staff's view, a similar request here seems reasonable.

### ***Ground Floor Commercial/Residential Split***

In calculating the commercial/residential ground floor space for Buildings 1, 3, 4 and 5, it appears that the hallway and stairs in the lobby area which serve upper floor residential units are being counted entirely as ground floor commercial space, while the actual commercial space is at approximately 56 to 63 percent of the ground floor. In previous actions, this has been an issue and the Planning Commission has sought a more realistic split of lobby space in terms of what portion actually serves the commercial use and what serves the residential use to meet the 65 percent standard. The Planning Commission may wish to make clear if they believe this is an issue which needs to be corrected, or if there needs to be a clarification as to whether there are commercial amenities such as mailboxes in these areas which would explain commercial use.

### ***Adequate Transportation (AMC 18.5.2.050.D) - Traffic Impact Analysis (TIA)***

Site Design Review approval requires a demonstration “... *that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.*” The application materials include narrative mentioning the 2017 Traffic Impact Analysis(TIA), however a new TIA was not submitted with the application materials based on the current proposal.

During a pre-application conference with the applicant in July of 2021, it was explained that city Engineering staff believed that the project was likely to meet at least one of the thresholds at which a TIA is required (50 newly generated peak hour trips, installation of traffic control or geometric improvements, or 20 newly generated heavy vehicle daily trips). A TIA was submitted for the 2017 proposal which involved only 165 Water Street, and Engineering staff asked that a revised TIA be provided or that evidence from a registered engineer be submitted to demonstrate that the TIA thresholds were not met and none was required.

As this staff report is being completed, the applicant has indicated that a Traffic Impact Analysis is forthcoming and should have similar findings to the 2017 analysis and that with re-striping at Water and North Main Streets, there should be no negative traffic impacts. In staff’s view, a finding that adequate transportation can and will be provided cannot be made without the required Traffic Impact Analysis, and that analysis will require review by Engineering staff. As such, staff recommends that the Planning Commission continue the matter until a Traffic Impact Analysis is received, reviewed by Planning and Engineering staff, and a summary of that review provided to the Commission.

### ***Historic District Development Standards and Historic Commission Review***

The subject property is located within the Skidmore Academy Historic District and is subject to the Historic District Development Standards.

As this is being written, the Historic Commission has not yet reviewed the application, but they are scheduled to do so at their regular meeting on March 2, 2022. Their recommendations will be provided to the Planning Commission during the March 8, 2022 public hearing. In the meantime, a condition has been recommended below as a placeholder to incorporate the recommendations of the Historic Commission, where consistent with applicable criteria and standards, in the Planning Commission’s final decision.

**Exception to the Site Development and Design Standards**

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**Plaza Space**

AMC 18.4.2.040.D provides that “*In the Detail Site Review overlay, developments that are greater than 10,000 square feet in gross floor area or contain more than 100 feet of building frontage shall, in addition to complying with the standards for Basic (AMC 18.4.2.040.B) and Detail (AMC 18.4.2.040.C) Site Review, above, conform to the following standards. See conceptual elevation of large scale development in Figure 18.4.2.040.D.1 and conceptual site plan of large scale development in Figure 18.4.2.040.D.2.*” Figure 18.4.2.040.D.1 illustrates an elevation drawing of a single building while Figure 18.4.2.040.D.2 is a site plan view of a development consisting of four buildings around the perimeter of a corner lot with parking and circulation interior to the site.

AMC 18.6.1.030.D defines development as “*All improvements on a site, including alterations to land and new or remodeled structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities.*”

As staff reads the standards, a development includes all proposed structures and as such the current request is for a development greater than 10,000 square feet and as such is subject to the Additional Standards for Large Scale Projects in AMC 18.4.2.040.D, which includes standards for Orientation and Scale, Detail Site Review Plaza Space and Transit Amenities.

The application notes that the proposed building square footages are:

<b>BUILDING</b>	<b>SQUARE FOOTAGE</b>
<b>1</b>	<b>7,156</b>
<b>2</b>	<b>5,749</b>
<b>3</b>	<b>7,156</b>
<b>4</b>	<b>7,156</b>
<b>5</b>	<b>6,959</b>
<b>6</b>	7,156*
<b>7</b>	7,156*
<b>8</b>	7,156*
<b>Total</b>	<b>56,241</b>

\*conceptual

The application materials explain that the total proposed gross floor area is 56,241 square feet, and that the required plaza space is 5,624 square feet. The application includes a request for an Exception to the Site Development and Design Standards to provide 3,087 square feet rather than the required 5,624 square feet. The application materials suggest that while there is not a specific demonstrable difficulty in meeting the standard, “*the result of the exception to the public pedestrian plaza area is that the proposed areas are well designed, incorporating all of the features sought in the plaza area standards and equally achieve the stated purpose which is to create a safe and comfortable environment and to encourage walking and cycling while maintaining high quality development. The proposed uses and smaller than required pedestrian plaza area is consistent with the purpose and intent of the Employment zone which allows for more industrial types of uses than the Commercial zone and higher intensity development than residential zones.*” For staff, the question for the Commission comes down to whether the quality



of the spaces proposed justifies a 2,537 square foot or roughly 45 percent reduction, in the required plaza space for this 51,641 square foot property which is proposed to be completely redeveloped.

**Physical & Environmental (P&E) Constraints Review Permit (18.3.10.050) and Exception to the Development Standards for Hillside Lands (AMC 18.3.10.090.H)**

AMC 18.3.10 deals with the Physical & Environmental Constraints Overlay zones, which include floodplain corridor lands, hillside lands and severe constraints lands.

- **Floodplain corridor lands** are those 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, those lands identified in maps adopted by the Council as provided for in AMC 18.3.10.070, lands which have physical or historical evidence of past flooding, and areas within 20 feet of any stream identified as a Riparian Preservation Creek or within ten feet of any stream identified as a Land Drainage Corridor on the Physical and Environmental Constraints Floodplain Corridor Lands adopted pursuant to AMC 18.3.10.070. Ashland's modified floodplain corridor map adopted pursuant to AMC 18.3.10.070 shows floodplain corridor lands extending into roughly the easternmost 30 feet of 165 Water Street, and the FIRM map has the 500-year floodplain extending onto the site as well.
- **Hillside lands** are those areas defined as Hillside Lands on the 'Physical and Environmental Constraints, Hillside Lands and Severe Constraints' map and which have a slope of 25 percent or greater. The subject property is not within the area identified as Hillside Lands.
- **Severe constraints lands** include all lands with slopes greater than 35 percent. 165 Water Street here has slopes of approximately 65 percent and is considered to be severe constraints lands. Development of these lands is discouraged, and when it occurs it requires a detailed engineering geologic study establishing that the site is stable for the proposed use and development. In addition, the development of severe constraints lands is noted as being subject to the Development Standards for Hillside Lands in AMC 18.3.10.090
- **Wildfire lands** include all lands in the City of Ashland. A condition is recommended below to require a Wildfire Prevention and Control Plan in association with the application, and to limit the future planting of landscaping materials that are on the adopted Prohibited Plants list.

The application here includes a request for a Physical & Environmental (P&E) Constraints Review Permit because the proposal includes development both on floodplain corridor lands and severe constraints lands. The application also requests Exception from the Development Standards for Hillside Lands.

The application explains that there is an embankment along the west property line of 165 Water Street that has slopes in excess of 35 percent, and which generally bisects the parent properties. In the 2017 application, these slopes were described as being approximately 65 percent. The application suggests that the embankment was likely first created by Ashland Creek, and that over the years it has been used to support an irrigation diversion and later a railroad spur.

The application materials include resubmittal of a 2017 “Geotechnical Reconnaissance” letter from Geotechnical Engineer Rick Swanson of Marquess & Associates, Inc. which was provided with the 2017 application. This letter notes that in a 2017 site visit, the engineer did not observe signs or slope instability or seepage from the slope, and goes on to indicate that the slope appeared reasonably stable, and that if future improvements such as a parking lot were set back at least ten feet from the toe of the slope it would be reasonable to leave the slope as is and landscape as desired and that if improvements disturbed the slope, retaining walls to support the disturbance were recommended. The applicant has indicated that due to the short period of time that has passed since the 2017 reconnaissance, no changes to the site geology have occurred that would alter the fact that the slope is stable and not subject to failure, slumping, seepage, etc.

The application materials suggest that after reviewing the hearings adopting the Hillside Ordinance, there was no discussion of their applicability to commercial or employment zoned lands. The applicant asserts that due to the “*unclear and unobjective... seemingly residential standards*” addressing the Development Standards for Hillside Lands for a commercial subdivision and commercial building designs presents unique unusual and difficulties and specifically notes that Exceptions to the following Development Standards for Hillside Lands are necessary: AMC 18.3.10.090.A.1. Buildable Area, AMC 18.3.10.090.B.3 Retention in Natural State, AMC 18.3.10.090.B.4.c. Grading – Cuts, and AMC 18.3.10.090.E. Building Location and Design Standards. *[As the applicant notes, the standards in AMC 18.3.10.090.E are not applicable to the historic districts and as such would not require an exception here in the Skidmore Academy Historic District.]*

The applicant reiterates that the proposed exceptions are for the construction of commercial buildings and the development of the retaining wall along the parking area instead of the unretained slope that is now present. The applicant asserts that the retaining will provide protection to downslope property, and emphasizes that the site is unique because it is zoned Employment but has a small area of steep slopes in the middle of the site. The application materials argue that in order to develop the site in keeping with the standards for Basic Site Review, Detail Site Review, Additional Standards for Large Scale Projects and Historic District Development, encroachment into the steeply sloped area is necessary.

***Development of Severe Constraints Lands***

The 2017 application for 165 Water Street proposed to disturb these slopes and retain them with a retaining wall designed by a structural engineer and reviewed by the project geotechnical expert. This wall was to both enable the proposed development and support future development of the properties above. The application at the time included a request for a single Exception to the Development Standards for Hillside Lands to allow a cut slope in excess of seven feet without terracing. The slope here is eight- to 12-feet in height and the proposed retaining wall at the time was to have been ten- to 12-feet in height, with vegetative screening to reduce the visual impacts. At that time, the Planning Commission recognized that the site was “*relatively unique in being E-1 zoned, outside of the Hillside Lands overlay, with a limited area of Severe Constraints Lands near the rear of the property, and with developable E-1 land both above and below the slope which are to be protected from slope failure with structural retaining to enable development typical of E-1 lands and their associated development and design standards.*”

Since 2017, the proposal has changed and where before there were parking and retaining walls, buildings will now sit on these slopes. The 2017 geo-technical reconnaissance letter is not a complete, detailed engineering geological study establishing that the site is stable for the uses and development now proposed, and the findings seem to include some statements that go beyond the limited scope of the 2017 letter. Additionally, the geotechnical engineer's stamp on the letter provided has now expired. In staff's view, to adequately assess the requested P&E permit and the associated exceptions, a more current and complete engineering geologic study addressing the full requirements of AMC 18.3.10.110.D with geotechnical recommendations specific to the current proposal is first needed.

### **Tree Removal Permit**

The Tree Protection & Removal Plan (**Sheet L0.2**) provided identifies 20 trees on the three subject properties and within the adjacent rights-of-way and proposes to remove them all. The written findings provided explain that:

*“The site is proposed to be fully redeveloped with commercial structures and required parking areas. The amount of site work required to achieve the level of development required in the commercial zone, often necessitates the removal trees that are within the buildable areas of the property. 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.”*

The application notes that mitigation trees are proposed throughout the property, with 27 trees proposed to be planted within the parking lot and open space areas, and 16 new street trees to be planted in the adjacent rights-of-way.

As this is being written, the Tree Commission has not yet reviewed the application, but they are scheduled to do so at their regular meeting on March 3, 2022. Their recommendations will be provided to the Planning Commission during the March 8, 2022 public hearing. In the meantime, a condition has been recommended below as a placeholder to incorporate the recommendations of the Tree Commission, where consistent with applicable criteria and standards, in the Planning Commission's final decision.

### **Exception to Street Standards (AMC 18.4.6.020.B.1)**

The application includes a request for an Exception to the Street Design Standards in order to allow street trees to be provided in bump-outs within the Van Ness Avenue right-of-way rather than five-foot by five-foot street tree grates within the sidewalk corridor in order to enable the placement of parking in bays.

The application explains that Van Ness Avenue has a fairly steep grade adjacent to the existing curbside sidewalk, and the presence of railroad tracks prevent any further improvements on the north side of Van Ness. The application further explains that the existing sidewalk at the intersection of Van Ness Avenue and Helman Street determines the grade of the sidewalk, and that

the proposal would construct on-street parking bays adjacent to the sidewalk and including the required street trees as bump-outs between bays.

The applicant asserts that there will be superior connectivity and transportation facilities for the property and the neighborhood through the installation of sidewalks to city standards on Water Street; the widening of the sidewalks and installation of on-street parking bays and street trees on Van Ness Avenue; the preservation of the existing parkrow on Helman Street, with street trees added; and the construction of ADA-accessible crossings. They further suggest that these treatments will improve the pedestrian experience in terms of both comfort level and safety.

***Exception to the Street Design Standards***

Van Ness Avenue is considered to be a “neighborhood street” in the Transportation System Plan (TSP) and while neither Table 18.4.6.040.F nor the cross-section illustrated in Figure 18.4.6.040.G.4.a. detail on-street parking in bays, the narrative description in AMC 18.4.6.040.G notes that parking “... may be provided in 7 ft bays rather than as a continuous on-street lane.” Neither the table, the figure or the description address the treatment of street trees where parking is provided in bays. In staff’s view, placing street trees within bump-outs in the right-of-way as proposed in order to provide additional public parking in bays while still providing required street trees seems to be in keeping with the intent of the standards and in staff’s assessment and Exception is not required.

**Solar Setback Exception (AMC 18.4.8.020.C)**

As this staff report was being completed, subsequent to the public hearing notice, revised findings were provided which included a request for Solar Setback Exceptions for the buildings on two of the proposed lots. The application explains:

- **Lot 3:** This lot has an average slope of 1.95 downhill to the north. The proposed building requires a 52.54- foot setback from the eave to the north property line. There is a 22- foot setback to the adjacent building on Lot 1 and 13-feet from the property line to the eave where a 50+ foot setback is required.
- **Lot 4:** This lot has an average slope of 3 percent downhill to the north. The building on proposed Lot 4 also requires a solar waiver. The building requires a 51-foot setback where a 24-foot setback to the adjacent building and 10-feet to the property line.

Lots 3 and 4 are at the southeast corner of the site, and both front on Helman Street, and in staff’s experience the average slopes noted by the applicant are fairly typical for properties below Siskiyou Boulevard.

The application materials emphasize that the proposed solar exceptions do not preclude the reasonable use of solar energy on the site, explaining that the shaded lots have ground floor garages and commercial tenant space, and the upper floor residential space will still accommodate passive solar on the east and west elevations and rooftop solar collection devices.

The application asserts that the unique and unusual circumstance on these lots is that the topography of the subject property and the properties to the north where the solar slope is calculated is different for each property, with some lots sloping uphill, some downhill and some with zero slope. The applicant suggests that this creates a unique situation as it is an unusual situation to have numerous slopes on one property depending on the area of the property where solar slope is calculated. The applicant further notes that while the solar ordinance is intended to apply to *habitable* structures, the target use of the zone is Employment uses and only a portion of the structures include habitable space. The applicant concludes that the proposed lots exceed minimum lot dimensions to satisfy the solar access performance standards, however the building heights proposed would need to be substantially less than the allowed height in the zone. The proposed shading is upon commercial buildings that include a habitable space which is a unique situation. If the buildings were on one lot or fee simple parcels, the solar setback standards would not apply but with a subdivision that creates individual, more restrictive standards apply.

#### ***Solar Access Exception***

The Solar Access Ordinance (AMC 18.4.8) generally seeks to have lots configured and building's designed to "*provide protection of a reasonable amount of sunlight from shade from structures and vegetation whenever feasible to all parcels in the City to preserve the economic value of solar radiation falling on structures, investments in solar energy systems, and the options for future uses of solar energy.*" The ordinance methodology takes into account the unique topography directly north of the subject property and the solar angle unique to the Ashland area in order to determine how a specific proposed building will impact the specific property to its north, and often means that roof pitches and roof forms must be adjusted, gables reoriented, and taller building masses placed at the southernmost portion of a property. Recognizing that solar access can significantly limit design options in an urban setting, the Solar Access ordinance exempts any lot in the C-1-D, CM, and NM-C zones, and properties in the C-1 zone not abutting a residential zone, from the solar setback standards while all other commercial properties in the C-1, E-1 and M-1 zones are held to "Standard B" which allows a 16-foot shadow height at the property line. As the applicant notes, a different lot configuration or building design could potentially not require an exception, however here the applicant is proposing generally similar building designs and roof forms for all five buildings rather than designing individual buildings unique to each proposed lot. In staff's view, the question here is whether the Commission believes an exception is merited to accommodate the building designs proposed, or if the Commission believes the designs for the buildings on these two lots should be adjusted in order to preserve the full solar access required in the E-1 zone.

## **VI. Approval Criteria**

**The criteria for preliminary plat approval for a Subdivision are detailed in Ashland Municipal Code (AMC) 18.5.3.070 as follows:**

- A. ***Approval Criteria.*** *The approval authority, pursuant to subsection 18.5.3.030.A, may approve, approve with conditions or deny a preliminary subdivision plat on findings of compliance with all of the following approval criteria.*

1. *The subdivision plan conforms to applicable City-adopted neighborhood or district plans, if any, and any previous land use approvals for the subject area.*
  2. *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).*
  3. *Access to individual lots necessary to serve the development shall conform to the standards contained in section 18.4.3.080 Vehicle Area Design.*
  4. *The proposed streets, utilities, and surface water drainage facilities conform to the standards in chapter 18.4.6, and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.*
  5. *All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas (e.g., landscaping, tree preservation, common areas, access, parking, etc.) is ensured through appropriate legal instrument (e.g., Covenants, Conditions and Restrictions (CC&R's)).*
  6. *Required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.*
- B. *Conditions of Approval. The approval authority may attach such conditions as are necessary to carry out provisions of this ordinance, and other applicable ordinances and regulations.*

**The criteria for approval of a Site Design Review permit are detailed in Ashland Municipal Code (AMC) 18.5.2.050 as follows:**

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

*exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.*

**The criteria for approval of an Exception to the Street Design Standards are detailed in AMC 18.4.6.020.B.1 as follows:**

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

**The criteria for approval of a Physical & Environmental (P&E) Constraints Review Permit are detailed in the Ashland Municipal Code (AMC) 18.3.10.050 as follows:**

- 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.*

**The criteria for approval of an Exception to the Development Standards for Hillside Lands are detailed in Ashland Municipal Code (AMC) 18.3.10.090.H as follows:**

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.*
2. *The exception will result in equal or greater protection of the resources protected under this chapter.*
3. *The exception is the minimum necessary to alleviate the difficulty.*
4. *The exception is consistent with the stated Purpose and Intent of chapter 18.3.10, Physical and Environmental Constraints Overlay, and section 18.3.10.090, Development Standards for Hillside Lands.*

**The criteria for approval of a Solar Access Exception are detailed in AMC 18.4.8.020.C as follows:**

- 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. (Ord. 3147 § 8, amended, 11/21/2017).*

**The criteria for approval of a Tree Removal are detailed in AMC 18.5.7.040.B.2 as follows:**

- 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.*
- 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.*

## **VII. Conclusions and Recommendations**

The subject property here is a complex one given its location within the Employment zone and Detail Site Review and Historic overlay zones. It is subject to a high level of urban design review, but is also located partly within Ashland Creek's floodplain corridor lands and contains areas that are considered to be severely constrained by their steep slopes. In addition, the property is located at the outer edge of the Ashland Skidmore Academy Historic District in a transitional area where there are five zoning districts (R-2, R-3, E-1, C-1 and M-1) in the vicinity. Development of the site must balance all of these elements while addressing sometimes contradictory standards, and in staff's view, some degree of exception to standards will be necessary with any development of the site.

In staff's assessment, there are still additional items needed to complete the Commission's review of the application. Without a Traffic Impact Analysis and Geotechnical Report, and time to review them, staff does not believe that findings can be made that all applicable criteria have been



satisfied, however staff believed it was worthwhile to begin the public process, solicit comments from both the Tree and Historic Commissions, and provide the Planning Commissioners with an opportunity to familiarize themselves with the site and proposal and weigh in on key issues including the Exceptions to the Site Development and Design, Solar Access and Hillside standards.

In staff's view, the application should be continued to allow for submittal and review of the additional information identified herein, however should the Planning Commission determine that the required approval criteria have been satisfactorily addressed, staff recommends that the following conditions be attached to any approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise specifically modified herein.
- 2) That the plans submitted for the building permit shall be in conformance with those approved as part of this application. If the plans submitted for the building permit are not in conformance with those approved as part of this application, an application to modify this Site Design Review approval shall be submitted and approved prior to the issuance of a building permit.
- 3) That all recommendations of the Ashland Tree Commission from their March 3, 2022 meeting, where consistent with the applicable ordinances and standards and with final approval of the Staff Advisor, shall be conditions of approval unless otherwise modified herein.
- 4) That all recommendations of the Ashland Historic Commission from their March 2, 2022 meeting, where consistent with the applicable ordinances and standards and with final approval of the Staff Advisor, shall be conditions of approval unless otherwise modified herein.
- 5) That prior to the installation of any signage, a sign permit shall be obtained. All signage shall meet the requirements of the Sign Ordinance (AMC 18.4.7).
- 6) That all requirements of the Fire Department shall be satisfactorily addressed, including approved addressing (OFC 505); commercial fire apparatus access including angle of approach and any necessary fire apparatus or shared access easements (OFC 503.2.8); limitations on the installation of gates or fences; fire flow (OFC Appendix B, Table B105.1); fire hydrant clearance; fire department connection (FDC); a Knox key box; and fire sprinklers where required for mixed-use buildings or due to access constraints.
- 7) That a Fire Prevention and Control Plan addressing the General Fuel Modification Area requirements in AMC 18.3.10.100.A.2 of the Ashland Land Use Ordinance shall be provided prior to bringing combustible materials onto the property, and any new landscaping proposed shall comply with these standards and shall not include plants listed on the Prohibited Flammable Plant List per Resolution 2018-028.
- 8) That mechanical equipment shall be screened from view from surrounding rights-of-way, and the location and screening of all mechanical equipment shall be detailed on the building permit submittals.
- 9) That the front entrances of ground floor commercial spaces adjacent to Van Ness Avenue, Helman Street and Water Street shall remain functional and open to the public during all business hours, and the windows on the ground floor, including those adjacent to public plaza spaces, shall not be tinted so as to prevent views into

- the interior of the commercial spaces.
- 10) That all measures installed for the purposes of long-term erosion control, including but not limited to vegetative cover, rock walls, retaining walls and landscaping shall be maintained in perpetuity on all severe constraints lands.
  - 11) That prior to the installation of stairs, parking, or utility infrastructure within the public alley right-of-way, an encroachment permit from the Ashland Public Works Department shall be obtained. Stairs, transformers and any other improvements within the alley right-of-way shall be located so as to accommodate and not interfere with any neighbor's already approved circulation plan. A final revised site plan illustrating the placement of these proposed improvements shall be provide for the review and approval of the Public Works/Engineering Department and Staff Advisor prior to the issuance of an encroachment permit.
  - 12) If necessary to accommodate or align required street frontage improvements, the area for required street improvements shall be dedicated as public street right-of-way or a public pedestrian access easement provided as deemed appropriate by the Engineering Division and Staff Advisor. The right-of-way dedication or easement shall be submitted for review and approval of the Planning and Engineering Divisions prior to signature of the final survey plat.
  - 13) That prior to the submittal of a final survey plat for review and signature:
    - a. All easements including but not limited to public and private utilities, public pedestrian access, fire apparatus access, and reciprocal utility, maintenance, and access shall be indicated on the final survey plat as required by the Ashland Engineering Division.
    - b. Final stormwater drainage, grading, erosion and sediment control plans for the review and approval of the Engineering, Building and Planning Departments. The stormwater plan shall address Public Works/Engineering standards requiring that post-development peak flows not exceed pre-development levels. Any necessary drainage improvements to address the site's stormwater shall be provided at the applicants' expense. Storm water from all new impervious surfaces and run-off associated with peak rainfall events must be collected on site and channeled to the city storm water collection system (*i.e., curb gutter at public street, public storm pipe or public drainage way*) or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals.
    - c. A final utility plan for the project for the review and approval of the Engineering, Planning and Building Divisions. The utility plan shall include the location of any necessary connections to public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Meters, cabinets, vaults and Fire Department Connections shall be located outside of pedestrian corridors and in areas least visible from streets, sidewalks and pedestrian areas, while considering access needs. Any necessary service extensions or upgrades shall be completed by the applicant at applicant's expense, and the applicants shall obtain all necessary permits and inspections from the Public Works/Engineering

- Department for work to be completed within the public rights-of-way.
- d. An electric design and distribution plan including load calculations and locations of all primary and secondary services including any transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric, Engineering, Building and Planning Departments prior to the issuance of excavation or building permits. Transformers, cabinets and vaults shall be located outside the pedestrian corridor in areas least visible from streets, sidewalks and pedestrian areas, while considering the access needs of the Electric Department. Any necessary service extensions or upgrades shall be completed at the applicant's expense.
  - e. That the engineered construction drawings for the public sidewalk along Water Street shall be submitted for review and approval of the Ashland Planning and Engineering Divisions prior to work in the street right-of-way and prior to installation of improvements in the pedestrian corridor. The sidewalk shall be a minimum of eight feet in width with five-foot hardscape parkrows with irrigated street trees in five-foot by five-foot tree grates the sidewalk and the curb. All frontage improvements, including but not limited to the sidewalk, street trees, and street lighting, shall be constructed across the entire Water Street frontage of the site. The sidewalk shall be constructed to City of Ashland Street Standards, and shall be installed in *San Diego Buff* color as required in the historic districts.
  - f. That the engineered construction drawings for the public sidewalk along Van Ness Avenue shall be submitted for review and approval of the Ashland Planning and Engineering Divisions prior to work in the street right-of-way and prior to installation of improvements in the pedestrian corridor. The sidewalk shall be a minimum of six-feet in width where bays are proposed and shall be installed according to the configuration approved herein. All frontage improvements, including but not limited to the sidewalk, parking bays, street trees in bump-outs, and street lighting, shall be constructed across the entire Van Ness Avenue frontage of the site. The sidewalk shall be constructed to City of Ashland Street Standards, and shall be installed in *San Diego Buff* color as required in the historic districts.
  - g. That engineered construction drawings for the public sidewalk along Helman Street shall be submitted for review and approval of the Ashland Planning and Engineering Divisions prior to work in the street right-of-way and prior to installation of improvements in the pedestrian corridor for any modifications of the Helman Street pedestrian corridor. At a minimum, the existing sidewalks and parkrow configuration on Helman Street shall be maintained, and new street trees with irrigation shall be planted in the parkrow across the entire Helman Street frontage of the site. Any newly constructed sidewalk within the historic districts shall be installed in *San Diego Buff* color as required in the historic districts.
  - h. That the tract of land shall be surveyed and the final survey plat shall be submitted to the city for review and signature within 18 months of the final decision date of the preliminary partition plat.

- 14) That prior to the signature of the final survey plat:
- a. That prior to the signature of the final survey plat, the applicant shall provide signed and notarized solar access release forms for recording on the property deeds in conjunction with the plat recording as required in AMC 18.4.8.020.C.1.a.
  - b. That street trees, 1 per 30 feet of street frontage, shall be installed on the Helman, Van Ness and Water Street frontages prior to final building inspection approval or the issuance of a certificate of occupancy. All street trees shall be chosen from the adopted Street Tree List and shall be installed in accordance with the specifications noted in Section E of the Site Design and Use Standards. The street trees shall be irrigated.
  - c. All utility service and equipment installations shall be completed according to Electric, Public Works/Engineering, Planning, and Building Departments' specifications, inspected and approved by the Staff Advisor.
  - d. Sanitary sewer laterals, water services including connection with meters at the street, and underground electric services shall be installed according to the approved plans to serve all units.
  - e. That all public improvements including but not limited to the street frontage improvements, alley, sidewalk, street trees, and street lighting shall be installed to City of Ashland standards under permit from the Public Works Department and in accordance with the approved plan.
  - f. That common area and open space improvements be installed or bonded for in accordance with the procedures in the Subdivision chapter prior to signature of Final Survey Plat.
  - g. That the applicants shall sign an agreement to participate proportionally in the cost of installation in the installation of a traffic signal at Water and North Main Streets through the creations of a Local Improvement District or similar mechanism, or provide for an alternative means of mitigation acceptable to the Public Works/Engineering Division. Nothing in this condition is intended to prohibit an owner/developer, their successors or assigns from exercising their rights to freedom of speech and expression by orally objecting or participating in the LID hearing or to take advantage of any protection afforded any party by City ordinances and resolutions.
  - h. That any CC&Rs or similar maintenance agreement shall be provided for the review and approval of the Staff Advisor prior to signature of the final survey plat. This agreement shall describe the responsibility for the maintenance of all common use-improvements including landscaping, parking areas, driveways, planting strips and street trees. The CC&Rs or maintenance agreements shall state that deviations from the approved plan shall be considered a violation of the Planning Application approval and therefore subject to penalties described in the Ashland Municipal Code.
- 15) That building permit submittals shall include:
- a) The identification of all easements, including but not limited to public or

- private utility, drainage, access or parking easements, fire apparatus access easements, and public pedestrian access easements.
- b) The identification of exterior building materials and paint colors for the review and approval of the Staff Advisor. Colors and materials shall be consistent with those approved in the application, and very bright or neon paint colors shall not be used.
  - c) Specifications for all exterior lighting fixtures. Exterior lighting shall be selected, placed and directed on the property to avoid directly illuminating adjacent properties.
  - d) Final revised Site, Landscape and Irrigation plans shall be provided for the review and approval of the Staff Advisor with the building permit submittals. These revised plans shall address: 1) The recommendations of the Tree Commission from their March 3, 2022 meeting where consistent with applicable criteria and standards, and with final approval by the Staff Advisor; 2) a final size- and species-specific planting and irrigation plan, including the requirements for programmable automatic timer controllers and a maintenance watering schedule with seasonal modifications; 3) final lot coverage and required landscaped area calculations, including all building footprints, driveways, parking, and circulation areas, and landscaped areas. Lot coverage shall be limited to no more than 85 percent, and the calculations shall demonstrate that the requisite 15 percent landscaping and seven percent parking lot landscaping are provided;
  - e) Identification and placement of required bicycle parking. Inverted u-racks shall be used for the outdoor bicycle parking, and all bicycle parking shall be installed in accordance with the standards in 18.4.3.070.I, inspected and approved prior to the issuance of the certificate of occupancy. The building permit submittals shall verify that the bicycle parking spacing and coverage requirements are met.
  - f) Retaining walls and building foundations to be constructed on severe constraints lands shall be designed by an engineer or architect with demonstrable geotechnical design experience, and written verification from the project geotechnical expert addressing the consistency of the building permit submittals with the geotechnical report recommendations (e.g. grading plan, storm drainage plan, erosion control plan, etc.) shall be provided with the building permit submittals.
  - g) That a detailed inspection schedule listing the inspections necessary to verify compliance with the geotechnical recommendations for the project shall be provided by the project geotechnical expert with the building permit submittals.
  - h) Solar setback calculations demonstrating that all new construction not granted exceptions herein complies with Solar Setback Standard B in the formula **[(Height – 16)/(0.445 + Slope) = Required Solar Setback]** and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and the height(s) from natural grade.

- 17) That prior to the issuance of the building permit, the commencement of site work including staging or the storage of materials:
- a) A Tree Verification Permit shall be obtained. Trees to be removed shall be tagged and tree protection measures installed according to the approved plan, inspected and approved by Staff Advisor. The Verification Permit is to verify tree identification prior to removal and to inspect the installation of tree protection fencing for the trees to be retained and protected. Tree protection measures shall be in the form of chain link fencing six feet tall, installed and maintained in accordance with the requirements of AMC 18.4.5.030.C.
  - b) That all necessary building permits fees and associated charges, including permits and connections fees for new, separate, underground electrical services to each proposed unit, and system development charges for water, sewer, storm water, parks, and transportation shall be paid.
- 18) That prior to the final approval of the project or issuance of a certificate of occupancy:
- a) That all hardscaping and landscaping improvements including plaza spaces, landscaping, and the irrigation system shall be installed according to the approved plan, inspected, and approved by the Staff Advisor. Replacement trees to mitigate the trees removed shall be planted and irrigated according to the approved plan.
  - b) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent residential properties.
  - c) Screening for the trash and recycling enclosure shall be installed in accordance with the Site Design and Use Standards, and an opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure as required in AMC 18.4.4.040.
  - e) That the project geotechnical expert shall inspect the site according to the inspection schedule, and prior to final building inspection approval or the issuance of the certificate of occupancy, the geotechnical expert shall provide a final report indicating that the approved grading, drainage and erosion control measures were installed as per the approved plans, and that all scheduled inspections were conducted by the project geotechnical expert periodically throughout the project.
  - f) That inverted u-racks shall be used for the bicycle parking. All bicycle parking shall be installed in accordance with design and rack standards in 18.4.3.070.I and J prior to final building inspection approval or the issuance of the certificate of occupancy. The building permit submittals shall verify that the bicycle parking spacing and coverage requirements are met in accordance with 18.4.3.070.I.
- 19) That new driveway approaches shall be permitted through the Engineering Division and are required to be separated from existing driveways and each other by a

minimum of 24-feet per City Street Standards. The driveway curb cuts shall be installed, inspected and approved, and any old/unused approaches removed, prior to final building inspection approval or the issuance of a final certificate of occupancy.

- 20) That the second phase which includes the development of buildings on Lots 6, 7 and 8 is not approved here and shall require separate land use approval.

## Michael Sullivan

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**From:** Jim North <JimNorth@johnlscott.com>  
**Sent:** Wednesday, March 02, 2022 10:21 AM  
**To:** Planning Commission - Public Testimony  
**Cc:** Derek Severson  
**Subject:** March 8 PC Hearing Testimony  
**Attachments:** 2022\_03\_02\_09\_10\_36.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL SENDER]

### Planning Commission:

In the previous Planning Action PA-2017-00200 I brought to the attention of Staff and at the Public Hearing the Access Easement I have on the subject property. I have attached the following listed information with pertinent sections highlighted.

1. Survey of my property showing location of Easement.
2. Copy of email (dated May 03, 2017) from Derek Severson referencing my existing circulation which utilizes the Easement.
3. Notice of Final Decision for PA-2017-00200 with highlighted sections on pages #9 and #16 referencing the Easement area.

I want to make sure my existing circulation plan and use of my Easement will not be impaired/restricted by this development. I feel the property/area is well suited for mixed use type of buildings. Please confirm receipt and thanks for your assistance.

Regards, Jim

Jim & Debi North  
85 Central Avenue  
OR 97520-1787 USA  
541.488.3456 - Residence  
541.944.1112 - Jim's cell  
541.944.1522 – Debi's cell  
[debrajoynorth@gmail.com](mailto:debrajoynorth@gmail.com)  
[jimnorth@ashlandrealestate.com](mailto:jimnorth@ashlandrealestate.com)  
[jimnorth@johnlscott.com](mailto:jimnorth@johnlscott.com)



PLAT BOUNDARY

VAIL BUILDING CONDOMINIUM

LYING SITUATE WITHIN  
SOUTHWEST QUARTER OF SECTION 4,  
TOWNSHIP 39 SOUTH, RANGE 1 EAST,  
WILLAMETTE MERIDIAN, CITY OF ASHLAND,  
JACKSON COUNTY, OREGON



MONUMENT DETAIL  
2" CONCRETE REINFORCED  
5/8" x 5/8" IRON PIN

WES & LUCINDA VAIL

OWNER  
CENTRAL ASHLAND  
ASHLAND, OREGON 97520

SCALE: 1" = 40'

I HEREBY CERTIFY THAT THIS PLAT  
IS AN EXACT COPY OF THE ORIGINAL

Shawn Kampmann  
SURVEYOR

DETAIL "B"  
SCALE: 1" = 20'

LEGEND

- 3" BRASS CAP MARKED "CITY OF ASHLAND" IN MONUMENT WELL (REPLACED SANDSTONE) PER SN 879 (RECOVERED)
- 3/4" IRON PIPE IN MONUMENT WELL PER SN 13415, 15662, 15663
- 5/8" x 5/8" IRON PIN w/ ALUMINUM CAP MARKED "INITIAL POINT" "KAMMANN P.L.S. 2887" (ESTABLISHED)
- 3/8" x 1" CONCRETE "MAG" NAIL AND 1" BRASS WASHIR STAMPED "POLARIS LS 2887" IN CONCRETE WALL (ESTABLISHED)
- 5/8" x 24" IRON PIN w/ ORANGE PLASTIC CAP MARKED "127" PER SN 15941 & 15942
- 127" IRON PIPE w/ YELLOW PLASTIC FLAG MARKED "STEINWARTLS 2057" PER SN 14714 (RECOVERED)
- 5/8" IRON PIN w/ ALUMINUM CAP MARKED "SWAIN LS 759" PER SN 5795 (RECOVERED)
- 5/8" IRON PIN w/ RED PLASTIC CAP MARKED "WTT. COR. ALS 759" PER SN 5941 & 8279 (RECOVERED)

- PROPERTY LINE
- BOUNDARY LINE
- CENTERLINE
- EXTERIOR BUILDING WALL
- GENERAL COMMON ELEMENT
- LIMITED COMMON ELEMENT
- SQUARE FEET
- PARKING SPACE LGE

- OFFICIAL RECORD, JACKSON COUNTY RECORDER
- DEED RECORD, VOLUME 7 PAGE 1, JACKSON COUNTY RECORDER
- WITHNESS CORNER REFERENCE MONUMENT, AS DESCRIBED
- BOUNDARY LINE AGREEMENT, AS DESCRIBED
- SURVEY RECORD PER SN 8279 (EVERETT L. SWAIN)
- SURVEY RECORD PER SN 15602 (MARTIN C. STEWART)
- DEED RECORD PER O.R. 91-12942, 01-04747 & 2005-011117
- DEED RECORD PER VOLUME 268, PAGE 443

BASIS OF BEARING

FROM MONUMENT TO THE CENTERLINE OF SECTION 4, AS DERIVED FROM THE A.C.O.A. SET ESTABLISHED IN 1984 AND ON FILE IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR. THE REFERENCE BEARING FOR THIS SURVEY IS CENTERLINE OF HELMAN STREET HAVING A RECORD PLAT BEARING OF 129.41° PER O.R. 91-12942, 01-04747 & 2005-011117 IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR.

TABLE OF CURVES

FLAG	Δ	R	A	T	CHORD
①	M 4°57'19"	425.28'	111.01'	55.82'	S 05°15'31"W - 110.60'
②	O 0°22'52"	425.28'	54.79'	27.43'	S 01°28'37"W - 54.75'
③	O 0°7'34'27"	425.28'	56.22'	28.15'	S 08°53'17"W - 56.18'
④	O 0°22'33"	2277.01'	173.62'	7.81'	S 12°32'42"E - 15.62'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
Shawn Kampmann  
OREGON  
NO. 11411  
SHAWN KAMPMANN  
RENEWAL DATE: 6/30/2009

RECEIVED  
Date 2-1-08 By Bde  
This survey consists of  
4 sheet(s) Map  
0 page(s) Narrative  
JACKSON COUNTY  
SURVEYOR

SURVEYED BY:  
POLARIS LAND SURVEYING LLC  
P.O. BOX 459  
ASHLAND, OREGON 97520  
(541) 482-5009  
DATE: JUNE 8, 2007  
PROJECT NO. 435-07

## Jim North

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**From:** Derek Severson <derek.severson@ashland.or.us>  
**Sent:** Wednesday, May 3, 2017 8:18 AM  
**To:** Jim North  
**Subject:** Re: Water and Van Ness  
**Attachments:** Water\_165\_PA-2017-00200\_AmendedSubmittal.pdf

Jim,

Their revisions did not really address the issues you had raised; they were focused on showing additional parking in the basement to address the concerns raised at the Planning Commission hearing. I've attached what they provided, but it's a pretty big file.

I'm finishing the staff report for Planning Commission this morning and will include a condition to the effect that they move the stairs, transformer and other facilities to preserve your existing circulation. As soon as the staff report is done, we'll prepare packets for the Planning Commission and post on-line.

- Derek

Derek Severson, *Senior Planner*  
City of Ashland, Department of Community Development  
51 Winburn Way, Ashland, OR 97520  
**PH:** (541) 552-2040 **FAX:** (541) 552-2050 **TTY:** 1-800-735-2900  
**E-MAIL:** derek.severson@ashland.or.us

*This e-mail transmission is the official business of the City of Ashland, and is subject to Oregon's public records laws for disclosure and retention. If you've received this e-mail in error, please contact me at (541) 552-2040. Thank you.*

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**From:** Jim North <jimnorth@johnlscott.com>  
**Sent:** Wednesday, May 3, 2017 5:58:00 AM  
**To:** Derek Severson  
**Subject:** Water and Van Ness

Derek,

Did you say the Applicant of the subject property submitted a revised plan. If so has it by upload to City web site? If not can you send me PDF.

Thanks, Jim

Jimnorth@johnlscott.com

Sent from my BlackBerry 10 smartphone.

June 14, 2017

**Notice of Final Decision**

The Ashland Planning Commission has approved the request for the following:

**Planning Action:** PA-2017-00200  
**Subject Property:** 165 Water Street (*corner of Van Ness & Water Streets*)  
**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.

The Planning Commission's decision becomes final and effective ten days after this Notice of Final Decision is mailed. Approval is valid for a period of 18 months and all conditions of approval identified on the attached Findings are required to be met prior to project completion.

The application, all associated documents and evidence submitted, and the applicable criteria are available for review at the Ashland Community Development Department, located at 51 Winburn Way. Copies of file documents can be requested and are charged based on the City of Ashland copy fee schedule.

This decision may be appealed to the Ashland City Council if a Notice of Appeal is filed prior to the effective date of the decision and with the required fee (\$325), in accordance with section 18.5.1.060.I of the Ashland Municipal Code, which is also attached. The appeal may not be made directly to the Oregon Land Use Board of Appeals.

If you have any questions regarding this decision, please contact Derek Severson in the Community Development Department at (541) 488-5305.

cc: Parties of record





Staff have noted that the southernmost parking spaces (spaces numbered 11-16 on Sheet A0.1) utilize the alley's 16-foot width as their back-up space. The back-up dimension required by code is 22 feet, and there is no provision for a reduction for compact spaces. The application calls out a typical compact car turn radius to illustrate that these compact eight-foot by 16-foot spaces will functionally accommodate circulation for compact cars. To address this issue, a condition (#20) has been included to require that the Public Works/Engineering Department review the turning radius illustrated by the applicants for the compact spaces off the alley, and if it is determined to be safe and functional the radius proposed shall be accepted as is. In the event that Public Works/Engineering determines that an additional back-up area or a larger radius is needed, the site plan would need to be modified by the applicants to accommodate the necessary back-up area/radius prior to proceeding with the development.

During the course of the April hearing, the uphill neighbor Jim North noted that his building was approved with parking which utilized the alley right-of-way from Helman Street as part of the back-up space, and that he had easements allowing for circulation across the alley and onto the adjacent property. He noted that the stairway and electrical facilities proposed by the applicants encroaching into the alley right-of-way also encroached into his already-approved back-up area, and he asked that the plans be adjusted to accommodate his circulation requirements. The applicants have been provided with the materials detailing Mr. North's approved site plans and associated easements and his contact information, and a condition (#14) has been included below to require that the stair, transformer and any other improvements within the alley right-of-way be located so as to accommodate the neighbor's already approved circulation plan.

The fourth criterion for the approval of a Site Design Review permit is that, "*The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.*" The application materials provided indicate that adequate capacity of facilities is available and will be provided to the subject property, including:

- **Water:** The application materials note that there are 16-inch water mains in place within both adjacent rights-of-way (Water Street and Van Ness Avenue) and asserts that these mains are adequate to serve the proposal.
- **Sewer:** The application indicates that there is an eight-inch sanitary sewer line within Water Street, that the Wastewater Department has indicated that there are no capacity issues with the line to serve the project, and that new connections to this line will be provided by the applicants.
- **Electricity:** The application explains that substantial upgrades are required to provide electrical service to the site, and that power will be taken from an existing pole at Water Street and Van Ness Avenue, with a new transformer and junction box installed on site and easements to accommodate the public facilities installed on private property. The applicants further indicate that solar panels will be installed on the building to off-set electrical demand.
- **Storm Drainage:** The application indicates that there is a 12-inch storm sewer main in Van Ness Avenue and a 10-inch storm sewer main in Water Street, and notes that because post-development peak stormwater flows are not allowed to exceed pre-development levels there should be little discernible impact on the storm sewer.

- property line.
- 11) That any changes of use that would alter the parking allocations detailed in the applicants parking plan shall be provided for the review and approval of the Staff Advisor to determine whether further land use review is necessary to insure that adequate parking remains available.
  - 12) That with the exception of the 18 mechanical lift spaces which are to be reserved for the third floor condominiums, all other parking spaces shall remain available for vehicle parking and shall not be reserved, gated or have access otherwise limited or restricted to specific users or be used for vehicle or material storage, as required in AMC 18.4.3.110. This limitation shall be reflected in the project CC&R's.
  - 13) That all measures installed for the purposes of long-term erosion control, including but not limited to vegetative cover, rock walls, retaining walls and landscaping shall be maintained in perpetuity on all severe constraints lands.
  - 14) That prior to the installation of stairs, parking, or utility infrastructure within the public alley right-of-way, an encroachment permit from the Ashland Public Works Department shall be obtained. The stairs, transformers and any other improvements within the alley right-of-way shall be located so as to accommodate and not interfere with the neighbor's already approved circulation plan. A revised site plan illustrating the placement of these proposed improvements shall be provide for the review and approval of the Public Works/Engineering Department and Staff Advisor prior to the issuance of an encroachment permit.
  - 15) If necessary to accommodate or align required street frontage improvements, the area for required street improvements shall be dedicated as public street right-of-way or a public pedestrian access easement provided as deemed appropriate by the Engineering Division and Staff Advisor. The right-of-way dedication or easement shall be submitted for review and approval of the Ashland.
  - 16) That building permit submittals shall include:
    - a) The identification of all easements, including but not limited to public or private utility or drainage easements, fire apparatus access easements, and public pedestrian access easements.
    - b) The identification of exterior building materials and paint colors for the review and approval of the Staff Advisor. Colors and materials shall be consistent with those described in the application, and very bright or neon paint colors shall not be used.
    - c) Specifications for all exterior lighting fixtures. Exterior lighting shall be directed on the property and shall not directly illuminate adjacent proprieties.
    - d) Revised Site, Landscape and Irrigation shall be provided for the review and approval of the Staff Advisor with the building permit submittals. These revised plans shall address:
      - 1) The recommendations of the Tree Commission from their April 6, 2017 meeting where consistent with applicable criteria and standards, and with final approval by the Staff Advisor;
      - 2) a final size- and species-specific planting and irrigation plan, including the requirements for programmable automatic timer controllers and a maintenance watering schedule with seasonal modifications;
      - 3) final lot coverage and required landscaped area calculations, including all building footprints, driveways, parking, and circulation areas, and landscaped areas. Lot coverage shall be limited to no more than 85 percent, and the calculations shall demonstrate that the requisite 15 percent landscaping and seven percent parking lot landscaping are provided;
      - 4) The recommendations of the Historic Commission

## FW: PA-T2-2022-00237 - May we have impartial meetings

Bill Molnar <bill.molnar@ashland.or.us>

Thu 2022-02-24 03:15 PM

To: Derek Severson <derek.severson@ashland.or.us>

Cc: Brandon Goldman <brandon.goldman@ashland.or.us>

I'll notify the entire Council of the need to refrain from discussing or reviewing information related to this quasi-judicial action before the PC, as it would be subject to rules regarding ex parte communications outside the public hearing process.

---

**From:** Mark Brouillard <MTBrouillard@msn.com>

**Sent:** Thursday, February 24, 2022 2:59 PM

**To:** Shaun Moran <Shaun.Moran@council.ashland.or.us>; Stephen Jensen <stephen@council.ashland.or.us>;

Paula Hyatt <Paula.Hyatt@council.ashland.or.us>

**Cc:** Bill Molnar <bill.molnar@ashland.or.us>; Julie Akins <julie@council.ashland.or.us>

**Subject:** PA-T2-2022-00237 - May we have impartial meetings

[EXTERNAL SENDER]

To Council Liaisons, Planning Department, and Mayor,

I am asking that we have impartial meetings with regards to PA-T2-2022-00237. There are very specific reasons for this. During the last go around with what is being proposed (it was for 95 Van Ness Street - PA-T1-2018-0033) a proclamation was made by a presenter (Rogue Planning) and laughed at and mocked by the historic commission members. That proclamation was "now that there aren't any pesky home owners here we might get something accomplished." I was present at the meeting as a homeowner and made an objection to it (being labeled as a pesky homeowner). But, the attending historic commission members laughed at it and I guess they thought it was entertaining. To me and others it showed bias.

Again, we are having another new PA with regards to the subject properties at 95 Van Ness, 160 Helman, and 165 Water. We as neighbors thought we had gotten past the prior two approvals (much to the objections of the neighborhood) for 95 Van Ness and 160 Helman. We had all gotten used to the idea of having (2) 40 foot tall buildings across the street from us to now trying for 5 massive buildings that offer no affordable housing, unless you call a million dollars per condo affordable (8 buildings in total with 3 being on 165 Water).

Those of us who have been around long enough on Helman have seen the City not be totally truthful with the neighborhood. Look into the notes and building plans for The Plaza Inns & Suites (on Helman Street and Central Avenue). One building we never saw the plans for and when the open house happened, Mayor DeBoer asked what we thought about the buildings; he was asked where it was on the plans. They were not there. Bill Molnar's predecessor told us that the City wouldn't let another 3 story building happen on Helman Street after the Plaza fiasco.

Our original suggestion for the now 95 Van Ness Avenue building would be to make it the height limit of the historic district, which is 30 feet. It should have a setback as well. The type of building that they are wanting to build is one that is better suited for the Clear Creek Drive area.

Here are our other concerns (again) with the project:

In our opinion the buildings do not meet the basic requirements of AMC 18.4.2.050. First, the buildings will be considerable taller than the “historic buildings in the vicinity” pursuant to 18.4.2.050.B.2. The buildings, in our opinion, also does not meet the criteria for the following sections: 18.4.2.050. B.3, B.4, B.5, B.6, B.7, B.8, B.9, and B.10.

We also believe that according to AMC 18-2.3.130.A which states that “Dwellings in the E-1 zone are limited to the R-overlay zone. See chapter 18-3.13 Residential Overlay.” This property is not in the residential overlay (figure 18.3.13.010) and should be held to R-2 standards. If this holds true, and with the Historic District overlay, the maximum height is to be 30 feet not the 39.5 feet that is planned. It would also need the proper setbacks as well. Having a building directly at the edge of the sidewalk also does not fit with AMC 18.4.2.050.B.6.

Again, the main topic is to have impartial meetings with regards to PA-T2-2022-00237, and yes I do understand that the public is allowed their opinion. But when the commissions find it funny then we have unintended bias.

Respectfully,

Mark and Donna Brouillard  
159 Helman Street  
Ashland, OR 97520  
206-661-7085



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



# TOPOGRAPHIC SITE SURVEY

LOCATED AT

165 Water Street  
Ashland, Oregon

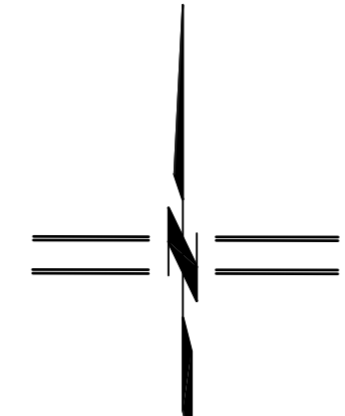
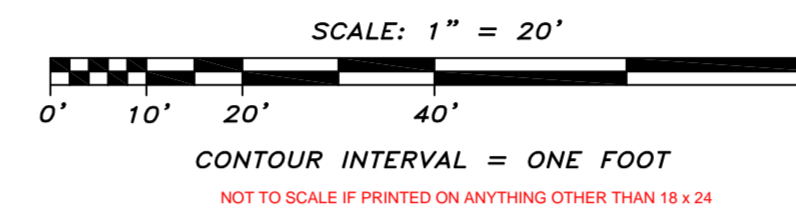
LYING SITUATE WITHIN

SOUTHWEST QUARTER OF SECTION 4,  
TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN  
CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR

Magnolia Properties LLC

2532 Old Mill Way  
Ashland, Oregon 97520



**LEGEND**

	SURVEY CONTROL POINT, AS DESCRIBED
	IRON PIN MONUMENT
	PROPERTY LINE
	BOUNDARY LINE
	CENTERLINE
	FENCELINE
	WATER LINE
	BURIED NATURAL GAS LINE
	BURIED TELEPHONE LINE
	BURIED CABLE TV LINE
	STORM DRAIN LINE
	SANITARY SEWER LINE
	OVERHEAD POWER LINE
	BURIED POWER LINE
	CONTOUR LINE
	LIGHT POLE
	POWER POLE
	POWER PULLBOX
	ELECTRIC METER
	HOSE BIB
	WATER METER
	WATER VALVE
	FIRE HYDRANT
	IRRIGATION BOX
	MAILBOXES
	SIGN
	CATCHBASIN
	CURB INLET
	STORM SEWER MANHOLE
	SANITARY SEWER MANHOLE
	TELEPHONE PEDESTAL
	TELEVISION PEDESTAL
	WELL CASING
	CONCRETE SURFACE
	ASPHALT SURFACE
	CONIFER TREE (AS DESCRIBED)
	DECIDUOUS TREE (AS DESCRIBED)

**SURVEY NOTES**

THE BASIS OF VERTICAL CONTROL FOR THIS SURVEY IS A CITY OF ASHLAND BENCHMARK, BEING A BRASS CAP IN THE TOP OF A CONCRETE CURB LOCATED AT THE SOUTHWESTERLY CORNER OF NORTH MAIN STREET AND BUSH STREET. BENCHMARK ELEVATION = 1904.074; BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, ADJUSTED IN 1956 (NGVD 29/56).

EXPOSED UTILITY STRUCTURES SHOWN HEREON WERE FIELD LOCATED DURING THE PERFORMANCE OF THIS SURVEY. BURIED UTILITY LOCATIONS WERE DETERMINED BY UTILIZING A COMBINATION OF FIELD SURVEYED PAINT MARKS AND "AS-BUILT" RECORD DRAWINGS FURNISHED BY THE RESPECTIVE UTILITY COMPANY REPRESENTATIVES. ARE APPROXIMATE AND SHOWN HEREON FOR GRAPHIC PURPOSES ONLY. FIELD VERIFICATION OF ALL BURIED UTILITIES MUST BE PERFORMED PRIOR TO ANY EXCAVATION OR CONSTRUCTION ACTIVITIES.

REGISTERED PROFESSIONAL LAND SURVEYOR  
ELECTRONIC  
OREGON  
JULY 14, 1998  
SHAWN KAMPMANN  
2883 LS

RENEWAL DATE: 6/30/2017

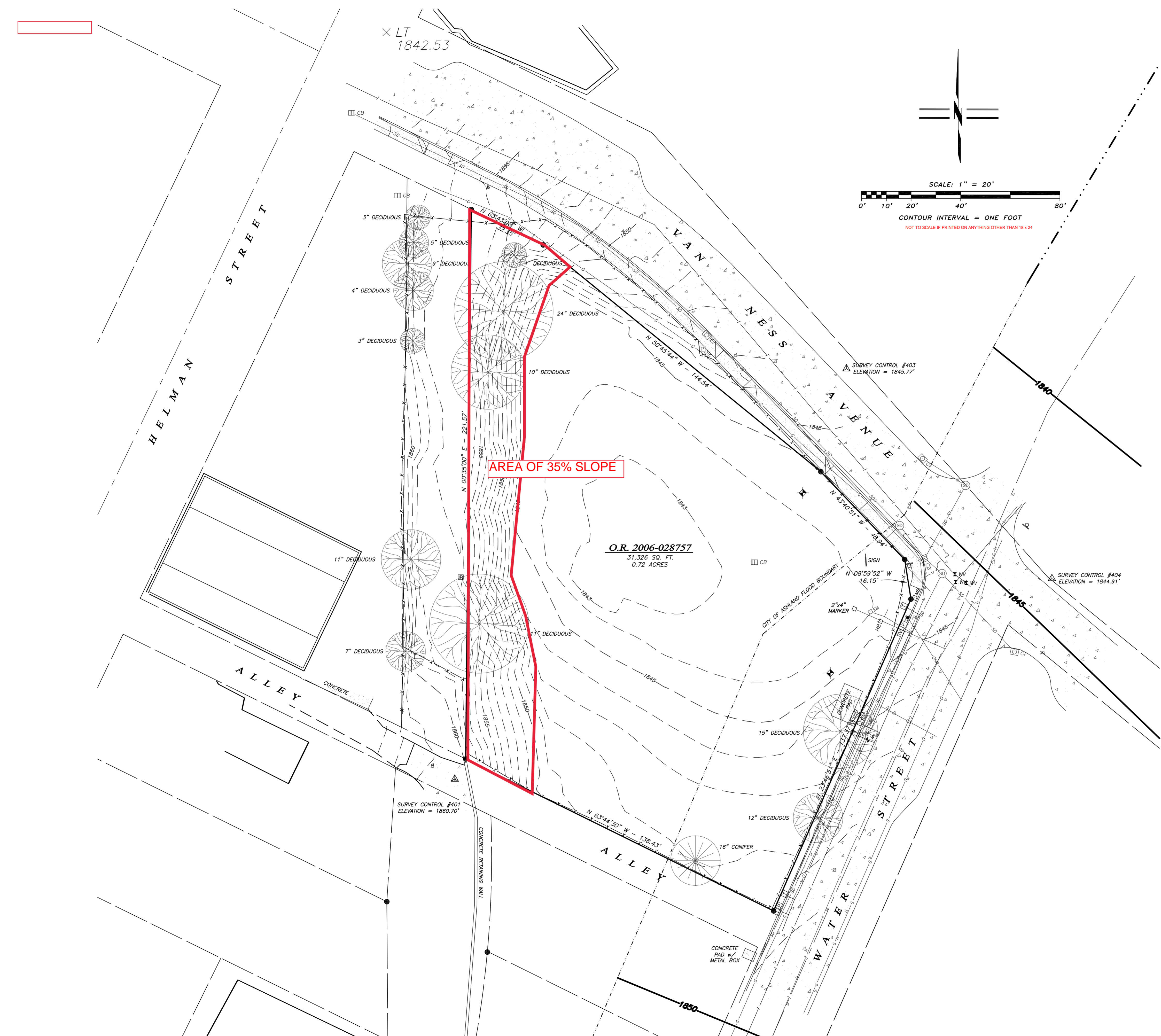
SURVEYED BY:

POLARIS LAND SURVEYING LLC  
P.O. BOX 459  
ASHLAND, OREGON 97520  
(541) 482-5009

DATE: NOVEMBER 23 2016  
PROJECT NO. 1004-15

Assessor's Map No. 39 1E 04 CC, Tax Lot 2000

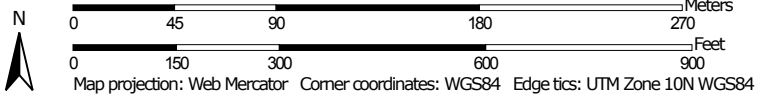
POLARIS LAND SURVEYING



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 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.

## 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%
<b>Totals for Area of Interest</b>		<b>54.2</b>	<b>100.0%</b>

# Magnolia Terrace

Eight Lot Commercial Subdivision  
Five Building Mixed Use Commercial Site Review



January 7, 2022

<b>Property Owner:</b>	Magnolia Investment LLC Magnolia Fine Homes LLC 441 Talent Avenue Talent, OR 97535
<b>Landscape Architecture/ Site Planning:</b>	Terrain Landscape Architecture 33 N Central Ave., Suite #406 Medford, OR 97501
<b>Planning Consultant:</b>	Rogue Planning and Development Services, LLC 1314-B Center Dr., PMB #457 Medford, OR 97501
<b>Civil Engineer:</b>	Rhine-Cross Group PO BOX 909 Klamath Falls, OR 97601
<b>Transportation Engineer:</b>	Sandow Engineering 160 Madison Street, Suite A Eugene, OR 97402
<b>Geotechnical Expert:</b>	Marquess and Associates Rick Swanson PO Box 490 Medford, OR 97504
<b>Structural Engineer:</b>	Snyder Engineers 415 E Pine St Central Point, OR 97502
<b>Surveyor:</b>	Polaris Land Survey PO BOX 459 Ashland, OR 97501

**Subject Property**

**Property Addresses:** 160 Helman Street, 95 Van Ness and 165 Water Street  
**Map & Tax Lot:** 39 1E 04CC; Tax lots 2000 & 2100 and 7100  
**Comprehensive Plan Designation:** Employment  
**Zoning:** E-1  
**Overlays:** Residential Overlay  
Skidmore Academy Historic District  
Detail Site Review Zone  
Floodplain  
Severe Constraints

**Request:**

This request is for the approval of an eight lot, Commercial Subdivision, and a phased, mixed-use development.

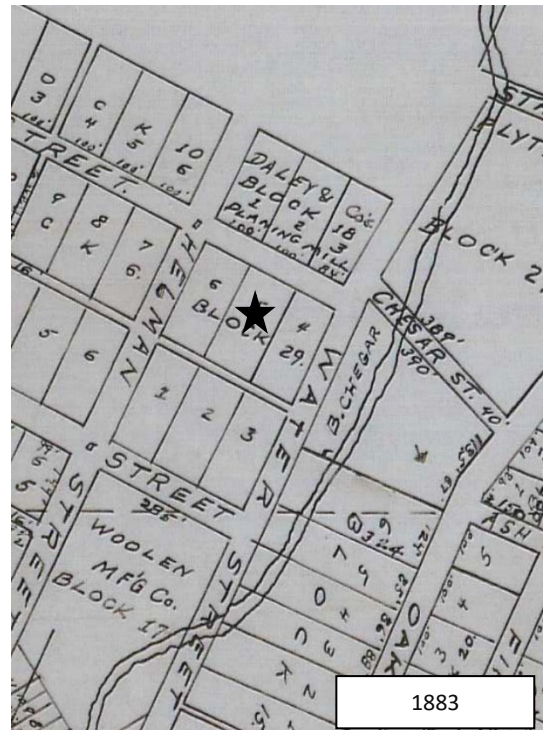
Phase One is proposed the Subdivision of the property and includes a request for Site Design Review for the development of five, mixed-use commercial buildings with residential units above. The required parking area for the first phase of proposed development will be provided in Phase One. Phase One is also proposed to install the required public street frontage improvements, subdivision infrastructure.

The request included a Physical and Environmental Constraints Review Permit for encroachment onto lands that have more than 35 percent slope, and development within the Ashland’s Flood Protection Zone, and a Tree Removal Permit.

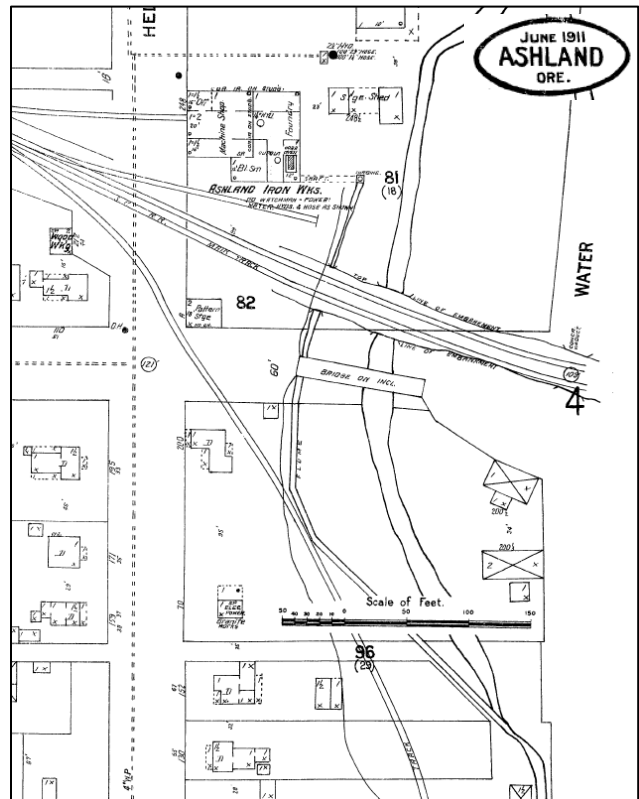
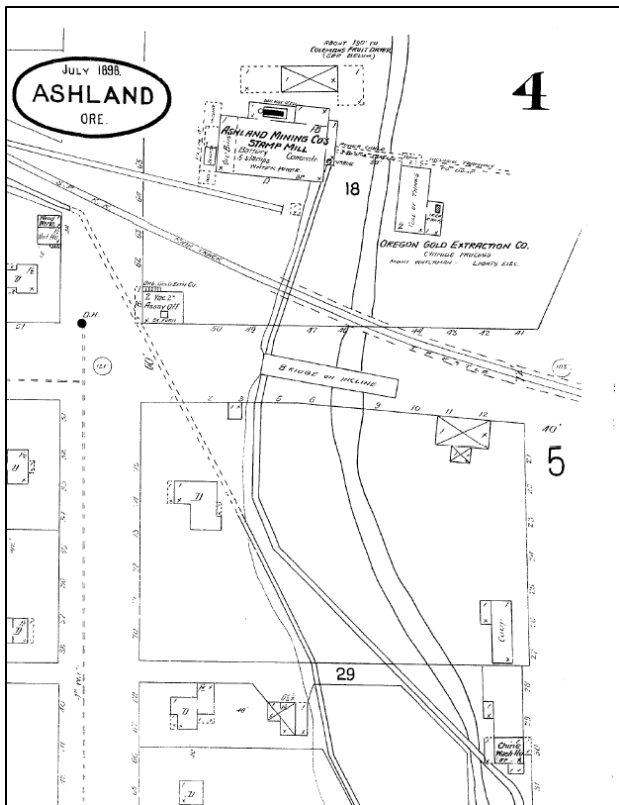
**Property Description:**

The area of the proposed subdivision encompasses a one-half block area south of the Water Street, Van Ness and Helman Street intersections. The property extends to the south to a partially improved public alley that extends between Water Street and Helman Street.

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 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 tunnel for Water Street that passes under the railroad 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 Water Street portion of 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. That service station then served as 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



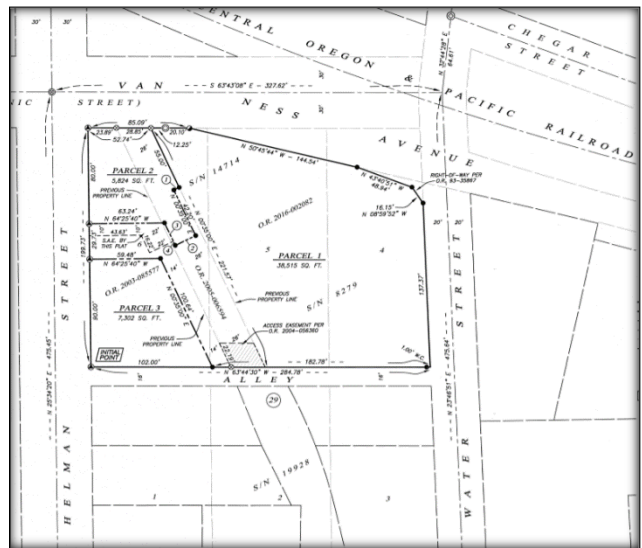
as an auto repair shop, then as a storage area for the property owners construction business equipment and for a local landscape contractors equipment.

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 structures removed, 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>

The subject properties now consists of three parcels of record; Parcel 1 is at 165 Water Street is a 38,515 square foot, vacant parcel at the southwest intersection of Water Street. The parcel extends south along Water Street to a public alley that extends from Water Street, east to Helman Street. There is an access and parking access easement on this for a separate parcel of property across the alley to the south. It is known that a private irrigation line transects the property. The Ashland Modified flood protection zone for Ashland Creek extends along the Water Street frontage, approximately 20-30-feet into the property.

Parcel 2 is at the southeast intersection of Van Ness and Helman Streets. Parcel 2 is a 5,824 square foot, vacant parcel. This parcel has 52.74-feet of frontage on Van Ness Avenue and 80-feet of frontage adjacent Helman Street.

Parcel 3 is a 7,302 square foot parcel has 90 feet of frontage along Helman Street, north of the public alley. The property is occupied by a 3,300 square foot commercial structure that is in very poor condition. It was the location of Pyramid Juice processing, warehouse, and distribution for many years. Upon the redevelopment of the properties, these structures will be removed.



The subject properties are zoned Employment (E-1) with Residential Overlay, the property is also covered by the Detail Site Review overlay. The adjacent properties are zoned E-1, and Low-Density Multi-Family Residential (R-2). The properties to the north, across the railroad tracks are zoned Employment with Residential Overlay. There are also industrially zoned properties to the northwest.

The properties are at the boundary of the Skidmore Academy Historic District. The properties to the west are within the Skidmore Academy. The properties across the railroad tracks are outside the Historic Districts. The properties across Water Street are within the Railroad Historic District.

Across Helman Street from the subject property, the uses are primarily residential and their associated accessory structures. The residences are primarily single story and one-and-one-half story residences. The lot areas range from 3500 – 10,000 SF.

The property across Water Street is a single-family residential use with outbuildings. The property to the south across the alley is a commercial manufacturing use, a mixed-use office building and a residential structure that has been used commercially in the past as a vacation rental and daycare use.

According to the Transportation System Plan, Functional Classification Map, Helman Street is an Avenue. Helman Street has a 60-foot-wide public right-of-way. Helman Street is improved with paving, curb, gutter, a six-foot landscape park row, and a five- and one-half-foot wide sidewalk. There are two driveway aprons serving the property from Helman Street.

Van Ness is classified as a neighborhood street. Van Ness has a 60-foot-wide public right-of-way. Van Ness is improved with paved travel lanes, curb and gutter, and a five-foot wide, curbside sidewalk. There are approximately 27-feet of improvements including a five-foot wide curb side sidewalk. There are three driveway aprons on the Van Ness frontage of the properties. North of the Van Ness right of way are the railroad tracks.

Water Street has a 40-foot-wide right-of-way and is improved with 38-feet of street improvements that consist of curb, gutter and asphalt. There are two driveway curbcuts on Water Street. There are street trees in very poor condition which will be removed and replaced.

**Detailed Description of the Proposal:**

The proposal is for an eight lot, Commercial Subdivision for the future construction of eight, three story, mixed use commercial buildings. The proposed subdivision will provide for a shared parking area, utility infrastructure and subdivision infrastructure.

This application provides for the phased subdivision which demonstrates the lot coverage area, access, parking areas, common trash/recycle facility areas, pedestrian connectivity and frontage improvements for complete buildout are provided for. Due to the site's topographical constraints and large area, a phased Site Review for five of the buildings is proposed in conjunction with the subdivision request. The remaining three building sites will be developed following construction of the five buildings on the upper level of the site adjacent to Helman Street (see Phasing Plan sheet L0.1).

The eight lots range in size from 3,696 square feet to 9,651 square feet. The Subdivision is proposed as a planned unit development type of subdivision with an association to address the maintenance and perpetual maintenance of the common areas including the parking, walkways, retaining walls, landscape areas including the public street trees.

Easements for utilities, public pedestrian, vehicular uses are delineated on the proposed preliminary plat (see Preliminary Subdivision Map sheet SV-2). Association agreements and covenants pertaining to the long-term maintenance and use of the common use areas of the property will be provided with the application construction documents. These documents will provide for the maintenance of, use of and necessary organization structure to provide long term maintenance of not only the areas for common use and utility, but also the landscaping including park row trees.

**Public Infrastructure Improvements:**

Substantial public infrastructure improvements are necessary to accomplish the development of this commercial block. These include installing substantial public street improvements, electrical, and private irrigation system relocation, and irrigation pipe quality improvement (it is presently leaking). The proposed preliminary grading and drainage plan, the public utilities, and erosion control plans are provided on sheets C 1.0, 2.0 and 3.0.

The proposed subdivision infrastructure includes installation of a complete public electrical system upgrade which provides for the electric infrastructure to levels capable of commercial / employment use. Frontage improvements are proposed along all the street frontages and within the unimproved public alley.

The alley will provide access to parking area accessed from the Water Street side of the development and to the garages on the Helman Street side of the development. The driveway access from Helman Street complies with the spacing standards.

The Helman Street frontage has an existing parkrow and sidewalk which are to remain. The street trees within the parkrow are in generally poor condition and are proposed to be removed and replaced.

The existing sidewalk on Van Ness is a five-foot curbside sidewalk. The proposal includes an eight-foot sidewalk on Van Ness. Parking bays with shade tree bump outs are proposed. The street tree bump outs allow for street trees to be provided with the street improvements while keeping the sidewalk clear for pedestrians. This requires an exception to the street standards.

Water Street is proposed to have an eight-foot sidewalk and a hardscape park row. The material of the hardscape park row on both Van Ness and Water are proposed to be pervious surface treatments. Commercial 'Sternberg' streetlights will be installed at the intersection of the streets and again at the intersection of the alley. The existing Sternberg pedestrian streetlight on Van Ness may need to be relocated but will remain on the frontage.

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. The increased floor elevations and the creation of the terraced sidewalk system does not diminish the dramatic improvement to the pedestrian environment along Water Street and Van Ness Avenue.

**Ashland Modified Flood Hazards Overlay Development Standards:**

According to the adopted maps there the Ashland Modified Flood Zone which requires that the buildings comply with the standards of AMC 15.10 for floodproofing in the flood plains. The buildings and parking area improvements within the flood zone are proposed to comply with the standards of AMC 15.10 and AMC 18.3.10.080.

Phase one improvements to the public street frontage including tree removal, public infrastructure including utilities and sidewalk are within the Ashland Flood zone

The parking area improvements will be to the rear of the future buildings in the flood zone and will not include improvements subject to the forces of potential floodwaters.

The finished floor elevations of the concept subdivision site plan demonstrate adequate finished floor heights to comply with the minimum flood zone elevations. The buildings within the flood zone will have individual Site Review approvals.

The Ashland Modified Floodplain Corridor map depicts the flood level as 1845.5-feet at the intersection of Water and Van Ness to 1849-feet near the alley (south property line). The finished floor of the future buildings 7 and 8 will be raised to a finished floor elevation of 1846-feet. This allows for the finished floor of the non-residential structure to be above the flood elevation.

**Access and Site Circulation:**

Pedestrian access to the property is via the public sidewalks on the three street frontages and from the public alley. There are pedestrian pathways connecting each building to the street with direct access from the sidewalk. Pedestrian pathways lead through the development, connecting the upper and lower areas and are connected to the sidewalks along each street.

The vehicular and bicycle access to the property is provided from a driveway apron from Helman and from the public alley on both the Helman side of the property and from the public alley on the Water Street side of the property. Due to the topography of the alley, only pedestrian access is provided in the walkway and stairway leading from Helman to Water Street.

Water Street is proposed to be improved with new curb, gutter, eight-foot hardscape park row with street tree grates within the sidewalk. Van Ness is proposed to be improved along the majority of the frontage with the required 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. With the modified

finished floor elevation, there is a five-foot-wide (minimum width) raised sidewalk that transitions from sidewalk ramps on either end of the building and to the stair from the intersection.

The alley is proposed to be improved with 16-feet of paving from Water Street to the base of the stair for the pedestrian connection up to the grade of the alley as it continues to Helman Street. From the top of the stair, the alley will be paved to the required width to its intersection with Helman Street.

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.

**Parking:**

The subdivision proposal includes a surface parking area that accommodates 19 vehicles including two ADA accessible parking spaces with off-loading zones. The uses of the ground floor are anticipated as general office space at this time though. The upper parking area associated with Phase One development includes five (5) surface parking spaces and the lower parking area of five (5) surface parking spaces north of the alley. The parking area will be used in-common and will have recorded joint access, use and parking agreements. Due to phasing requirements, staging and parking for construction vehicles, the lower level which has more of the parking area is in Phase Two. To remedy this, the lower level of commercial spaces will remain unoccupied and no occupancy approvals for finished spaces until the lower parking area is completed.

There are two parking spaces per residential unit required. These are provided within the garages on the ground floor of each building.

Phase One accommodates for all required residential parking within the buildings.

There are 12 bicycle parking spaces provided for in Phase One. These are within the plaza area, adjacent to the vehicle parking area and in front of proposed building #2.

The proposed development requires 16 bicycle parking spaces for commercial uses and 16 bicycle parking spaces for the residences. The residential parking is provided for within the garages. ,

The request included a Parking Management proposal as permitted in AMC 18.4.3.060 and the approved application reduced the off-street parking spaces through use of credits for on-street parking.

The proposed parking lot design and construction for the new surface parking area will comply with the standards from AMC 18.4.3.080.B.

**Site Design Review:**

There are eight total building lots proposed. Each of the lots is proposed to have a commercial building with residential units on the second and third story. Each building is proposed as shared wall, two-unit, ground floor commercial office, with two-unit, three bedroom, residences above. There are 16 residential units above ground floor commercial spaces.

Seven of the eight buildings are directly adjacent to the public streets and direct connections from the public sidewalks to the entrance of the commercial spaces is provided. One building is behind a street facing building. This building is accessed from the pedestrian walkways that connect to the public sidewalk.

As proposed, the 65 percent of the ground floor of each proposed building is commercial with between 1,500 – 1,700 square feet of commercial space, 35 percent of the ground floor is solely residential use.

All proposed parking is to the side and rear of the buildings. The residential parking is within the footprints of the buildings in enclosed garages.

Bicycle parking is provided throughout the property and racks are shown in specific locations on the site plans.

**Trees and Landscaping:**

The development of the site required a comprehensive review of the sites trees, their conditions and their suitability for conservation in the project. Due the factors, specifically types of trees, location of trees in proximity to development, the proposal seeks to removal all of the site's trees and the trees in the public right-of-way.

The 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.

Respectfully Submitted,

Amy Gunter  
Rogue Planning & Development Services, LLC

## **Chapter 18.5.3 LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS**

18.5.3.030

Preliminary Plat Approval Process

A. Review of Preliminary Plat.

2. Subdivisions. Preliminary plats for subdivisions are subject to the approval criteria in section 18.5.3.050 and are reviewed through the Type II procedure, pursuant to section 18.5.1.060.

Finding:

The proposal is for a Type II review of a phased, eight lot, commercial subdivision.

B. Modifications. The applicant may request changes to the approved preliminary plat or conditions of approval following the procedures and criteria provided in chapter 18.5.6, Modifications to Approved Planning Applications. See also subsection 18.5.3.020.F, Minor Amendments.

Finding:

This application is the first requested subdivision of the property.

C. Phased Subdivision. The Planning Commission may approve plans for phasing a subdivision, and changes to approved phasing plans, provided applicant's proposal meets all of the following criteria:

Finding:

The proposal is for a two phase subdivision.

1. The proposed phasing schedule shall be reviewed with the preliminary subdivision plat application.

Finding:

the proposed phasing divides the property in two portions with Phase One proposed for the upper half of the property bound by Helman St and Van Ness Avenue. This allows for the staging of the demolition and construction crews and equipment, provides a work area, including material storage and parking areas for the contractors.

Phase One includes the public infrastructure and street frontage improvements. Due to the parking area completion less than the required number of spaces for Phase One, in Phase One, the property owner suggests that the buildings 4 and 5 are shell space until adequate parking is developed in conjunction with Phase Two.

2. Commission approval is required for modifications to phasing plans.

Finding:

This is the first request for phased development of the site.

3. The required improvements (i.e., utilities, streets) for the first subdivision phase shall be installed or bonded for within 18 months of the approval of the preliminary plat, except when an extension of the preliminary plat is granted pursuant to section 18.1.6.040.

Finding:

The required improvements for the entire subdivision including infrastructure and utility connections are proposed with Phase One. Phase One also includes the upper parking area, and plaza area.

4. Public facilities and common open spaces shall be constructed in conjunction with or prior to each phase.

Phase One also includes substantial public infrastructure improvements within the public right of way including new curb, gutter, sidewalk, street trees and on-street parking bay on Van Ness are proposed to be installed in Phase One.

5. The final plat for the first phase shall be approved within 18 months of the approval of the preliminary plat, except when extension of the preliminary plat is granted pursuant to section 18.1.6.040.

Finding:

The final plat for Phase One will be sought within less than 18 months of the approval of the preliminary plat unless extension is requested.

**18.5.3.050**

**Preliminary Partition Plat Criteria**

The approval authority shall approve an application for preliminary partition plat approval only where all of the following criteria are met.

A. The future use for urban purposes of the remainder of the tract will not be impeded.

Finding:

The proposed subdivision provides a conceptual development plan for the entire property divided into two development areas. The upper portion of the property is proposed as Phase One and Site Design Review applications accompany this subdivision request. Phase Two is proposed for the lower portion



of the property, the proposed subdivision layout and infrastructure extensions enhances the ability to develop the remainder of the tract (Phase Two) for urban purposes.

B. The development of the remainder of any adjoining land or access thereto will not be impeded.

Finding:

The proposed subdivision does not impede the development of the adjoining land or access thereto. The proposed subdivision will improve the access through the development of the alley. The upper portion of the alley adjacent to Phase One has an existing easement benefitting a property to the south, the proposed subdivision and phased development plan retains this access, and it will not be impeded with the proposed subdivision.

C. The partition plan conforms to applicable City-adopted neighborhood or district plans, if any, and any previous land use approvals for the subject area.

Finding:

There are no known city adopted neighborhood plans or district plans that impact the subdivision of the property. The previous approvals for the properties have expired.

D. The tract of land has not been partitioned for 12 months.

Finding:

The tract of land has not been partitioned for 12 months.

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).

Finding:

There are eight (8) proposed lots in the Magnolia Terrace Subdivision. The property is zoned Employment (E-1) and is subject to the Residential Development Overlay, the Detail Site Review Overlay, Physical Constraints Overlay for development of Severe Constraints and development in the Ashland Modified flood protection zone, and subject to Historic District design requirements.

The proposed lots comply with the minimum requirements of the Employment zone. The proposed subdivision provides for depth and width of properties for commercial uses that are adequate to provide for parking areas and adequate are for the uses contemplated.

## **18.2.6 STANDARDS FOR NON-RESIDENTIAL ZONES**

18.2.6 sets forth lot and development standards, including minimum dimensions, area, density, coverage, structure height, and other provisions that control the intensity, scale, and location of development, for Ashland's base employment zones, pursuant to the Comprehensive Plan and the purposes of this ordinance.

### Finding:

According to AMC 18.2.6.030, there are no minimum lot area, width or depth, or maximum lot coverage; or minimum front, side, or rear yards, except as required to comply with the special district and overlay zone provisions of part 18.3 or the site development and design standards of part 18.4.

The Magnolia Terrace Subdivision provides for adequate parking for the entire eight lot, mixed use commercial development. The subdivision phasing of construction and occupancy of buildings in Phase One that require parking in Phase Two area demonstrates compliance with the design standards of 18.4. See additional findings in the Site Design Review applications.

The proposed residential density is 16 units which complies with density standards (1.18 X 15 du/ac = 17.7-unit potential).

### **Lot Areas:**

Lot 1: 4,203 square foot corner lot. Lot 1 has 72.65 feet of frontage upon Van Ness and 65.24 feet of frontage on Helman Street.

Lot 2: 6,765 square foot lot to the east of Lot 1. Lot 2 has 68.02 feet of frontage on Van Ness and extends approximately 100-feet to the south.

Lot 3: 3,990 square foot lot to the south of Lot 1. Lot 3 has 70 feet of frontage on Helman Street and extends 57 feet to the east. The driveway leading to the shared parking area is shared upon Lots 1 and 3.

Lot 4: 3,696 square foot lot north of the intersection of the alley and Helman Street. The lot has 64.49 feet of frontage upon Helman Street and extends 57 feet to the east.

Lot 5: 9,835 square foot lot to the east of Lots 3 and 4. This lot is 108.19 by approximately 84.09 feet. This lot is not proposed to have frontage upon a public street and is not proposed as a flag lot. This is because the lot development standards of the E-1 zone states no minimum lot area, width or depth are required (AMC 18.2.6.030). The standard found in AMC 18.2.4.010, Access and Minimum Street frontage that requires each lot to abut a public street for a width of not less than 40 feet, except where a lot is part of an approved flag partition...

This frontage requirement appears to have been adopted to provide access to each lot. This standard serves no purpose as the standard implies it is needed for lot access (Ashland ORD# 1361) which is not

necessary when abutting a public alley and all other lot side abut common areas. A flag lot pole in an unnecessary process and affects lot setbacks and fire rated opening but can be provided if deemed necessary.

Lot 6: 6,821 square foot lot. This lot has 71.80 feet of width and extends 95-feet deep.

Lot 7: 6,681 square foot lot at the intersection of Water Street and Van Ness. This lot has 48.94 feet of frontage upon Van Ness, 54.65 feet of frontage upon Water Street and extended approximately 95 feet deep.

Lot 8: 9,651 square foot lot northwest of the Water Street and public alley intersection. Lot 8 has 82.72 feet of frontage upon Water Street and extends approximately 120-feet to the west.

The proposed subdivision preliminary plat includes Public Pedestrian Access easements along Water Street and Van Ness to provide adequate width to provide public sidewalk and street tree planter strips. There are blanket types of easements to address cross access of the parking areas, walkways, and utilities. These easements would also appear to appease the standards for Access from AMC 18.2.4.010 and a flag pole can be found to not be necessary.

**Findings addressing the Overlay Zones:**

**18.3 Special Districts and Overlay Zones:**

**18.3.10 Physical Constraints Overlay**

**18.3.10.050 Approval Criteria**

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.

Finding:

The development standards provide for supplementary development regulations to the underlying zones to ensure that development protects the natural and topographic character and identity of these areas. The proposed retaining walls and structures on the hillside prevent the erosion of soil, sedimentation of lower slopes, does not create slide damage, severe cutting or scaring. The proposed commercial development does negatively impact the natural and visual character of the city and there are no adverse impacts from the development of the slope to nearby areas.

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.

Finding:

The potential hazards would be from erosion of an un-retained cut bank. The proposal provides to structural retention of the hill therefore any potential hazards are mitigated. All stormwater drainage plans are designed by professionals with demonstrable understanding of development on moderately steep slopes.

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.

Finding:

The proposed commercial development of the site includes structural retaining walls and landscape features along the hillside. This area is a small portion of the 'hillside' environment and the intention of the hillside development standards ordinance which does not allow for development of slopes of more than 35 percent without an Exception to the Standards (AMC 18.10.090.A.1. Buildable Area). Additional findings are provided herein.

**18.3.10.060 Land Classifications**

**B. Hillside Lands.** Hillside Lands are lands that are subject to damage from erosion and slope failure, and which include areas that are highly visible from other portions of the city. The following lands are classified as Hillside Lands: All areas defined as Hillside Lands on the Physical and Environmental Constraints Hillside Lands and Severe Constraints map and which have a slope of 25 percent or greater.

Finding:

The property is outside of the official mapped boundaries of the Hillside Overlay. The property has slopes that are considered severe constraints.

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

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

Finding:

There is an embankment along the west property line that is more than 35 percent slope. This embankment was first an embankment of Ashland Creek, and over the years was utilized created first it appears as a diversion to irrigation waters, later a railroad spur was atop the embankment. This is topographical feature has been substantially utilized over the years. An exception to develop lands that have a slope of more than 35 percent is requested.

### **18.3.10.110 Development Standards for Severe Constraint Lands**

#### Finding:

Bisecting the properties, 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. No slope failure or seepage were evident. The soil type, Camas-Newberg-Evans and Sheffelin Loam are both stable, non-erosive soil types found throughout the area. The Geo-Tech provided an assessment that the slope is stable. In 2017 the proposal included separate development proposals. At that time, the finding was leave a 10-foot buffer or, with appropriate engineering, and retaining walls there are no slope stability issues for the slope. 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 slope failure. The Geo-Tech's evaluation letter from 2017 is attached. Due to the nature of the hillside and geology, in the short geologic period since 2017, there have not been changes to the slope nor the soil types that would lead one to conclude the slope is erosive or subject to slope failures.

Where the code states severe constraints lands are "extremely sensitive to development, grading, filling or vegetation removal and whenever possible, alternative development should be considered" AMC 18.3.10.110.A. – the Geotechnical Expert, with decades of development experience in Ashland would find that this property is buildable, and that the property is not extremely sensitive to development, there are no faults, or folds or other geological hazards. The geotechnical experts always confirm that in the existing soil types, with proper engineering and inspection, there is not a severely constrained slope that warrants prohibition on development.

### **18.3.10.090 Development Standards for Hillside Lands**

#### Finding:

The grading, retaining wall and structure 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 codes.

The proposed for the parking area and the structural retaining wall of the building on Lot 2 and the construction would be one of the first site improvements and ideally the construction would begin in May and end prior to October 31.

No exposed cut slopes are proposed. The slope is retained with the structural retaining wall for the parking area and the foundation stem walls of the future buildings on Lots 2 and 5.

The intent of the hillside ordinance is 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 applicability of the hillside design standards section is questionable and numerous exceptions will be necessary to encroach into the hillside.

Reviewing the hearings addressing adoption of the Hillside Development Standards within the Physical and Environmental Constraints ordinance (See attached Minutes and Ordinances) there is not one discussion of Commercial or Employment zoned lands and whether this code section applied.

The intent of Employment Zoned lands is to develop the site to the highest and best use. The majority of the hillside lots the ordinance addresses are the steep, residentially zoned slopes south of Siskiyou Boulevard.

Keeping commercial development away from the hillside (minimum of ten feet per the Geotech report from 2017 of an alternative proposal) would reduce the developable area of the Employment Zoned land substantially and render it largely undevelopable. There are no unstable or hazardous areas of the site. To reduce the visual bulk of the retaining wall, a living, green screen is proposed in front of the retaining wall adjacent to the walkway. The retaining wall is necessary for the driveway and parking area which appears to allow for up to a 15-foot tall retaining wall. The proposed retaining wall does not exceed this height.

It can be found on the proposed preliminary Civil Engineering plans, collection and treatment of new impervious surface 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 swales 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.

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.

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.

## **AMC 18.3.10.090. H. Exception to the Development Standards for Hillside Lands.**

### Finding:

An Exception to AMC 18.10.090.A.1. Buildable Area is required. All development shall occur on lands defined as having buildable area. Slopes greater than 35 percent shall be considered unbuildable except as allowed below. Exceptions may be granted to this requirement only as provided in subsection 18.3.10.090.H.

An exception to 18.10.090.B.3 Retention in Natural Slope is state to be required, but it is unclear how this standard applies to a commercially zoned property.

An exception to 18.10.090.B.4.c. Cut Slopes for foundations is required because the building and parking areas are not stepped into the hillside.

Exceptions to each section of 18.10.090.E. Building Location and Design Standards are necessary. First, the structures are within the Historic District which provides an exemption from the standards. Secondly, the maximum building height standards in the hillside zone is less than the maximum height allowed in the Employment zone.

Due to the unclear and unobjective standards and how to apply the seemingly residential standards to a commercial subdivision it is challenging to address each of the standards as the whole application of this section of code is unique, unusual and presents difficulties in meeting the standards.

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.

### Finding:

The site is zoned Employment and is unique in that there are no other Hillside Lands, and the area of steep slope is isolated to a small area in the middle of the development site. In order to develop the site in accordance with the standards for the Site Review, Detail Site Review, minimum FARs, adequate parking, and Historic District Design Standards, encroachment into the steep slope is necessary.

#### **18.10.090.A.1. Buildable Area:**

The code states that lots with over 35 percent shall be buildable for one residential unit but there are no references to the implications of the hillside development standards or whether they apply to commercial zones.

#### **18.10.090.B.3 – Retention in Natural State:**

The proposal includes a subdivision and there are individual lots but the retention in natural state standard would seek to have an area of the property left in an undisturbed state. This is not typical for a commercial development and to achieve full site development retention in natural state creates a demonstrable difficulty.

18.10.090.E. - Building Location and Design Standards:

The property is unique in that it is not a hillside lot, it is not in the hillside overlay, it is not a steep site that has erosive characteristics or concern for slope failure. The building location and design standards appear to describe the locations of residential lots, and residential building design. Applying residential home design standards to an employment zoned lot that allows for larger building masses and building heights than allowed in this section of code is a unique and unusual circumstance.

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

Finding:

The proposed exception is for the construction of commercial buildings and for the development of the retaining wall along the parking area to be structurally retained. Instead of the unretained slope present today. The retaining provide protection to the subject property that is “down slope” of the unretained slope. The steep slope area is within the footprints of the buildings and the parking area.

Each of the exceptions noted above appears to be associated with residential construction on the hillsides on the south side of town. These standards do not translate to employment zoned properties that have a small area of slope that is not natural and appear to have been largely created for utility purposes.

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

Finding:

The employment zoned property would be greatly impacted if the area of development did not include the hillside slope area. The development of the property to commercial standards, and structurally retaining the slope is the minimum necessary to construct a cohesive commercial development with adequate access, parking, building area, and pedestrian plaza areas.



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.

Finding:

The proposed exceptions are consistent with the purpose and intent of the chapter and ensures 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.

The standards appear to have been largely directed at steep, residentially zoned properties and impacts of the design standards to commercial zones does not appear to have been contemplated as there are no references to commercial zones or similar in the minutes from the adoption of the Physical Constraints Ordinance for Hillside Development.

The property is not within the hillside overlay and the design standards of the hillside overlay do not translate to commercial site development as it would appear that for all intents and purposes, the hillside development prohibits development of a portion of the property. It does not appear the original drafting of the hillside development overlay that prohibition on employment zoned lands was the intended outcome.

**18.3.10.080 Floodplain Development**

Finding:

The applicable overlay zones include the Ashland Modified Flood zone adjacent to the Water Street frontage (AMC 18.3.10.080).

The future Phase 2 development of portion of the property the Ashland Modified Flood zone will not have any impacts on downstream properties nearby. The development of the Ashland Modified Flood zone will not cause erosion, sedimentation, slope failure or other environmental hazards.

The street improvements and utility installations proposed for Water Street frontage are within the Ashland Modified Flood zone, these are replacements of existing infrastructure and expansion of infrastructure to comply with the required street standards. This will not degrade the environmental conditions of the Ashland Modified Flood zone which consists of the public street, the curbing, street lights and utility cabinets.

This overlay zone requires raised finished floors or flood proofing of the future buildings. The subdivision proposal demonstrates general compliance. The future Site Design Review proposals for the development of Lots 7 or 8 will demonstrate compliance with the requirements from AMC 15.10 for development within a mapped flood protection zone (AMC 18.3.10.808.C.).

F. Accesses to individual lots conform to the standards in section 18.4.3.080 Vehicle Area Design. See also, 18.5.3.060 Additional Preliminary Flag Lot Partition Plat Criteria.

Finding:

Each lot is proposed to have vehicular access from the shared parking area access from Helman Street driveway apron, from the upper portion of the public alley to the south of proposed Lots 4 and 5. The Phase Two portion of the property takes all vehicular access from the public alley access from Water Street that will be improved to 16-foot paved width.

G. The proposed streets, utilities, and surface water drainage facilities conform to the street design standards and other requirements in part 18.4, and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.

Finding:

The proposed street generally comply with the standards from AMC 18.4. and the proposed public infrastructure improvements conform to the street standards and seeks exception where the standards are not met.

All proposed public improvements and dedications are shown on the preliminary plat maps.

H. Unpaved Streets.

Finding:

Not applicable

I. Where an alley exists adjacent to the partition, access may be required to be provided from the alley and prohibited from the street.

Finding:

There is an alley adjacent to the property. Lot 5 vehicular access is from the alley accessed from Helman Street. Lots 6, 7 and 8 take vehicular access from the alley that is accessed from the Water Street side of the property.

J. Required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.

Finding:

Any state or federal permits that may be required will be obtained prior to development.

K. A partition plat containing one or more flag lots shall additionally meet the criteria in section 18.5.3.060.

Finding:

No flag lots are proposed with the subdivision. There are no minimum lot areas, lot widths, lot depths, etc. in the E-1 zone and it does not appear a flag pole or other 'access' via a minimum street frontage is necessary due to the access from the alley and the access easement for pedestrians, parking, utilities, are provided for proposed Lot 5.

**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.

Finding:

The proposal addresses Site Design Review criteria for the site as a planned subdivision with a phased development review.

The Detail Site Review standards and Historic District Design Standards are addressed on the following pages. The buildings are each similar in their design and individual site review findings for each structure are not provided. Each building is discussed in the findings with respect to compliance with the standards. Each building complies with the standards and adherence to the standards are outlined on each buildings plan set.

**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.

Finding:

This proposal includes Site Development Design review approval request for five of the eight buildings proposed in the Magnolia Terrace Subdivision.

The proposal complies the standards from 18.2. There are no minimum lot areas and dimensions required in the zone.

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

The proposed subdivision area of the Magnolia Heights Subdivision complies with the maximum lot coverage allowed in the E-1 zone.

**LOT COVERAGE**

SITE AREA: 51,897

BUILDING FOOTPRINTS: 2,565 SQ. FT. X 8 = 20,520

UPPER PARKING: 9,249

LOWER PARKING: 7,478

PEDESTRIAN PLAZAS/PATHS: 3,087

TOTAL COVERAGE: 40,334

$40,334/51,897 = 77.7\%$

The proposed buildings are each 38-feet, 4-inches from ridge to grade.

The proposed buildings within the Magnolia Heights Subdivision complies with the Floor Area Ratio Standards. The five buildings proposed within this application exceed the required minimum FAR of .50, see Detail Site Review findings on the following pages.

**18.2.3.130 Dwelling in Non-Residential Zone**

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

Finding:

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.

Finding:

There are eight separate buildings proposed in the phased subdivision. Each of the buildings includes a floor area that has 65 percent of the floor area devoted to commercial use and 35 percent or less as residential use. Final calculations will be provided for with the building permit sets to demonstrate compliance. There is a shared commercial / residential lobby area which is requested to be part of the floor area of the commercial use to achieve the required area calculations.

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.

Finding:

The proposal has 16 residential dwelling units which is less than the allowed density. (1.18 X 15 = 17.7 units).

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

Finding:

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.

Finding:

Off-street parking for the residences has been provided for each of the dwellings within the enclosed ground floor garage space.

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

Finding:

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 approved in 2017, and in the supplemental information from the Geo-Tech, preliminary Civil Engineering and 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. The findings from the subdivision criteria address the physical constraints.

The proposed development complies with the Site Development and Design Overlays including Detail Site Review and Historic District Development standards.

**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**

##### Finding:

The proposed development of the Employment zoned land with a mixed-use commercial subdivision will have a positive impact upon the streetscapes of Helman Street, Water Street and Van Ness Streets.

Each of the five proposed buildings are proposed to have a minimal setback, only to achieve door swing and alcove to provide pedestrian cover.

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 infrastructure improvements will enhance the pedestrian environment and will improve bicycle transit by providing an abundance of bicycle parking facilities.

The proposed buildings are each designed to be consistent with the highest standards for compliance with the Detail Site Review, Large Scale Building 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.**

##### Finding:

The proposed buildings are clearly oriented towards the public streets excepting Building 5 which does not front upon a public street. Buildings 1 – 4, 6 – 8 all have primary orientation towards the street upon which the building fronts.

No parking is proposed between the buildings and the streets, all on-site parking is behind the façade of the structures. The ADA offloading zone is adjacent to the sidewalk on the Water Street side of the property where the parking spaces are nearest the public right-of-way.

The proposed buildings occupy the majority of the three street frontages. There are gaps created between the buildings that are limited to the minimum setback to have openings in proximity to the property line. The other separation is where the driveway access to the site from Helman Street is proposed.

The building entrances on each structure are within 20-feet of the right of way. Each building has a public pedestrian business entrances that are clearly visible, include lighting, pedestrian covering and changes in materials to emphasize the entrances.

Lot 1 is a corner lot. The building in this site review, building 1 on proposed Lot 1 is oriented towards the intersection with an entrance from each street frontage.

Public sidewalks are proposed along the public street frontages, pedestrian walkways are provided for each business entrance from the public pedestrian sidewalks.

## 2. Streetscape.

### Finding:

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 sheet L.1.

## 3. Landscaping.

### Finding:

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 adjacent to the dedicated easement for the adjacent property to the south. This is accessible from the alley. Another screened trash/recycle enclosure area is proposed within the parking area of Phase 2.

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

## 4. Designated Creek Protection.

### Finding:

Not applicable

## 5. Noise and Glare.

### Finding:

All artificial lighting will comply with the standards of 18.4.4.050. New Sternberg Commercial streetlights are proposed at the intersections of the public streets and on Water Street at the intersection of the alley.

## 6. Expansion of Existing Sites and Buildings.

### Finding:

Not applicable

### **C. Detailed Site Review Standards.**

Finding:

The subject property is within the Detailed Site Review Standards.

1. Orientation and Scale.
  - a. Floor Area Ratio (FAR) of 0.50.

Finding:

The proposed Floor Area Ratio (FAR) exceeds .50. The proposed total area of the first five buildings is 34,173 square feet which is more than the minimum FAR 25,948.5 square feet. Though not designed, it is assumed that the Phase 2 buildings will be roughly the same dimensions and area as the buildings in Phase 1.

- b. Building frontages greater than 100 feet in length shall have offsets, jogs, or have other distinctive changes in the building façade.

Finding:

The frontage of each individual building is less than 100-feet in length. The building frontages include distinctive changes in the buildings façade relief.

- c. Any wall that is within 30 feet of the street, plaza, or other public or common open space shall contain at least 20 percent of the wall area facing the street in display areas, windows, or doorways. Windows must allow view into working areas, lobbies, pedestrian entrances, or display areas. Blank walls within 30 feet of the street are prohibited. Up to 40 percent of the length of the building perimeter can be exempted for this standard if oriented toward loading or service areas.

Finding:

Excepting Building 5, buildings 1 – 4 are within 30-feet of the street. Each building includes more than 20-percent of the walls facing public street as having windows and doorways which allow view into the working areas of the commercial buildings.

The building plan sets provide detailed summaries of each building façade and the areas of glazing, and façade treatment variations.

Building 5 is accessible from the upper plaza area and the front of that building exceeds 20-percent of the wall area will have windows that allow view into the working area.



d. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to entrances.

Finding:

The architectural plan sheets provide the areas of the changes in mass, surface materials and finishes to provide emphasis on the entrances. All buildings have substantial pedestrian cover over the entrances.

e. Infill or buildings, adjacent to public sidewalks, in existing parking lots is encouraged and desirable.

Finding:

The proposed buildings are directly adjacent to the public sidewalk. Where building 5 does not have direct connection to the public street, there is pedestrian access through the subdivision and the entrance to the commercial space is from the plaza area.

f. Buildings shall incorporate arcades, roofs, alcoves, porticoes, and awnings that protect pedestrians from the rain and sun.

Finding:

The proposed buildings incorporate a substantial overhang that is created by the deck above and a steel overhang to provide a seven foot cover for pedestrians from rain and sun.

2. Streetscape.

a. Hardscape (paving material) shall be utilized to designate “people” areas. Sample materials could be unit masonry, scored and colored concrete, grasscrete, or combinations of the above.

Finding:

Colored and scored concrete are proposed to designate people areas for both the sidewalks and the plaza area in Phase One and the walkway and future plaza area in Phase 2.

b. A building shall be set back not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement. This standard shall apply to both street frontages on corner lots. If more than one structure is proposed for a site, at least 65 percent of the aggregate building frontage shall be within five feet of the sidewalk.

Finding:

The buildings proposed in the subdivision, except Building 5 are not setback more than five feet from the public sidewalk. More than 65 percent of the building frontages are within five-feet of the sidewalk.

### 3. Buffering and Screening.

a. Landscape buffers and screening shall be located between incompatible uses on an adjacent lot. Those buffers can consist of either plant material or building materials and must be compatible with proposed buildings.

Finding:

There are no incompatible uses on the adjacent properties that need to be buffered.

b. Parking lots shall be buffered from the main street, cross streets, and screened from residentially zoned land.

Finding:

The parking area in the lower portion of the property adjacent to the alley has a five-foot landscape buffer between the parking space and the sidewalk.

### 4. Building Materials.

a. Buildings shall include changes in relief such as cornices, bases, fenestration, and fluted masonry, for at least 15 percent of the exterior wall area.

Finding:

See the detailed architectural plans for the exact areas relating to the changes in relief on the facades, but each building is designed with changes in relief that exceed 15 percent of the exterior wall area.

b. Bright or neon paint colors used extensively to attract attention to the building or use are prohibited. Buildings may not incorporate glass as a majority of the building skin.

Finding:

Not applicable. There are no bright or neon colors. Though there is a substantial area of glazing, the glazing does not occupy most of the building façade.

## **D. Additional Standards for Large Scale Projects.**

### 1. Orientation and Scale.

a. Developments shall divide large building masses into heights and sizes that relate to human scale by incorporating changes in building masses or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.

Finding:

There are eight total buildings within the Magnolia Heights Subdivision. This application proposed Site Design Review approval for five of the buildings.

Each building has a façade length of substantially less than 100-feet. Each building's façade is divided into two distinct masses with changes in relief at the lower level to develop a human scale design. There are changes in materials, directions of materials, clearly commercial types of windows and doors and each building has signage area and lighting to provide emphasis on the entrance the commercial development.

The building massing is divided vertically with changes in relief and massing to minimize the bulk of the second and third floors.

b. Outside of the Downtown Design Standards overlay, new buildings or expansions of existing buildings in the Detail Site Review overlay shall conform to the following standards:

i. Buildings sharing a common wall or having walls touching at or above grade shall be considered as one building.

Finding:

Not applicable.

ii. Buildings shall not exceed a building footprint area of 45,000 square feet as measured outside of the exterior walls and including all interior courtyards. For the purpose of this section an interior courtyard means a space bounded on three or more sides by walls but not a roof.

Finding:

There are no buildings that exceed 45,000 square feet. There are five separate buildings proposed with this application. Building 1 – 7,156 SF, Building 2 – 5,749 SF, Building 3 and 4 7,156 SF and Building 5 is 6,959 SF. The buildings are not touching and the interior plaza area is not bound on three or more sides.

iii. Buildings shall not exceed a gross floor area of 45,000 square feet, including all interior floor space, roof top parking, and outdoor retail and storage areas, with the following exception:

Automobile parking areas located within the building footprint and in the basement shall not count toward the total gross floor area. For the purpose of this section, "basement" means any

floor level below the first story in a building. “First story” shall have the same meaning as provided in the building code.

Finding:

Not applicable

iv. Buildings shall not exceed a combined contiguous building length of 300 feet.

Finding:

At no point is the property 300-feet in length, thus there are no contiguous building lengths of 300-feet proposed.

2. Detail Site Review Plaza Space Standards.

a. One square foot of plaza space shall be required for every ten square feet of gross floor area, except for the fourth gross floor area.

Finding:

Building 1 – 7,156 SF, Building 2 – 5,749 SF, Building 3 and 4 7,156 SF and Building 5 is 6,959 SF. Buildings 6 – 8 are conceptually 7,156 square feet in area. The total gross floor area is 56,241 square feet. This required outdoor plaza space is required to be 5,624 square feet. There is 3,087 square feet proposed and exception to provide less plaza area is proposed.

b. Within the C-1-D zone, or Downtown Design Standards overlay, no plaza space shall be required.

Finding:

Not applicable.

c. A plaza space shall incorporate at least four of the following elements:

i. Sitting Space – at least one sitting space for each 500 square feet shall be included in the plaza. Seating shall be a minimum of 16 inches in height and 30 inches in width. Ledge benches shall have a minimum depth of 30 inches.

Finding:

There are sitting areas within the plaza area in the form of poured in place concrete setwalls, dining tables and chairs.

ii. A mixture of areas that provide both sunlight and shade.

Finding:

The plaza areas are on the north side of Building 5 which will have afternoon shade and morning sun. The plaza area in front of building

iii. Protection from wind by screens and buildings.

Finding:

The locations of the plaza areas are all protected from wind by the buildings.

iv. Trees – provided in proportion to the space at a minimum of one tree per 500 square feet, at least two inches in diameter at breast height.

Finding:

Trees meeting this standard are provided on the landscape plan.

v. Water features or public art.

Finding:

Not applicable.

vi. Outdoor eating areas or food vendors.

Finding:

No dining areas are proposed, but outdoor seating area for residents and tenants of the commercial space is provided.

3. Transit Amenities. Transit amenities, bus shelters, pullouts, and designated bike lanes shall be required in accordance with the Ashland Transportation Plan and guidelines established by the Rogue Valley Transportation District.

Finding:

Not applicable.

### **18.4.2.050 Historic District Development**

Finding:

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 buildings incorporate the main architectural themes found in Ashland's historic

districts but are not an imitation of a specific architectural style. The standards speak to a comparison of historic buildings in the vicinity.

## **B. Historic District Design Standards.**

### 1. Transitional Areas.

#### Finding:

The property is located that 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 industrial / modern styling. It can be found that the proposed buildings area architecturally compatible with the historic district design standards when considering the property location at the boundary of the district.

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. Lack of comparable development complicates the required comparisons per the code.

It can be found that each 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.

#### Finding:

The buildings propose each have three stories and an average height less than 40-feet with 38.5 feet from the peak of the ridge to grade. The proposed buildings are below the maximum allowed building height in the Employment zone.

### 3. Scale.

#### Finding:

The scale of the development is appropriate for an Employment zoned property that has three street frontages and more than one acre in area.

The buildings are divided into smaller façade widths with a 12-foot separation between the structures.

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 A0.3 and A0.4 the Architectural renderings that depicts the proposed development with the referenced commercial structures and properties.

#### 4. Massing.

##### Finding:

The proposed buildings are each a smaller width structure with varied massing. The proposed architecture is similar to the residentially inspired Plaza Inn and Suites yet as evidenced in the submittal's materials; the proposed structures are more consistent with historically contextual commercial architecture. The recessed entrances covered pedestrian areas, wide sidewalks, street trees all provide visual relief and reduce the massing.

The proposed vertical and horizontal rhythms of each building are symmetrical.

#### 5. Setback.

##### Finding:

The proposed buildings are each setback the maximum allowed by the municipal code. Buildings 1, 2 and 4 are setback the minimum distance to allow for door swing. Building 3 is proposed to be setback approximately eight-feet to provide a pedestrian plaza area.

The maximum setback from the public sidewalk in the Detail Site Review overlay is five feet, the proposed setbacks are only more than five feet when a pedestrian plaza area is provided between the building and the street.

#### 6. Roof.

##### Finding:

The roof shape, pitch and materials of the five buildings proposed for construction are consistent with the buildings in the vicinity. There are no commercial buildings immediately adjacent, but the material (metal) is found on the existing roof of the Pyramid Juice building and on the industrial buildings across the railroad tracks.

#### 7. Rhythm of Openings.

Finding:

The proposed pattern of wall to door and window openings on the street frontages is clearly defined. Each building has a rhythm of openings and each building is divided into two separate masses.

The proposed window and door patterns are compatible with a width to height ratio maintained across the façade of each proposed building.

8. Base or Platforms.

Finding:

The proposed buildings have different types of windows and door openings and in some instances the windows extend to the floor level and some of the buildings have more pronounced four-foot base with siding or stucco materials to differentiate the base from the remainder of the structure.

9. Form.

Finding:

Each of the proposed buildings has a form that is consistent with commercial development and the design adds visual interest. Each of the proposed buildings incorporates changes in mass on the exterior with columns, framed bays, transoms, and windows to create multiple surface levels. There is a clear visual division that shall be maintained between ground level floor and upper floors.

10. Entrances.

Finding:

Each building has a well-defined, covered, recessed, primary entrance provided into each commercial tenant space that abuts the street frontage. Awnings and marquees are proposed to emphasize the entrances.

11. Imitation of Historic Features.

Finding:

The proposed building design of each structure is consistent with this standard. The proposed buildings are 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 15.72 vehicle parking spaces for commercial uses in Phase One and an additional 9.198 parking spaces for commercial office use in Phase Two. There are 24.91 parking spaces required for commercial office use.

There are 32 parking spaces required for the two/three bedroom residences. These are provided for in the garages.

The proposed parking area provide for a total of 17 or the 25 commercial automobile parking spaces on-site.

Commercial requires 16 bicycle parking spaces. There is a 10 space rack near the plaza area and additional racks provided near the fronts of the buildings.

The residential uses require 16 bicycle parking spaces. They are within the garages.

### **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

#### Finding:

The proposal seeks to reduce parking by 32 percent through the use of on-street parking credits. The property owner is making substantial improvements to three public street frontages including relocating the curb on Van Ness to provide on-street parking.

There is usually an abundance of parking available in the neighborhood. With the proposed Van Ness Street improvements, seven on-street parking spaces will be created. This is in addition to the five on-street spaces on Water Street and the seven present on Helman Street. The requested reduction in the on-site parking spaces will not have a substantial impact as 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.

The property has a Walkscore of nearly 90 ([www.walkscore.com](http://www.walkscore.com)). That means it is a highly walkable area and most do not need vehicles for short trips.

### **18.4.3.080 Vehicle Area Design**

A. Parking Location

#### Finding:

The proposed parking areas are to the side and rear of the buildings. There is no parking between the buildings and the street.

B. Parking Area Design.

Finding:

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.

All of the parking areas (defined per 18.6.1.030 - Parking Area or Lot. Any area inside, under, or outside of a building or structure, designed and used for parking motor vehicles, including parking lots, garages, or structures.) are proposed as pervious surfaces. This is to minimize the adverse environmental impacts. The parking areas are designed to capture and treat surface run-off through a landscape swale.

**18.4.6.020 Public Facilities**

**B. Exceptions and Variances.**

1. Exception to the Street Design Standards.

Finding:

An exception to Street Design Standards for to have street tree bump outs into the right-of-way on Van Ness instead of five-foot by five-foot street tree grates in the sidewalk.

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.

Finding:

Van Ness steep has a fairly steep grade adjacent to the existing curbside sidewalk. Though the right-of-way is wide, the railroad tracks prevent improvements on the north side of Van Ness and all improvements are required on the south side along the subject property frontage. The grade of Van Ness also has a slope and the existing sidewalk at the intersection of Van Ness Helman Street that determines the grade of the sidewalk. The proposal is to construct an on-street parking bay adjacent to the sidewalk. When parking bays are cut into the properties, often there is a loss of area for street trees without a loss of private property. This allows for the installation of street trees without sidewalk grates.

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

Finding:

The connectivity of the property and the neighborhood will have superior transportation facilities through the installation of sidewalk to city standards on Water Street, installation of on street parking bays, and street trees on Van Ness and preservation of the landscape parkrow on Helman results in superior transportation facilities and connectivity. The trees in bump outs will provide equal transportation facilities as trees within street tree grates.

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

Finding:

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.

Finding:

Helman, Van Ness and Water Streets are '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.

- 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.

Finding:

The proposed street improvements to three public streets substantially improves the pedestrian facilities. The proposal is to add sidewalks where none currently exist on Water Street, and to widen the sidewalk on Van Ness and provide an on-street parking bay.

Street trees are proposed on all street frontages.

The proposed improvements improve the comfort level of walking along the streets and provides a safer pedestrian access. The requested exception to the allow street trees as bump outs into the public right-of-way increases the comfort level of walking along the roadway because additional buffering from the vehicles driving on Van Ness is proposed.

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

Finding:

The exception is the minimum necessary to alleviate the difficulty of having a parking bay which typically would result in a loss of street trees. The proposed bump outs into the right-of-way for the trees provide adequate growth area and provide traffic calming and shading of the street by the proposed street trees.

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

Finding:

The purpose and intent section contain standards for street connectivity and design as well as cross sections for street improvements including installation of new street trees. The proposal provides street trees in slightly different manner than required by code within a parkrow or within a tree well. Installation of sidewalks on three streets, street trees and ADA accessible crossings greatly improves the pedestrian experience along the frontages of the property mitigating the impacts of the exceptions.

**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.

Finding:

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 and a four inch water main in Helman Street. The new water services are proposed adjacent to the street frontages with four meters per structure proposed.

There is a fire hydrant on Water Street and another fire hydrant across Helman Street from the subject property.

The water line sizes and pressures 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 on the east side of Lot 3, this will connect to a new junction box that is proposed to be located on the south side of the alley public alley. A public utility easement will be provided for all public utilities that are on the private property.

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. Helman Street is classified as an avenue.

Helman Street is improved with landscape park row and sidewalk. This historic development pattern is proposed to be retained and new street trees are proposed within the reconstructed park row.

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 park row constructed of a pervious surface 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. Where the parking bay is proposed, the street trees are proposed as bumpouts into Van Ness Street.

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 / North Main Street intersection 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 previous 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 revised TIA has not yet been reviewed.

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 intersection.

E. Exception to the Site Development and Design Standards.

Finding:

An exception to the required Large Scale Development Plaza Area is requested. There is a minimum of This required outdoor plaza space is required to be 5,624 square feet. There is 3,087 square feet proposed. (AMC 18.4.2.040.D.2.a)

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.

Finding:

There is not a specifically demonstrable difficulty in meeting the specific requirement. The result of the exception to the public pedestrian plaza area is that the proposed areas are well designed, incorporating all of the features sought in the plaza area standards and equally achieve the stated purpose which is to create a safe and comfortable environment and to encourage walking and cycling while maintaining high quality development. The proposed uses and smaller than required pedestrian plaza area is consistent with the purpose and intent of the Employment zone which allows for more industrial types of uses than the Commercial zone and higher intensity development than residential zones.

**Solar Setback Standards:**

18.4.8.020. Applicability

2. Standard B Lots. Those lots with a north-south lot dimension that is less than that calculated by Formula I but greater than that calculated by Formula II, any lot zoned C-1, E-1, or M-1 and not exempt by subsection 18.4.8.020.B, or a lot not abutting a residential zone to the north, shall be required to meet setback standard B in subsection 18.4.8.030.B.

Finding:

The average slope of each lot for the purposes of solar setbacks varies between 0 to 5 percent slopes. Each lot proposed exceeds minimum required north/south lot width.

Lot 1 has an average slope of 1.6 percent downhill to the north. The required lot width is 65-feet. The lot is proposed to be 69.97 feet wide. The proposed building on Lot 1 complies with solar requiring a 52.6-foot setback and there is more than 60-feet to the north to the next adjacent property.

Lot 2 has an average slope of 5 percent uphill to the north. The lot is required to be 20.20 feet wide and is proposed to be 100 feet wide north/south. The proposed building on Lot 2 complies with solar setbacks with a 60-foot+ right-of-way to the north.

Lot 3 has an average slope of 1.95 percent downhill to the north. The required lot width is 70.5-feet and the average lot north/south lot dimension is 72.5 feet. The proposed building on Lot 3 requires a solar setback waiver. The building requires a 52.54 foot setback from the eave to the north property line. There is a 22-foot setback to the adjacent building on Lot 1 and 13-feet from the property line to the eave where a 50+ foot setback is required.

Lot 4 has an average slope of 3 percent downhill to the north. The required lot width is 72.28 feet and the proposed lot width is 72.5 feet. The building on proposed Lot 4 also requires a solar waiver. The building requires a 51 foot setback where a 24-foot setback to the adjacent building and 10-feet to the property line.

Lot 5 has a 0 percent slope. The required lot width is 22.47 and is proposed as 97 feet average north south lot width. The proposed building on Lot 5 complies with solar as it shades the property to the north where the parking area is located.

Lot 6 and 7 both exceed minimum north/south lot width required for solar and have a public right-of-way to north allowing shading of the right-of-way.

Lot 8 has an average slope of 2.6 percent uphill to the north and the minimum required lot depth is 22 feet. The lot width is proposed as 97.5 feet.

No buildings are proposed for Lots 6, 7 and 8.

AMC 18.4.8.020. C. Exceptions and Variances. Requests to depart from section 18.4.8.030, Solar Setbacks, are subject to subsection 18.4.8.020.C.1, Solar Setback Exception, 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.

Finding:

Two of five lots in Phase 1 require solar setback waivers. Lots 3 and 4 cast a greater shadow than outright permitted onto the adjacent property to the north.

Lot 3: This lot has an average slope of 1.95 downhill to the north. The proposed building requires a 52.54-foot setback from the eave to the north property line. There is a 22-foot setback to the adjacent building on Lot 1 and 13-feet from the property line to the eave where a 50+ foot setback is required.

Lot 4: This lot has an average slope of 3 percent downhill to the north. The building on proposed Lot 4 also requires a solar waiver. The building requires a 51 foot setback where a 24-foot setback to the adjacent building and 10-feet to the property line.

- 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:

Finding:

As required in this section of code, the property owners will sign the required deed releases agreeing to the specific buildings on Lots 3 and 4. A description of the shading and a corresponding drawing will be provided.

- 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.

Finding:

The proposed solar exception does not preclude the reasonable use of solar energy on the site by the proposed habitable building to the north of Lot 3 and the proposed building on Lot 3 which is shaded by the building on Lot 4 does not preclude the reasonable use of solar energy on the site.

Lot 1 which is shaded by the proposed building on Lot 3 has a garage on the ground level which is not a habitable portion of the structure. The second floor and third floor side of the building on Lot 1 is occupied by bedroom and bathroom areas. The smaller windows of the building are on this side and there is substantial passive solar access on the east and west elevations. The building has the ability to have rooftop solar collection devices for active solar that will not be precluded by the shadow cast upon the south wall of the Lot 1 building.

Lot 3 which is shaded by the proposed building on Lot 4 has garage and commercial tenant space on the south side of the building. The second and third stories are the habitable floors and there are office/bedroom, bathroom and on the south side of the building. The shading cast upon the south wall of the building does not prevent access to passive solar with large windows on east, west and north side of the structure providing adequate solar access. The proposed structure height will not prevent the use of solar collections panels upon the roof of proposed building 3.



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.

Finding:

The proposed solar exceptions on Lots 1 and 3 does not diminish the use of passive or active solar energy systems “used” by a habitable structure on the adjacent lots as they are vacant of structures and do not contain any solar devices.

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

Finding:

The unique and unusual circumstance on these lots is that the topography of the subject property and the properties to the north where the solar slope is calculated is a different slope on each property. Some lots are considered as sloping uphill, some downhill and some with zero slope. This creates a unique situation when attempting to calculate the solar setbacks. It is an unusual situation to have numerous slopes on one property depending on the area of the property where solar slope is calculated.

The solar ordinance applies to “habitable” structures. Though a portion of the structures include habitable space, the intent of the zone is Employment/business use.

Each proposed lot exceeds minimum lot dimensions for solar setbacks but the height of the buildings would be required to be substantially less than the allowed height in the zone. The proposed shading is upon commercial buildings that include a habitable space which is a unique situation. If the buildings were on one lot or fee simple parcels, the solar setback standards would not apply but with a subdivision that creates individual, more restrictive standards apply.

**Tree Removal Request**

**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.

Finding:

There are 20 trees proposed for removal that are within or directly adjacent to the subject property that are proposed for removal. The site is proposed to be fully redeveloped with commercial structures and required parking areas. The amount of site work required to achieve the level of development required in the commercial zone, often necessitates the removal trees that are within the buildable areas of the property. 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.

Finding:

The removals will not have significant negative impacts on erosion, soil stability, flow of surface 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.

Finding:

There are several hundred trees within 200-feet of the subject property. The property is in close proximity to the heavily vegetated creek area provides substantial species diversity, canopy coverage and tree densities. The proposed site development and landscape plan 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.

Finding:

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.

Finding:

Mitigation trees are proposed throughout the property. There are 27 mitigation trees proposed within the parking lot and open space areas to mitigate the removal of the trees on the site. There are 16 street trees proposed.

**Attachments:**

- 1) DEQ Site Clearance Letter
- 2) Transportation Impact from 2018
- 3) Application Plan Sets SV-1 Boundary and Topographic Survey
  - SV-2 Preliminary Subdivision Map
    - L0.1 Development Phasing Diagram
    - L0.2 Tree Protection & Removal Plan
    - L1.0 Landscape Site Plan
      - L1.1 Phase 1 Landscape Materials Board
      - L2.0 Tree Planting Plan
        - L2.1 Phase 1 Planting Plan
      - L3.0 Stormwater Diagram
    - C1.0 Preliminary Grading and Drainage Plan
    - C2.0 Preliminary Utility Plan
    - C3.0 Preliminary Erosion Control Plan
    - A0.0 Comment Responses
      - A0.1 Architectural Site Plan
      - A0.2 Street Views
      - A0.3 Street Elevations
      - A0.4 Street Elevations
      - A0.5 Typical Section (Bldg 1-8 Similar)
      - A0.6 Phase 1 Building Materials Board
    - A1.1 Building 1 Plans
    - A1.2 Building 1 Plans
    - A1.3 Building 1 Elevations
    - A2.1 Building 2 Plans
    - A2.2 Building 2 Plans
    - A2.3 Building 2 Elevations
    - A3.1 Building 3 Plans
    - A3.2 Building 3 Plans
    - A3.3 Building 3 Elevations
    - A4.1 Building 4 Plans
    - A4.2 Building 4 Plans
    - A4.3 Building 4 Elevations
    - A5.1 Building 5 Plans
    - A5.2 Building 5 Plans
    - A5.3 Building 5 Elevations
    - H1.0 Site History
    - H2.0 Site Context / Historical Building Comparison



**MINUTES FOR THE REGULAR MEETING  
ASHLAND CITY COUNCIL  
November 18, 1997**

**PLEDGE OF ALLEGIANCE**

Mayor Golden called the meeting to order at 7:00 p.m., Civic Center Council Chambers.

**ROLL CALL**

Councilors Laws, Reid, Hauck, Hagen, Wheeldon and DeBoer were present.

**APPROVAL OF MINUTES**

The minutes of the Regular meeting of November 4, 1997 were accepted as presented.

**SPECIAL PRESENTATIONS & AWARDS**

**1. Introduction and Presentation by Ashland Planning Commission.**

Barbara Jarvis, Chairperson of the Planning Commission, recognized other members of the Planning Commission (Steve Armitage, Christian Hearn, Michael Morris, Anna Howe, Ron Bass, Mike Gardiner, and Marilyn Briggs). The duties and responsibilities of the commissioners were explained and recognition was made of the time and energy put in by Commissioners when dealing with issues which affect the city. Noted that commissioners are limited in what they can do and must follow criteria set by council. Councilor Hagen and Mayor Golden emphasized the important role of the Planning Commission. Mayor Golden also noted the decrease in planning action appeals under the current commission. Stated that the dedication and thoroughness of the Planning Commission makes the job of the Mayor and Councilors much easier, and recognized Jarvis's role in clarifying duties of the commission as a quasi-judicial body to enforce criteria established by city policy makers.

**2. Presentation of Certificate of Achievement for Excellence in Financial Reporting from Government Finance Officers Association.**

Jon Jalali, City Manager *pro tem* of Medford, presented the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting to the City of Ashland for the Comprehensive Annual Financial Report for Fiscal Year Ending June 30th, 1996. Jalali noted that of the roughly 84,000 governmental entities in the United States only three percent qualify to receive this honor and spoke of the expertise and cooperation required between accounting, department heads, council and mayor to produce an annual financial report which qualifies for this certificate. It was also noted that an award of this nature serves as an excellent endorsement of Ashland for those considering buying bonds issued by the City. Finance Director Turner noted that this is the eighth or ninth consecutive year that the city has received this award.

**3. Presentation by OTAK and acceptance of the Final Report for the Ashland Creek Flood Restoration project.**

The OTAK, Inc. team consisting of Larry Magura of OTAK, Paul Fishman of Fishman Environmental Services and Clay Moorhead of the CDA Consulting Group presented their Final Report for the Ashland Creek Flood Restoration Project. Magura discussed the teams three part approach to this project which involved environmental assessments, an extensive public involvement program and the engineering phase consisting of hydrologic and hydraulic analysis of Ashland Creek Corridor. Presentation focused on the final report recommendations on pages 10-18 in the draft final report.

Fishman spoke about the environmental assessment process which dealt with ecological and geomorphological considerations in the stream corridor to protect, rehabilitate and enhance the stream corridor's habitat. Emphasized the strong community support for the environmental aspects of the project. Fishman identified some of the stream corridor features and problems along the stream's course including

areas along Calle Guanajuato where paving material had been poured on the stream bank. Noted items being built into the stream channel impeding flood flows and affecting habitat, confined areas near the Winburn Way crossing in need of habitat improvement, and potential problems for fish runs due to structures including culverts with paved, shallow bottoms.

Moorhead discussed the comprehensive public involvement process, stating that the issues identified in the initial public meetings were so diverse, specialized and community-oriented that they shifted the project approach to create focus meetings. Five focus meetings were held to identify areas of public concern over topics including Winburn Way bridge design, hydro modeling and environmental interests. An additional meeting was scheduled to discuss the architectural design aspects of the Winburn Way bridge when strong public interest was shown. The public involvement process was particularly challenging due to the need to prepare an early action report, a short-term risk reduction and long-term management recommendations in a definite time frame. Also noted how the public was kept informed on progress through public meetings, newsletters, public notices and announcements. Notices were sent to property owners as well as information posted at the construction site and on the interpretive signs nearby.

Magura explained the hydrologic and hydraulic analysis to establish a theoretical "100-year flood event" which would have a one percent average chance of occurring in any given year. Noted that the only available background was from a 1980 FEMA study which was crude by today's standards. Explained that the bridges and culverts were undersized even by the FEMA study's findings.

OTAK established a new hydrologic study based on modern methods, realizing that historically Ashland has had a flood approximately once every ten years back to the 1940's and before which is an extraordinary number of flood events. Noted that urbanization along the creek has affected its ability to convey flood flows. Magura explained the Hydrologic Engineering Center River Analysis System (HEC-RAS), which is a state-of-the-art hydraulic modeling system was used to generate a precise model based on 106 cross-sections taken in a 4200' section of the creek from Hersey St. to Butler Bandshell and then on to the Granite St. Reservoir. Based on this model, the OTAK Team was able to identify and prioritize deficiencies and how they could be addressed.

Explained that the early action recommendations were made to identify things that could be done this summer to prepare for potential flooding this winter as a means of short term risk reduction. Chief among these recommendations was the replacement of the Winburn Way culvert with a modern ConSpan pre-fabricated bridge and a flood wall.

The "100-year flood event" was defined as having a flow of 3100 cubic feet per second (cfs) in contrast to the prior FEMA study that had defined this event as 2200 cfs. Explained that long term recommendations focused more on stream corridor management issues.

Discussed the progress of the Winburn Way bridge construction including the placement of all utilities, a storm sceptor to keep storm-carried pollutants out of the stream, a new hydrant, street and crosswalk. Noted the possibility of project completion by November 26 to allow the bridge to be open to vehicular traffic and qualifying the contractor for portion of contract incentives. It was explained that the crosswalk is in, railing and lights are scheduled to be in by mid-December, but that paving would need to wait until dry weather.

Magura asked the council to accept the recommendations on pages 10-18 of the draft final report or provide input for modifications. The recommendations discussed methods of **flood control**, including the under-construction flood wall in Lithia Park for protection; setting minimum channel capacity of at least 1500 cfs and not allowing encroachment; removing and replacing gunite in channel or expect bank failure along Calle Guanajuato; cantilever deck removed; adopting stream setback ordinance and consider designating existing structures as non-conforming.

Moorhead discussed the need for a **flood management** plan in addition to the flood control measures. Suggested that an annual review of flood hazard conditions be conducted as part of Emergency Management Plan by city staff with consultants and/or community members to identify improvements and maintenance issues for the drainage basin which could reduce future risks of flooding. Moorhead identified removal of woody debris from floodplain similar to the City of Medford Public Works program for regular annual debris removal. This could involve coordinated effort by the City, Parks Dept. and the Forest Service. Also suggested conducting an annual tree assessment on creekside; using removable or bolted-down concrete furniture to withstand flood conditions; designating a specific member of staff to undertake the flood plan; refining response plan in "greenbook" of emergency responses, including the stockpiling of sandbags, purchasing a sandbagging machine, and placing stations for sandbags at strategic points, including pedestrian walk near lower duck pond in park; and identifying and maintaining a list of at-risk-properties.

Magura explained recommended **flood design standards** for improvements on new structures to meet the 3100 cfs/100-year event standard. Noted that Water St. bridge should be the next focus of city's efforts and something similar to the Winburn Way bridge should be considered. Replacement of pedestrian bridges was also suggested.

Fishman outlined some of the **habitat and environment recommendations**. Explained that bridges, stream bank protection or other projects in the stream corridor should follow guidelines and review procedures to protect habitat and hydraulic capacity for flood conveyance. Control of sediment and erosion watershed-wide is a major part of this issue due to sedimented granitic soils. Fishman is working with Parks staff to formulate a stream corridor management plan, and recommended that the city work with Oregon Department of Fish and Wildlife and the National Marine Fisheries Service to determine fish production goals and develop a formal program to improve fish habitat and allow fish passage. Urged council to look at both short- and long-term improvements recommended in report, to review them carefully and develop an implementation plan. Noted that most of the short-term recommendations are in progress, so the long term recommendations should be looked at closely to develop a long-term plan.

Fishman also discussed **aesthetic considerations and community character**, giving only one recommendation. That the community involvement should guide aesthetic decisions for future improvements in the stream corridor. Used the Winburn Way bridge design as an example, since it resulted largely from community input during the interactive process of public meetings.

Magura summarized what had been requested of the OTAK team, including early action items, main report of recommendations and that the project be carried out in a very public atmosphere with extensive interaction between consultants, staff and concerned members of the public. Outlined how these items had been delivered, summarizing the presentation and mentioning the recent FEMA Hazard Mitigation Grant for \$150,000 which was prepared by Mr. Moorhead with no additional compensation from the city.

Magura then discussed ideas about what needs to be done next. These included fixing Water St. bridge with one smaller than that on Winburn Way. Noting the utility conflicts and the "risky location" of the new condominiums on Water Street. Looked at what needs to be done on Calle Guanajuato, especially with regard to the existing pedestrian bridge (Ken Mickelsen of Parks Dept. and Brian McCarthy, Parks & Rec. Commission landscape architect have this project under way). And how to deal with the damaged gunite areas on the Calle.

Concluded by expressing appreciation of city staff for their essential contributions to the overall effort, specifically mentioning Public Works Director/City Engineer Paula Brown, Assistant Public Works Director Jim Olson, and Interim City Administrator Greg Scoles.

Mayor Golden questioned the shallowness of the new Winburn Way bridge's flow and channel. Fishman explained geomorphologists had been looking into this and decided on the addition of hard elements to balance hydraulic capacity, habitat and water passage in the area where the retaining walls create the channel. Will also be dealing with the fish weirs under the bridge to address this issue.

Councilor Reid questioned alternatives to gunite. Fishman suggests stone, rock and grouted stone walls; clarified walls could be used to stabilize steep banks. Clarified that structures referred to earlier had actually been constructed into the active creek channel as decking foundation, and that the grouted stone walls would not have a structural nature but rather would set the grade of the stream bed to direct the water flow.

Mayor Golden noted that the FEMA Hazard Mitigation Grant was actually in the amount of \$155,000, not the \$150,000 previously mentioned, due to the addition of \$5,000 for administrative costs.

**Cate Hartzell/881 E. Main St./**A member of Watershed Partnership speaking on her own behalf, asked that the report be accepted, but not adopted as the Watershed Partnership is still reviewing the recommendations with staff.

**Councilors DeBoer/Laws m/s to accept final report. Voice vote, all AYES. Motion passed.**

#### **CONSENT AGENDA**

- 1. Minutes of boards, commissions and committees.**
- 2. Monthly Departmental Reports - October, 1997.**
- 3. Confirmation of appointment of Russ Chapman to the Planning Commission.**

**Councilors Hauck/Reid m/s to accept the consent agenda. Voice vote, all AYES. Motion passed.**

#### **PUBLIC HEARINGS**

- 1. Summary of expenditures to be included in Flood Restoration Bond Issue.  
Public Hearing open: 8:05 pm.**

Finance Director Jill Turner explained the proposed bond issue and recognized the contribution by city staff members Jim Olson and Karen Huckins who spent hours helping to prepare information for FEMA. Noted that despite the long process, the results are genuinely satisfactory and there has been very little disagreement with the FEMA office or the Office of Emergency Management.

Turner explained that most of the work is completed or nearly completed. Presented graphs detailing breakdowns of the total expenditure of \$3.6 million and the sources of repayment. Explained that FEMA will not pay for highway repairs and that bond proceeds could only be used for capital, not "emergency" costs. Requested approval of bond issue for \$1,080,000, which is less than the \$1,250,000 expected. Noted that damage costs were nearly \$1 million more than initial estimates, and requested the issuance of general obligation bonds for flood restoration. Turner noted that she intends to refinance the 1992 water bonds (due to the presence of a favorable interest market) by combining as one issue and reduce the cost of issuance. This would provide significant savings (\$50-75,000) by refinancing now.

Mayor Golden requested that the bond issuance be discussed under Ordinances, Resolutions and Contracts in order to complete the Public Hearing by 9:30 pm.

**Public hearing closed: 8:13 pm.**



## 2. Consideration of revised Hillside Development Standards.

### Public hearing open: 8:20 pm.

Mayor Golden explained that Ashland residents would be allowed to speak first, followed by non-residents, and that all speakers would be allowed three minutes. Noted that all non-resident speaker requests were in opposition to the ordinance and were in some way connected to real-estate or development.

Director of Community Development, John McLaughlin explained that the ordinance was back before council after 1½ months in ad hoc committee meetings. During that time, issues such as slope, building location, and design standards, had been dealt with. McLaughlin noted that a memo had been received from Department of Land Conservation and Development (DLCD) Field Representative Jim Hinman explaining their review of the ordinance and giving some suggestions. After consideration of these suggestions, McLaughlin concurs and recommends a deletion of the line in 18.62.080(h) which states "*of sufficient size to accommodate the uses permitted in the underlying zone*". This was a clarification of building envelopes as suggested by DLCD as per their memo. Stated that other concerns in the DLCD memo will likely be addressed in the City's findings.

McLaughlin also discussed the 22 page memo received from Wendie Kellington on behalf of the Rogue Valley Association of Realtors. This memo included 29 specific recommendations, the first six of which refer to specific items from a previous memo and the remaining 23 raising questions with the original ordinance. McLaughlin stated that neither he nor City Attorney Paul Nolte felt these issues should be acted upon by the council. Disagreed that the ordinance resulted in noncompliance with statewide goals as suggested in the memo. Addressed specific issues in which the Rogue Valley Association of Realtors claims a loss of 1129 buildable units on vacant lands as a result of this ordinance. The Planning Department identified only 1600 available units in the entire city, and estimates that only 33 buildable lots would be lost. This is a loss of only two percent of the currently available building lots, rather than the 70% suggested by the Rogue Valley Association of Realtors, which McLaughlin stated, was "very misleading".

Councilor Reid questioned whether taking division of lots into account could affect the parties reaching these numbers. McLaughlin explained that currently there are requirements affecting development on all hillside lands, and a higher level of geotechnical analysis and plan requirements and more requirements for new street requirements.

Councilor Reid asked whether certain requirements would apply only to splitting lots or creating new lots. McLaughlin stated that this was not the case. Also clarified that tree removal, when not part of development, as part of wildfire management in accord with the Fire Department, would not require a permit or involvement of the Planning process.

**Steve Wood/460 Parkside Dr./**Currently building on hillside. Has moved his envelope to save a small tree, and will use indigenous plants. Stated that Planning Department is made up of intelligent, creative people who strictly enforce, to the letter of the law, all building codes for safe hillside construction. They protect the environment and create safe, secure homes. Feels that this ordinance is an intrusion into personal property rights that amounts to a shameless landgrab on the part of the no-growth lobby. Would like to see laws, which apply to all citizens, equal.

**Marilyn Briggs/590 Glenview Dr/**Stated that the ordinance is well put together with a few minor problems, and that the Cooper property is evidence of the need for strong standards for hillside development. Willing to forget color requirements, and noted that 18.62.080(a) provides a variance procedure to satisfy those opposing the ordinance. Quoted Frank Lloyd Wright who recommended building up hills not on hills due to

fire patterns. Noted her personal experience with fire in the 1960's, where fire moved up Glenview Dr. to Terrace St.

**John Billings/1140 Jackson/**Questioned number of available lots. Made note of his time in council beginning in 1953 and his 30 years of service on council and in the planning commission. Stated that problems arise due to the number of people wanting to live here and needing rules to balance desirability versus livability. Future will bring more people and we should plan to expand boundaries west out Ashland Mine Rd.. Feels that basic rules of construction would satisfy concerns over hillside development safety, but noted his concerns regarding runoff. Wants to keep Ashland liveable.

**Bill Emerson/90 5th St/**As a design professional, he likes the existence of guidelines but would like to have a definition of design professional added along with architect in 18.62.080(g).

**Pat Walden/144 Nutley/**Owns an undeveloped lot on the hillside, and feels that while these restrictions affect her ability to build or sell she still favors the ordinance due to concerns over fire, flooding and aesthetics. Hillside is an important resource to the community and should be placed before property rights, and people sometimes need to give up individual rights to live together for a common good.

**Pete Seda/1257 Siskiyou/**Thanked volunteers for work on ordinance and appreciates the professionalism of the Planning Department. Stressed the importance of relying on volunteers, with professional assistance when needed. Noted that the State Urban Forestry Board would be willing to help with a tree protection ordinance. Felt that relying on the volunteer process and then forwarding to committee, planners and councilors makes accomplishing initial goals difficult.

**Barbara Bean/510 Terrace/**Concerned about unstable granite slopes. Ordinance goes a long way to protect slope. Council must look to best interest of vast majority of citizens and have courage. Original standards correct with 35% limits. Questioned lots in watercourses.

**Claire Collins/315 High St./**Questioned slope percentage and noted 35% was a compromise as many wanted a 25% limit. Noted difficulty in getting fire trucks up steep roads especially when icy. Ashland is a fire-prone town and hillside affects entire town. Roads on slope lead to erosion and run-off which contributed greatly to this year's flood event. Need planning and guidelines to reach the desirability level citizens want, and there are variances for special cases.

**Becky Lindgren/Granite St./**Granite St. property owner, born in Ashland. Concerned about her ability to build, divide or sell a two-acre lot she owns under this ordinance. Has similar concerns for grandmother's property.

**Gerald Cavanaugh/560 Oak/**Spoke before in favor of strictest ordinance. Not an issue for science to decide but is up to the majority reflected through council's decision. 35% in these hills appears too steep for building, but it is a standard that can be worked with. Aesthetics deal with more than color but shape, size, placement and as such must be considered and regulated. "Should" is acceptable in place of "shall" with regard to color. This issue touches a raw nerve, and council needs to consider the will of the majority in making a decision.

**Cate Hartzell/881 E. Main/**Confirmed general support for safety aspects, stating that the issue should not be "keeping houses on the hill, but the hillside on the hill". Ordinance could have tried to deal with other design options other than color, but the committee tried to mitigate key aspects of the appearance of the overall number of houses on the hill. Noted that the Comprehensive Plan might be interpreted to encourage restrictions even lower than 35%, and that the city needs to balance keeping developers in business with

safety of hillside. Questioned subsidizing growth at the expense of all citizens, noting issues concerning property rights, costs of growth, traffic goals, fire and erosion risks.

**Steve Morjig/610 Chestnut/**Considers it a mistake not to have involved realtors and builders earlier in this process. Opposed to some elements as the ordinance is primarily aesthetic and should not regulate aesthetics. Flood damage on Granite St. was due to natural erosion, and in the case of the Cooper property a city mistake in approving subdivision. Present regulations are adequate to handle hillside issues. Noted that wording should be suggestive and felt that "enforcement by committee" would be difficult and time consuming.

**Lynn Ferguson/1537 Lilac Cir/**Noted that 1100 citizens had signed a petition asking for adoption of proposed ordinance and expressed concern with building to ridgeline. Expressed strong feelings that we are irreparably damaging community with current building practices, and that color concerns have been a diversion from important issues. Special interests seeking monetary benefit shouldn't be placed before the community at large, and we should diligently guard our irreplaceable natural resources for the benefit of future generations and carefully preserve the safety of our present citizens.

**Marie Donovan/Ashland Homes/189 Logan Dr/**Against the ordinance, and disturbed by the "lack of process". Noted that city's interpretation of Oregon Administrative Rules, that no urban residential growth is expected to occur on hillside slopes greater than 25%, is wrong by her understanding. Felt that the city's entire buildable lands inventory must remain available for residential development unless the Comprehensive Plan land inventory is amended before this ordinance is adopted. By not dealing with this or dealing with impact on city's remaining Goal 10 compliance, this ordinance removes a large amount of land from the city's available housing stock. Feels strongly that this is contrary to law, and bad policy placing undue pressure on urban growth boundary. Feels this is a disservice to agricultural lands, the urban growth boundary, sister cities and Jackson County. As a fiduciary of the city's land use program and steward of the county and state land use programs the city should not adopt the proposed ordinance as written.

**Bill Robertson/2175 Tolman Cr/**Chairman of the Forest Commission and President of the Board of Jackson County Fire District #5 for Rural Fire Service. Submitted lengthy letter concerning the ordinance relative to ecosystem health and fire safety. Stated that city needs to open forest canopy to provide less fuel for fires, allowing for healthier trees and making it easy and inexpensive for homeowners to take out trees to thin the canopy.

**Peggy Roberts/320 High St/**Helped collect signatures on the petition to pass the ordinance. Citizens have shared concern about continued unrestricted development destroying hillsides. Hillsides are identified as a natural resource in statewide planning goals for the protection of natural features. Many hillside residents and property owners favor this ordinance. Council faces both an obligation and an opportunity to reach a "Sustainable Ashland" often spoken of. Must consider social wellbeing, financial results and environmental protection.

**Bill Tweedie/1537 Lilac Cir./**Volunteer who helped circulate petition. Expressed support of strong ordinance, with safety and aesthetic elements, noting that aesthetics cannot be separated. If restrictions not retained in ordinance, the natural beauty of the hillside will be gradually destroyed, affecting the desirability of the city. Noted that American Planning Association requested information from jurisdictions with hillside plans or ordinances. 190 cities and counties responded, and 75% of those listed aesthetic purposes as the reason for the ordinances, and this was highest percent of all reasons given.

**Henry Kneebone/449 Orchard St./**Disagreed with ordinance, noting original recommendation of Gov. McCall to build on hills in order to save farmland.

**Bob Taber/97 Scenic Dr./Progressive Citizens Alliance/**Read November 13th letter from petition signed by 1100 petitioners regarding adoption of original ordinance, and urged council to pass the ordinance.

**Carlos Reischenshammer/600 Emigrant Cr. Rd./**Noted he was in favor of health and safety issues and opposed to aesthetic regulations, feeling that standards should be the same for all. Urged another look at the ordinance to separate safety from aesthetics. Also noted that after speaking to the fire department he was told that the deck height issue wasn't a safety issue on their part, as implied in previous discussion of ordinance.

**Steve Asher/1060 Elkader/**Discussed a letter from John Chandler, Director of Government Affairs for the Oregon Building Industry Association. Opposed to the ordinance due to divisive nature and disparities it creates. Aesthetics change and an ordinance shouldn't dictate current conventions to future generations. Need to compromise.

**Dick Trout/830 Garden Way/**Spoke for aesthetics, urging council to keep Oregon looking like Oregon.

**Rad Welles/359 Kearney/**Concerned with Californians moving to Oregon and then dictating policy. Variance procedure is not available to all. Questioned how many lots are really affected by requirements of the ordinance, including those with houses. Noted concerns over the "invasive" requirement for a costly tree survey.

**Larry Medinger/115 Fork St./**Presented photos, questioning elements of ordinance as they apply to the photographed houses, including ridge definitions, color requirements, and gables. Suggested guidelines as used in the Historic District.

**Richard Ernst/975 Walker/**Concerned that a 10,000 sq. ft. lot with 100 trees would be treated the same as a lot with only 5 trees.

Public hearing adjourned at 9:30 pm, as required in ordinance. Mayor Golden noted that the public hearing could continue to the scheduled time for the study session tomorrow. Clarified that city ordinance requires public hearings to be completed by 9:30 pm. Stated that only those that had signed up to speak this evening would be allowed to speak at the adjourned meeting.

**Councilors Hauck/Laws m/s to continue public hearing on Wednesday, November 19th at 12:30 pm.**

**DISCUSSION:** Councilor Hagen noted that there had been ample opportunity for comment through the process. Councilor Hauck agreed with Hagen's comments, but noted ordinance that requires continuation if all speakers haven't been heard. City Attorney Nolte clarified that the continuation of the meeting would not be a study session, but a continued public hearing and decision making would be possible. **Voice vote: Laws Reid, Hauck, Wheeldon, and DeBoer, AYE. Hagen, NO. Motion passed, 5-1.**

#### **PUBLIC FORUM**

None

#### **NEW AND MISCELLANEOUS BUSINESS**

- 1. Authorize Mayor and City Recorder to sign Quitclaim Deed to convey property off Tolman Creek Road to William P. Robertson.**

Councilor Reid requested a map to see the area to be quitclaimed. Councilor DeBoer clarified the situation, and City Attorney Paul Nolte noted that two new owners are now involved. DeBoer stated that he could only authorize signing, if the document was in hand, ready to be filed.

William P. Robertson, grantee in the deed, explained that he's jumped through all the city's hoops and arranged the agreement to connect city streets. Now he has sold pieces of his property, taken out loans, and doesn't have legal access to his property. Concerned that if not handled now, an agreement will not be possible later.

Councilor Laws suggested that the Quitclaim Deed signing could be authorized now pending Friday's meeting between Robertson and Planning. Councilor DeBoer questioned conveying back this piece if city owns pieces of all three properties. Nolte explained that the situation was due to a city mistake, and since the original agreement wasn't recorded in a timely manner, the other pieces do not belong to the city. DeBoer made strong recommendation that city seek pre-signed agreements in the future from other property owners.

**Councilors Hauck/Hagen m/s to authorize Mayor and City Recorder to sign Quitclaim Deed. Voice vote: All AYES. Motion passed.**

**2. Authorize Mayor and City Recorder to sign Quitclaim Deed removing pedestrian easement at 137 Oak Meadows Place.**

**Councilors DeBoer/Reid m/s to authorize Mayor and City Recorder to sign Quitclaim Deed.** Discussion on how the survey was incorrect and that the easement is through a deck and part of a house. Discussed rules of adverse possession and City Attorney Nolte clarified that adverse possession cannot be claimed against government. Councilor Hauck clarified history. Discussion of the intent behind the original pedestrian easement and how this would affect eventual extension of the Bear Creek Greenway to Hersey St.

**Voice vote: Wheeldon, Reid, Laws, and DeBoer, AYE. Hauck and Hagen, NO. Motion passed, 4-2.**

**Councilors Hagen/Reid m/s to extend meeting past 10:00 pm. Voice vote: all AYES. Motion passed.**

**3. Recommendation by Housing Commission for the creation of a Rental Assistance and Home Ownership pilot programs.**

Senior Planner Bill Molnar and Housing Commissioners Larry Medinger and Gerry Sea presented information on two proposed city-sponsored loan programs to fund affordable housing in Ashland. The Ashland Rental Assistance program would provide \$750 dollars to potential renters for assistance with up-front costs, particularly for those who have a regular income but can't meet move in costs. Would be a short term, 15 month loan at 5% interest.

Home Ownership program would provide \$2500 to help with downpayment and miscellaneous closing costs. Noted that the program would place a limit on asset, and require recipients to take ownership classes, as well as requiring residency or employment in Ashland for 6 months previous to application for both programs.

Both programs would be administered by an outside agency. Similar programs throughout the state are administered by H.U.D. and require no repayment. Repayment would be required under the proposed programs here. The initial authorization request is \$30,000 per program, to allow operation with an evaluation after 1 year.

Councilor Reid questioned whether this assistance would be available for those receiving H.U.D. loans. Medinger clarified any loan would qualify as long as Affordable Housing guidelines were met. Molnar noted a possibility that H.U.D. matching funds could become available later. Councilor Reid questioned whether residency requirement could be changed to 1 year. Molnar noted that City Attorney Nolte had been consulted in arriving at the 6-month requirement.

Councilor Hauck discussed similar programs elsewhere, explaining that recovery through electric bill payments would help greatly. Councilor Laws questioned bill recovery on electric bills for rentals and stated it will become a subsidy and gradually lose funds through repayment failure. Councilor Hauck noted success of others in the region.

Councilor DeBoer questioned whether this funding was available to be used elsewhere, also noting that \$2500 would be of little help with most closing costs. Councilor Hauck clarified that the funding was available to be used elsewhere.

**Councilor Laws/Hagen m/s to authorize the program. Voice vote, all AYES. Motion passed.**

#### **ORDINANCES, RESOLUTIONS AND CONTRACTS**

- 1. Reading by title only of "A Resolution Authorizing Issuance of Flood Restoration and Refunding Bond Issue Series 1997."**

**Councilors Hauck/Laws m/s to adopt Resolution #97-38.**

**DISCUSSION:** Mayor Golden spoke concerning Measure 50 issues, property tax value increases and the fact that funds may be available elsewhere. Suggested leaving electric rates as is, rather than decreasing them as had been discussed. Would like to see funds made available elsewhere without bond or tax increases. Questioned a way of retiring bonds without specifying retirement through property taxes.

Finance Director, Jill Turner clarified that general obligation bonds could be paid as a lien against property taxes if not paid some other way. Noted that this would mean an average cost of \$10.53 for a \$100,000 home. It would be possible to decide on other sources to pay back bonds after issue, but it was noted that projects for Streets, Parks and Water Departments have little funding available from other sources. Councilors Laws and Hauck stated that they felt council could authorize the resolution and allow the budget committee to determine how bonds would be retired. Mayor Golden noted that she'd like a commitment to find other funding.

Councilor DeBoer asked for clarification of previous issue's amount, rate and payment information from Turner. Councilor Hagen stated that he was open to looking at other options including tax reductions.

Councilor Wheeldon questioned timeline to get best rates, and Turner noted that the current bond market is very favorable. Turner also noted that the issue was important now because of IRS calendar year limitations which require financing wastewater treatment plant and this bond issue in separate calendar years to get the best possible interest rate. Councilor DeBoer asked about combining Fordyce St. LID with this issue. Turner clarified that this was not possible.

**Cate Hartzell/881 East Main St./**Stated that she would like to see public explanations of flood restoration costs related to this issue. Council members clarified that it had been explained earlier in the public hearing. Hartzell reiterated that she would like to see costs publicized, with estimates compared to actuals, and further questioned cost of restoration projects at the airport and the overall process.

**Roll call vote: Laws, Reid, Hauck, Hagen, Wheeldon, and DeBoer, YES. Motion passed.**

- 2. Reading by title only of "A Resolution Changing the Name of Marklyn Drive to Ashland Creek Drive."**


Discussion concerning the similarity of "Ashland Creek" to "Ashland Street" noting the potential for confusion on 911 calls. There was confirmation that the Fire Department had signed off on the name change and

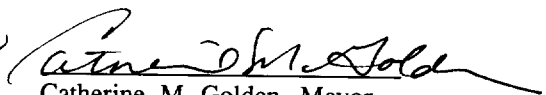
Director of Community Development John McLaughlin clarified related details of the street name ordinance.

**Councilors Hauck/Reid m/s to adopt Resolution #97-39. Roll call vote Reid, Hauck, Hagen, Wheeldon, DeBoer, and Laws, YES. Motion passed.**

**ADJOURNMENT**

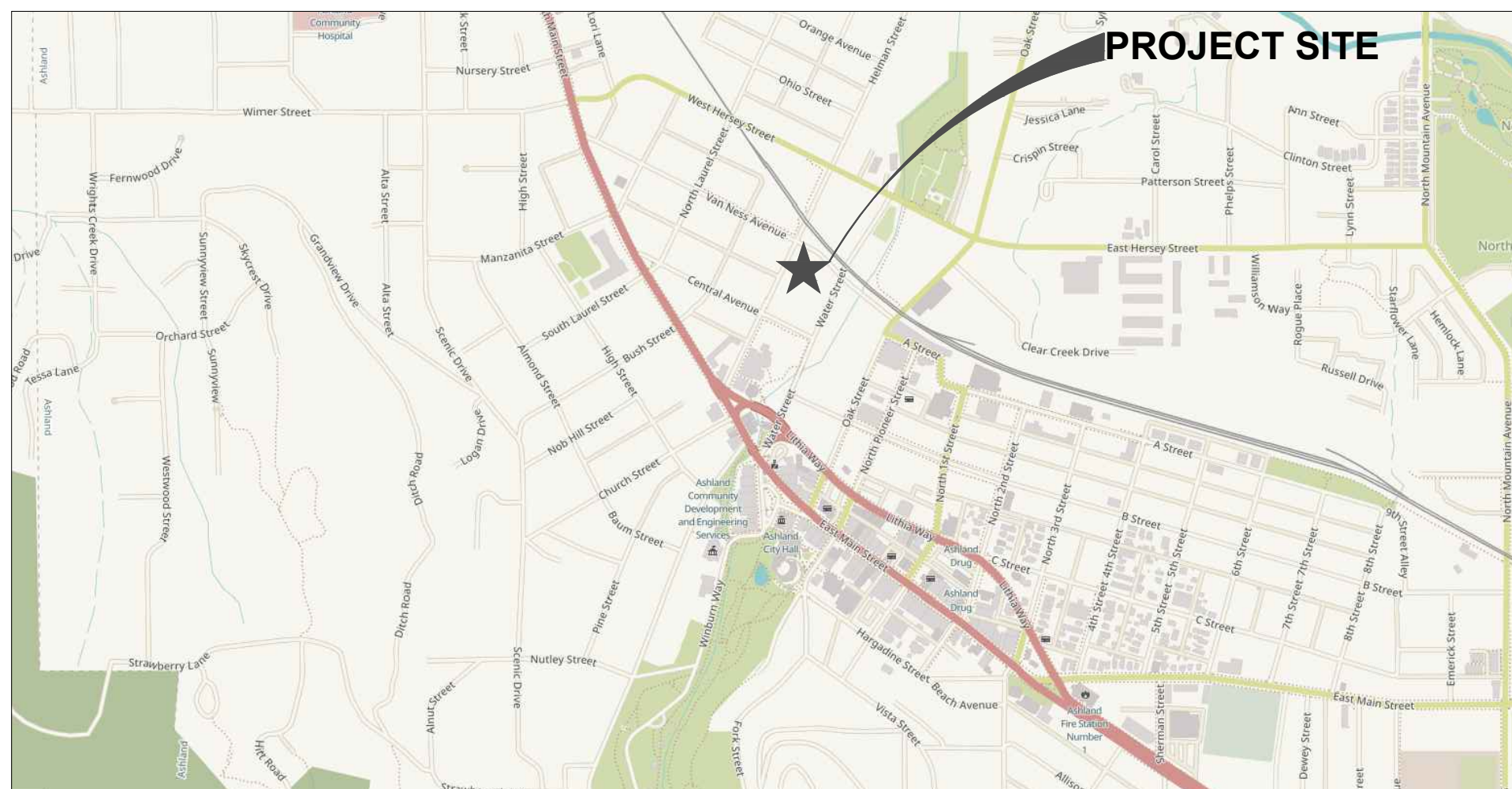
Meeting adjourned at 10:30 p.m. to continue at 12:30 p.m. on Wednesday, November 19th.

  
Barbara Christensen, City Recorder

  
Catherine M. Golden, Mayor



**1** Concept Render: Van Ness Avenue & Helman Street  
Scale: N.T.S.



## PROJECT DIRECTORY

**PROJECT ADDRESS:** 165 WATER ST / 160 HELMAN ST / 95 VAN NESS AVE

**OWNER/PERMIT APPLICANT:**  
 GIL LIVNI  
 MAGNOLIA FINE HOMES, LLC  
 441 TALENT AVE  
 TALENT, OR 97540

**BUILDING DESIGNER:** MAGNOLIA FINE HOMES, LLC  
 441 TALENT AVE  
 TALENT, OR 97540

**SURVEYOR:** SHAWN KAMPMANN  
 POLARIS LAND SURVEYING, LLC  
 PO BOX 459  
 ASHLAND, OR 97501

**CIVIL ENGINEER:**  
 MARC CROSS  
 RHINE CROSS GROUP, LLC  
 112 N. 5TH ST. SUITE 200  
 KLAMATH FALLS, OR 97601

**STRUCTURAL ENGINEER:** SNYDER ENGINEERS  
 415 E. PINE ST.  
 CENTRAL POINT, OR 97502

**LAND USE PLANNER:** AMY GUNTER  
 ROGUE PLANNING AND  
 DEVELOPMENT SERVICES, LLC  
 1314-B Center Dr., PMB#457  
 MEDFORD, OR 97501

**LANDSCAPE ARCHITECT:**  
 PIPER VON CHAMIER  
 TERRAIN LANDSCAPE ARCHITECTURE  
 33 N. CENTRAL AVE STE. 210  
 MEDFORD, OR 97501

## SHEET INDEX

SV-1	Boundary and Topographic Survey
SV-2	Preliminary Subdivision Map
L0.1	Development Phasing Diagram
L0.2	Tree Protection & Removal Plan
L1.0	Landscape Site Plan
L1.1	Phase 1 Landscape Materials Board
L2.0	Tree Planting Plan
L2.1	Phase 1 Planting Plan
L3.0	Stormwater Diagram
C1.0	Preliminary Grading and Drainage Plan
C2.0	Preliminary Utility Plan
C3.0	Preliminary Erosion Control Plan
A0.0	Comment Responses
A0.1	Architectural Site Plan
A0.2	Street Views
A0.3	Street Elevations
A0.4	Street Elevations
A0.5	Typical Section (Bldg 1-8 Similar)
A0.6	Phase 1 Building Materials Board
A1.1	Building 1 Plans
A1.2	Building 1 Plans
A1.3	Building 1 Elevations
A2.1	Building 2 Plans
A2.2	Building 2 Plans
A2.3	Building 2 Elevations
A3.1	Building 3 Plans
A3.2	Building 3 Plans
A3.3	Building 3 Elevations
A4.1	Building 4 Plans
A4.2	Building 4 Plans
A4.3	Building 4 Elevations
A5.1	Building 5 Plans
A5.2	Building 5 Plans
A5.3	Building 5 Elevations
H1.0	Site History
H2.0	Site Context / Historical Building Comparison

## PROJECT NARRATIVE

Located in the heart of Ashland, this proposed development sits on a sloping 1.19 acre site in the E-1 zoning district, with stunning views of the surrounding mountain peaks.

The goal of this mixed-use development is to provide a vibrant, active setting for both residential and commercial activity on a historically significant but underutilized site. Eight buildings provide commercial space on the ground level and two residential floors above. The setting for these mixed-use structures will be pedestrian-oriented streetscapes on three sides, alley on the fourth side, pedestrian corridors between buildings, spacious outdoor plazas, and environmentally sensitive landscaping. Parking and bicycle parking are provided for all users.

Landscape spaces are designed to treat stormwater on site to the extent possible. As they move through the site, people will cross bridges over rain gardens and stroll along walkways bordered with flow-through planters. Much of the paving underfoot, including in parking areas, will be permeable. Benches, seatwalls and café tables throughout the property provide places to linger, while larger plaza spaces provide opportunities for tenants, neighbors and the public to gather and socialize as a community.

A variety of trees species will shade the streetscape and the interior spaces of the site. A distinctive Magnolia promenade winds through the middle of the site, and a specimen Magnolia tree sits prominently in the central plaza of the proposed Magnolia Terrace development.

## ZONING INFORMATION

**BASE ZONE:** E-1  
**OVERLAY ZONES:** RESIDENTIAL / HISTORIC  
**MAP & TAX LOTS:** 2100 391E04CC, 2000 391E04CC, 7100 391E04CC  
**LOT AREA:** 1.19 ACRE (51,897 SF)

# MAGNOLIA TERRACE

PROPOSED MIXED USE DEVELOPMENT

## PLANNING REVIEW SET



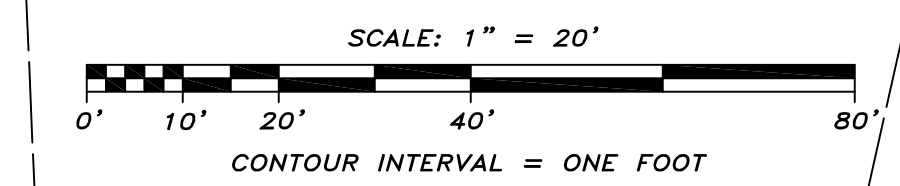
# BOUNDARY & TOPOGRAPHIC SURVEY

LOCATED AT  
**95 Van Ness Avenue, 160 Helman Street &  
 165 Water Street, Ashland, Oregon**  
 LYING SITUATE WITHIN  
 SOUTHWEST QUARTER OF SECTION 4  
 TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN  
 CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR  
**Magnolia Properties LLC**  
 2532 Old Mill Way  
 Ashland, Oregon 97520

**LEGEND**

	SURVEY CONTROL POINT, AS DESCRIBED
	IRON PIN MONUMENT
	BRASS CAP MONUMENT
	SUBJECT PROPERTY LINE
	BOUNDARY LINE
	CENTERLINE
	EASEMENT LINE
	FENCELINE
	BURIED WATER LINE
	BURIED NATURAL GAS LINE
	BURIED TELEPHONE LINE
	BURIED CABLE TV LINE
	BURIED IRRIGATION LINE
	STORM DRAIN LINE
	SANITARY SEWER LINE
	OVERHEAD POWER LINE
	BURIED POWER LINE
	ROCK WALL
	CONTOUR LINE
	GUY ANCHOR
	POWER POLE
	POWER TRANSFORMER
	POWER PESTAL/CABINET
	ELECTRIC METER
	AREA LIGHT
	WATER METER
	WATER VALVE
	FIRE HYDRANT
	CATCHBASIN
	CURB INLET
	STORM DRAIN MANHOLE
	SANITARY SEWER MANHOLE
	CLEANOUT
	PHONE MANHOLE
	PHONE PESTAL
	GAS METER
	GAS VALVE
	IRRIGATION BOX
	BUILDING
	CONCRETE SURFACE
	ASPHALT SURFACE
	EXISTING EASEMENT, AS DESCRIBED
	DECIDUOUS TREE (AS DESCRIBED)



**SURVEY NOTES**

THE BASIS OF VERTICAL CONTROL FOR THIS SURVEY IS A CITY OF ASHLAND BENCHMARK, BEING A BRASS CAP IN THE TOP OF A CONCRETE CURB LOCATED AT THE SOUTHWESTERLY CORNER OF NORTH MAIN STREET AND BUSH STREET. BENCHMARK ELEVATION = 1904.074; BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, ADJUSTED IN 1956 (NGVD 2956).

EXPOSED UTILITY STRUCTURES SHOWN HEREON WERE FIELD LOCATED DURING THE PERFORMANCE OF THIS SURVEY. BURIED UTILITY LOCATIONS WERE DETERMINED BY UTILIZING A COMBINATION OF FIELD SURVEYED PAINT MARKS AND "AS-BUILT" RECORD DRAWINGS FURNISHED BY THE RESPECTIVE UTILITY COMPANY REPRESENTATIVES. ARE APPROXIMATE AND SHOWN HEREON FOR GRAPHIC PURPOSES ONLY. FIELD VERIFICATION OF ALL BURIED UTILITIES MUST BE PERFORMED PRIOR TO ANY EXCAVATION OR CONSTRUCTION ACTIVITIES.

## SHEET SV-1

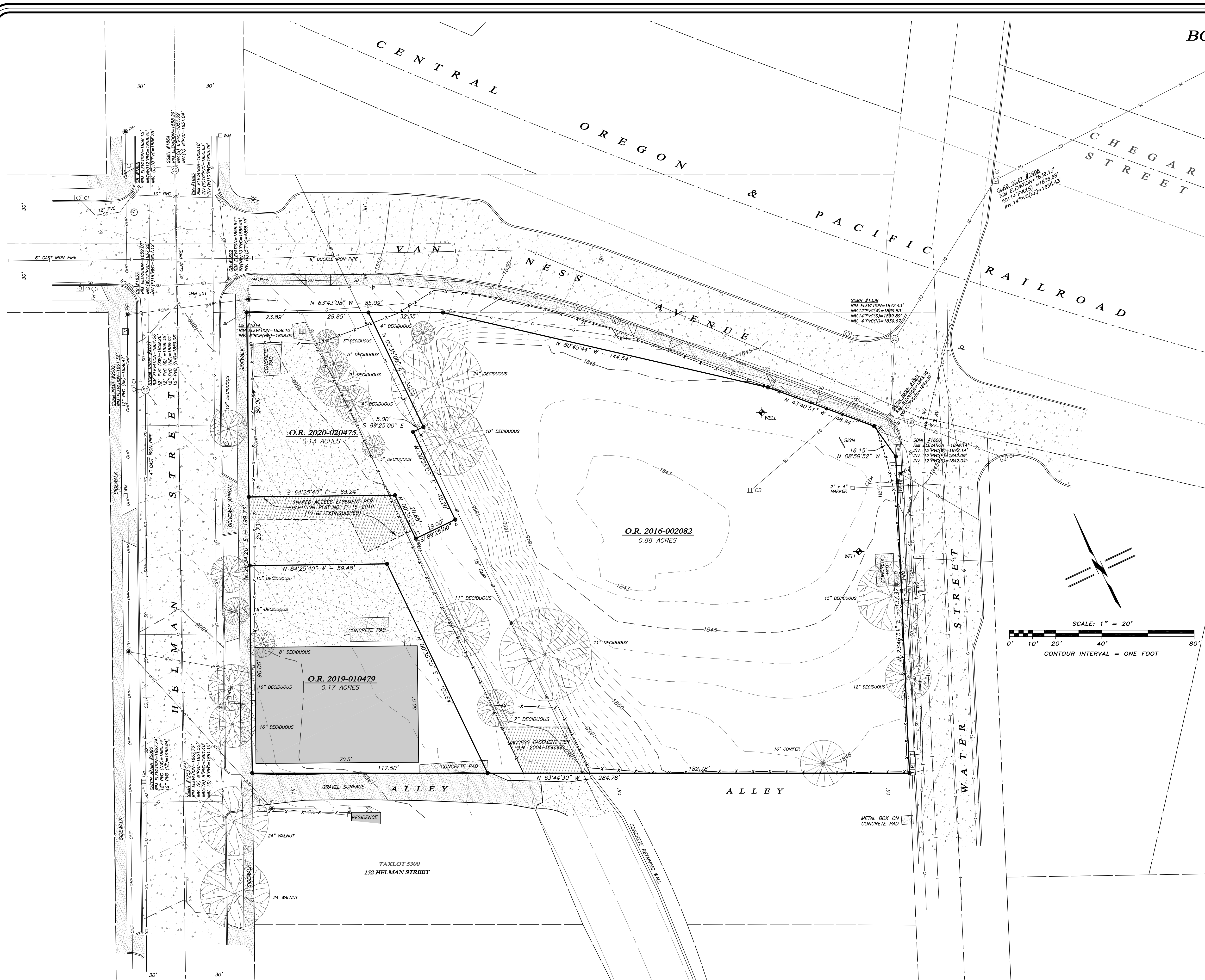
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 JULY 14, 1988  
 SHAWN KAMPMANN  
 2883 LS

RENEWAL DATE: 6/30/2023

SURVEYED BY:  
**POLARIS LAND SURVEYING LLC**  
 P.O. BOX 459  
 ASHLAND, OREGON 97520  
 (541) 482-5009

DATE: DECEMBER 20, 2021  
 PROJECT NO. 1004-15



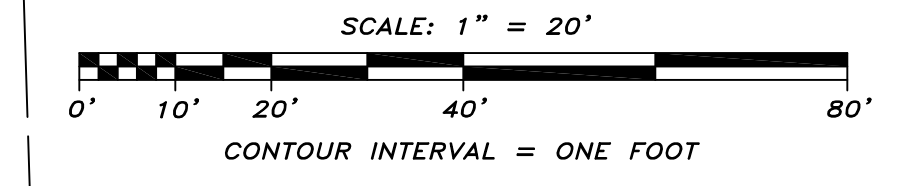
Assessor's Map No. 39 1E 04 CC, Tax Lot 2100

# PRELIMINARY SUBDIVISION MAP

LOCATED AT  
**95 Van Ness Avenue, 160 Helman Street &  
 165 Water Street, Ashland, Oregon**  
 LYING SITUATE WITHIN  
 SOUTHWEST QUARTER OF SECTION 4,  
 TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN  
 CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR  
**Magnolia Properties LLC**  
 2532 Old Mill Way  
 Ashland, Oregon 97520

- LEGEND**
- SURVEY CONTROL POINT, AS DESCRIBED
  - SUBJECT PROPERTY LINE
  - PROPOSED SUBDIVISION BOUNDARY
  - BOUNDARY LINE
  - BOUNDARY DEED LINE
  - CENTERLINE
  - FENCELINE
  - WATER LINE
  - BURIED NATURAL GAS LINE
  - PRIVATE IRRIGATION LINE
  - STORM DRAIN LINE
  - SANITARY SEWER LINE
  - OVERHEAD POWER LINE
  - CONTOUR LINE
  - LIGHT POLE
  - POWER POLE
  - ELECTRIC METER
  - GUY WIRE
  - WATER METER
  - IRRIGATION BOX
  - SIGN
  - CATCHBASIN
  - STORM SEWER MANHOLE
  - SANITARY SEWER MANHOLE
  - TELEVISION PESTAL
  - PUBLIC UTILITY EASEMENT
  - PUBLIC PEDESTRIAN ACCESS EASEMENT
  - SHARED ACCESS EASEMENT
- BUILDING
  - CONCRETE SURFACE
  - ASPHALT SURFACE
  - EXISTING EASEMENT, AS DESCRIBED
  - PROPOSED EASEMENT, AS DESCRIBED
  - PROPOSED EASEMENT, AS DESCRIBED
  - DECIDUOUS TREE (AS DESCRIBED)



**SURVEY NOTES**

THE BASIS OF VERTICAL CONTROL FOR THIS SURVEY IS A CITY OF ASHLAND BENCHMARK, BEING A BRASS CAP IN THE TOP OF A CONCRETE CURB LOCATED AT THE SOUTHWESTERLY CORNER OF NORTH MAIN STREET AND BUSH STREET. BENCHMARK ELEVATION = 1904.074', BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, ADJUSTED IN 1956 (NGVD 29/56).

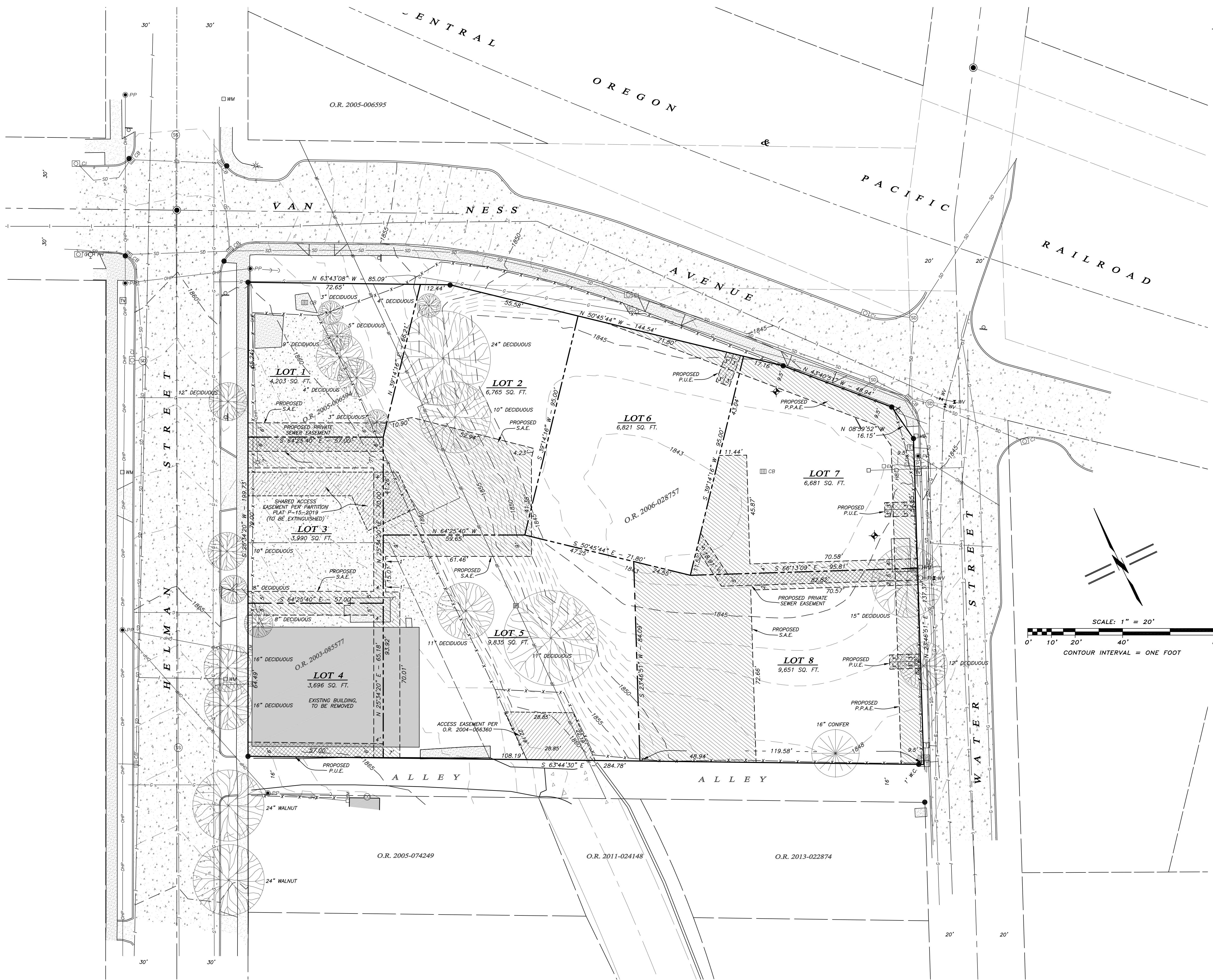
EXPOSED UTILITY STRUCTURES SHOWN HEREON WERE FIELD LOCATED DURING THE PERFORMANCE OF THIS SURVEY. BURIED UTILITY LOCATIONS WERE DETERMINED BY UTILIZING A COMBINATION OF FIELD SURVEYED PAINT MARKS AND "AS-BUILT" RECORD DRAWINGS FURNISHED BY THE RESPECTIVE UTILITY COMPANY REPRESENTATIVES. ARE APPROXIMATE AND SHOWN HEREON FOR GRAPHIC PURPOSES ONLY. FIELD VERIFICATION OF ALL BURIED UTILITIES MUST BE PERFORMED PRIOR TO ANY EXCAVATION OR CONSTRUCTION ACTIVITIES.

**SHEET SV-2**

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
 OREGON  
 JULY 14, 1988  
 SHAWN KAMPMANN  
 2883 LS  
 RENEWAL DATE: 6/30/2023

SURVEYED BY:  
**POLARIS LAND SURVEYING LLC**  
 P.O. BOX 459  
 ASHLAND, OREGON 97520  
 (541) 482-5009

DATE: DECEMBER 30, 2021  
 PROJECT NO. 1004-15

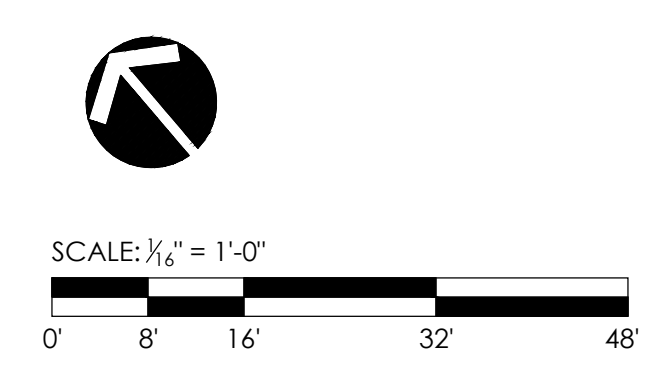
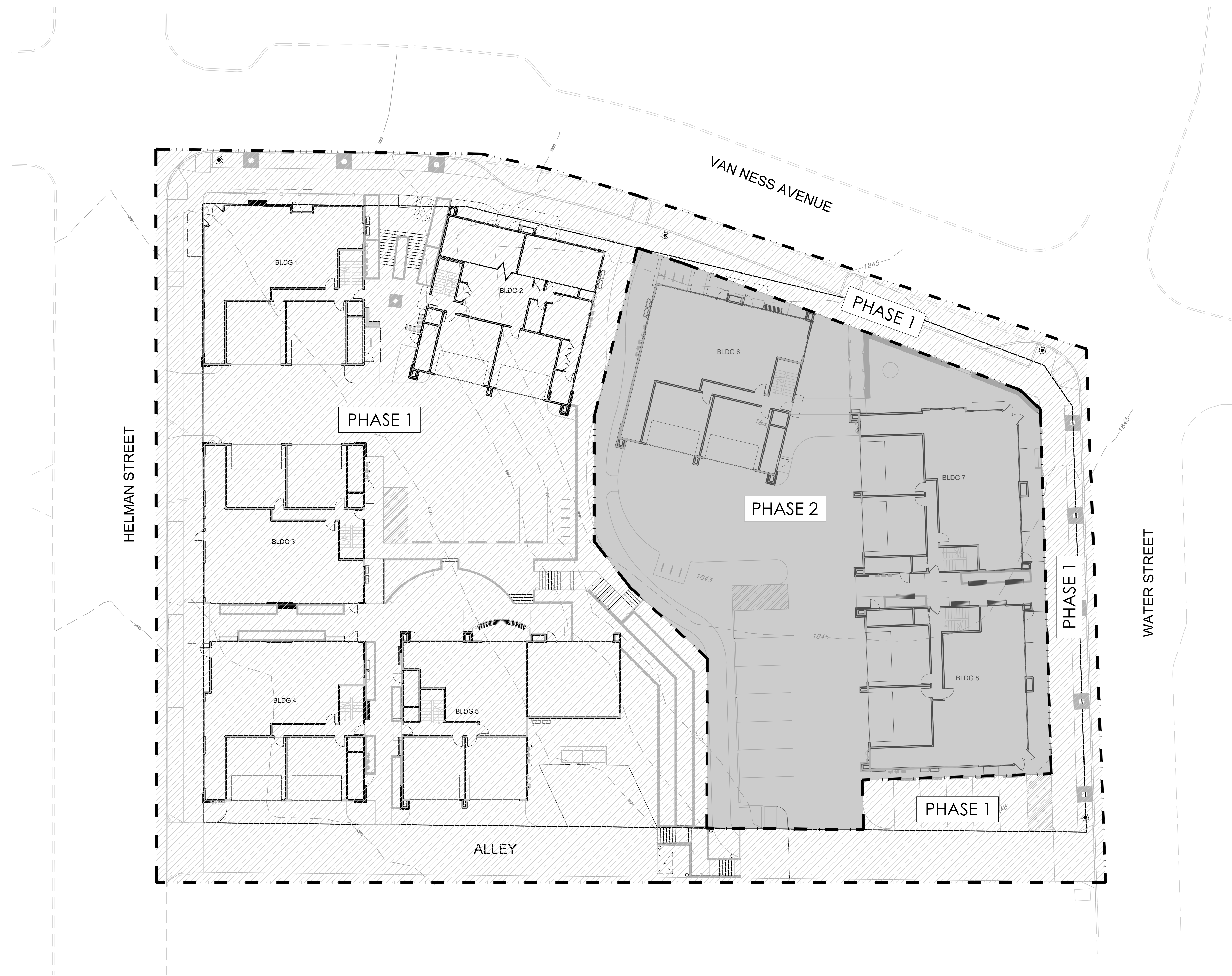


REVISIONS		
#	DATE	DESCRIPTION

PLANNING REVIEW

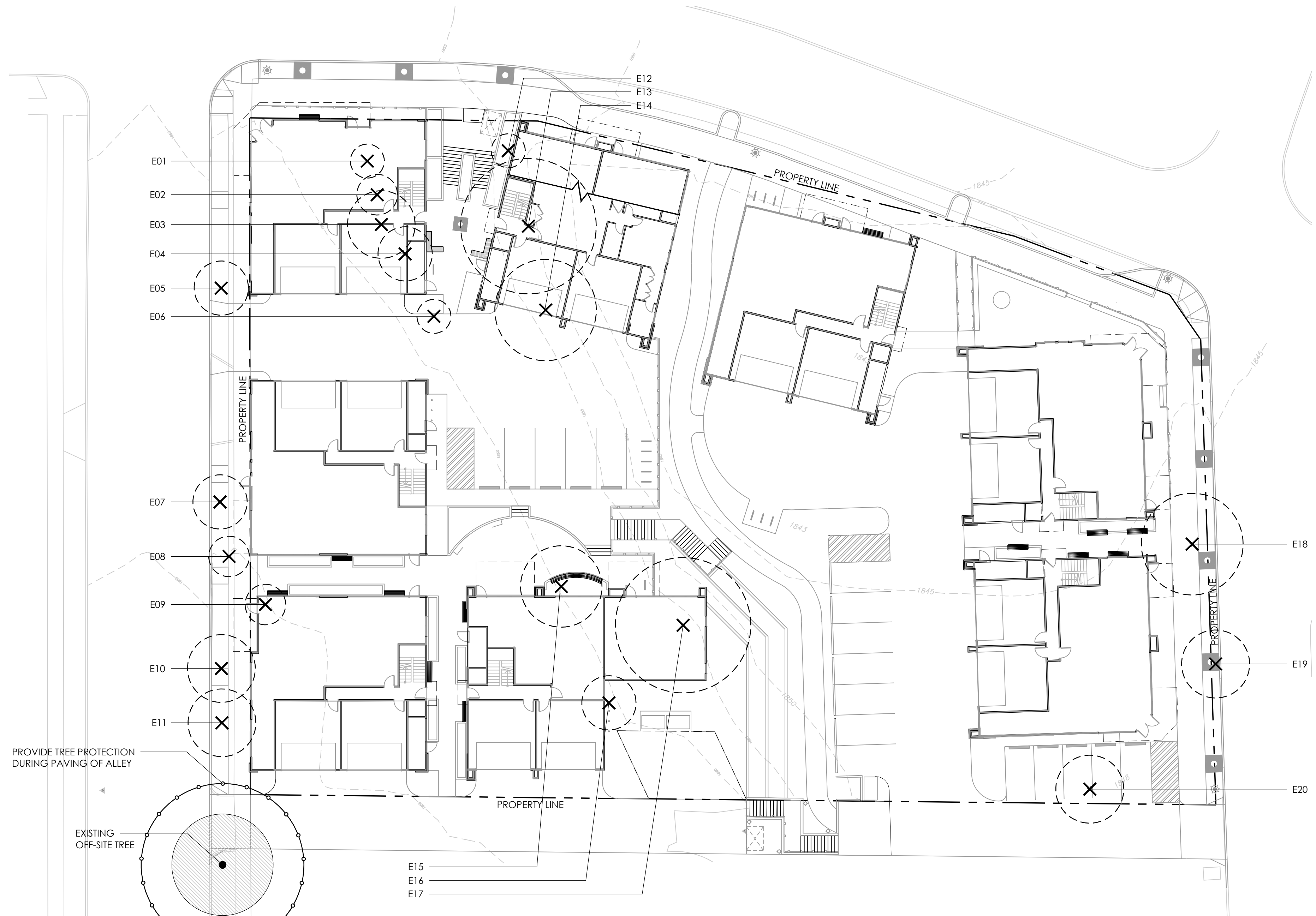
DEVELOPMENT PHASING DIAGRAM

**L0.1**  
 PROJECT NO. 2117  
 12.31.2021  
 TEAM: PVC, CG, EG



**TREE PROTECTION AND REMOVAL NOTES**

1. PRIOR TO DELIVERING EXCAVATION EQUIPMENT OR COMMENCING ANY CONSTRUCTION ACTIVITIES ON THE SITE, THE GENERAL CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT FOR A PRE-CONSTRUCTION MEETING WITH THE LANDSCAPE ARCHITECT AND EXCAVATION SUPERVISOR PRIOR TO COMMENCING ANY WORK ON THE SITE. THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED BY THE CONTRACTOR 48 HRS. IN ADVANCE FOR ALL SITE VISITS REQUESTED. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FROM THE OWNER'S REPRESENTATIVE THAT CONSTRUCTION MAY BEGIN AFTER ALL OF THE DESCRIBED FENCING IS IN PLACE. FENCING SHALL REMAIN IN PLACE UNTIL THE PROJECT IS COMPLETED.
2. FENCES MUST BE ERECTED TO PROTECT TREES TO BE PRESERVED AS SHOWN IN DIAGRAM. FENCING SHALL BE 6' TALL TEMPORARY CHAIN LINK PANELS INSTALLED WITH METAL CONNECTIONS TO ALL PANELS AREA INTEGRATED. THESE FENCES SHALL BE INSTALLED SO THAT IT DOES NOT ALLOW PASSAGE OF PEDESTRIANS AND/ OR VEHICLES THROUGH IT. FENCES DEFINE A SPECIFIC PROTECTION ZONE FOR EACH TREE OR GROUP OF TREES. FENCES ARE TO REMAIN UNTIL ALL SITE WORK HAS BEEN COMPLETED. FENCES MAY NOT BE RELOCATED OR REMOVED WITHOUT THE PERMISSION OF THE LANDSCAPE ARCHITECT.
3. CONSTRUCTION TRAILERS, TRAFFIC AND STORAGE AREAS MUST REMAIN OUTSIDE FENCED TREE PROTECTION ZONES AT ALL TIMES. SEE DETAIL #1 "TREE PRESERVATION FENCING" FOR ADDITIONAL REQUIREMENTS.
4. ALL PROPOSED UNDERGROUND UTILITIES AND DRAIN OR IRRIGATION LINES SHALL BE ROUTED OUTSIDE THE TREE PROTECTION ZONE. IF LINES MUST TRANSVERSE THE PROTECTION AREA, THEY SHALL BE TUNNELED OR BORED UNDER THE TREE ROOTS. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IF ANY PROJECT PLANS CONFLICT WITH THIS REQUIREMENT.
5. NO MATERIALS, EQUIPMENT, SPOIL, OR WASTE OR WASHOUT WATER MAY BE DEPOSITED, STORED, OR PARKED WITHIN THE TREE PROTECTION ZONE (FENCED AREA).
6. NOTIFY THE LANDSCAPE ARCHITECT IF TREE PRUNING IS REQUIRED FOR CONSTRUCTION CLEARANCE .
7. IF INJURY SHOULD OCCUR TO ANY TREE DURING CONSTRUCTION, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY. ALL DAMAGE CAUSED BY CONSTRUCTION TO EXISTING TREES SHALL BE COMPENSATED FOR BY THE OFFENDING PARTY, BEFORE THE PROJECT WILL BE CONSIDERED COMPLETE.
8. WATERING SCHEDULE: WATERING PROTECTED TREES SHALL FOLLOW THESE STANDARDS, HOWEVER PERIODS OF EXTREME HEAT, WIND, RAINFALL OR DROUGHT MAY REQUIRE MORE OR LESS WATER THAN RECOMMENDED IN THESE NOTES.
  - A. MOST SPECIES: 1 TIME PER MONTH DURING IRRIGATION SEASON (USUALLY MARCH THROUGH SEPTEMBER)
  - B. QUERCUS/OAK: DEEP WATER IN MAY AND SEPTEMBER, DO NOT WATER DURING OTHER MONTHS. FOR OAKS ALREADY IN THE VICINITY OF IRRIGATED CONDITIONS, AUTOMATIC SPRINKLERS OR REGULAR WATERING SHALL NOT BE ALLOWED TO SPRAY ON OR WITHIN 3 FEET OF THE TRUNK. THE WATER SHALL NOT BE ALLOWED TO POOL OR DRAIN TOWARDS THE TRUNK.
  - C. WATERING METHOD: HAND WATERING SYSTEMS, RECOMMENDED FOR TREES THAT ARE PART OF A DEVELOPMENT PROJECT THAT MUST BE WATERED TO INSURE TREE SURVIVAL DURING THE COURSE OF CONSTRUCTION UNTIL AUTOMATIC IRRIGATION IS INSTALLED.
9. EROSION CONTROL DEVICES SUCH AS SILT FENCING, DEBRIS BASINS, AND WATER DIVERSION STRUCTURES SHALL BE INSTALLED ON THE UPHILL SIDE OF THE TREE PROTECTION ZONE TO PREVENT SILTATION AND/ OR EROSION WITHIN THE TREE PROTECTION ZONE.
12. BEFORE GRADING, PAD PREPARATION, OR EXCAVATION FOR THE FOUNDATIONS, FOOTINGS, WALLS, OR TRENCHING, ANY TREES WITHIN THE SPECIFIC CONSTRUCTION ZONE SHALL BE ROOT PRUNED 1 FOOT OUTSIDE THE TREE PROTECTION ZONE BY CUTTING ALL ROOTS CLEANLY AT A 90 DEGREE ANGLE TO A DEPTH OF 24 INCHES. ROOTS SHALL BE CUT BY MANUALLY DIGGING A TRENCH AND CUTTING EXPOSED ROOTS WITH A SAW, VIBRATING KNIFE, ROCK SAW, NARROW TRENCHER WITH SHARP BLADES, OR OTHER APPROVED ROOT-PRUNING EQUIPMENT.
13. ANY ROOTS DAMAGED DURING GRADING OR CONSTRUCTION SHALL BE EXPOSED TO SOUND TISSUE AND CUT CLEANLY AT A 90 DEGREE ANGLE TO THE ROOT WITH A SAW. PLACE DAMP SOIL AROUND ALL CUT ROOTS TO A DEPTH EQUALING THE EXISTING FINISH GRADE WITHIN 4 HOURS OF CUTS BEING MADE.
14. IF TEMPORARY HAUL OR ACCESS ROADS MUST PASS OVER THE ROOT AREA OF TREES TO BE RETAINED, A ROAD BED OF 6 - 8 INCHES OF WOOD MULCH OR GRAVEL SHALL BE CREATED TO PROTECT THE SOIL. THE ROAD BED MATERIAL SHALL BE REPLENISHED AS NECESSARY TO MAINTAIN A MIN. 6 INCH DEPTH.
15. SPOIL FROM TRENCHES, BASEMENTS, OR OTHER EXCAVATIONS SHALL NOT BE PLACED WITHIN THE TREE PROTECTION ZONE, EITHER TEMPORARILY OR PERMANENTLY.
16. NO BURN PILES OR DEBRIS PILES SHALL BE PLACED WITHIN THE TREE PROTECTION ZONE. NO ASHES, DEBRIS, OR GARBAGE MAY BE DUMPED OR BURIED WITHIN THE TREE PROTECTION ZONE.
17. MAINTAIN FIRE-SAFE AREAS AROUND FENCED AREA. ALSO, NO HEAT SOURCES, FLAMES, IGNITION SOURCES, OR SMOKING IS ALLOWED NEAR MULCH OR TREES.
18. DO NOT RAISE THE SOIL LEVEL WITHIN THE DRIP LINES TO ACHIEVE POSITIVE DRAINAGE, EXCEPT TO MATCH GRADES WITH SIDEWALKS AND CURBS, AND IN THOSE AREAS, FEATHER THE ADDED TOPSOIL BACK TO EXISTING GRADE AT APPROXIMATELY 3:1 SLOPE.
19. REMOVE THE ROOT WAD FOR EACH TREE THAT IS INDICATED ON THE PLAN AS BEING REMOVED.
20. EXCEPTIONS TO THE TREE PROTECTION SPECIFICATIONS MAY ONLY BE GRANTED IN EXTRAORDINARY CIRCUMSTANCES WITH WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT PRIOR TO ANY WORK COMMENCING.
21. AS A PROTECTIVE MEASURE TO COMPENSATE FOR CONSTRUCTION IMPACTS, TWO TO SIX WEEKS PRIOR TO CONSTRUCTION, ALL RETAINED TREES SHOWN ON THIS PLAN SHALL RECEIVE AN APPLICATION OF MYCOAPPLY ALL PURPOSE SOLUBLE PER MANUFACTURER'S INSTRUCTIONS. THIS MYCORRHIZAE PRODUCT IS A SPECIALLY FORMULATED NATURAL ROOT BIOSTIMULANT WHICH ENHANCES THE ABSORPTIVE SURFACE AREA OF THE TREES' ROOT SYSTEMS. THIS PROMOTES AND IMPROVES NUTRIENT AND WATER UPTAKE CAPABILITIES OF THE REMAINING ROOT STRUCTURE. DISTRIBUTE MYCOAPPLY EVENLY WITHIN THE ACTIVE ROOT ZONE OF RETAINED TREES. APPLY 30 GALS. OF SOLUTION PER TREE 6" DBH AND GREATER, A MINIMUM OF 4" BELOW SOIL SURFACE IN QUANTITIES OF 1/2 GALLON AT EACH POINT OF APPLICATION. LOCATE THE ACTIVE ROOT ZONES WITH LANDSCAPE ARCHITECT PRESENT. MYCOAPPLY IS AVAILABLE FROM MYCORRHIZAL APPLICATION, INC., PHONE (541) 476-3985.

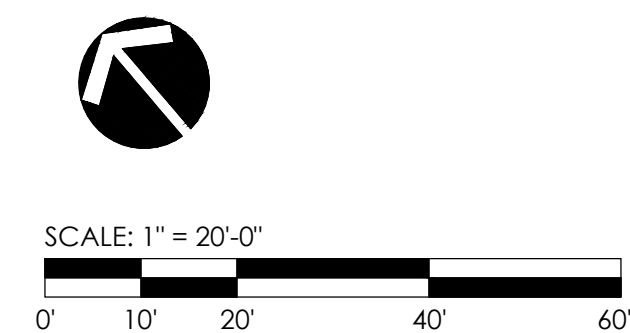


**TREE LEGEND**

#	TREE NAME	TRUNK DBH (IN)	TPZ RADIUS (FT)	ACTION
E01	OAK	6"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E02	OAK	0'-7"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E03	OAK	0'-9"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E04	DECIDUOUS	0'-4"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E05	MAPLE	0'-8"	N/A	REMOVE - INAPPROPRIATE TREE FOR PARKROW
E06	DECIDUOUS	0'-3"	N/A	REMOVE - WITHIN FUTURE DEVELOPMENT FOOTPRINT
E07	DECIDUOUS	0'-10"	N/A	REMOVE - INAPPROPRIATE TREE FOR PARKROW
E08	DECIDUOUS	0'-8"	N/A	REMOVE - WITHIN FUTURE DEVELOPMENT FOOTPRINT
E09	DECIDUOUS	0'-8"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E10	DECIDUOUS	1'-4"	N/A	REMOVE - INAPPROPRIATE TREE FOR PARKROW
E11	DECIDUOUS	1'-4"	N/A	REMOVE - INAPPROPRIATE TREE FOR PARKROW
E12	DECIDUOUS	0'-4"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E13	OAK	2'-0"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E14	MAPLE	0'-10"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E15	DECIDUOUS	0'-11"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E16	DECIDUOUS	0'-7"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E17	FRUITLESS MULBERRY	0'-11"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E18	FRUITLESS MULBERRY	1'-3"	N/A	REMOVE - WITHIN FUTURE DEVELOPMENT FOOTPRINT
E19	DECIDUOUS	1'-0"	N/A	REMOVE - INAPPROPRIATE TREE FOR PARKROW
E20	PINE	1'-4"	N/A	REMOVE - WITHIN FUTURE DEVELOPMENT FOOTPRINT

**TREE PROTECTION PLAN LEGEND**

SYMBOL	DESCRIPTION
	TREE PROTECTION ZONE (TPZ)
	DRILINE OF TREE TO REMAIN
	TREE TO REMOVE
	TPZ FENCING



MAGNOLIA TERRACE  
 165 WATER ST / 160 HELMAN ST / 95 VAN NESS AVE  
 ASHLAND, OREGON 97520

REVISIONS

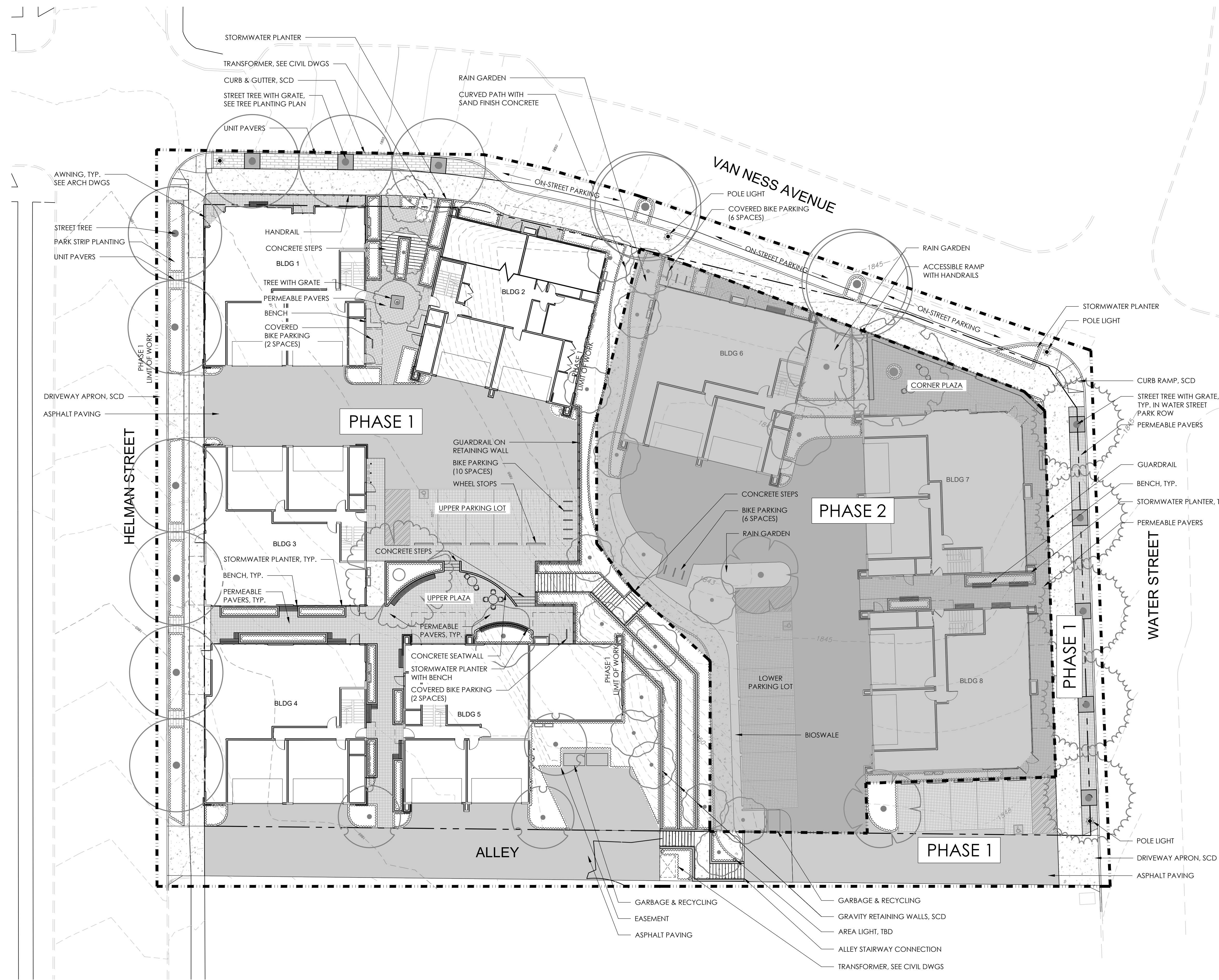
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PLANNING REVIEW

TREE PROTECTION AND REMOVAL PLAN

L0.2

PROJECT NO. 2117  
 12.31.2021  
 TEAM: Pvc, CG, EG



### PRELIMINARY MATERIALS LEGEND

SYMBOL	DESCRIPTION	NOTES
[Pattern]	CONCRETE PAVING	SAND FINISH
[Pattern]	ASPHALT PAVING	
[Pattern]	UNIT PAVERS	TO MATCH PERMEABLE PAVER STYLE
[Pattern]	PERMEABLE PAVERS	ADA COMPLIANT
[Symbol]	BENCH	
[Symbol]	BIKE RACK	
[Symbol]	BISTRO TABLE & CHAIRS	
[Symbol]	GARBAGE & RECYCLING DUMPSTER	
[Symbol]	POLE LIGHT	STERNBERG STYLE POLE LIGHT, PER ASHLAND PUBLIC WORKS STANDARD
[Symbol]	AREA LIGHT	TBD
[Symbol]	OVERHEAD STRUCTURE FOR VINES	CUSTOM
[Symbol]	TREE GRATE	
[Symbol]	GUARDRAIL	42" HIGH

### BICYCLE PARKING

PER CITY OF ASHLAND LAND USE ORDINANCE - SECTION 18.4.3

**Bicycle Parking for Non-Residential Uses.**  
 Uses required to provide off street parking, except as specifically noted, shall provide two spaces per primary use, or one bicycle parking space for every five required automobile parking spaces, whichever is greater. Fifty percent of the bicycle parking spaces required shall be sheltered from the weather. All spaces shall be located in proximity to the uses they are intended to serve.

USE CATEGORY	MIN. BIKE SPACES REQUIRED	BIKE SPACES PROPOSED
NON-RESIDENTIAL	20 SPACES (2 SPACES X 10 PRIMARY USES)	26 TOTAL SPACES 10 COVERED 16 UNCOVERED
RESIDENTIAL	SEE ARCHITECTURAL DRAWINGS	SEE ARCHITECTURAL DRAWINGS

NOTE: Fourteen (14) spaces will be installed during Phase 1 of development (4 covered, 10 uncovered). The remaining 12 spaces will be installed during Phase 2 (6 covered, 6 uncovered).



MAGNOLIA TERRACE  
 165 WATER ST / 160 HELMAN ST / 95 VAN NESS AVE  
 ASHLAND, OREGON 97520

### REVISIONS

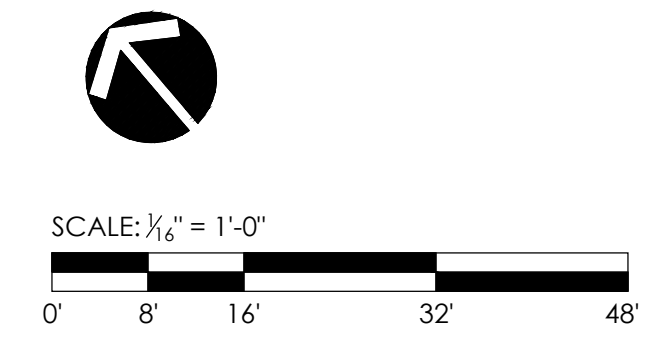
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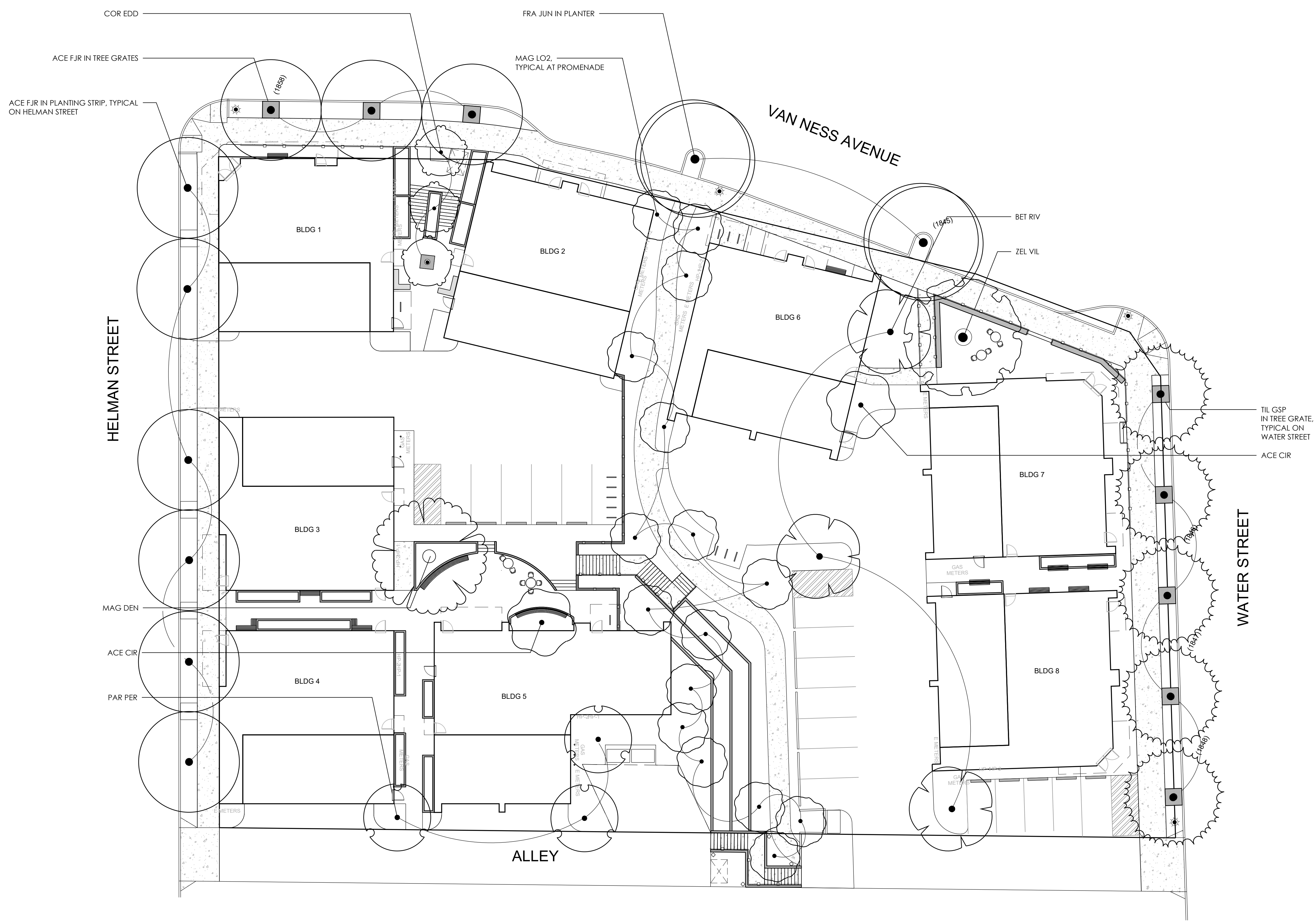
PLANNING REVIEW

LANDSCAPE SITE PLAN

L1.0

PROJECT NO. 2117  
 12.31.2021  
 TEAM: Pvc, CG, EG





PRELIMINARY TREE LIST			
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME
	ACE CIR	ACER CIRCINATUM	VINE MAPLE
	ACE FJR	ACER RUBRUM 'FRANK JR.'	REDPOINTE MAPLE
	BET RIV	BETULA NIGRA	RIVER BIRCH
	COR EDD	CORNUS X 'EDDIE'S WHITE WONDER'	EDDIE'S WHITE WONDER DOGWOOD
	FRA JUN	FRAXINUS AMERICANA 'JUNGINGER'	AUTUMN PURPLE WHITE ASH
	MAG DEN	MAGNOLIA DENUDATA	YULAN MAGNOLIA (SPECIMEN)
	MAG LO2	MAGNOLIA X LOEBNERI	LOEBNER MAGNOLIA
	PAR PER	PARROTIA PERSICA	PERSIAN PARROTIA
	TIL GSP	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LITTLELEAF LINDEN
	ZEL VIL	ZELKOVA SERRATA 'VILLAGE GREEN'	VILLAGE GREEN SAWLEAF ZELKOVA



**1 REDPOINTE MAPLE**  
PROPOSED TREE SPECIES



**2 MAGNOLIA BLOSSOMS**  
PROPOSED TREE SPECIES



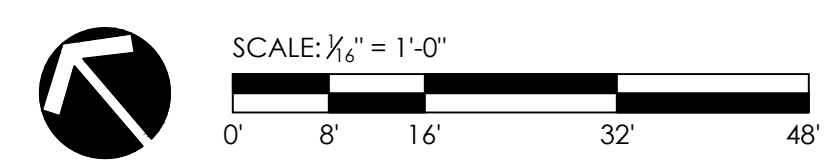
**3 LOEBNER MAGNOLIA**  
PROPOSED TREE SPECIES



**4 GREENSPIRE LITTLELEAF LINDEN**  
PROPOSED TREE SPECIES



**5 AUTUMN PURPLE WHITE ASH**  
PROPOSED TREE SPECIES

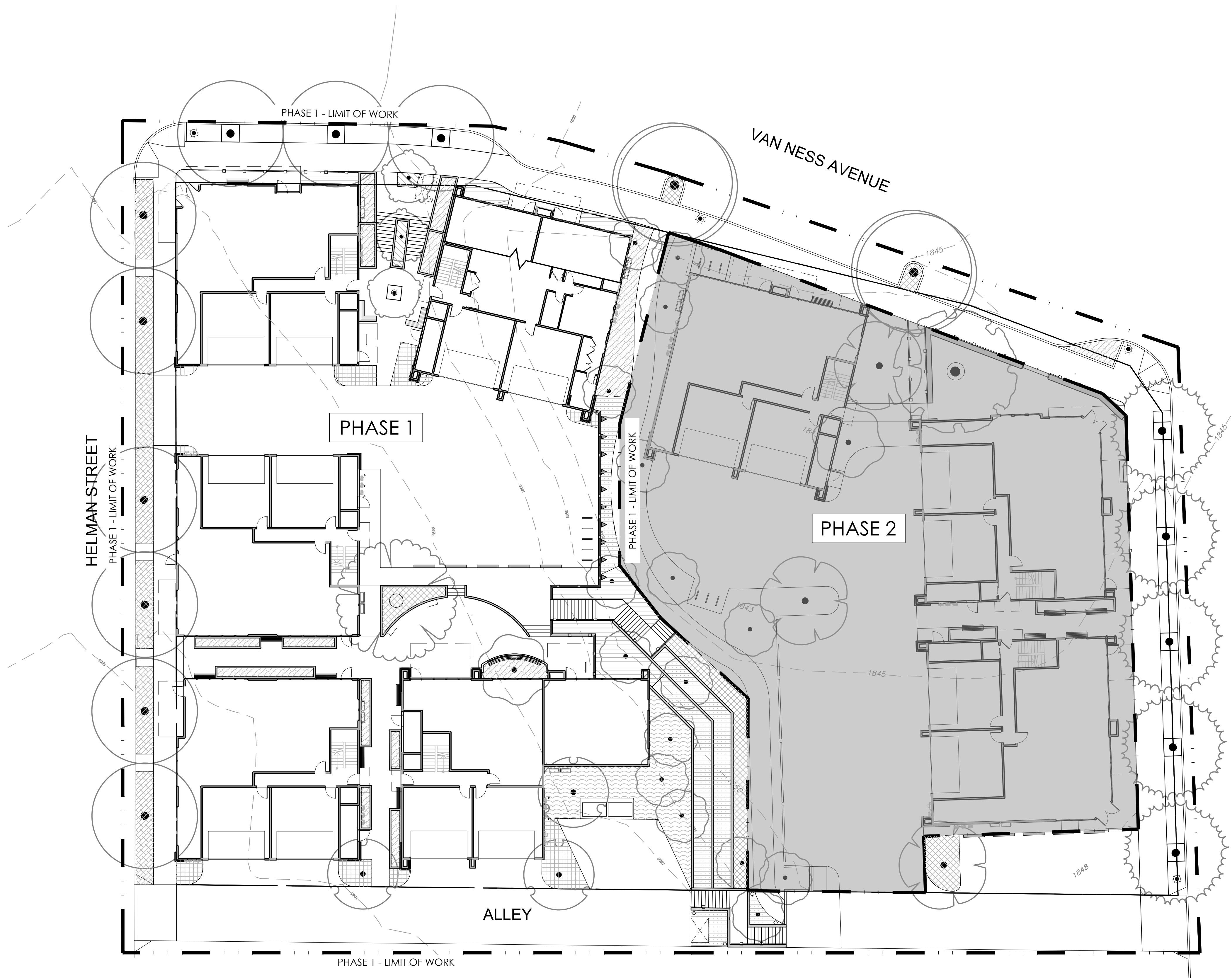


MAGNOLIA TERRACE  
165 WATER ST / 160 HELMAN ST / 95 VAN NESS AVE  
ASHLAND, OREGON 97520

REVISIONS		
#	DATE	DESCRIPTION

PLANNING REVIEW  
PRELIMINARY TREE PLANTING PLAN

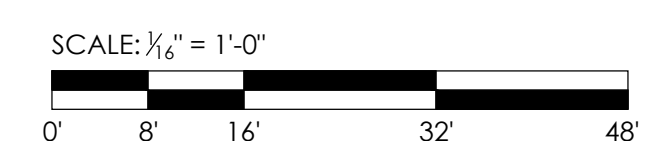
**L2.0**  
PROJECT NO. 2117  
12.31.2021  
TEAM: Pvc, CG, EG



PRELIMINARY PHASE 1 PLANT PALETTE

	TRIANGLE CORRIDOR CENTER PLANTERS CAREX FLACCA 'BLUE ZINGER' / BLUE ZINGER SEDGE HEUCHERA X 'AMETHYST MIST' / AMETHYST MIST CORAL BELLS LYSIMACHIA NUMMULARIA / CREEPING JENNY	62 SF	1 GAL 1 GAL 1 GAL
	FOUNDATION PLANTS - NORTH DISTYLUM X 'BLDYD1 TM' / JEWEL BOX DISTYLUM MISCANTHUS SACCHARIFLORUS / SILVER BANNER GRASS SPIRAEA SPP	649 SF	1 GAL 1 GAL 1 GAL
	FOUNDATION PLANTS - SOUTH CEANOTHUS SPP CISTUS X BLANCHE / WHITE ROCKROSE MISCANTHUS CAPENSIS / SILVERGRASS SALVIA SPP	824 SF	5 GAL 5 GAL 1 GAL 1 GAL
	PLAZA FEATURE PLANTER DRYOPTERIS ERYTHROSORA 'BRILLIANCE' / BRILLIANCE AUTUMN FERN LIRIOPE MUSCARI / LILYTURF	115 SF	1 GAL 1 GAL
	PARKING ISLANDS CISTUS X OBLONGIFOLIUS / ROCK ROSE FESTUCA GLAUCA 'ELIJAH BLUE' / ELIJAH BLUE FESCUE HELIANTHEMUM NUMMULARIUM / SUNROSE SEDUM X 'AUTUMN JOY' / AUTUMN JOY SEDUM	1,056 SF	1 GAL 1 GAL 1 GAL 1 GAL
	HELMAN PARK ROW MUHLENBERGIA CAPILLARIS / PINK MUHLY GRASS VERBENA BONARIENSIS / TALL VERBENA	899 SF	1 GAL 1 GAL
	STORMWATER PLANTERS IRIS SIBIRICA 'BLUE KING' / BLUE KING SIBERIAN IRIS IRIS SIBIRICA 'LAVENDER BOUNTY' / LAVENDER BOUNTY SIBERIAN IRIS JUNCUS PATENS / CALIFORNIA GRAY RUSH MAHONIA REPENS / CREEPING MAHONIA POLYSTICHUM MUNITUM / WESTERN SWORD FERN	1,001 SF	1 GAL 1 GAL 1 GAL 1 GAL 1 GAL
	GROUNDCOVER PLANTING ARCTOSTAPHYLOS UVA-URSI / KINNIKINNIK	1,026 SF	1 GAL
	VINES AT RETAINING WALL FICUS PUMILA / CREEPING FIG	1 GAL	1 GAL

NOTE: SEE L2.0 PRELIMINARY TREE PLANTING PLAN FOR PRELIMINARY TREE LIST.



MAGNOLIA TERRACE  
165 WATER ST / 160 HELMAN ST / 95 VAN NESS AVE  
ASHLAND, OREGON 97520

REVISIONS		
#	DATE	DESCRIPTION

PLANNING REVIEW

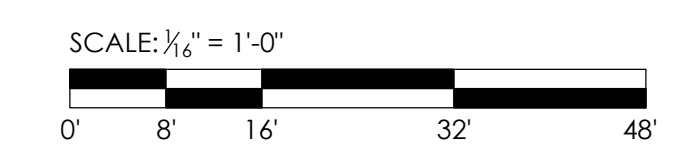
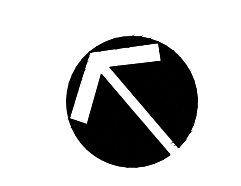
PHASE 1 PLANTING PLAN

L2.1

PROJECT NO. 2117  
12.31.2021  
TEAM: PVC, CG, EG



STORMWATER LEGEND		
SYMBOL	DESCRIPTION	NOTES
	PERMEABLE PAVING	TBD
	STORMWATER TREATMENT PLANTING	RAIN GARDENS AND FLOW THROUGH PLANTERS



REVISIONS	
#	DATE DESCRIPTION

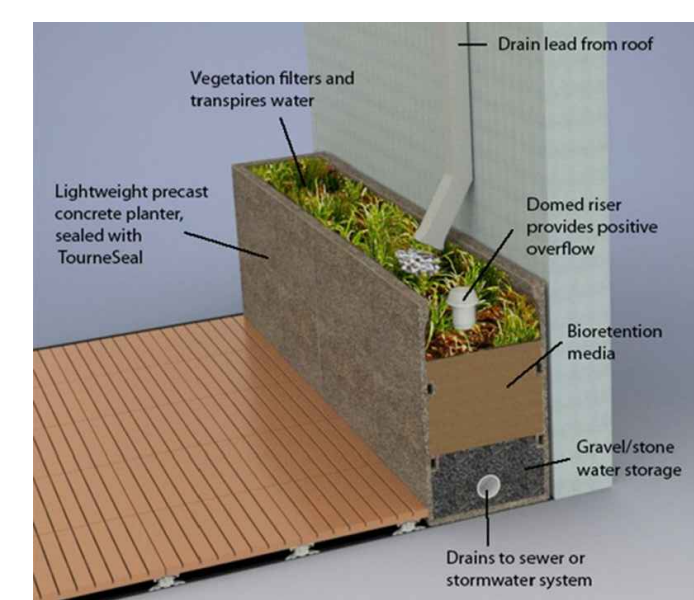
PLANNING REVIEW  
 STORMWATER DIAGRAM  
**L3.0**  
 PROJECT NO. 2117  
 12.31.2021  
 TEAM: Pvc, CG, EG



**1** RAIN GARDEN PLANTERS  
CONCEPT IMAGE



**2** POROUS PARKING AREAS  
CONCEPT IMAGE



**3** FLOW THROUGH PLANTER  
CONCEPT IMAGE



**4** RAIN GARDEN BRIDGE  
CONCEPT IMAGE



**5** FLOW THROUGH PLANTER  
CONCEPT IMAGE



**6** PERMEABLE PAVER PLAZA  
CONCEPT IMAGE



**7** DOWNSPOUT ART INTO PLANTERS  
CONCEPT IMAGE



# MAGNOLIA TERRACE

## PRELIMINARY GRADING & DRAINAGE PLAN

JANUARY 2022

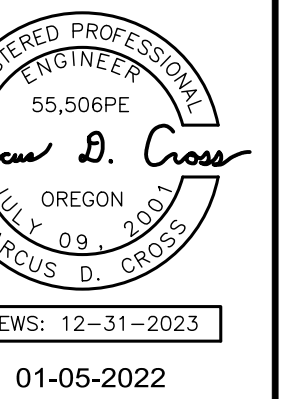
**SHEET INDEX:**

- C1.0 PRELIMINARY GRADING & DRAINAGE PLAN
- C2.0 PRELIMINARY UTILITY PLAN
- C3.0 PRELIMINARY EROSION CONTROL PLAN

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(541) 482-8005

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R-C  
RHINE-CROSS  
GROUP  
Phone: (541) 851-9405



Magnolia Terrace  
160 HELMAN STREET  
165 WATER STREET  
ASHLAND OREGON

SHEET NAME:  
Preliminary  
Grading & Drainage  
Plan

DRAWN BY: TDC  
CHK'D BY: MDC  
DATE: JANUARY 2022

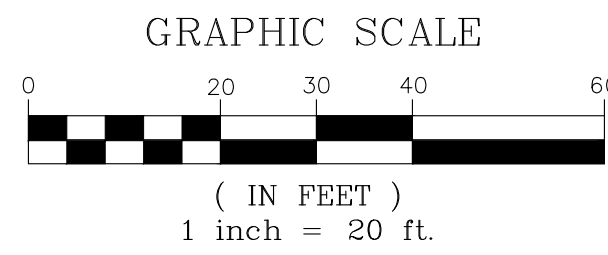
REVISIONS:

JOB NO. 1821

SHEET NO. C 1.0

**GRADING & DRAINAGE NOTES:**

- 1 PROPOSED MAIN STORM POINT OF CONNECTION TO EXISTING MH
- 2 PROPOSED MINOR CONNECTIONS TO EXISTING STORM LINE IN VAN NESS STREET
- 3 PROPOSED FLOW CONTROL MH
- 4 NEW STORMTECH UNDERGROUND DETENTION SYSTEM IF NECESSARY
- 5 PROPOSED STORMTECH ISOLATOR ROW FOR WATER QUALITY TREATMENT
- 6 PROPOSED RAIN GARDEN INCORPORATED INTO LANDSCAPE DESIGN
- 7 PROPOSED INFILTRATION PLANTER INCORPORATED INTO LANDSCAPE DESIGN
- 8 PROPOSED PERVIOUS PAVERS



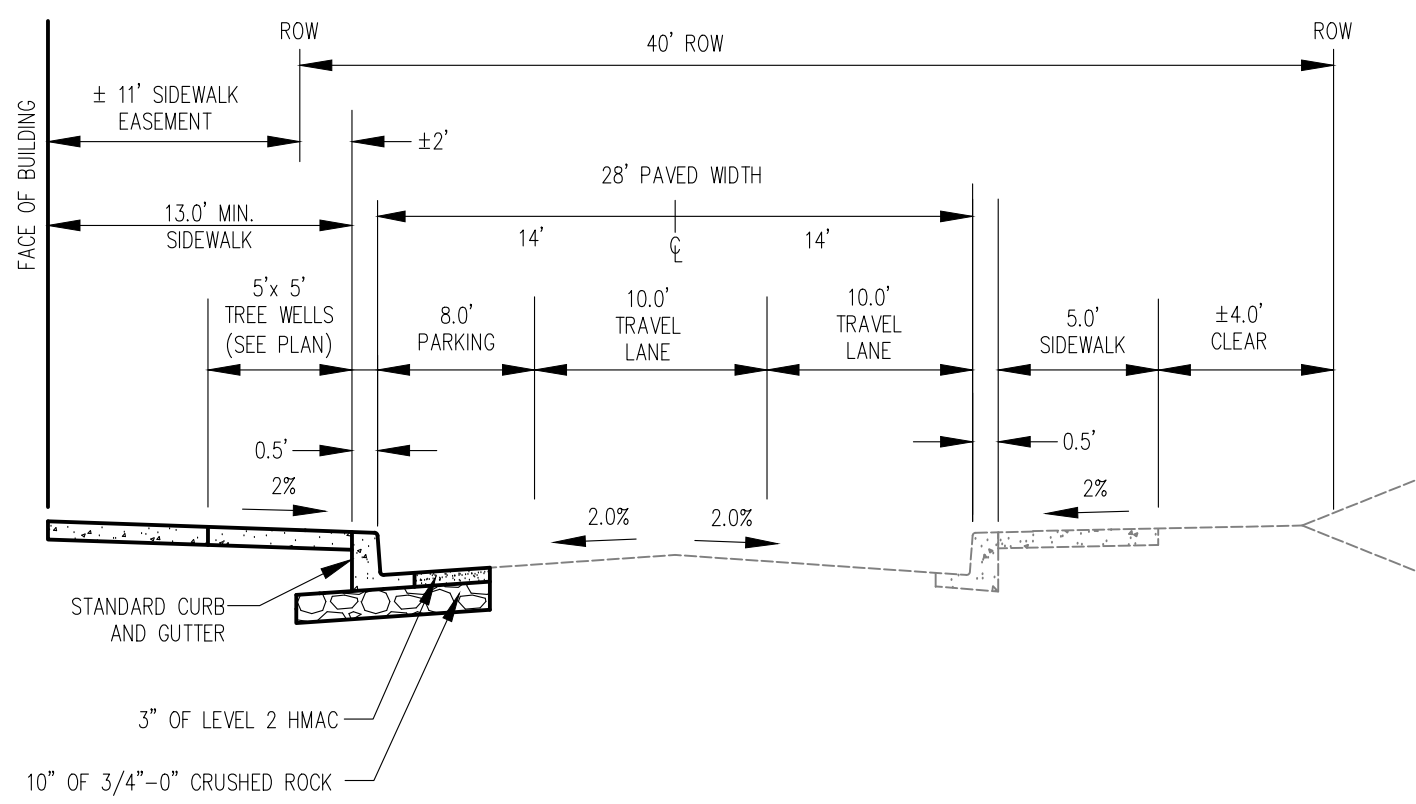
NOTE:  
DEVELOPER TO RE-LOCATE  
EXISTING STORM LINE INTO  
STREET TO AVOID CONFLICTS  
WITH PLANTER STRIP TREES.

**RUNOFF AREA SUMMARY:**

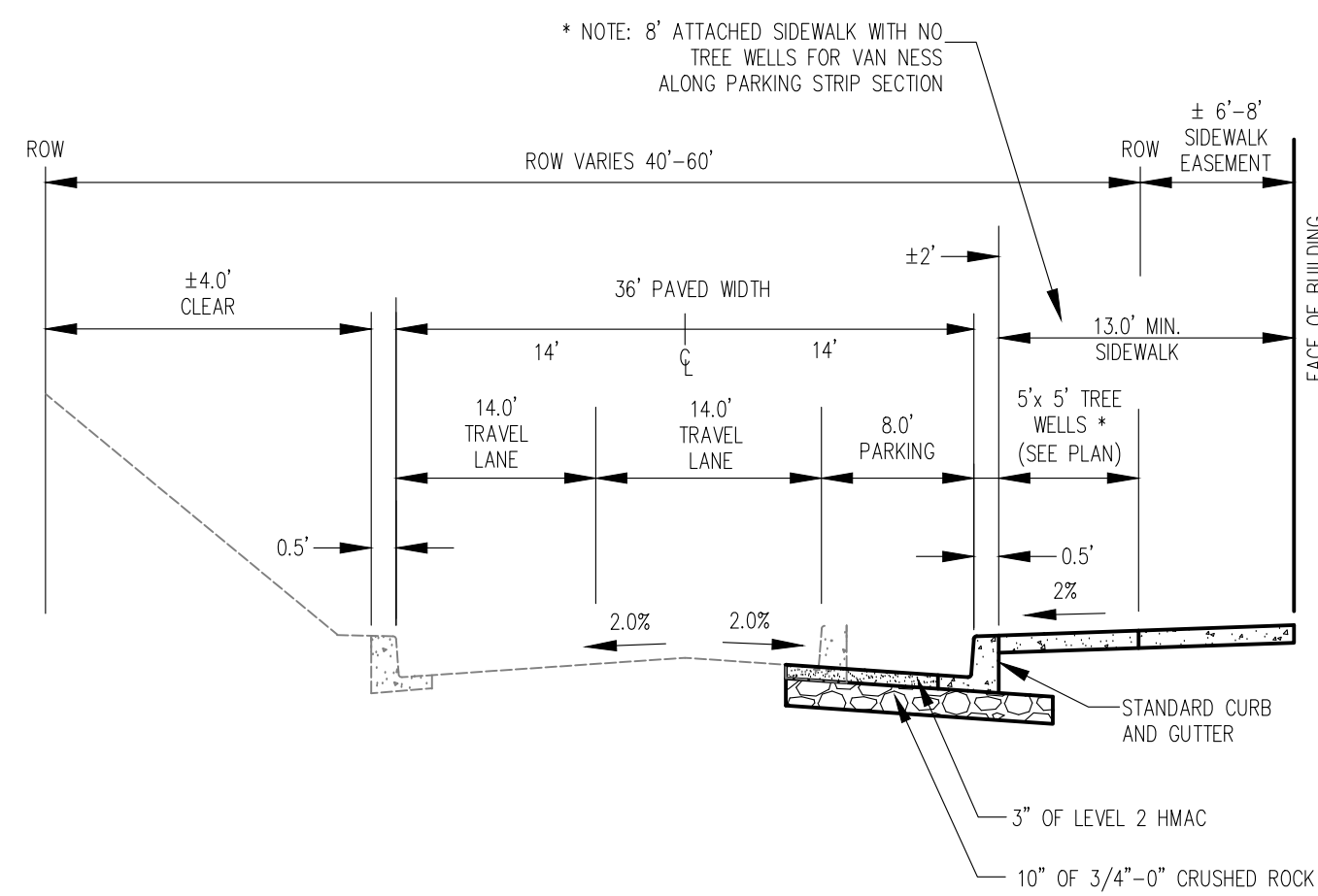
AREA OF DISTURBANCE: 62,554 sq.ft.

IMPERVIOUS SURFACES: 22,765 sq.ft. ROOF AREA  
4,290 sq.ft. SIDEWALK  
13,294 sq.ft. PAVEMENT AREA

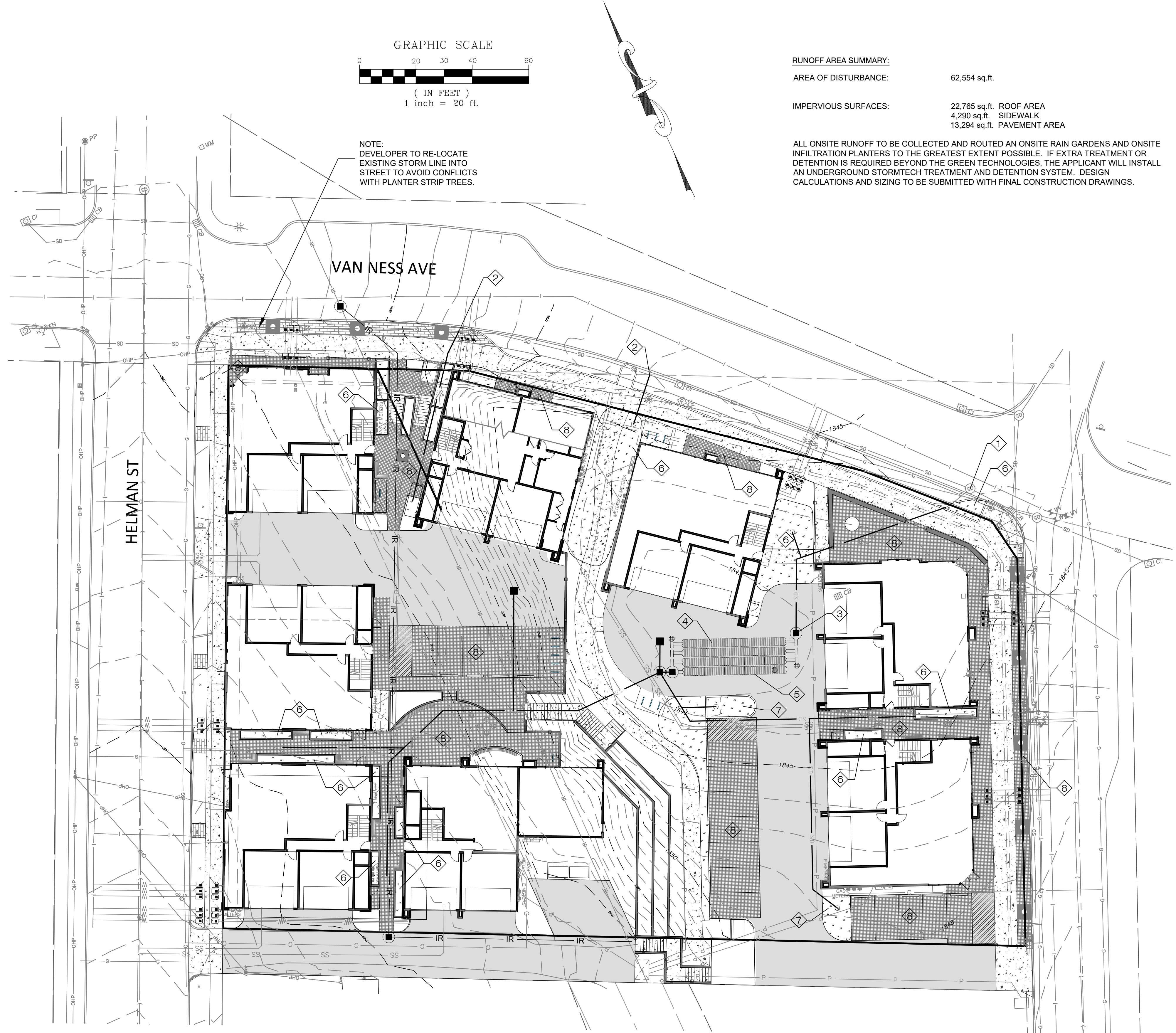
ALL ONSITE RUNOFF TO BE COLLECTED AND ROUTED AN ONSITE RAIN GARDENS AND ONSITE INFILTRATION PLANTERS TO THE GREATEST EXTENT POSSIBLE. IF EXTRA TREATMENT OR DETENTION IS REQUIRED BEYOND THE GREEN TECHNOLOGIES, THE APPLICANT WILL INSTALL AN UNDERGROUND STORMTECH TREATMENT AND DETENTION SYSTEM. DESIGN CALCULATIONS AND SIZING TO BE SUBMITTED WITH FINAL CONSTRUCTION DRAWINGS.



STREET CROSS SECTION: WATER STREET  
NOT TO SCALE



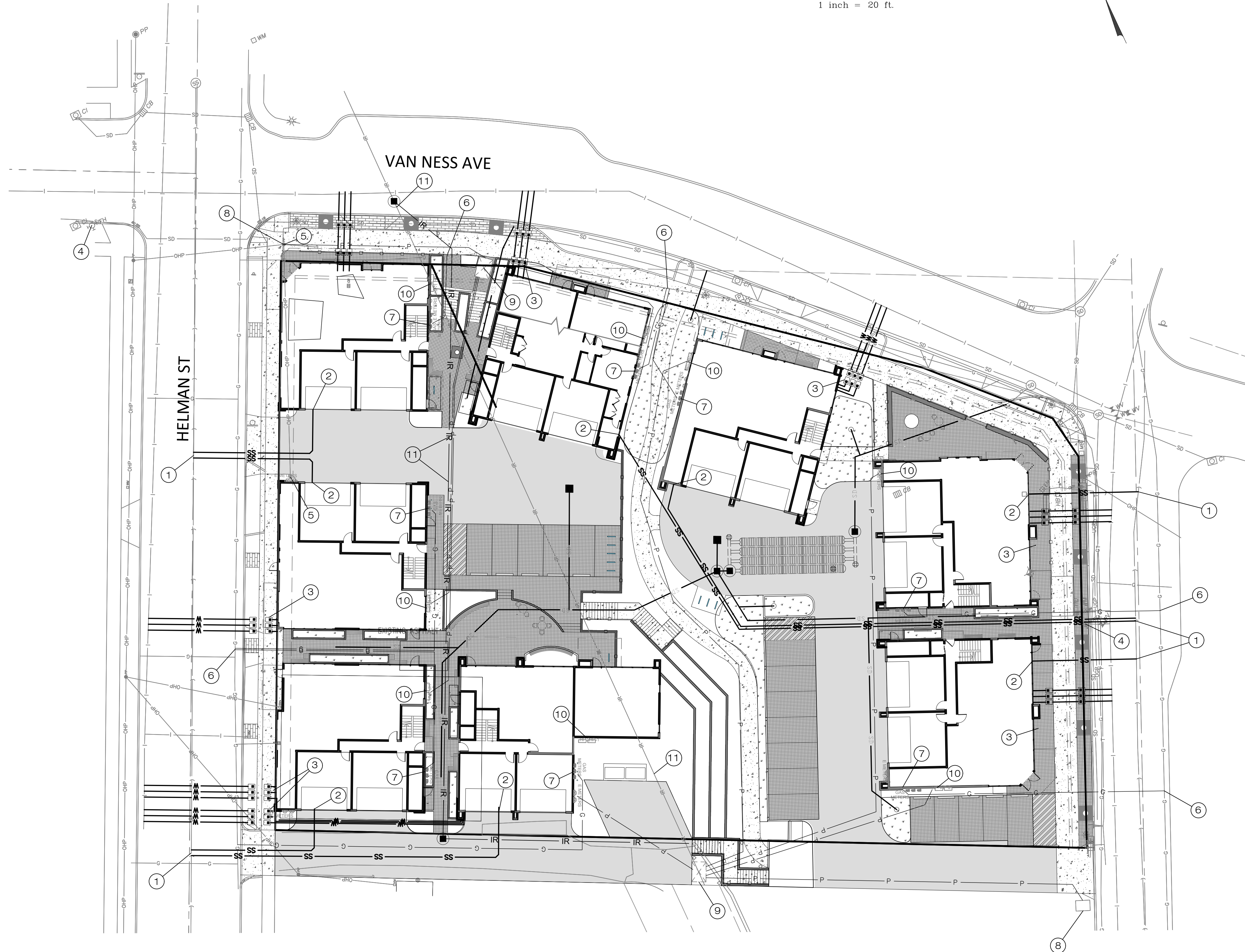
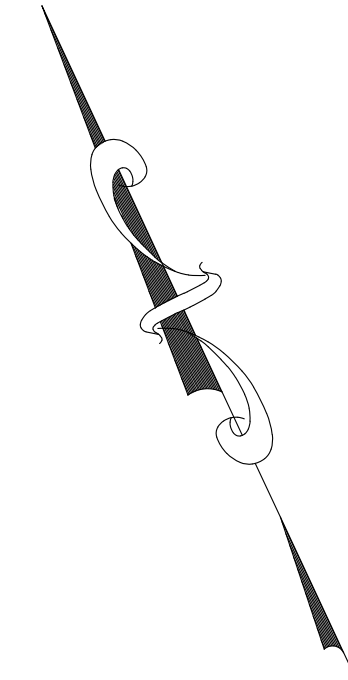
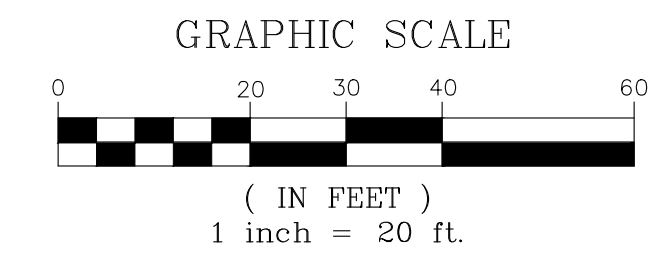
STREET CROSS SECTION: VAN NESS AVE  
NOT TO SCALE



# MAGNOLIA TERRACE

## PRELIMINARY UTILITY PLAN

JANUARY 2022

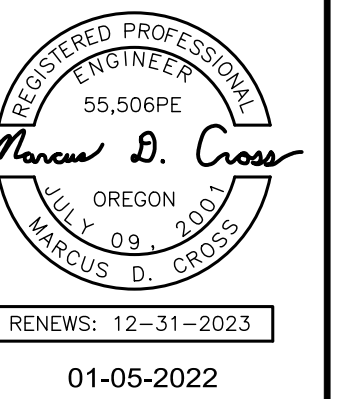


### UTILITY NOTES:

- 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 AND (16) NEW 1" METERS AND BACK-FLOW DEVICES FOR EACH RESIDENTIAL SPACE. METER LOCATIONS TO BE COORDINATED WITH THE CITY OF ASHLAND WATER DEPARTMENT
- ④ EXISTING FIRE HYDRANT TO REMAIN
- ⑤ EXISTING POWER POLE TO BE RE-LOCATED FOR CONSTRUCTION. WORK SHALL BE COORDINATED WITH UTILITY COMPANIES
- ⑥ NEW GAS LINE CONNECTION TO EXISTING MAIN
- ⑦ GAS LINE POINT OF CONNECTION TO BUILDING
- ⑧ POWER, TELEPHONE, AND CABLE TV POINT OF CONNECTION TO EXISTING LINES IN VAN NESS STREET AND WATER STREET. ROUTE LINE IN UNDERGROUND CONDUIT TO BUILDING AS SHOWN. FINAL LOCATIONS TO BE DETERMINED BY UTILITY PROVIDER
- ⑨ NEW TRANSFORMER LOCATION TO BE COORDINATED WITH THE POWER COMPANY
- ⑩ POWER, TELEPHONE, AND CABLE TV POINT OF CONNECTION TO BUILDING. COORDINATE ALL WORK WITH UTILITY COMPANIES
- ⑪ EXISTING 18" IRRIGATION LINE TO BE RE-ROUTED THROUGH THE DEVELOPMENT SITE APPROXIMATELY AS SHOWN.

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Magnolia Terrace  
160 HELMAN STREET  
165 WATER STREET  
ASHLAND OREGON

SHEET NAME:  
Preliminary  
Utility Plan

DRAWN BY: TDC  
CHK'D BY: MDC  
DATE: JANUARY 2022

REVISIONS:

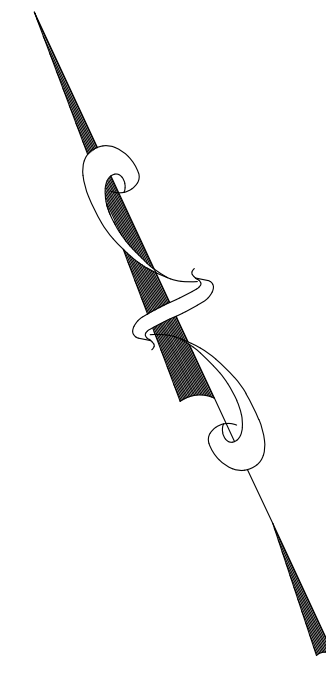
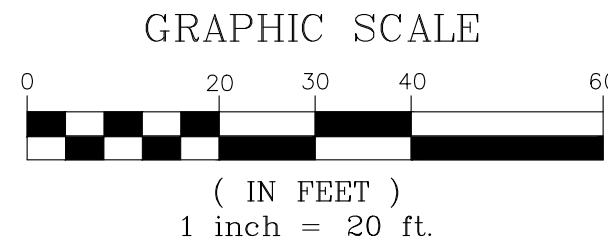
JOB NO. 1821

SHEET NO. C 2.0

**VOLUME ANALYSIS:**

CUT: ±3000 cu.yds  
 FILL: ±5000 cu.yds

VOLUMES ARE CALCULATED FROM EXISTING GROUND TO FINISHED GRADE. VOLUMES ARE APPROXIMATE AND ARE QUOTED FOR INFORMATIONAL PURPOSES ONLY. CONTRACTOR IS RESPONSIBLE FOR ALL BID AMOUNTS AND SHALL BE REQUIRED TO CONSTRUCT THE PROJECT TO THE GRADES SHOWN ON THE DRAWINGS. VOLUMES ARE NOT ADJUSTED FOR STRIPPINGS, SHRINK/SWELL, IMPORTED BASE ROCK, IMPORTED ASPHALT, OR IMPORTED CONCRETE.



**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.
- (S) SAWCUT EDGE OF PAVEMENT (320 lf) FOR CLEAN PAVING MATCH JOINT. AFTER NEW PAVEMENT IS PLACED, CONTRACTOR SHALL SAND AND SEAL JOINT PER CITY OF ASHLAND STANDARDS.
- (R) REMOVE EXISTING CONCRETE PADS AND CATCH BASIN. CUT & CAP EXISTING CATCH BASIN DRAIN LINE AT RIGHT OF WAY.
- (R2) RELOCATE EXISTING POWER POLE AND OVERHEAD LINE OUTSIDE OF DRIVEWAY AREA. COORDINATE WORK WITH ASHLAND ELECTRIC.

**EROSION CONTROL NOTES:**

- (EC1) INSTALL SMALL SITE ROCK CONSTRUCTION ENTRANCE
- (EC2) INSTALL 200 lf OF TEMPORARY EROSION CONTROL FENCE ON LOW SIDE OF CONSTRUCTION LIMITS PER
- (EC3) INSTALL SILT SACK OR BIO-BAG INLET PROTECTION
- (EC4) INSTALL 10' X 10' STRAW BALE CONCRETE WASHOUT BASIN LINED WITH 6 MIL VISQUEEN BARRIER (OR APPROVED EQUAL).

**TREE NOTES**

- 1. NUMBER OF TREES ON SITE: 20
- 2. NUMBER OF TREES TO BE REMOVED FOR INFRASTRUCTURE: 20
- 3. SEE L.S. PLAN FOR TREE REPLACEMENT

**LEGEND**

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

**STRIPPINGS NOTE:**

STRIPPINGS DEPTH SHALL BE PER THE RECOMMENDATIONS IN THE GEOTECHNICAL REPORT AND AT SUFFICIENT DEPTH TO COMPLETELY REMOVE ALL ROOTS AND ORGANIC MATERIAL. STUMPS OF CUT TREES SHALL BE COMPLETELY REMOVED AND HAULED OFFSITE TO AN APPROVED DUMPING FACILITY. DEPRESSIONS LEFT BY TREE REMOVAL SHALL BE FILLED WITH SITE EXCAVATED MATERIAL OR GRANULAR MATERIAL COMPACTED PER THE STRUCTURAL FILL REQUIREMENTS.

**DEQ PERMIT NOTES:**

A DEQ 1200-C PERMIT IS REQUIRED FOR THIS PROJECT BECAUSE STORMWATER RUNOFF WILL RELEASE FROM THE SITE AND THE PROJECT IS MORE THAN 1 ACRE IN SIZE.

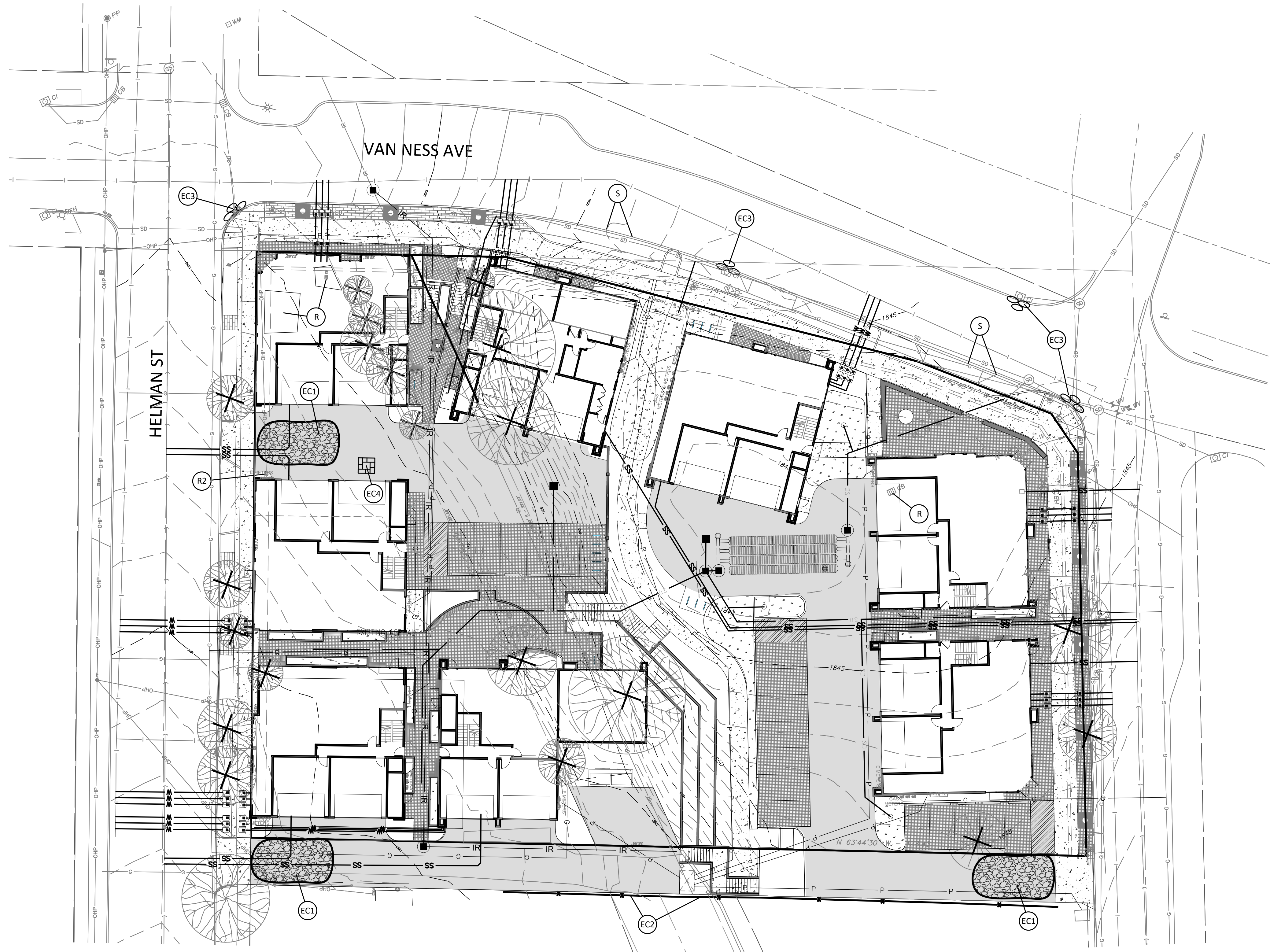
NOTE: SIGNIFICANT VARIATION AND DEGREE OF EROSION CONTROL EFFORT WILL BE DICTATED BY WEATHER CONDITIONS. THE DEVELOPER AND CONTRACTOR SHOULD BE PREPARED TO PROVIDE EXTRA EROSION CONTROL PROVISIONS AND EFFORT DURING WINTER AND WET WEATHER CONDITIONS BEYOND THAT NORMALLY REQUIRED DURING SUMMER AND DRY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

**GRADING AND EROSION LEGEND**

- 1865 EXISTING CONTOUR (1' INTERVAL)
- 1865 FINISHED GRADE CONTOUR (1' INTERVAL)
- SHADING REPRESENTS AREAS OF CUT
- CONCRETE WASHOUT
- DITCH PROTECTION
- INLET PROTECTION
- TEMP. EROSION CONTROL FENCE

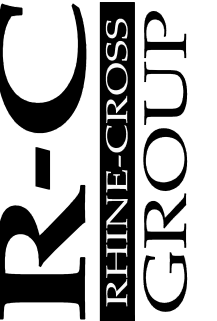
TOTAL PARCEL ACREAGE: 1.19 ACRES  
 TOTAL DISTURBED ACREAGE: 1.44 ACRES

AREA OF GRADING:  
 1.44 ACRES TOTAL



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01-05-2022

Magnolia Terrace  
 160 HELMAN STREET  
 165 WATER STREET

ASHLAND OREGON

SHEET NAME:  
 Preliminary  
 Erosion Control  
 Plan

DRAWN BY: TDC  
 CHK'D BY: MDC  
 DATE: JANUARY 2022

REVISIONS:

JOB NO. 1821

SHEET NO. C 3.0





**MAGNOLIA**  
FINE HOMES LLC

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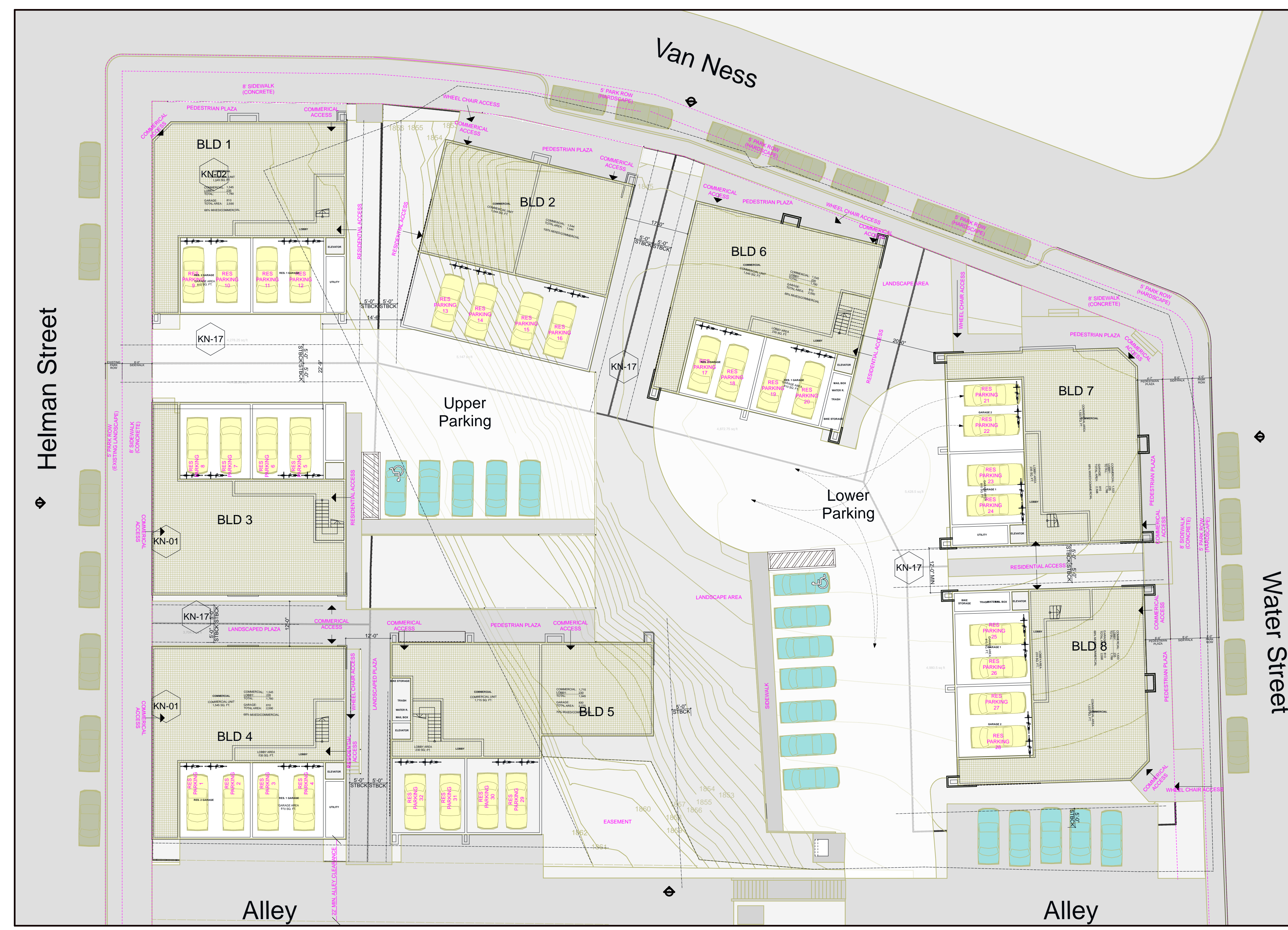
**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
Ashland, OR 97520

MARK	DATE	DESCRIPTION

DATE: 12/31/21

SHEET TITLE  
**SITE PLAN**

**A0.1**



KN-08

**BUILDING HEIGHT**  
ALL BUILDINGS ARE 38'-4" FROM T.O. RIDGE TO T.O. MAIN FLOOR  
MAXIMUM BUILDING HEIGHT ALLOWED IS 40'-0"

**LOT COVERAGE**

SITE AREA	51,897
BUILDING FOOT PRINTS	2,565 SQ. FT. X 8 = 20,520
UPPER PARKING	9,249
LOWER PARKING	7,478
PEDESTRIAN PLAZAS/PATHS	3,087
<b>TOTAL</b>	<b>40,334</b>
	<b>= 77.7%</b>

**PARKING LEGEND**

	STREET PARKING
	OFFSTREET PARKING
	RESIDENTIAL PARKING

**COMMERCIAL PARKING CALCULATION**  
(OFFICE) : (2.91X6) + (3.22X2) = 24 SPACES

**17 ON SITE SPACES PROVIDED**  
**19 OFF SITE SPACES PROVIDED**  
**36 TOTAL PARKING SPACES PROVIDED**

(RESIDENTIAL) : 8 BUILDINGS X 4 SPACES = 32 SPACES  
**32 SPACES PROVIDED (GARAGE PARKING)**

BIKE PARKING: 2 PER RESIDENTIAL UNIT IN GARAGE  
SEE LANDSCAPE PLANS FOR ONSITE BIKE SPACES

**NOTE: SEE LANDSCAPE AND CIVIL PLANS FOR SITE DESIGN INCLUDING PATHS, HARDSCAPE, LANDSCAPE, LIGHTING, DESIGNATED TRASH AREAS, TURNING SPACE, ETC.**



Tracks

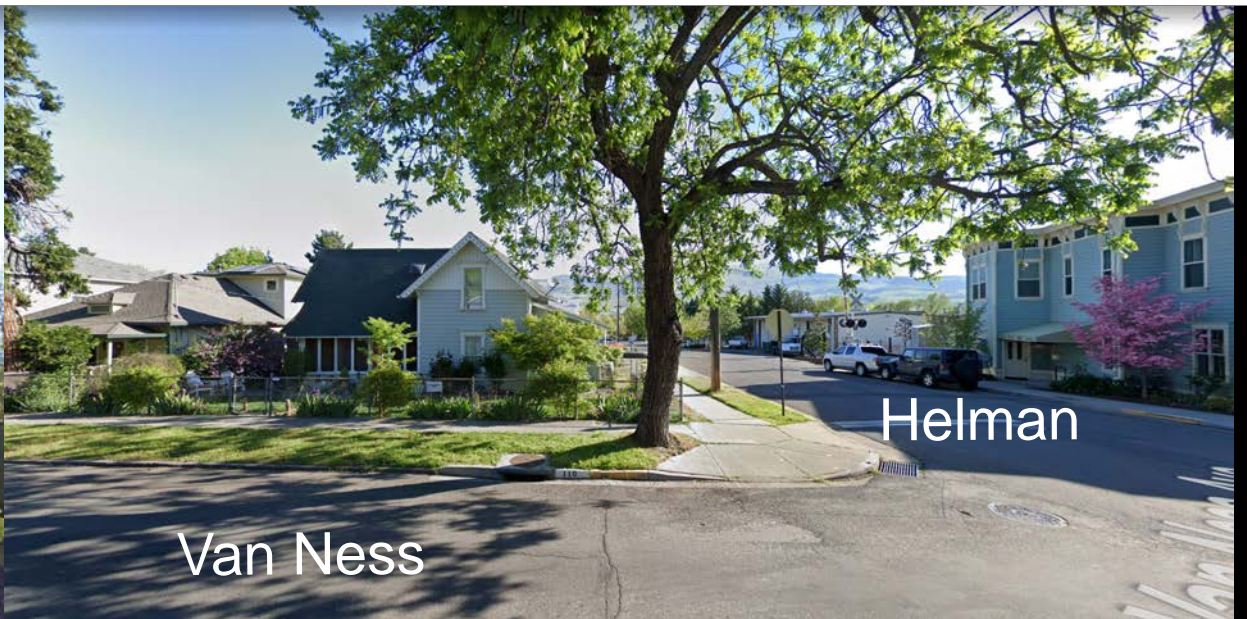
Van Ness



Van Ness



Van Ness

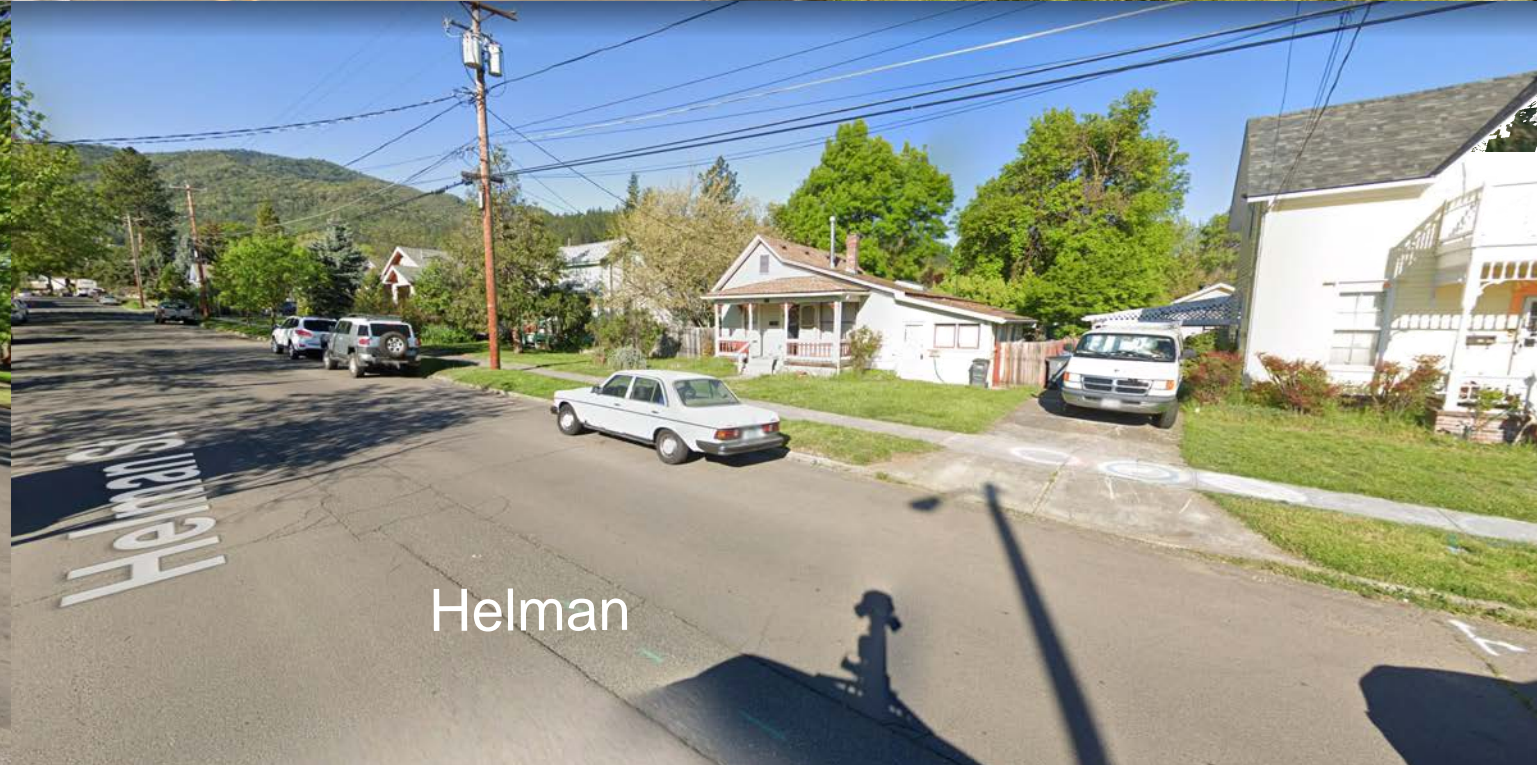


Van Ness

Helman



Helman



Helman



Helman

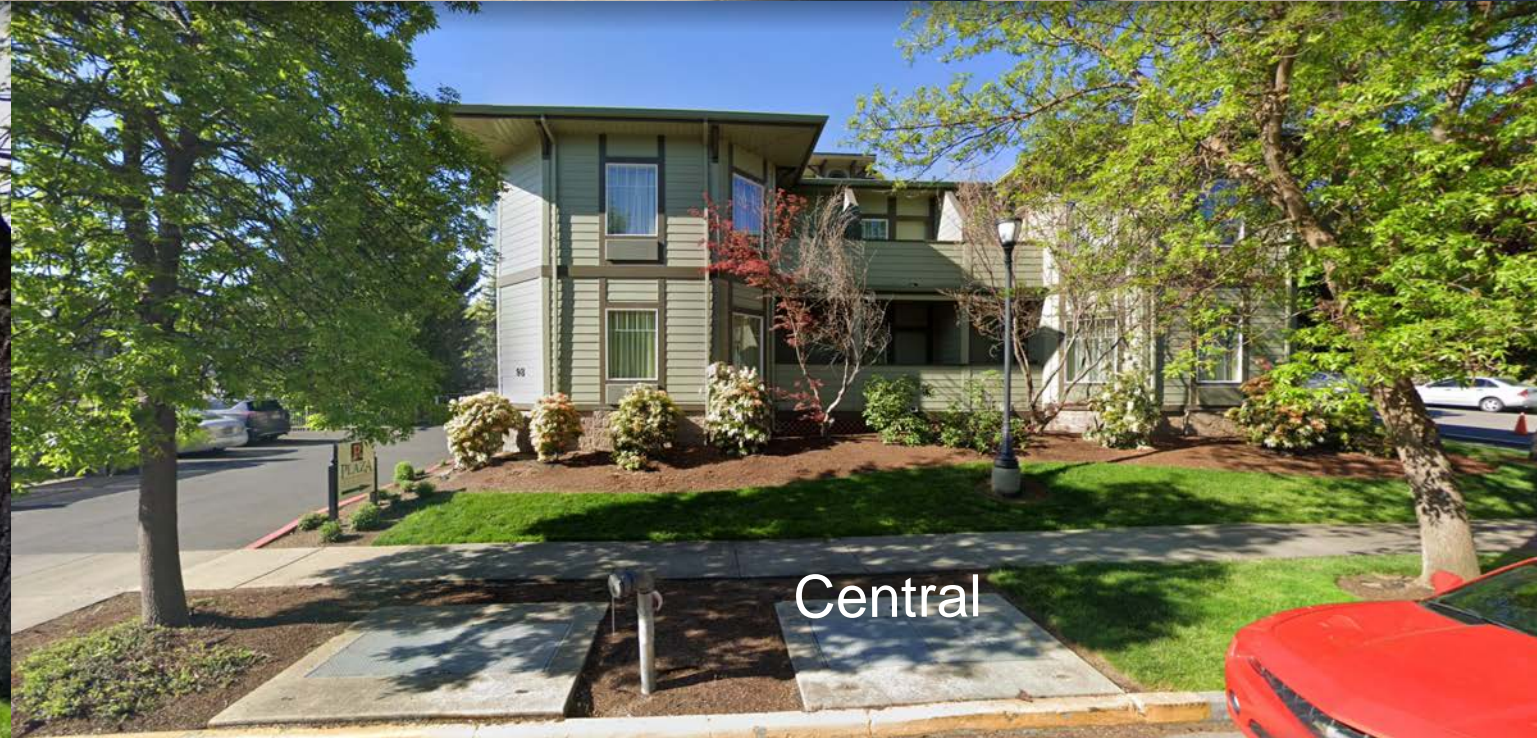


Alley

Helman



Alley



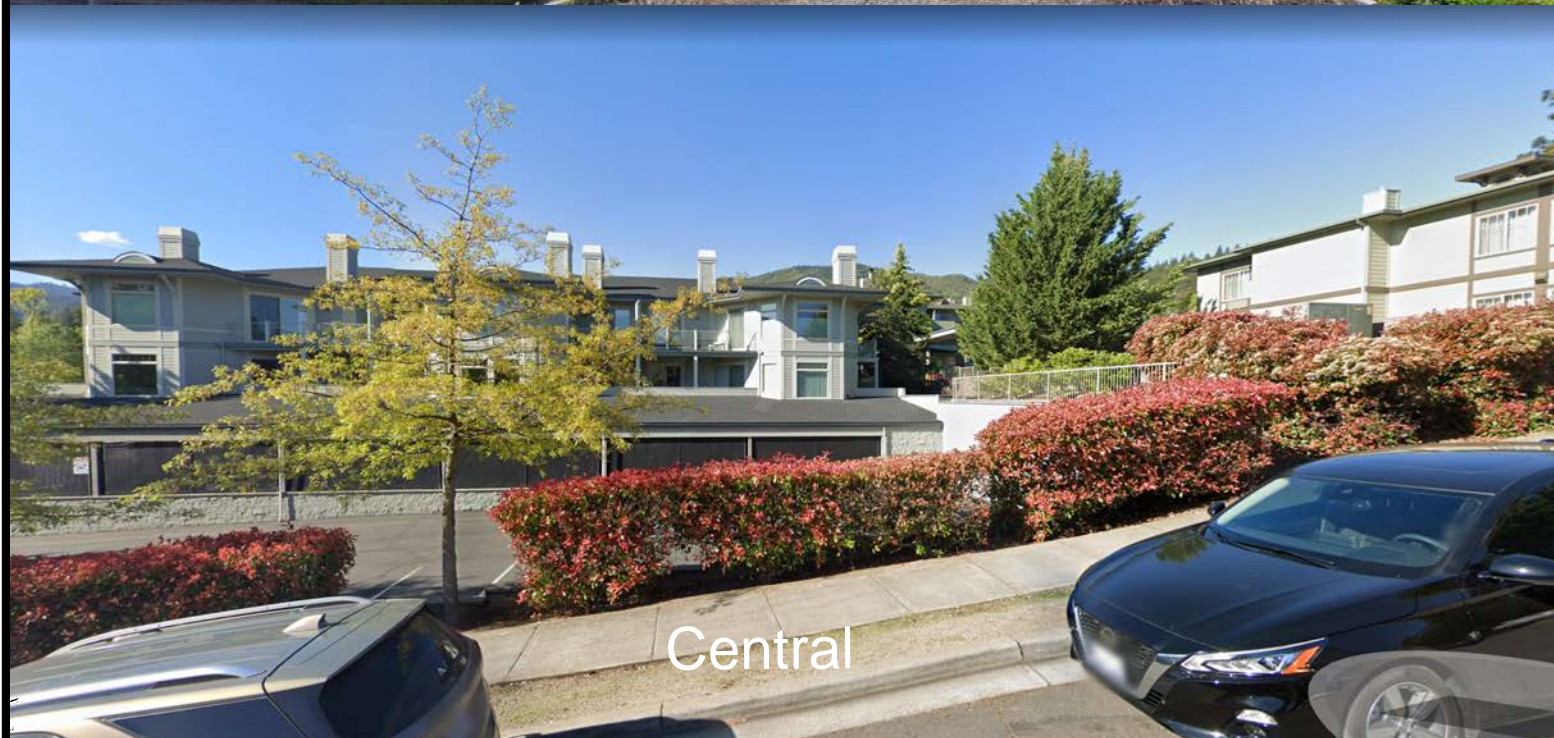
Central



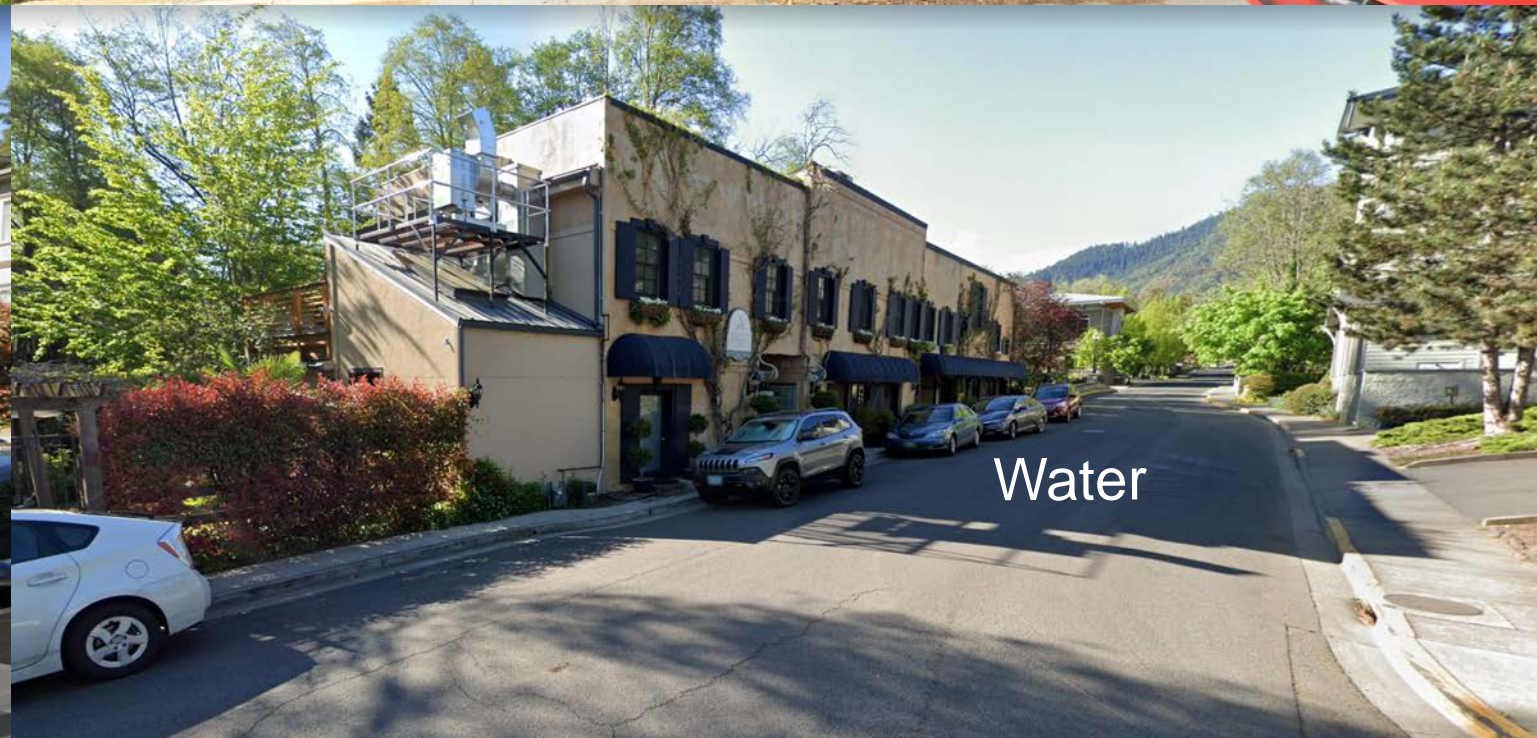
Central



Central



Central

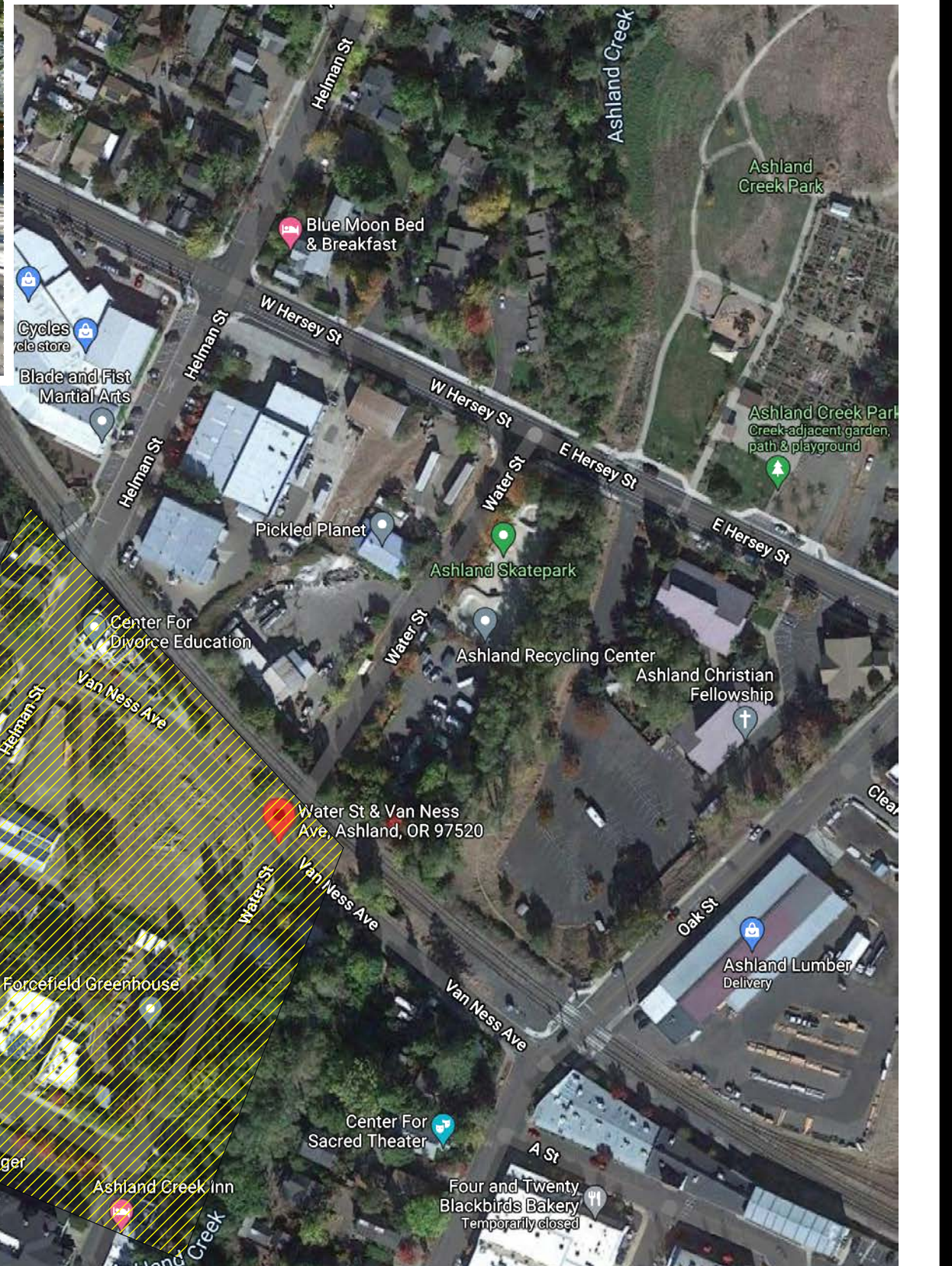


Water



Central

Water



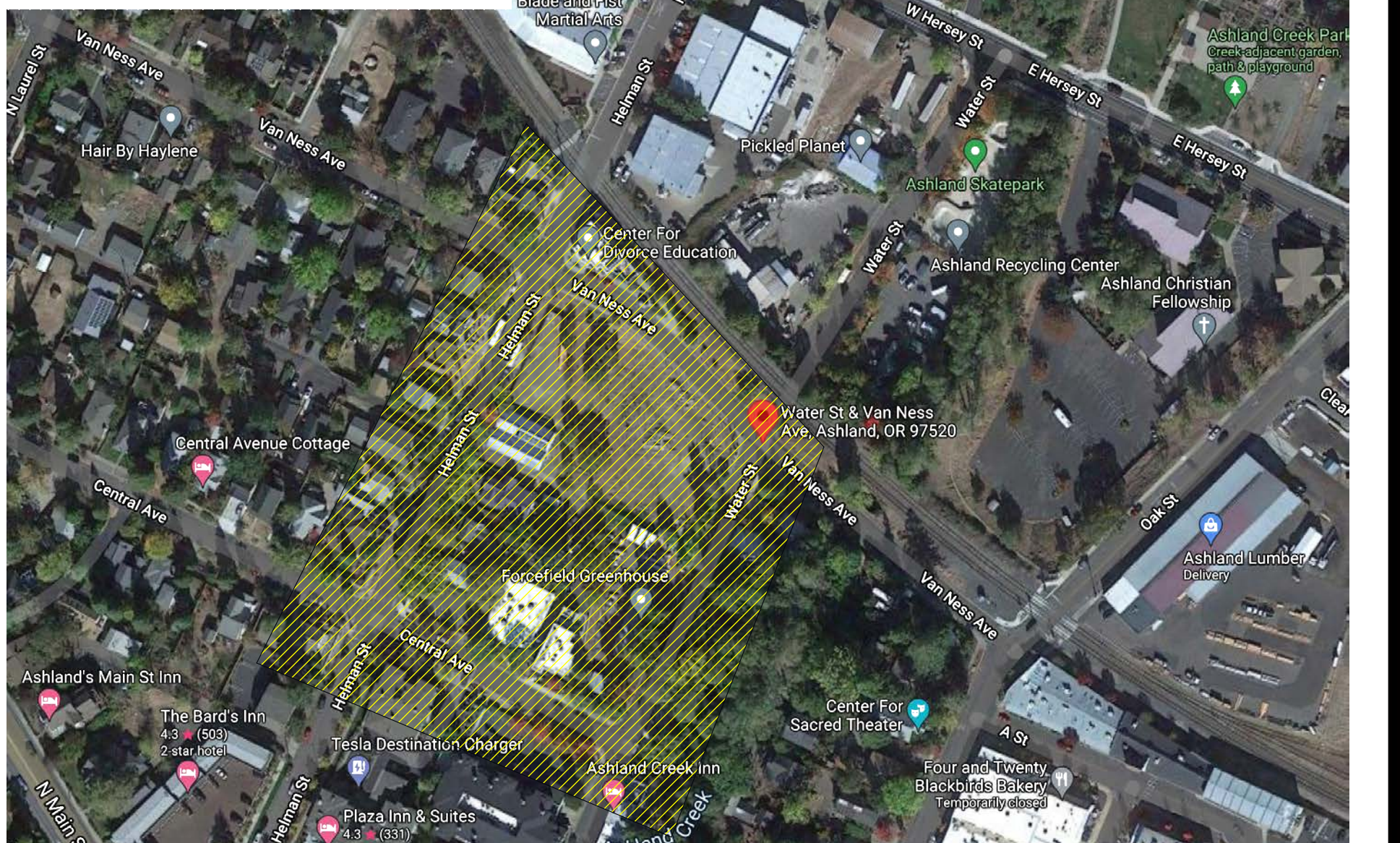
Water



Alley (ROW)

KN-05  
KN-14

COMPARISON FOR ADJACENT BUILDING MASSING/HEIGHT  
CONTEXT PHOTOS FOR REFERENCE OF EXISTING BUILDINGS MASSING, FENESTRATION, ETC.



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**MAGNOLIA TERRACE**  
 165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
 Ashland, OR 97520

MARK	DATE	DESCRIPTION

DATE: 12/31/21

SHEET TITLE  
**STREET VIEWS**

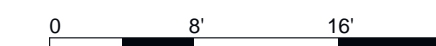
**A0.2**



6 WATER STREET ELEVATION  
A0.3 SCALE: 3/32" = 1'-0"



5 VAN NESS ELEVATION  
A0.3 SCALE: 3/32" = 1'-0"



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**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELLMAN ST. - 95 VAN NESS  
Ashland, OR 97520


MARK	DATE	DESCRIPTION

DATE: 12/31/21

SHEET TITLE  
**STREET ELEVATIONS**

**A0.3**



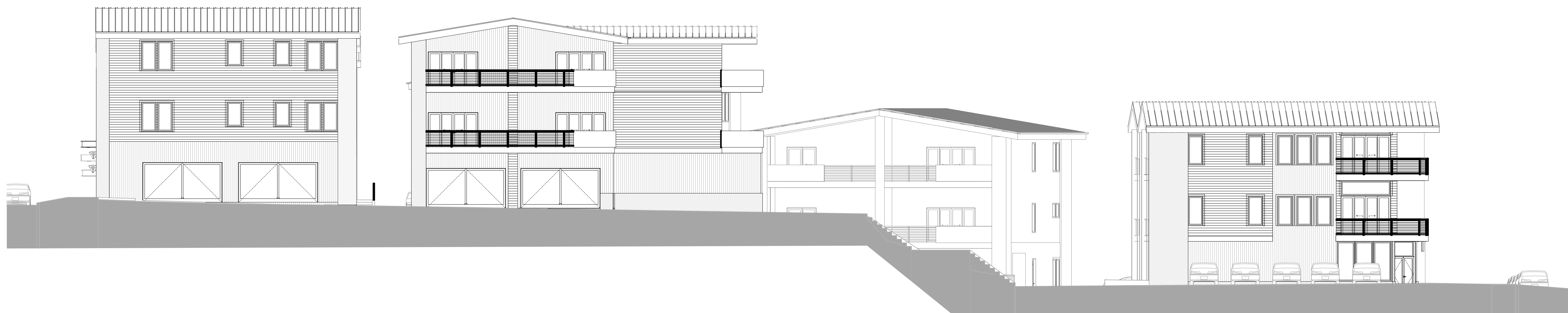
MAGNOLIA  
FINE HOMES LLC

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KN-03  
KN-07



7  
A0.4 HELMAN STREET ELEVATION  
SCALE: 3/32" = 1'-0"



8  
A0.4 ALLEY ELEVATION  
SCALE: 3/32" = 1'-0"



**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELMAN ST. - 95 VAN NESS  
Ashland, OR 97520


MARK DATE DESCRIPTION

DATE: 12/31/21

SHEET TITLE  
**STREET ELEVATIONS**

**A0.4**







FRONT ELEVATION



LEFT ELEVATION

NOTE: ELEVATIONS OF BUILDING 1 ARE SHOWN FOR REFERENCE; REMAINING BUILDINGS WILL SHARE THE SAME MATERIALS PALETTE. SEE ARCH DWGS FOR FURTHER MATERIALS INFORMATION



REAR ELEVATION



RIGHT ELEVATION



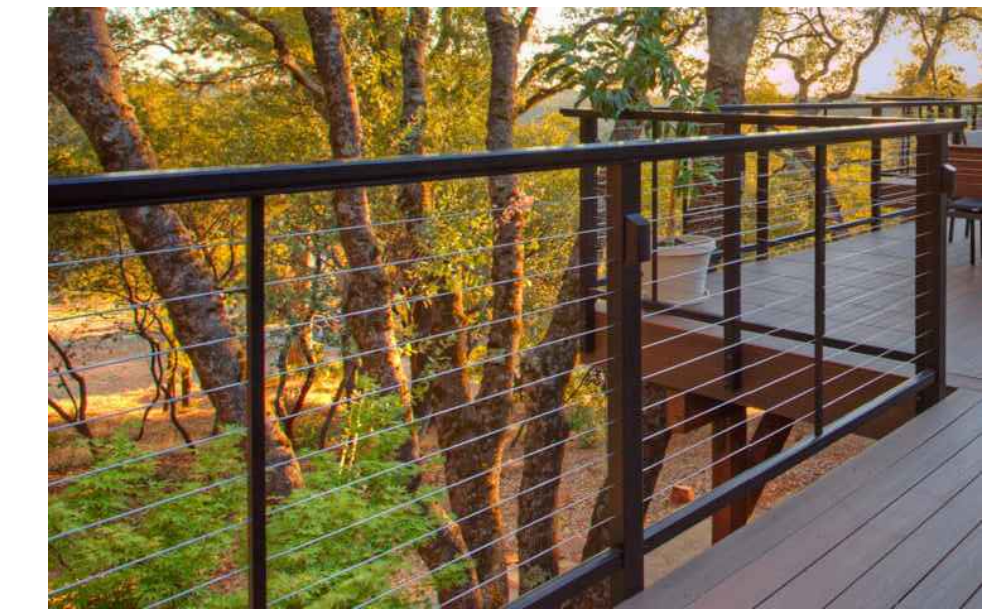
2 SMOOTH HARDIE BOARD  
MATERIAL PRECEDENT



3 STANDING SEAM METAL ROOFING  
MATERIAL PRECEDENT



4 VERTICAL SIDING  
MATERIAL PRECEDENT



5 CABLE RAIL  
MATERIAL PRECEDENT



6 HORIZONTAL SIDING  
MATERIAL PRECEDENT



7 PERFORATED METAL RAILING  
MATERIAL PRECEDENT

1 Building 1 Elevations  
Scale: N.T.S.



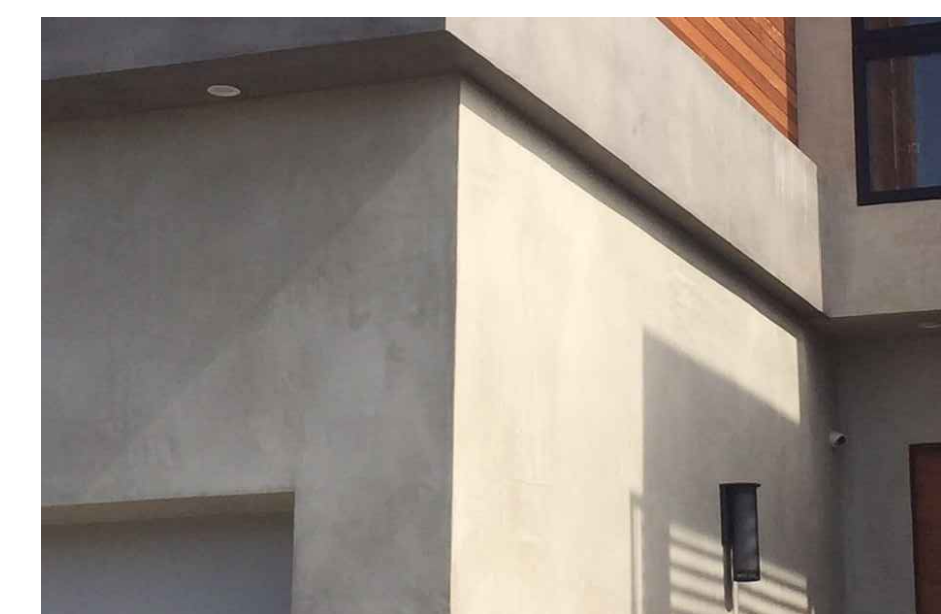
8 ALUMINUM AND GLASS GARAGE DOORS  
MATERIAL PRECEDENT



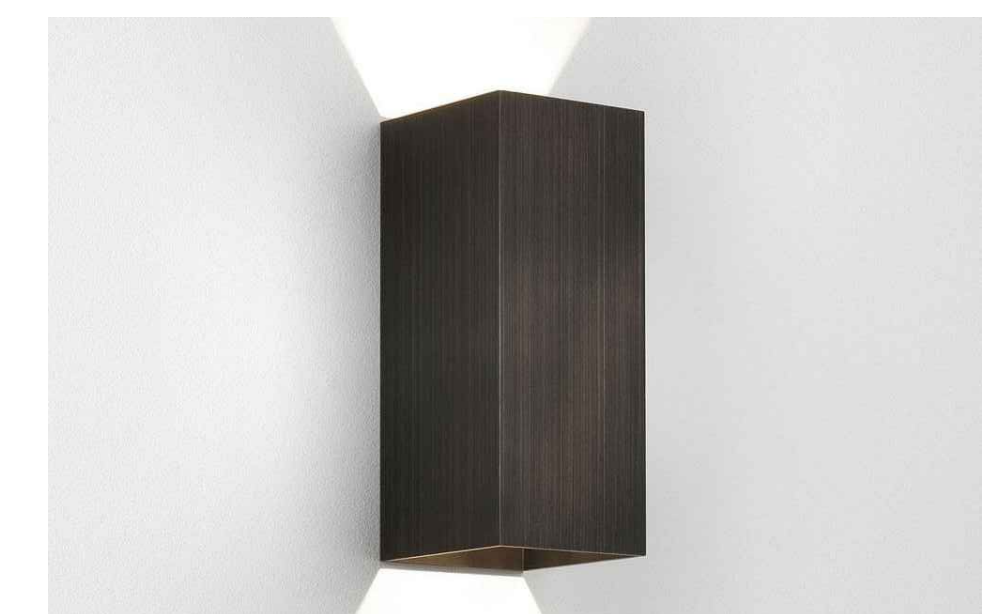
9 ALUMINUM STOREFRONT DOORS  
MATERIAL PRECEDENT



10 PRECAST CONCRETE SILL  
MATERIAL PRECEDENT



11 SMOOTH STUCCO  
MATERIAL PRECEDENT



12 BUILDING SCONCE  
MATERIAL PRECEDENT

## EXTERIOR BUILDING MATERIALS

The proposed facades include a rhythm of openings adjacent to the sidewalk with a pedestrian scale width-to-height ratio. The array of facade treatments and materials breaks up the forms of the buildings. The design of the business entrances provides clear, visible, and functional openings with direct access to the public sidewalk. Roof overhangs and awnings emphasize public entrances to the buildings. Upper story floors provide pedestrians shelter from the rain and sun, while the recesses in the facade provide arcades.

Wood, metal, concrete, and stucco comprise the material palette since these textures draw on the historical context of the commercial/industrial neighborhood. The classic materials combined with modern styling and variations in the facades bring multiplicity to the site. The site will include an assortment of building bases. Some will be prominent similar to downtown developments. Others will have less of a presence, consistent with historical examples near the site and more significant commercial/industrial buildings in the area.



13 BLACK FRAMED WINDOWS AND DOORS  
MATERIAL PRECEDENT



14 CONCRETE BASE WALL  
MATERIAL PRECEDENT



15 HORIZONTAL / VERTICAL WOOD GRAINED PANELS  
MATERIAL PRECEDENT



16 PENDANT LIGHT  
MATERIAL PRECEDENT

### REVISIONS

#	DATE	DESCRIPTION
-	-	-
-	-	-
-	-	-
-	-	-

### PLANNING REVIEW

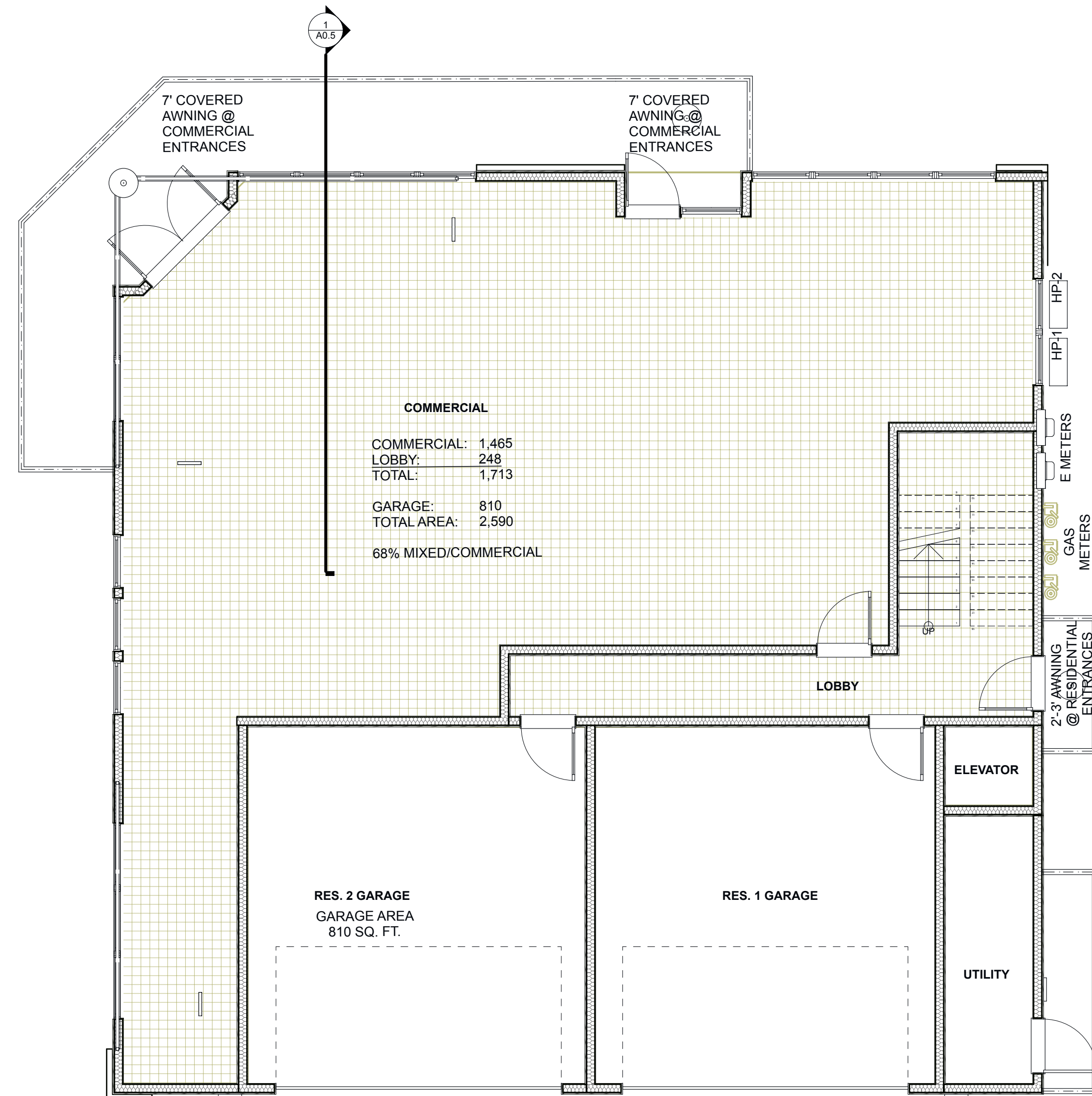
PHASE 1  
BUILDING  
MATERIALS BOARD

**A0.6**

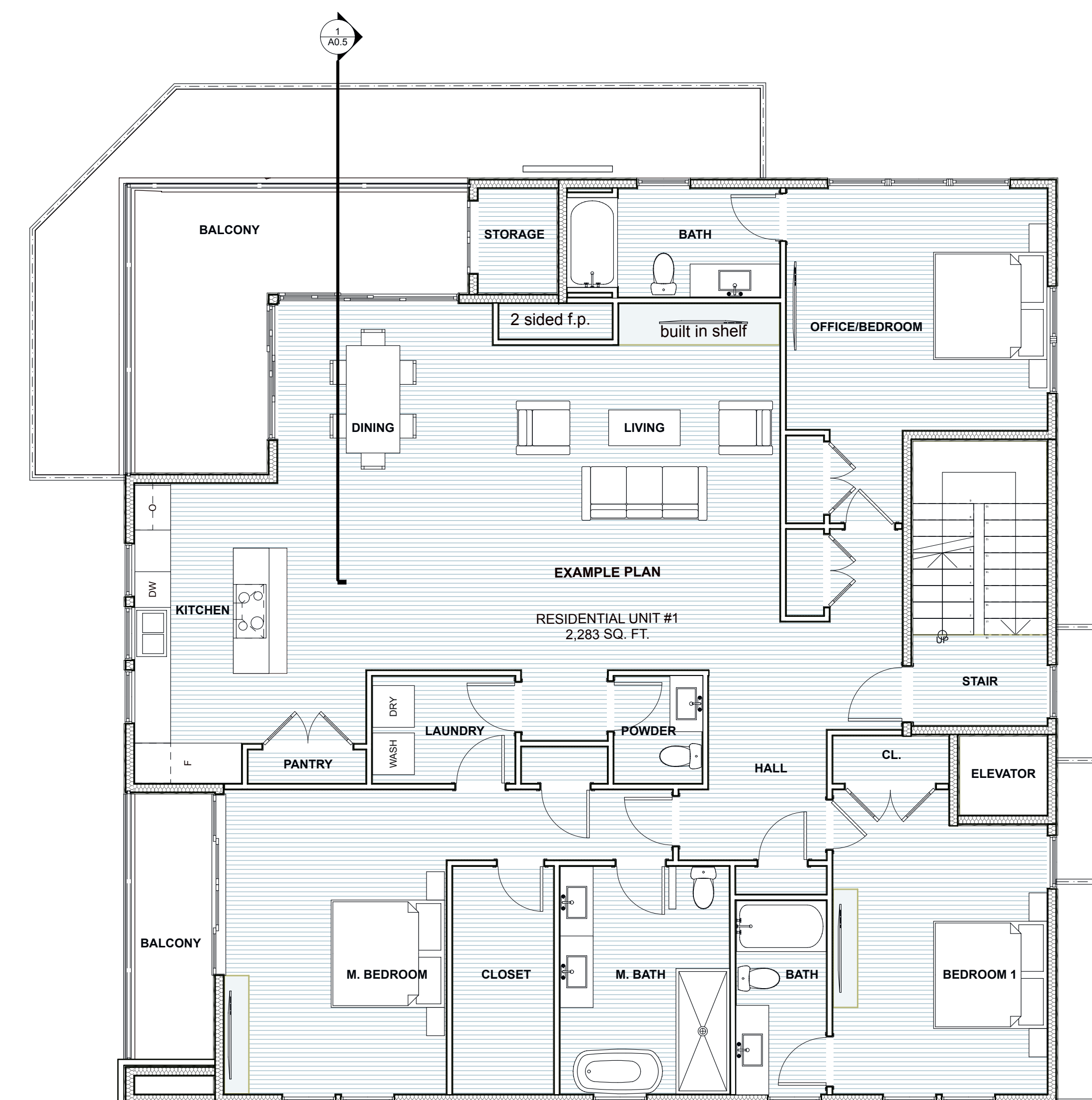
PROJECT NO. 2117

12.31.2021

TEAM: Pvc, CG, EG



1 1st FLOOR  
 A1.1 SCALE: 3/16" = 1'-0"



2 2nd FLOOR  
 A1.1 SCALE: 3/16" = 1'-0"



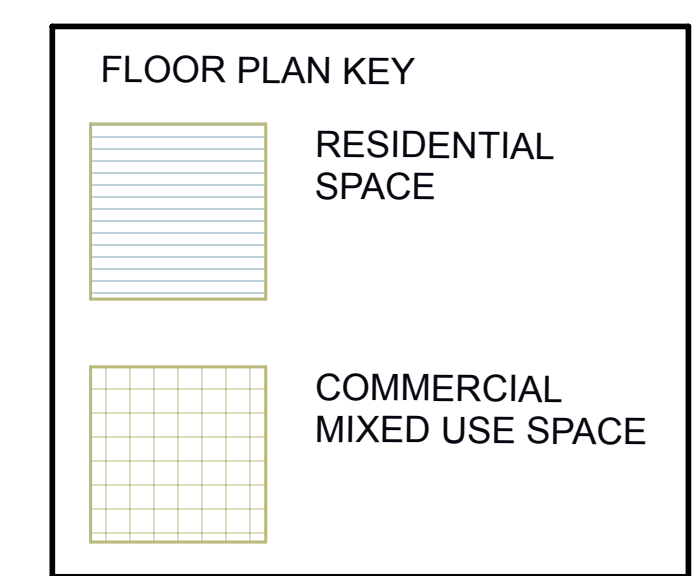
KN-04

BLD 1 (ELEVATION 1858')

FOOTPRINT AREA	2590 SQ. FT.
1ST FLOOR COMMERCIAL	1713 SQ. FT.
1ST FLOOR GARAGE (RESIDENTIAL)	810 SQ. FT.
2ND FLOOR RESIDENTIAL	2283 SQ. FT.
3RD FLOOR RESIDENTIAL	2283 SQ. FT.
TOTAL RESIDENTIAL (CONDITIONED)	4566 SQ. FT.

PERCENTAGE 1ST FLOOR COMMERCIAL 68% MIN.

COMMERCIAL PARKING (1/500 SQ. FT.) 3.42 SPACES  
 RESIDENTIAL (2 BR / UNIT) 4 SPACES TOTAL



MAGNOLIA FINE HOMES LLC  
 Gil Livni  
 441 Talent Ave  
 Talent, OR 97540  
 (510) 913-5110

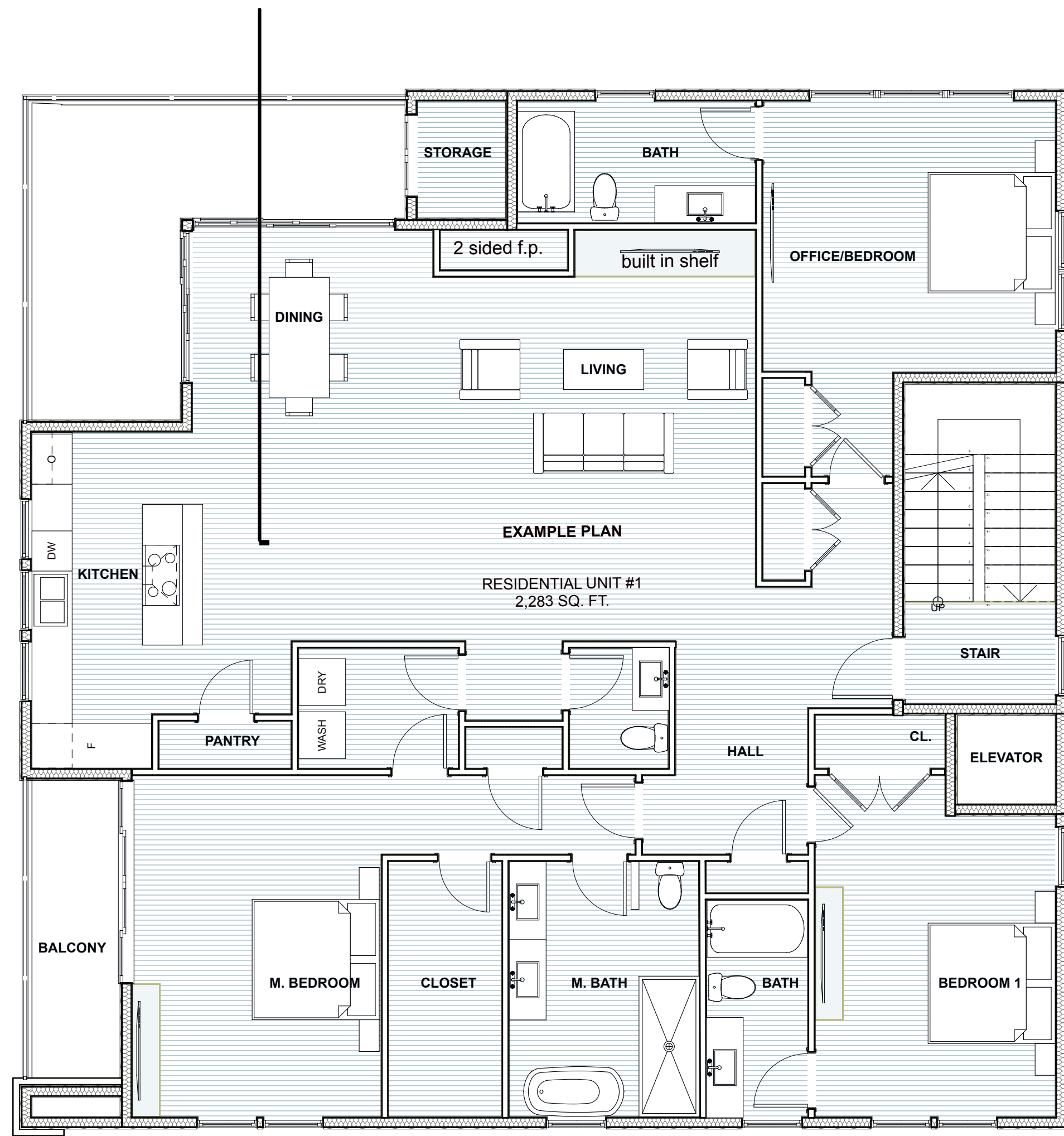
**MAGNOLIA TERRACE**  
 165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
 Ashland, OR 97520

MARK	DATE	DESCRIPTION

DATE: 1/7/22

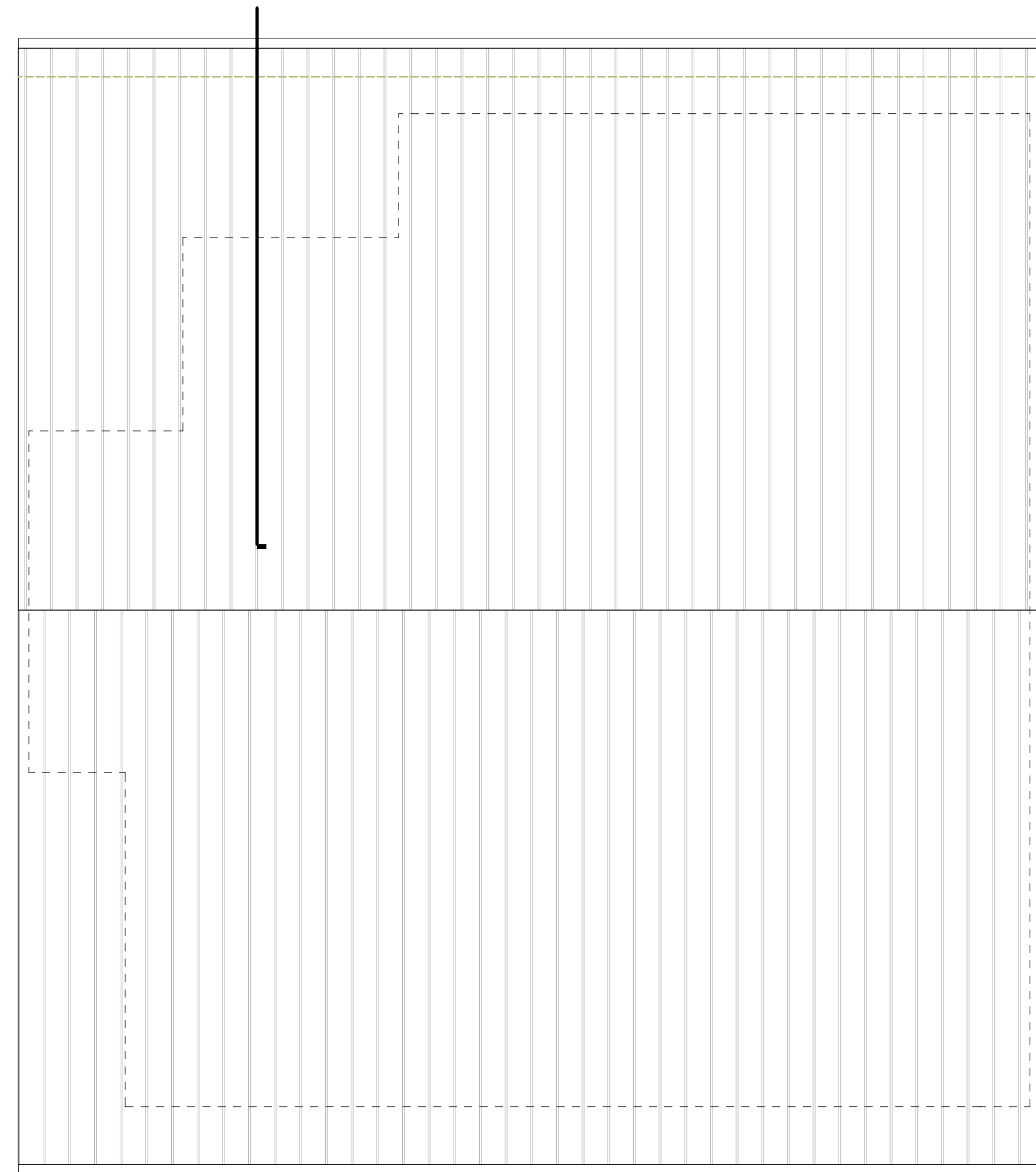
SHEET TITLE  
**BUILDING 1 PLANS**

A1.1



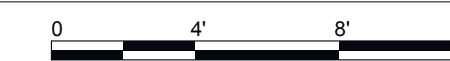
1 3rd FLOOR  
A1.2

SCALE: 3/16" = 1'-0"



2 ROOF  
A1.2

SCALE: 3/16" = 1'-0"



**MAGNOLIA**  
FINE HOMES LLC

MAGNOLIA FINE HOMES LLC  
Gil Livni  
441 Talent Ave  
Talent, OR 97540  
(510) 913-5110

**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
Ashland, OR 97520

MARK	DATE	DESCRIPTION

DATE: 1/7/22

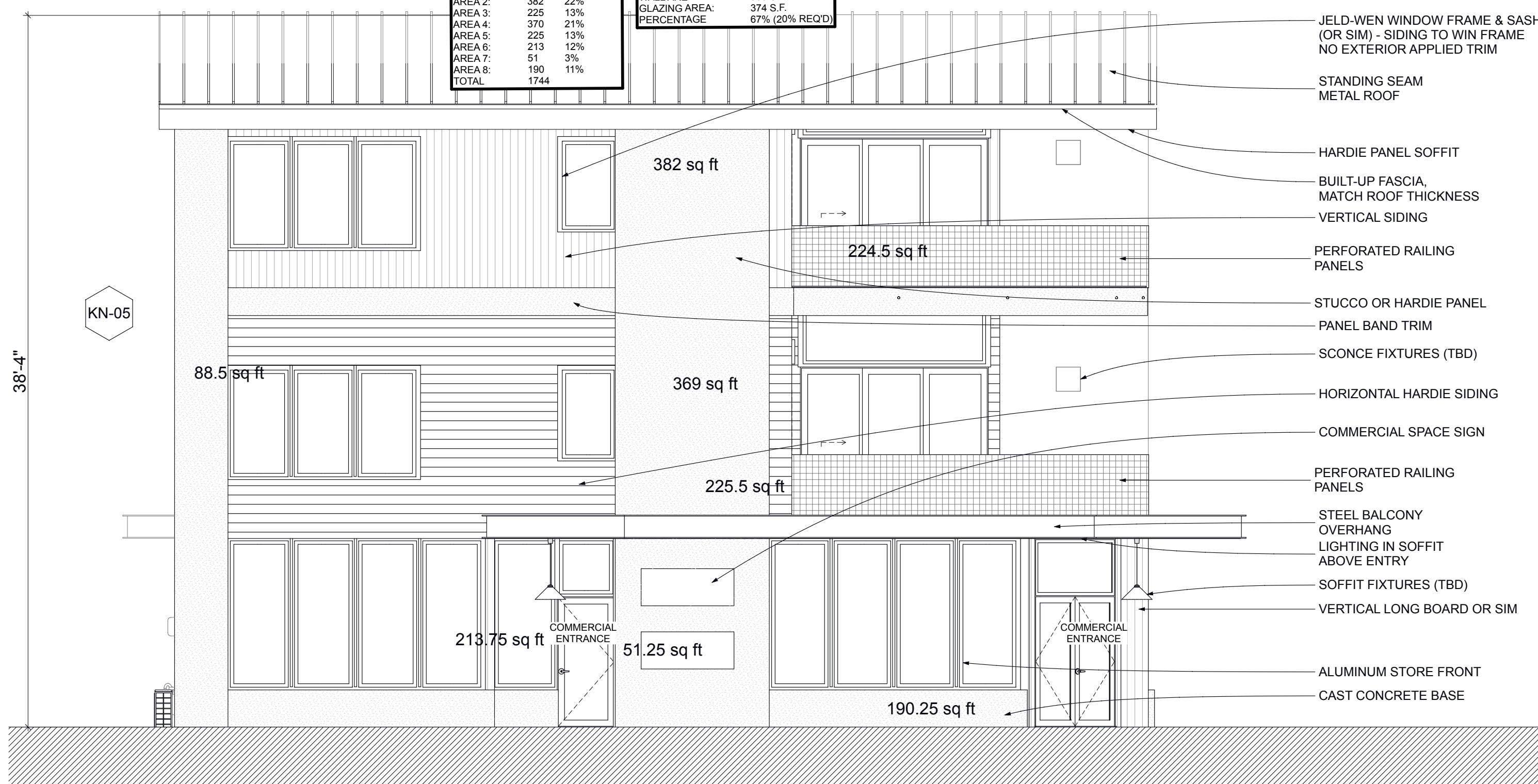
SHEET TITLE

**BUILDING 1  
PLANS**

**A1.2**

CHANGES IN RELIEF (15% REQ'D)	
AREA 1:	88 9%
AREA 2:	382 22%
AREA 3:	225 13%
AREA 4:	370 21%
AREA 5:	225 13%
AREA 6:	213 12%
AREA 7:	51 3%
AREA 8:	190 11%
TOTAL:	1744

COMMERCIAL GLAZING CALC.	
WALL AREA:	553 S.F.
GLAZING AREA:	374 S.F.
PERCENTAGE:	67% (20% REQ'D)



**1 FRONT ELEVATION**  
SCALE: 3/16" = 1'-0"



**2 LEFT ELEVATION**  
SCALE: 3/16" = 1'-0"



**3 REAR ELEVATION**  
SCALE: 3/16" = 1'-0"



**4 RIGHT ELEVATION**  
SCALE: 3/16" = 1'-0"

**MAGNOLIA FINE HOMES LLC**  
Gil Livni  
441 Talent Ave  
Talent, OR 97540  
(510) 913-5110

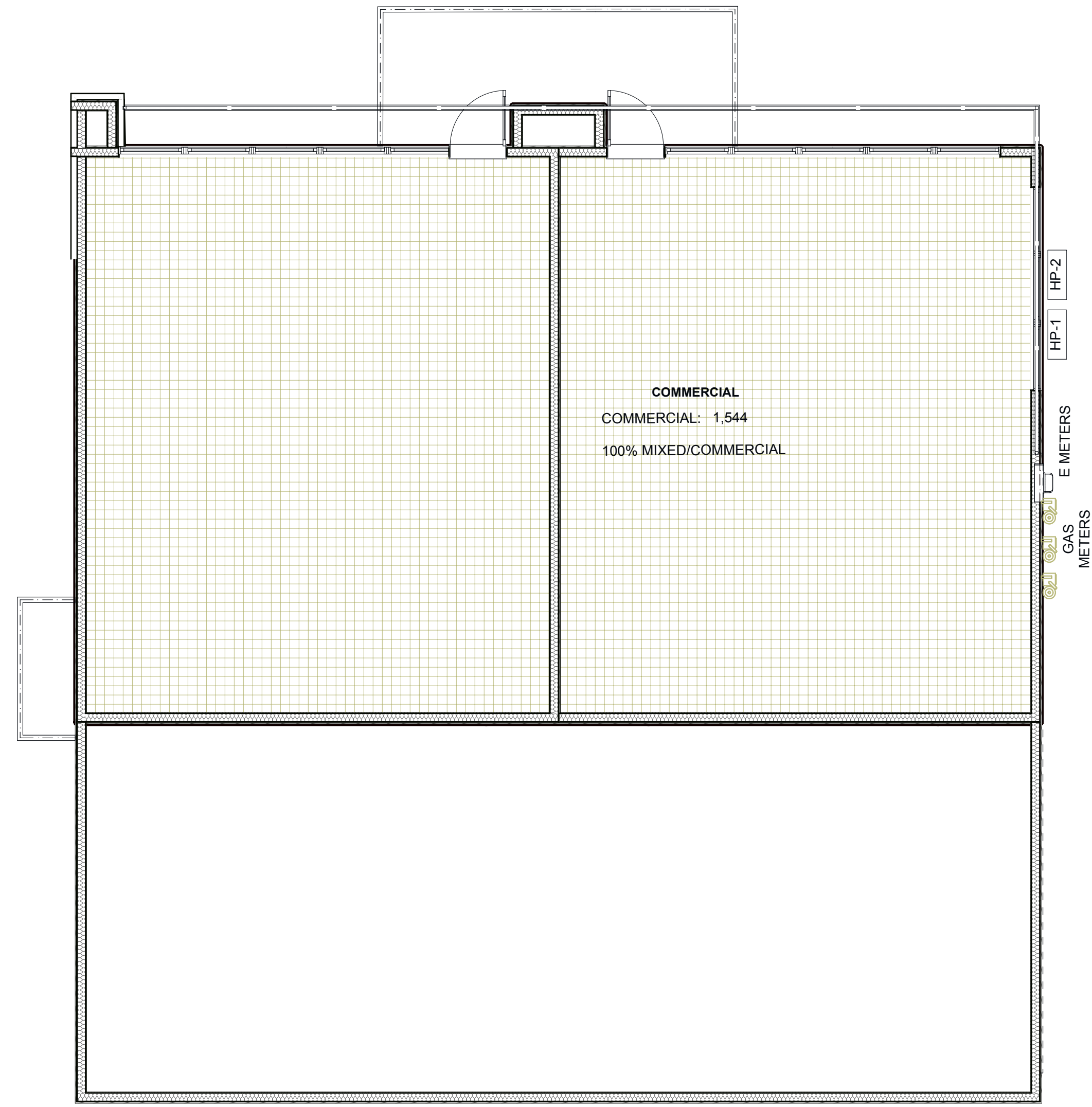
**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELLMAN ST. - 95 VAN NESS  
Ashland, OR 97520

MARK	DATE	DESCRIPTION

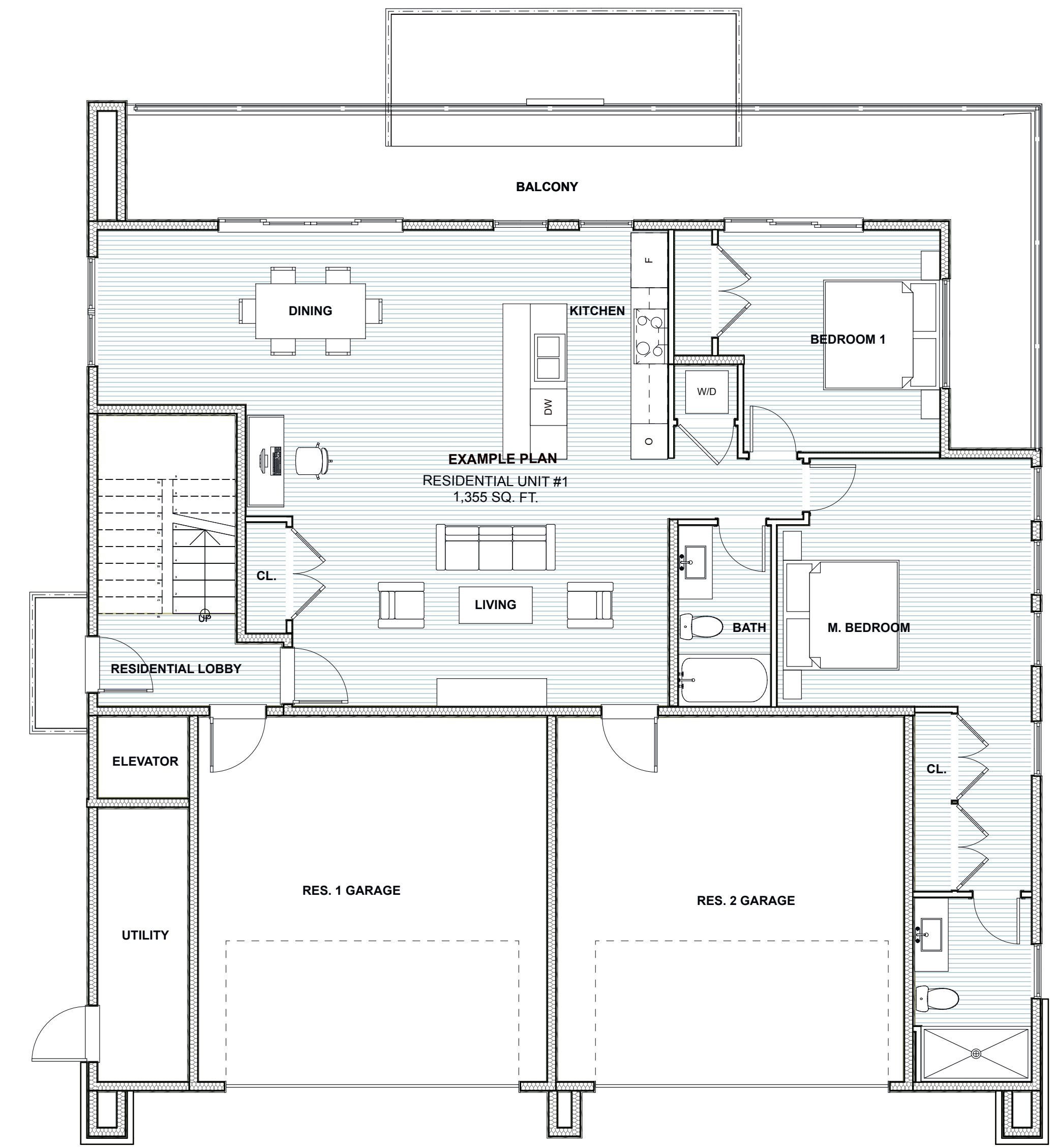
DATE: 1/7/22

SHEET TITLE  
**BUILDING 1 ELEVATIONS**

**A1.3**



1  
A2.1 1st FLOOR  
SCALE: 3/16" = 1'-0"



2  
A2.1 2nd FLOOR  
SCALE: 3/16" = 1'-0"



KN-04

BLD 2 (ELEVATION 1853/1847)

FOOTPRINT AREA	2354 SQ. FT.
1ST FLOOR COMMERCIAL	1544 SQ. FT.
1ST FLOOR GARAGE (RESIDENTIAL)	1110 SQ. FT.
2ND FLOOR RESIDENTIAL	1355 SQ. FT.
3RD FLOOR RESIDENTIAL	2040 SQ. FT.
TOTAL RESIDENTIAL (CONDITIONED)	3395 SQ. FT.

PERCENTAGE 1ST FLOOR COMMERCIAL 65% MIN.

COMMERCIAL PARKING	(1/500 SQ. FT.) 3.1 SPACES
RESIDENTIAL	(2 BR / UNIT) 4 SPACES TOTAL

FLOOR PLAN KEY

	RESIDENTIAL SPACE
	COMMERCIAL MIXED USE SPACE

**MAGNOLIA**  
FINE HOMES LLC

MAGNOLIA FINE HOMES LLC  
Gil Livni  
441 Talent Ave  
Talent, OR 97540  
(510) 913-5110

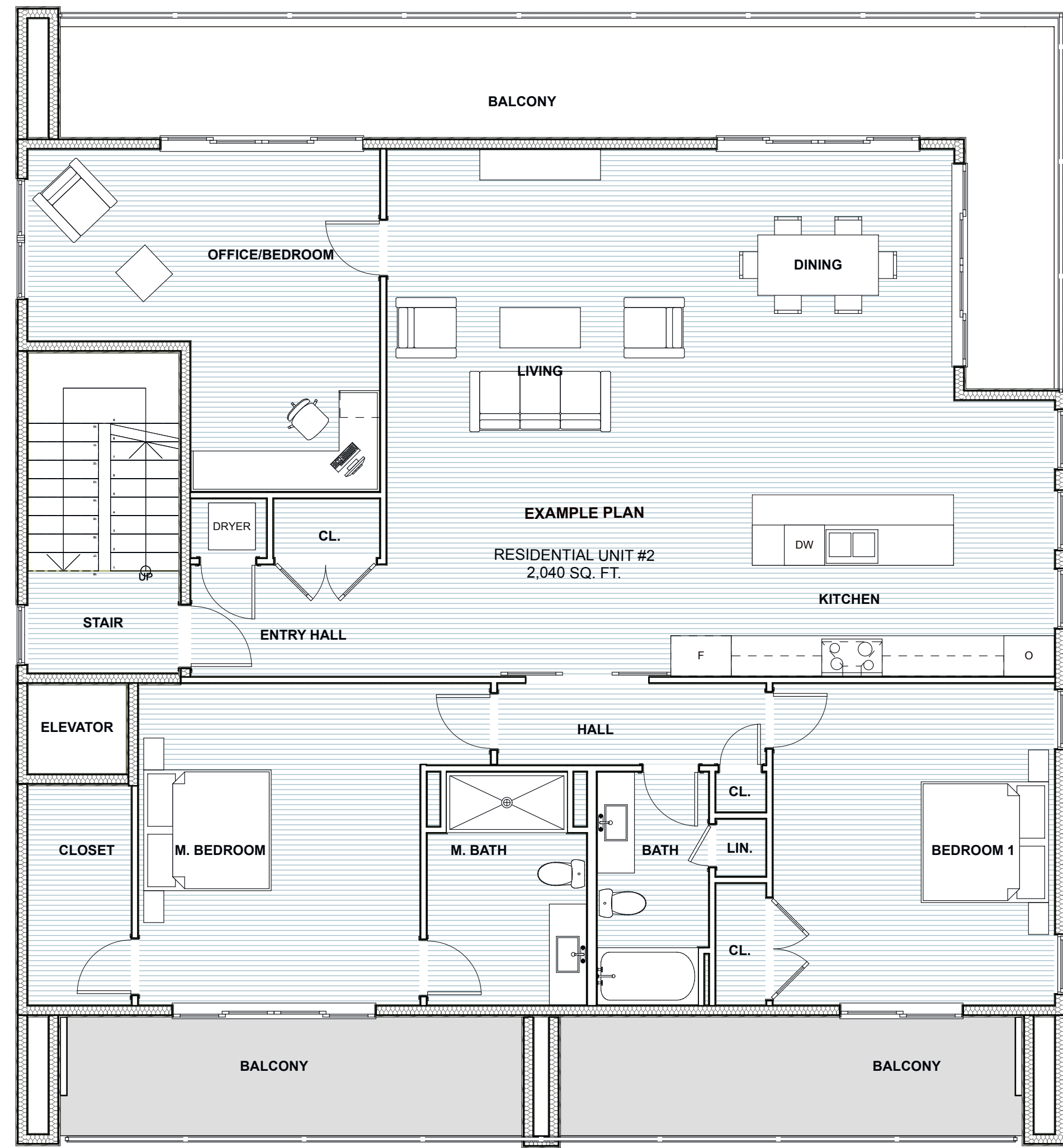
**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
Ashland, OR 97520

MARK	DATE	DESCRIPTION

DATE: 1/7/22

SHEET TITLE  
**BUILDING 2  
PLANS**

**A2.1**



1  
A2.2 3rd FLOOR

SCALE: 3/16" = 1'-0"

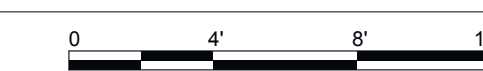


KN-13



2  
A2.2 ROOF

SCALE: 3/16" = 1'-0"



**MAGNOLIA**  
FINE HOMES LLC

MAGNOLIA FINE HOMES LLC  
Gil Livni  
441 Talent Ave  
Talent, OR 97540  
(510) 913-5110

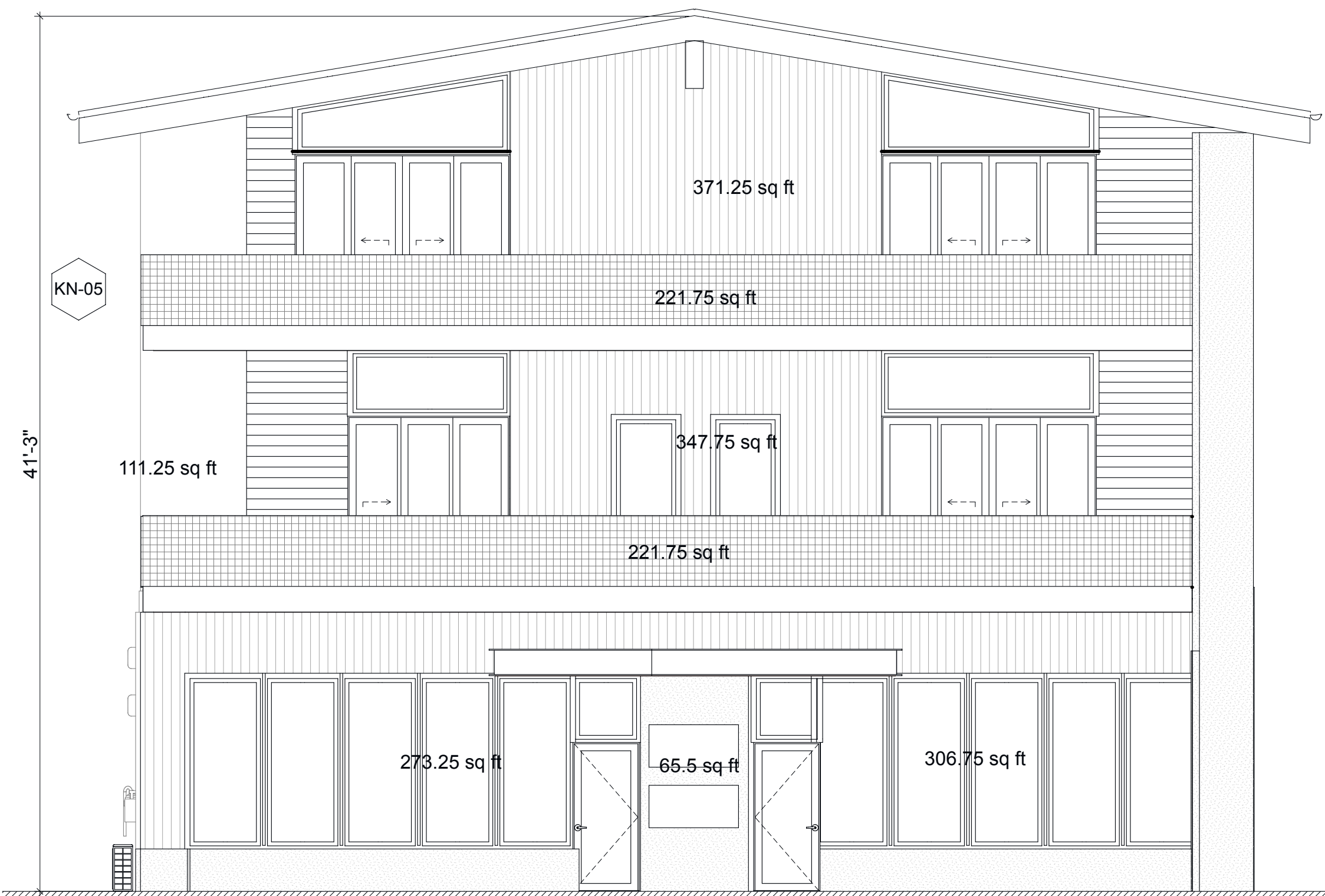
**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
Ashland, OR 97520


MARK	DATE	DESCRIPTION

DATE: 1/7/22

SHEET TITLE  
**BUILDING 2  
PLANS**

**A2.2**



CHANGES IN RELIEF (15% REQ'D)

AREA 1:	111	5%
AREA 2:	371	21%
AREA 3:	221	12%
AREA 4:	347	20%
AREA 5:	221	12%
AREA 6:	273	14%
AREA 7:	66	3%
AREA 8:	307	17%
TOTAL:	1640	

COMMERCIAL GLAZING CALC.

WALL AREA:	553 S.F.
GLAZING AREA:	374 S.F.
PERCENTAGE:	67% (20% REQ'D)

- KN-09
- KN-10
- KN-07
- KN-03
- KN-11

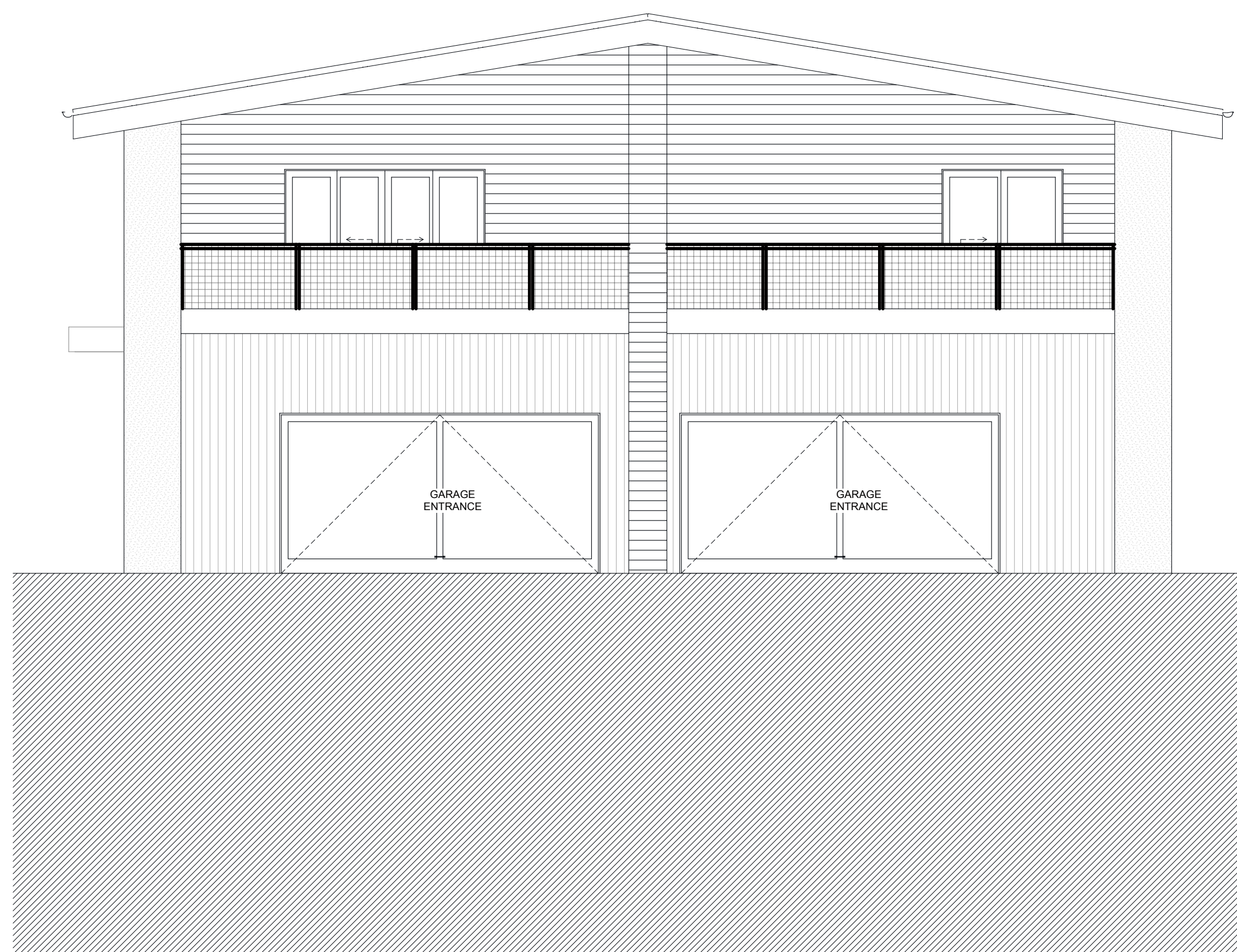


4 RIGHT ELEVATION

SCALE: 3/16" = 1'-0"



Note: SEE A1.3 FOR MATERIALS AND DIMENSIONS



3 REAR ELEVATION

SCALE: 3/16" = 1'-0"



2 LEFT ELEVATION

SCALE: 3/16" = 1'-0"



**MAGNOLIA**  
FINE HOMES LLC

MAGNOLIA FINE HOMES LLC  
Gil Livni  
441 Talent Ave  
Talent, OR 97540  
(510) 913-5110

**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELMAN ST. - 95 VAN NESS  
Ashland, OR 97520

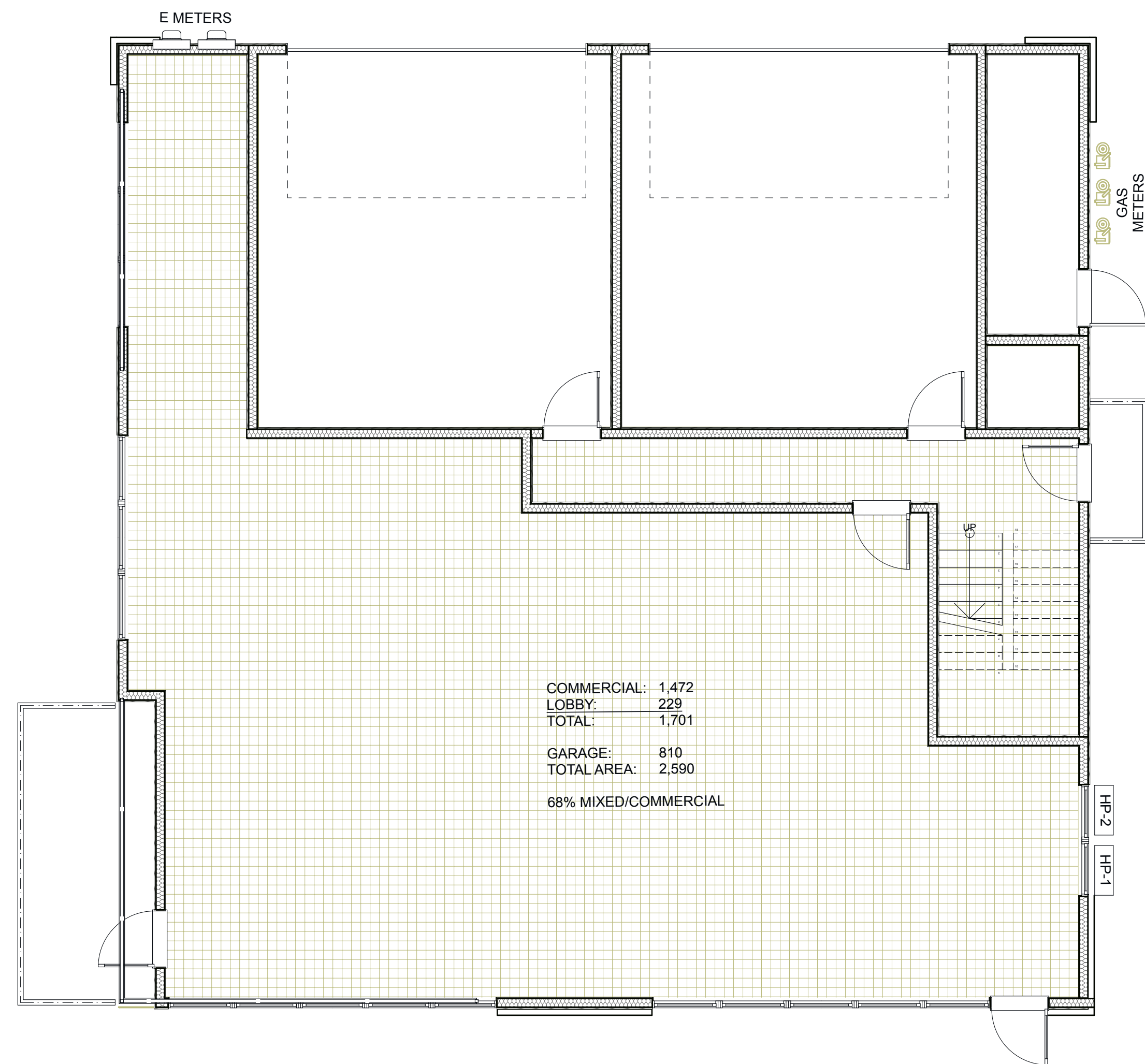
MARK	DATE	DESCRIPTION

DATE: 1/7/22

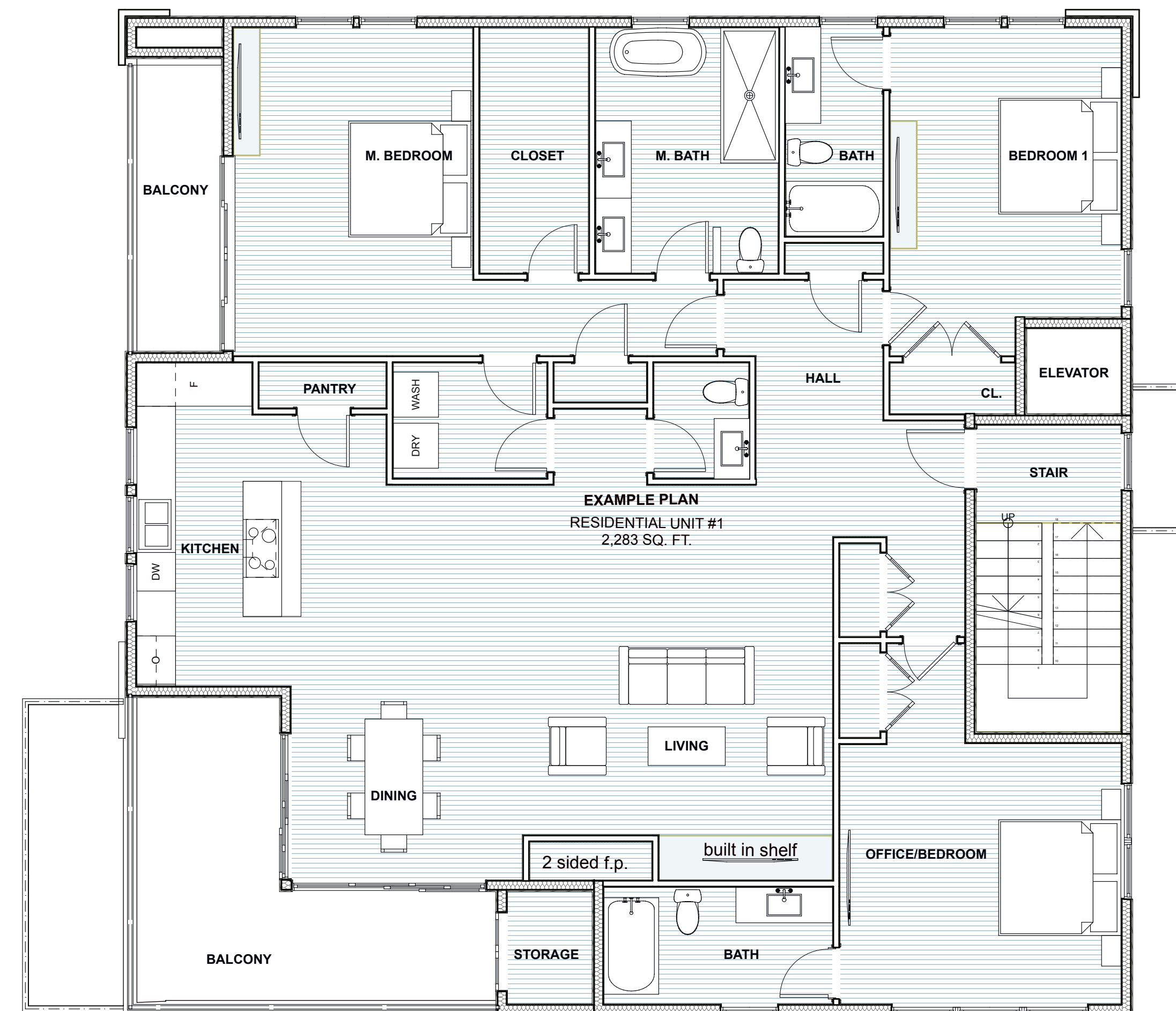
SHEET TITLE  
**BUILDING 2 ELEVATIONS**

**A2.3**

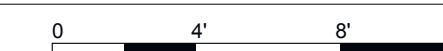




1 1st FLOOR  
 A3.1 SCALE: 3/16" = 1'-0"



2 2nd FLOOR  
 A3.1 SCALE: 3/16" = 1'-0"



KN-04

BLD 3 (ELEVATION 1860')

FOOTPRINT AREA	2590 SQ. FT.
1ST FLOOR COMMERCIAL	1701 SQ. FT.
1ST FLOOR GARAGE (RESIDENTIAL)	810 SQ. FT.
2ND FLOOR RESIDENTIAL	2283 SQ. FT.
3RD FLOOR RESIDENTIAL	2283 SQ. FT.
TOTAL RESIDENTIAL (CONDITIONED)	4566 SQ. FT.

PERCENTAGE 1ST FLOOR COMMERCIAL 65% MIN.

COMMERCIAL PARKING (1/500SQ. FT.) 3.4 SPACES  
 RESIDENTIAL (2 BR / UNIT) 4 SPACES TOTAL

FLOOR PLAN KEY

	RESIDENTIAL SPACE
	COMMERCIAL MIXED USE SPACE

MAGNOLIA FINE HOMES LLC  
 Gil Livni  
 441 Talent Ave  
 Talent, OR 97540  
 (510) 913-5110

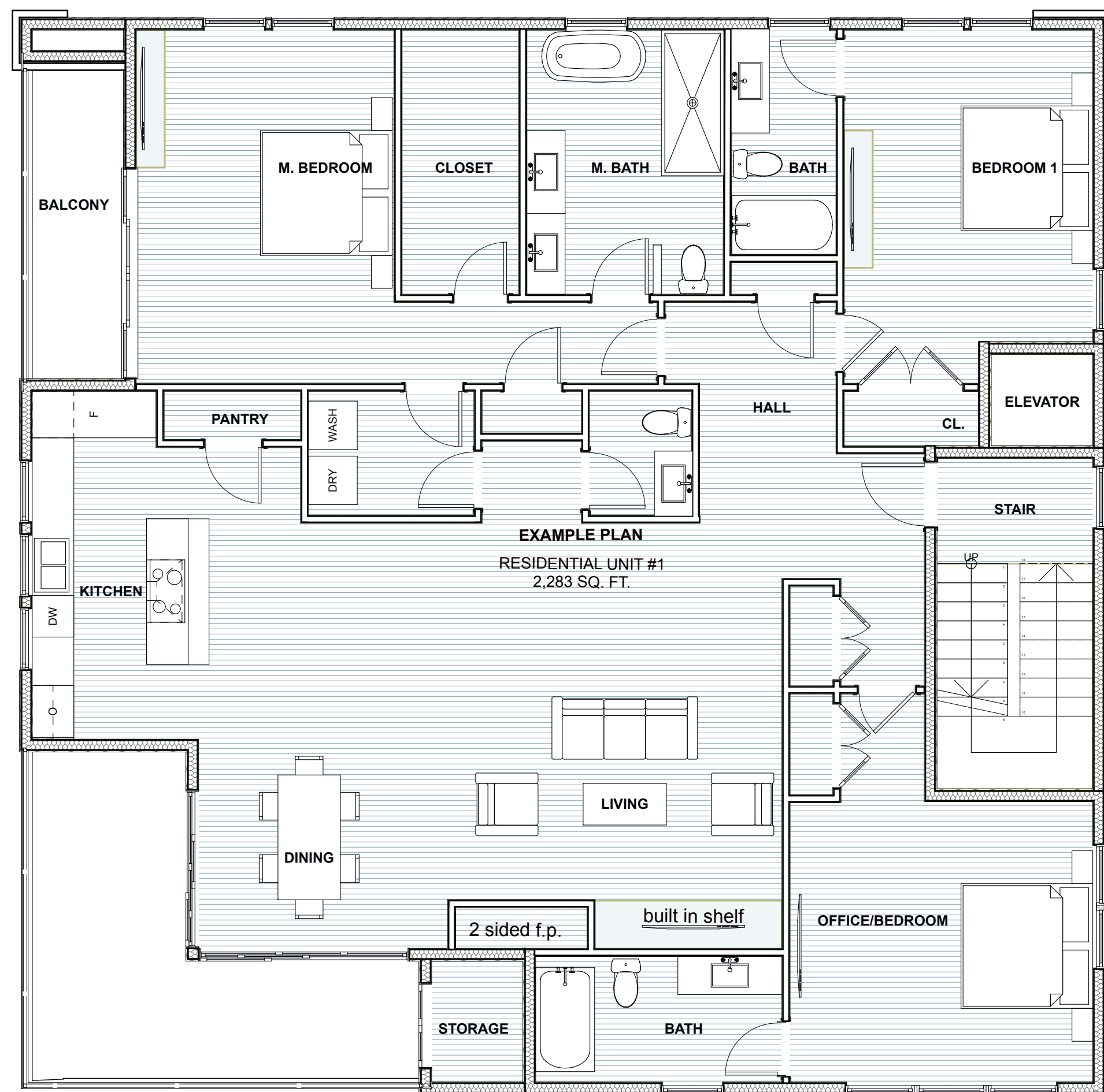
**MAGNOLIA TERRACE**  
 165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
 Ashland, OR 97520

MARK	DATE	DESCRIPTION

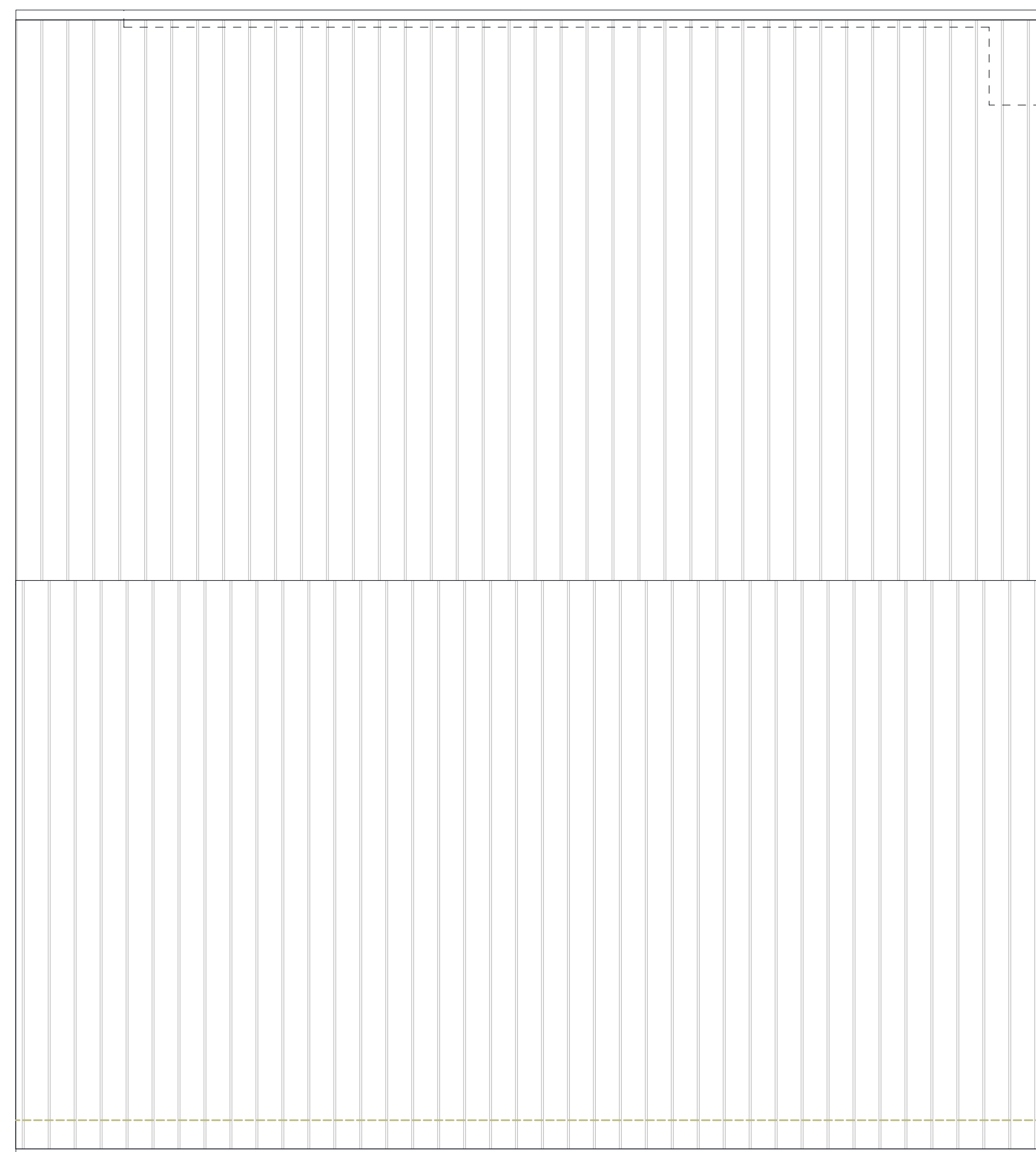
DATE: 1/7/22

SHEET TITLE  
**BUILDING 3 PLANS**

A3.1



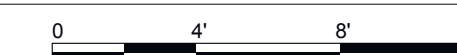
KN-13



1  
A3.2 3rd FLOOR  
SCALE: 3/16" = 1'-0"



2  
A3.2 ROOF  
SCALE: 3/16" = 1'-0"



**MAGNOLIA**  
FINE HOMES LLC

MAGNOLIA FINE HOMES LLC  
Gil Livni  
441 Talent Ave  
Talent, OR 97540  
(510) 913-5110

**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
Ashland, OR 97520

MARK	DATE	DESCRIPTION

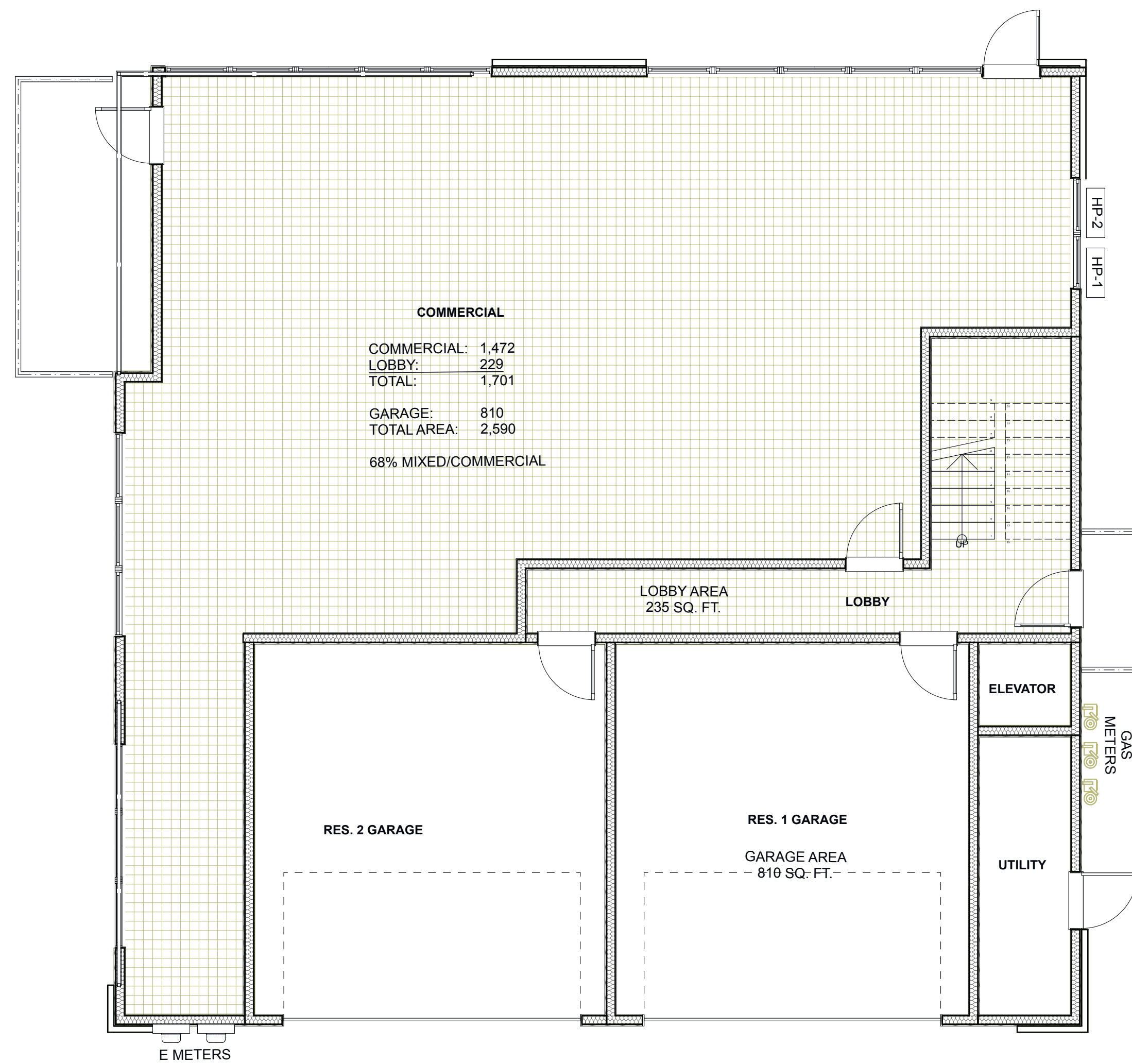
DATE: 1/7/22

SHEET TITLE

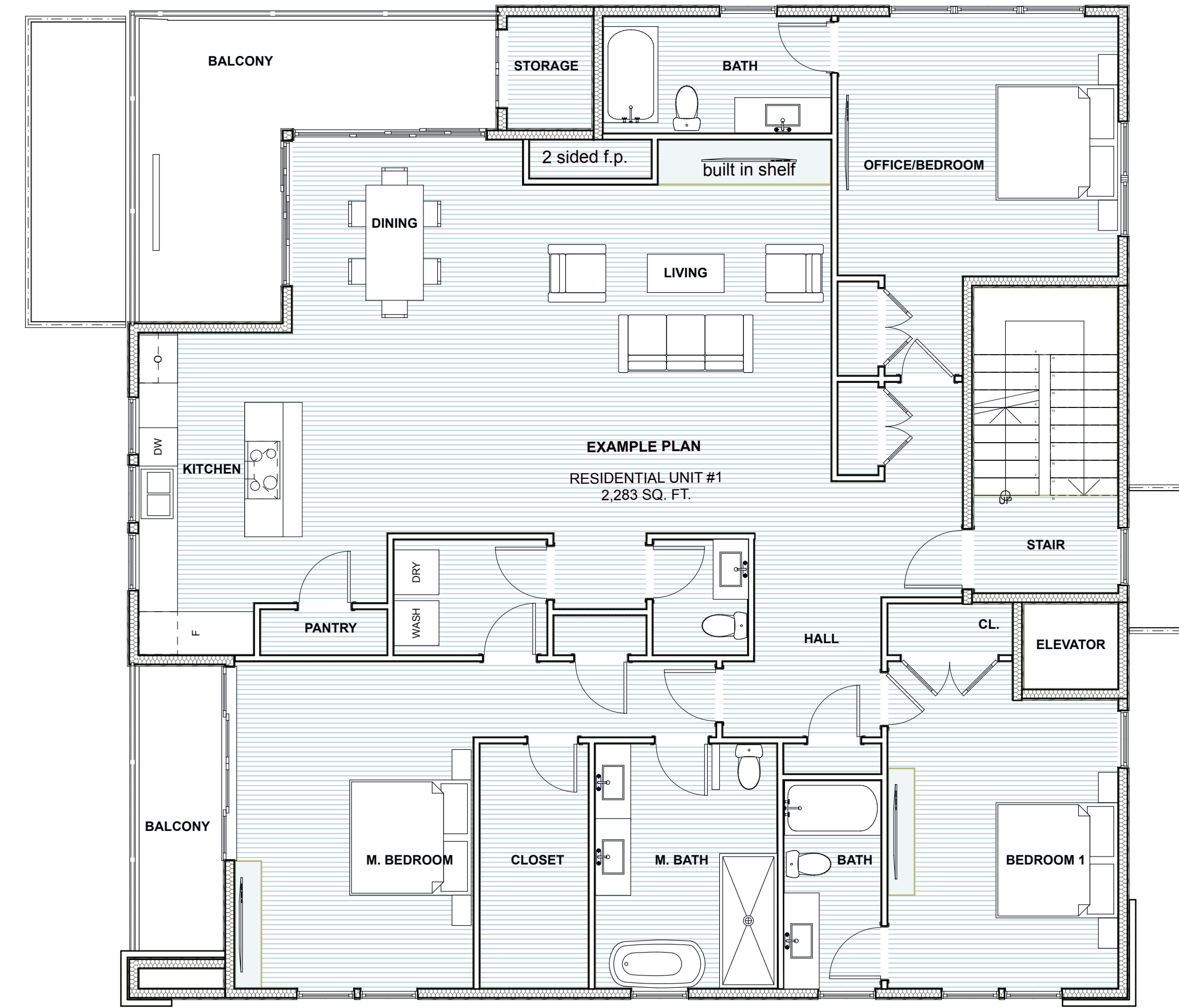
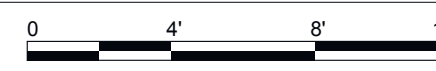
**BUILDING 3  
PLANS**

**A3.2**

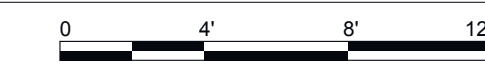




1  
A4.1  
1st FLOOR  
SCALE: 3/16" = 1'-0"



2  
A4.1  
2nd FLOOR  
SCALE: 3/16" = 1'-0"



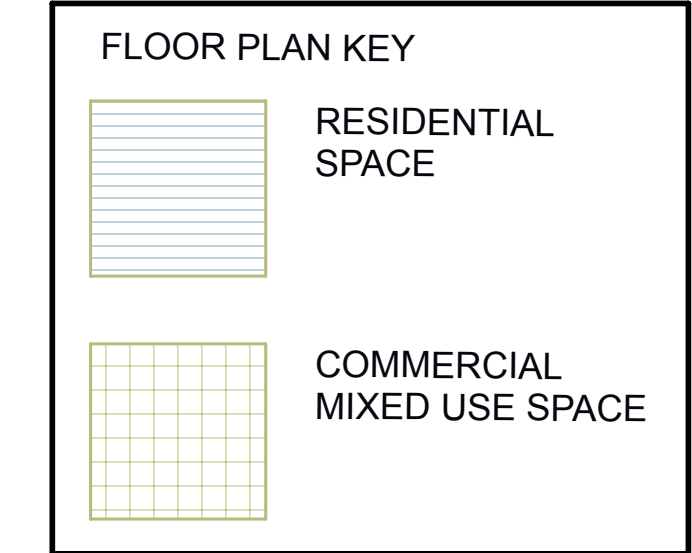
KN-04

**BLD 4 (ELEVATION 1863')**

FOOTPRINT AREA	2590 SQ. FT.
1ST FLOOR COMMERCIAL	1701 SQ. FT.
1ST FLOOR GARAGE (RESIDENTIAL)	810 SQ. FT.
2ND FLOOR RESIDENTIAL	2283 SQ. FT.
3RD FLOOR RESIDENTIAL	2283 SQ. FT.
TOTAL RESIDENTIAL (CONDITIONED)	4566 SQ. FT.

PERCENTAGE 1ST FLOOR COMMERCIAL 65% MIN.

COMMERCIAL PARKING (1/500 SQ. FT.) 3.4 SPACES  
 RESIDENTIAL (2 BR / UNIT) 4 SPACES TOTAL



**MAGNOLIA FINE HOMES LLC**  
 Gil Livni  
 441 Talent Ave  
 Talent, OR 97540  
 (510) 913-5110

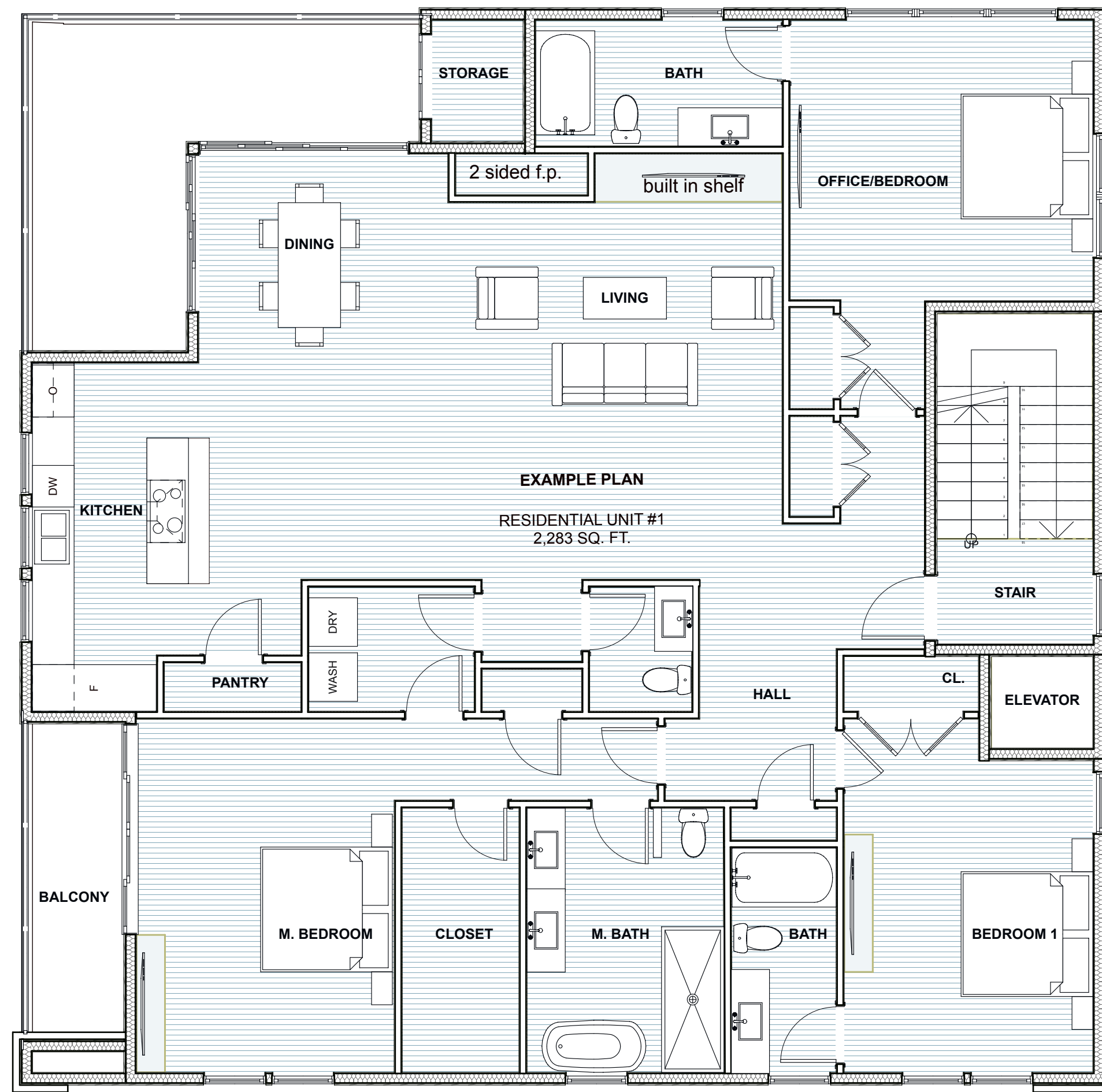
**MAGNOLIA TERRACE**  
 165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
 Ashland, OR 97520

MARK	DATE	DESCRIPTION

DATE: 1/7/22

SHEET TITLE  
**BUILDING 4 PLANS**

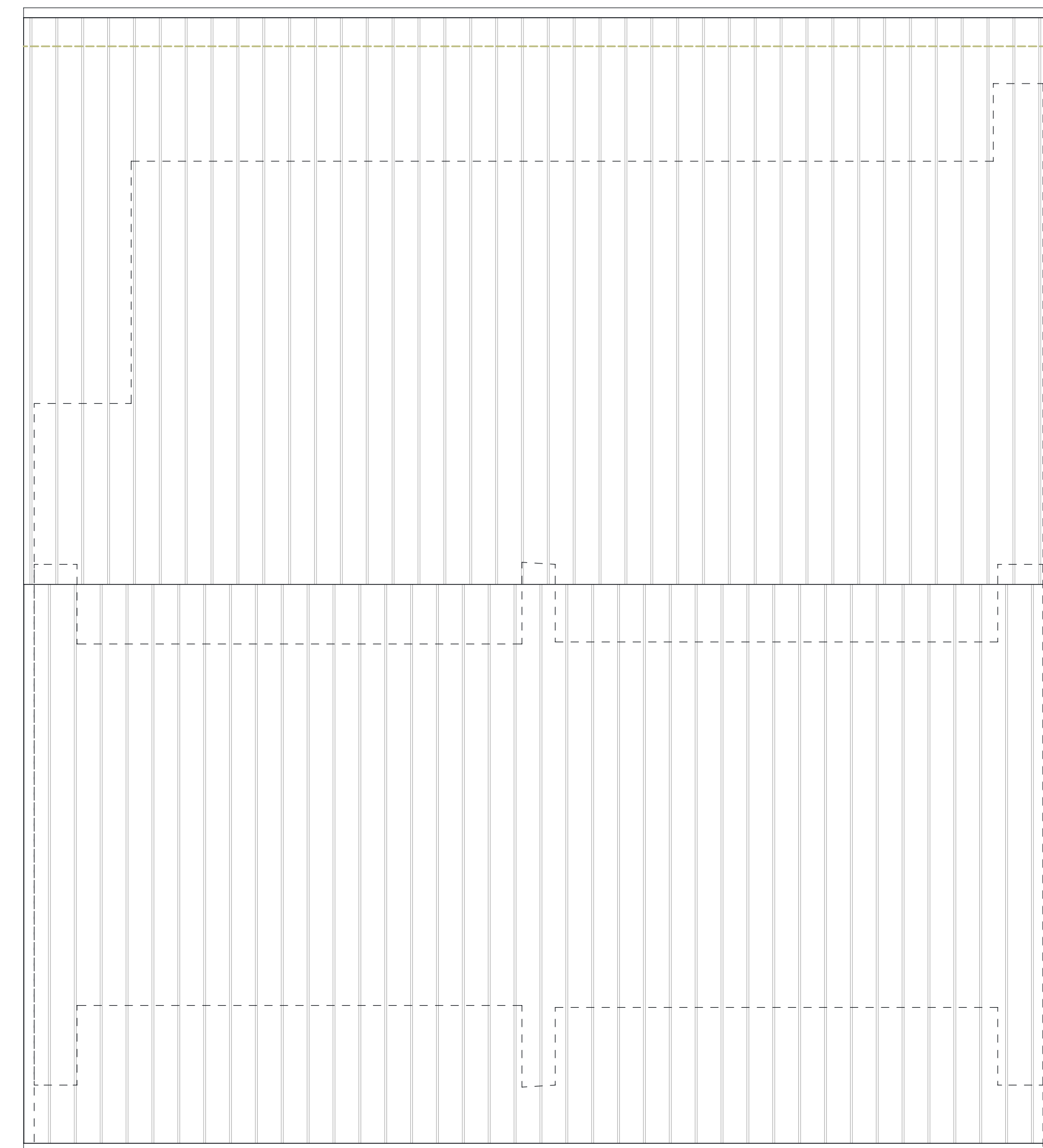
**A4.1**



1  
A4.2 3rd FLOOR  
SCALE: 3/16" = 1'-0"



KN-13



2  
A4.2 ROOF  
SCALE: 3/16" = 1'-0"



MAGNOLIA FINE HOMES LLC

MAGNOLIA FINE HOMES LLC  
Gil Livni  
441 Talent Ave  
Talent, OR 97540  
(510) 913-5110

**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
Ashland, OR 97520

MARK	DATE	DESCRIPTION

DATE: 1/7/22

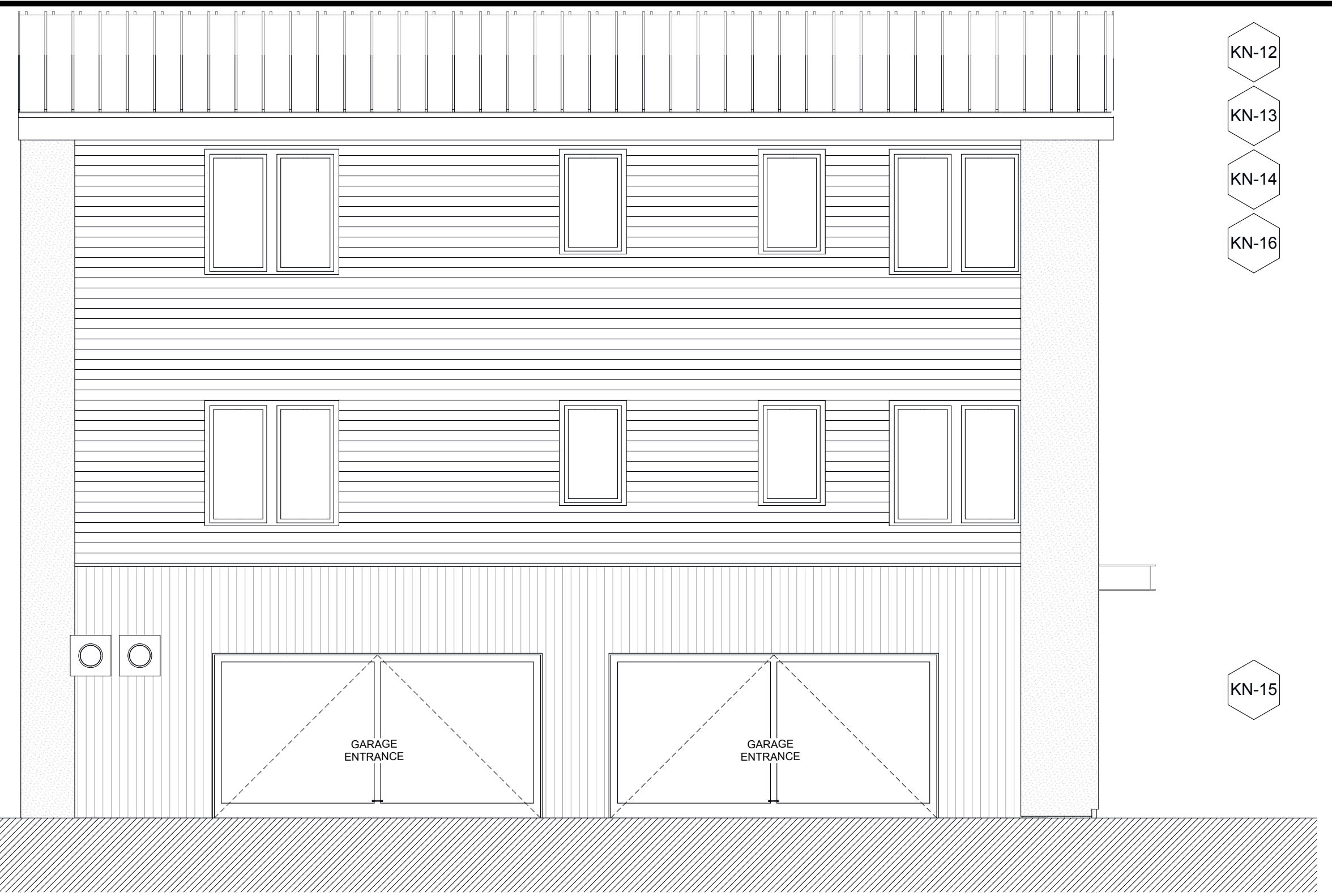
SHEET TITLE

**BUILDING 4  
PLANS**

**A4.2**



1 FRONT ELEVATION  
A4.3 SCALE: 3/16" = 1'-0"



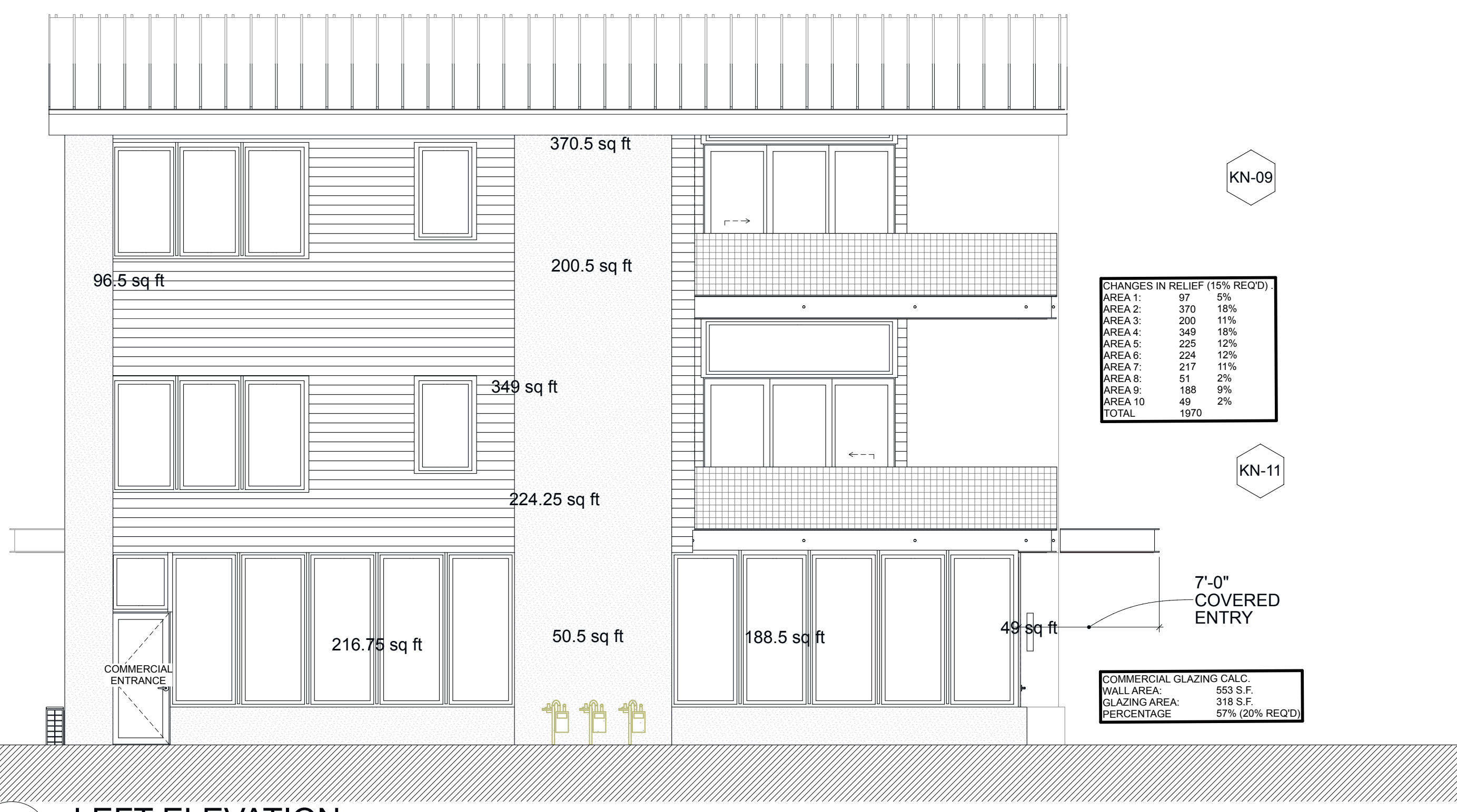
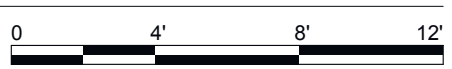
2 RIGHT ELEVATION  
A4.3 SCALE: 3/16" = 1'-0"



Note: SEE A1.3 FOR MATERIALS AND DIMENSIONS



3 REAR ELEVATION  
A4.3 SCALE: 3/16" = 1'-0"



4 LEFT ELEVATION  
A4.3 SCALE: 3/16" = 1'-0"



KN-12  
KN-13  
KN-14  
KN-16

KN-15

KN-09

KN-11

**MAGNOLIA FINE HOMES LLC**  
MAGNOLIA FINE HOMES LLC  
Gil Livni  
441 Talent Ave  
Talent, OR 97540  
(510) 913-5110

**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELLMAN ST. - 95 VAN NESS  
Ashland, OR 97520

MARK	DATE	DESCRIPTION

DATE: 1/7/22

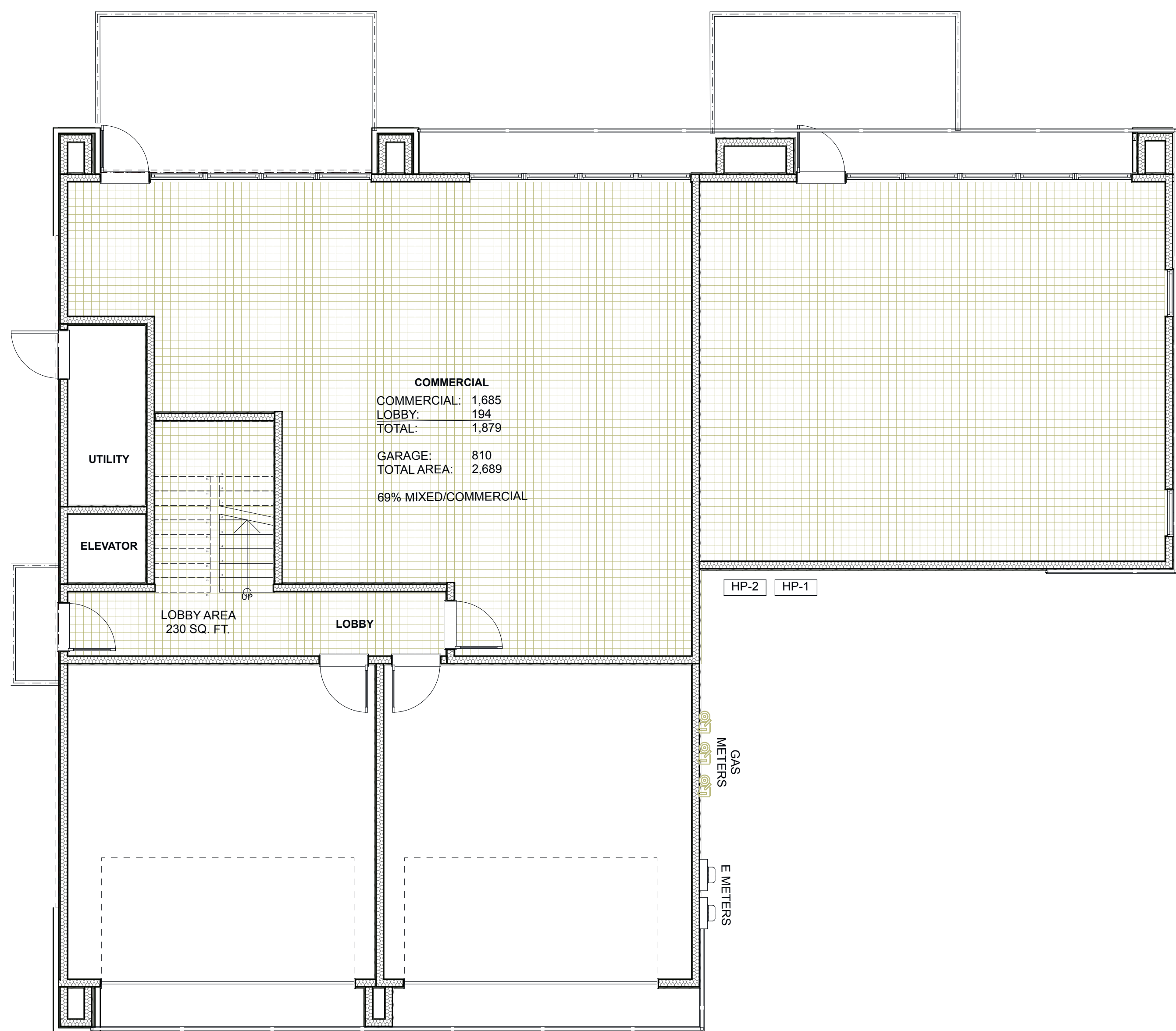
SHEET TITLE  
**BUILDING 4 ELEVATIONS**

**A4.3**



**MAGNOLIA FINE HOMES LLC**  
 Gil Livni  
 441 Talent Ave  
 Talent, OR 97540  
 (510) 913-5110

**MAGNOLIA TERRACE**  
 165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
 Ashland, OR 97520



**COMMERCIAL**  
 COMMERCIAL: 1,685  
 LOBBY: 194  
 TOTAL: 1,879  
 GARAGE: 810  
 TOTAL AREA: 2,689  
 69% MIXED/COMMERCIAL

1 1st FLOOR  
 A5.1 SCALE: 3/16" = 1'-0"



2 2nd FLOOR  
 A5.1 SCALE: 3/16" = 1'-0"

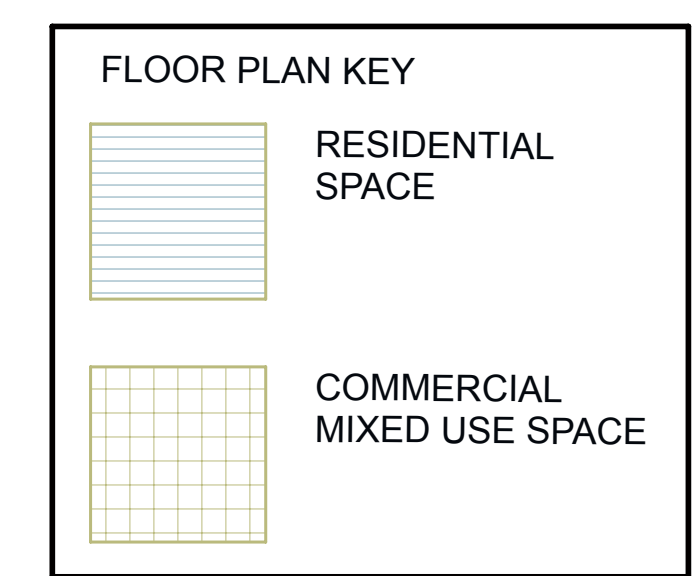


KN-04

**BLD 5 (ELEVATION 1850')**

FOOTPRINT AREA	2689 SQ. FT.
1ST FLOOR COMMERCIAL	1879 SQ. FT.
1ST FLOOR GARAGE (RESIDENTIAL)	810 SQ. FT.
2ND FLOOR RESIDENTIAL	2135 SQ. FT.
3RD FLOOR RESIDENTIAL	2135 SQ. FT.
TOTAL RESIDENTIAL (CONDITIONED)	4270 SQ. FT.

PERCENTAGE 1ST FLOOR COMMERCIAL 69% MIN.  
 COMMERCIAL PARKING (1/500 SQ. FT.) 3.75 SPACES  
 RESIDENTIAL (2 BR / UNIT) 4 SPACES TOTAL

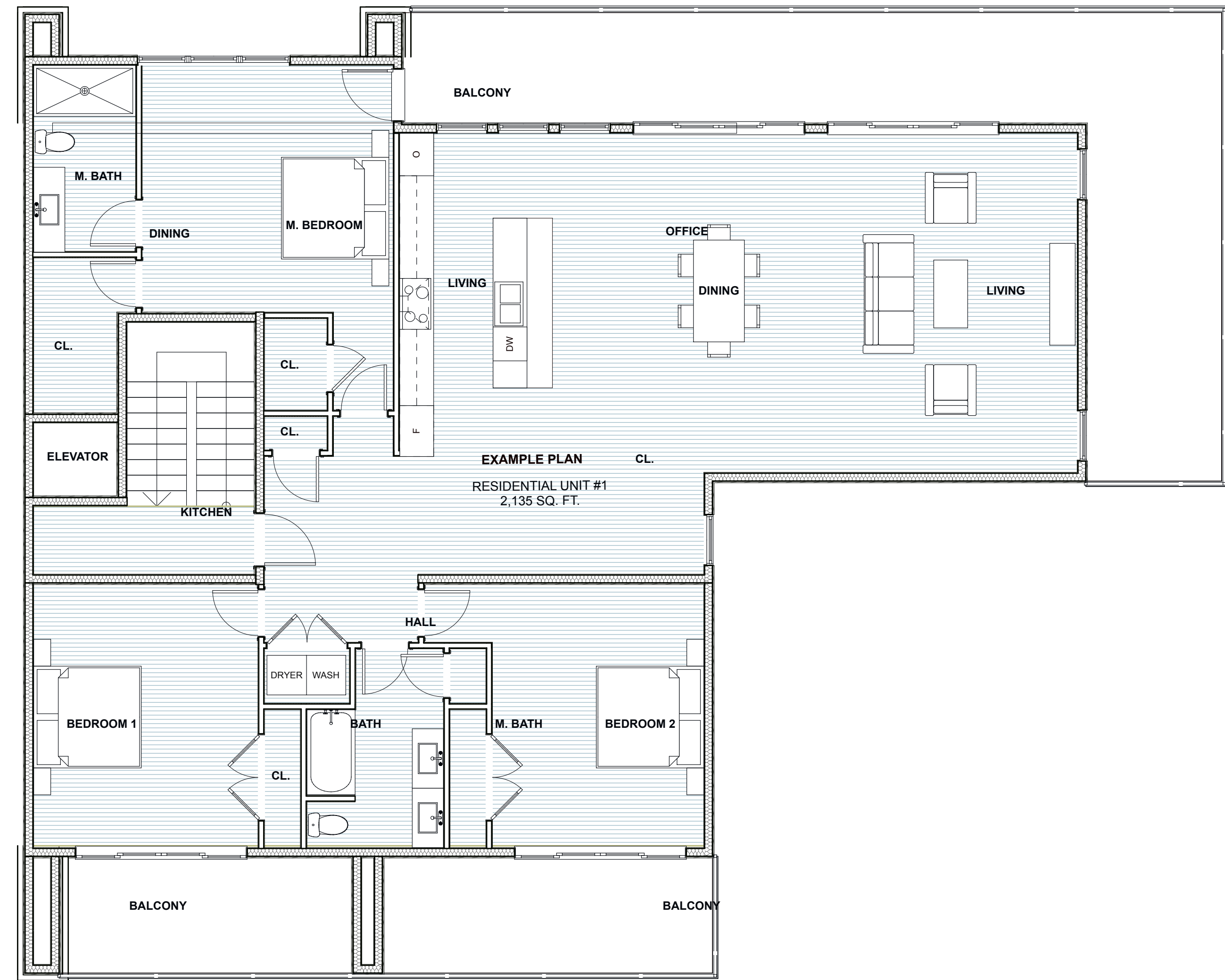


MARK	DATE	DESCRIPTION

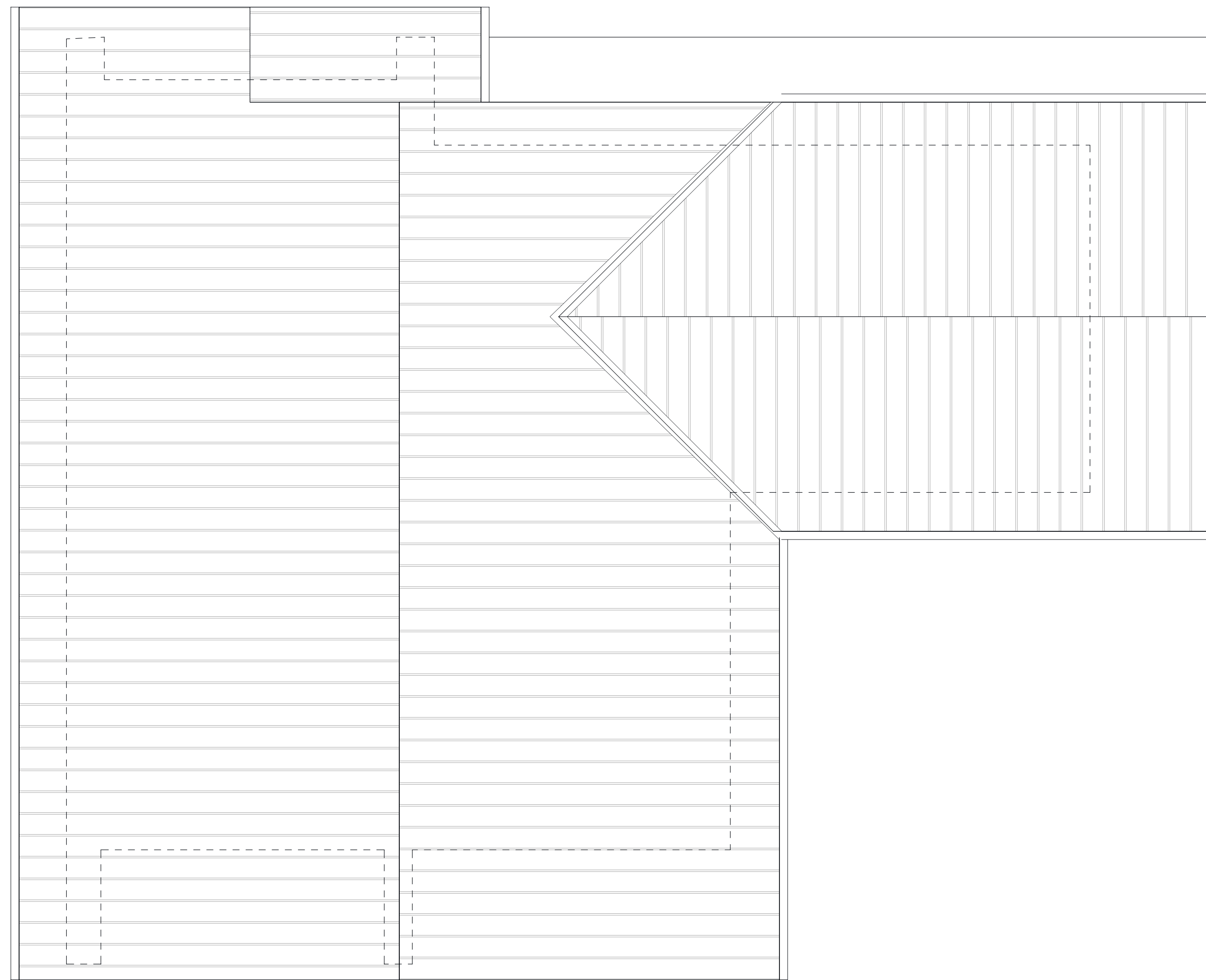
DATE: 1/7/22

SHEET TITLE  
**BUILDING 5 PLANS**

**A5.1**



KN-13



1  
A5.2 3rd FLOOR  
SCALE: 3/16" = 1'-0"



2  
A5.2 ROOF  
SCALE: 3/16" = 1'-0"



**MAGNOLIA**  
FINE HOMES LLC  
MAGNOLIA FINE HOMES LLC  
Gil Livni  
441 Talent Ave  
Talent, OR 97540  
(510) 913-5110

**MAGNOLIA TERRACE**  
165 WATER ST. - 160 HELMAN ST - 95 VAN NESS  
Ashland, OR 97520

MARK	DATE	DESCRIPTION

DATE: 1/7/22

SHEET TITLE  
**BUILDING 5  
PLANS**

**A5.2**





MAGNOLIA FINE HOMES LLC

MAGNOLIA FINE HOMES LLC  
Gil Livni  
441 Talent Ave  
Talent, OR 97540  
(510) 913-5110

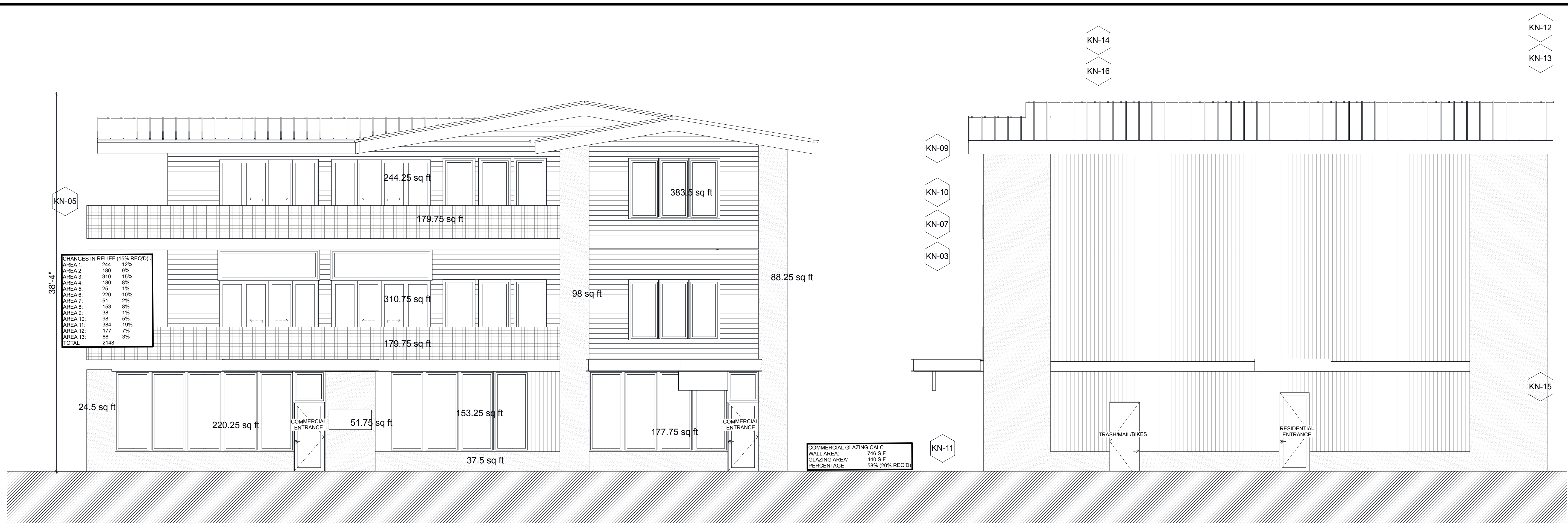
MAGNOLIA TERRACE  
165 WATER ST. - 160 HELLMAN ST. - 95 VAN NESS  
Ashland, OR 97520

MARK	DATE	DESCRIPTION

DATE: 1/7/22

SHEET TITLE  
BUILDING 5 ELEVATIONS

A5.3



CHANGES IN RELIEF (15% REDD)

AREA 1:	244	12%
AREA 2:	190	9%
AREA 3:	310	15%
AREA 4:	190	9%
AREA 5:	25	1%
AREA 6:	220	10%
AREA 7:	51	2%
AREA 8:	153	8%
AREA 9:	38	1%
AREA 10:	98	5%
AREA 11:	384	19%
AREA 12:	177	7%
AREA 13:	88	3%
TOTAL:	2148	

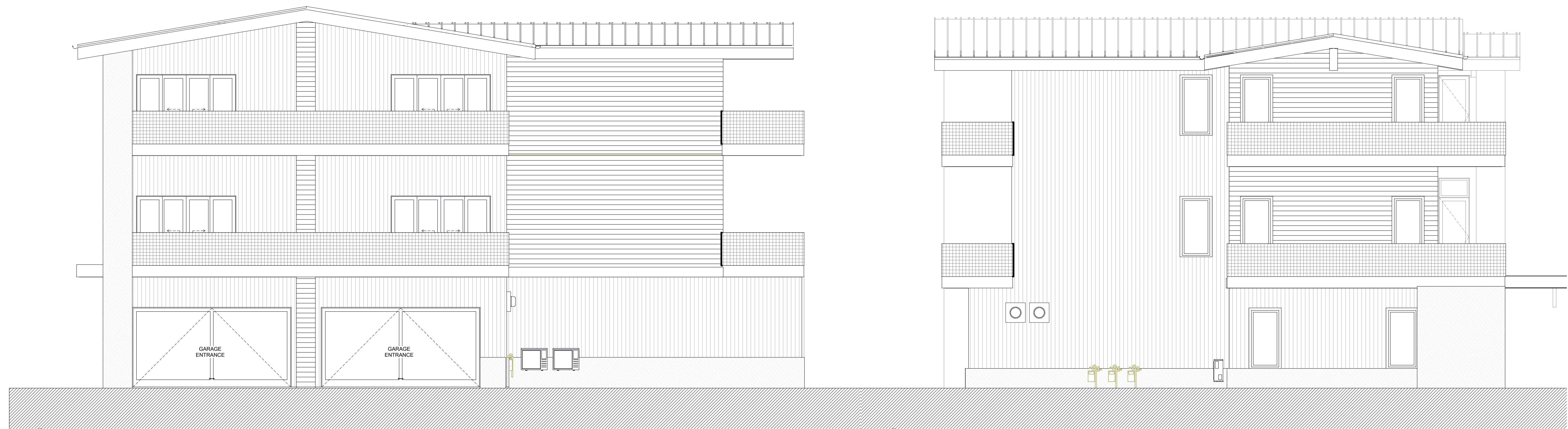
COMMERCIAL GLAZING CALC.

WALL AREA:	746 S.F.
GLAZING AREA:	440 S.F.
PERCENTAGE:	58% (20% REDD)

1 FRONT ELEVATION  
SCALE: 3/16" = 1'-0"

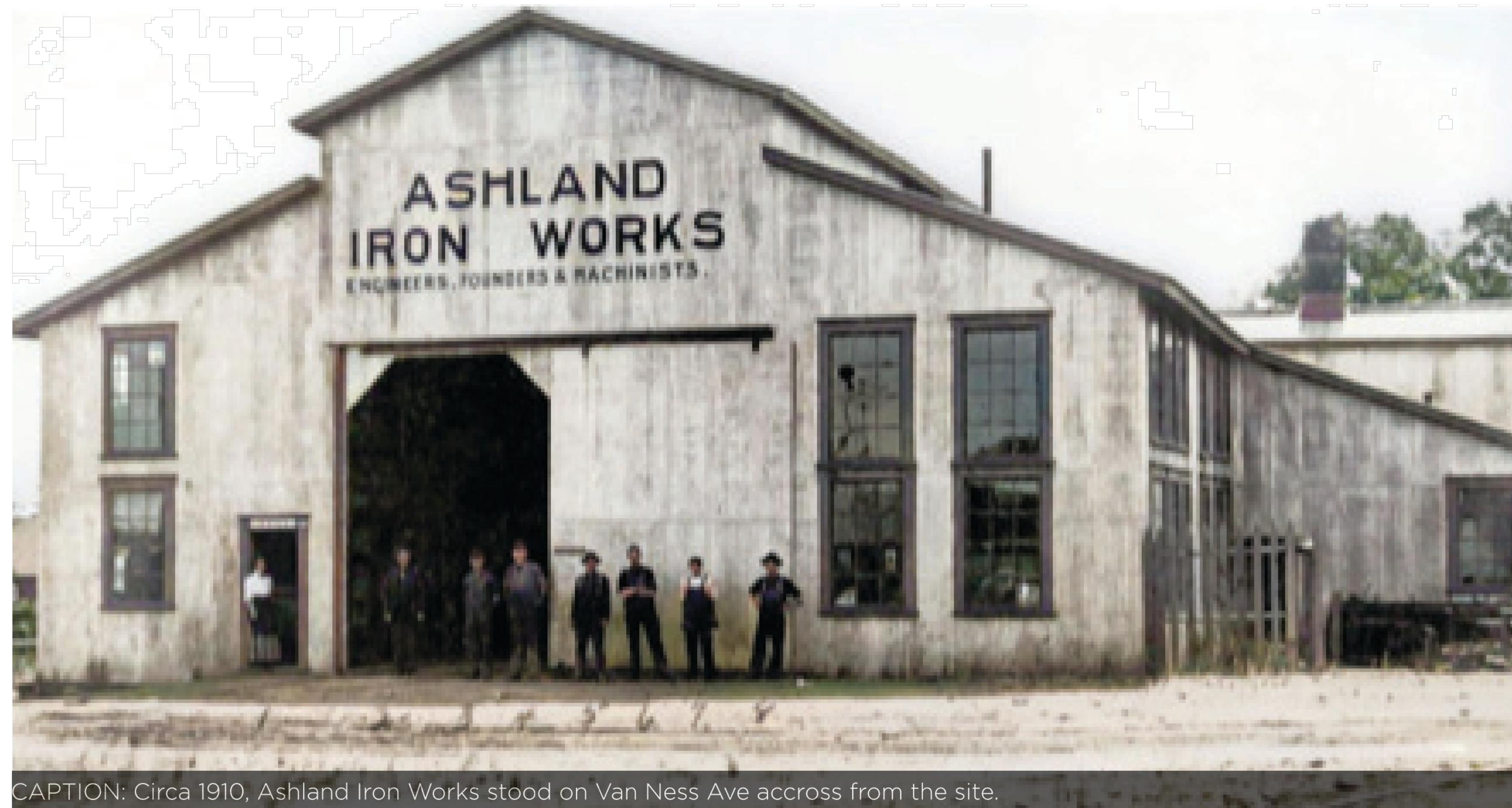
2 RIGHT ELEVATION  
SCALE: 3/16" = 1'-0"

Note: SEE A1.3 FOR MATERIALS AND DIMENSIONS



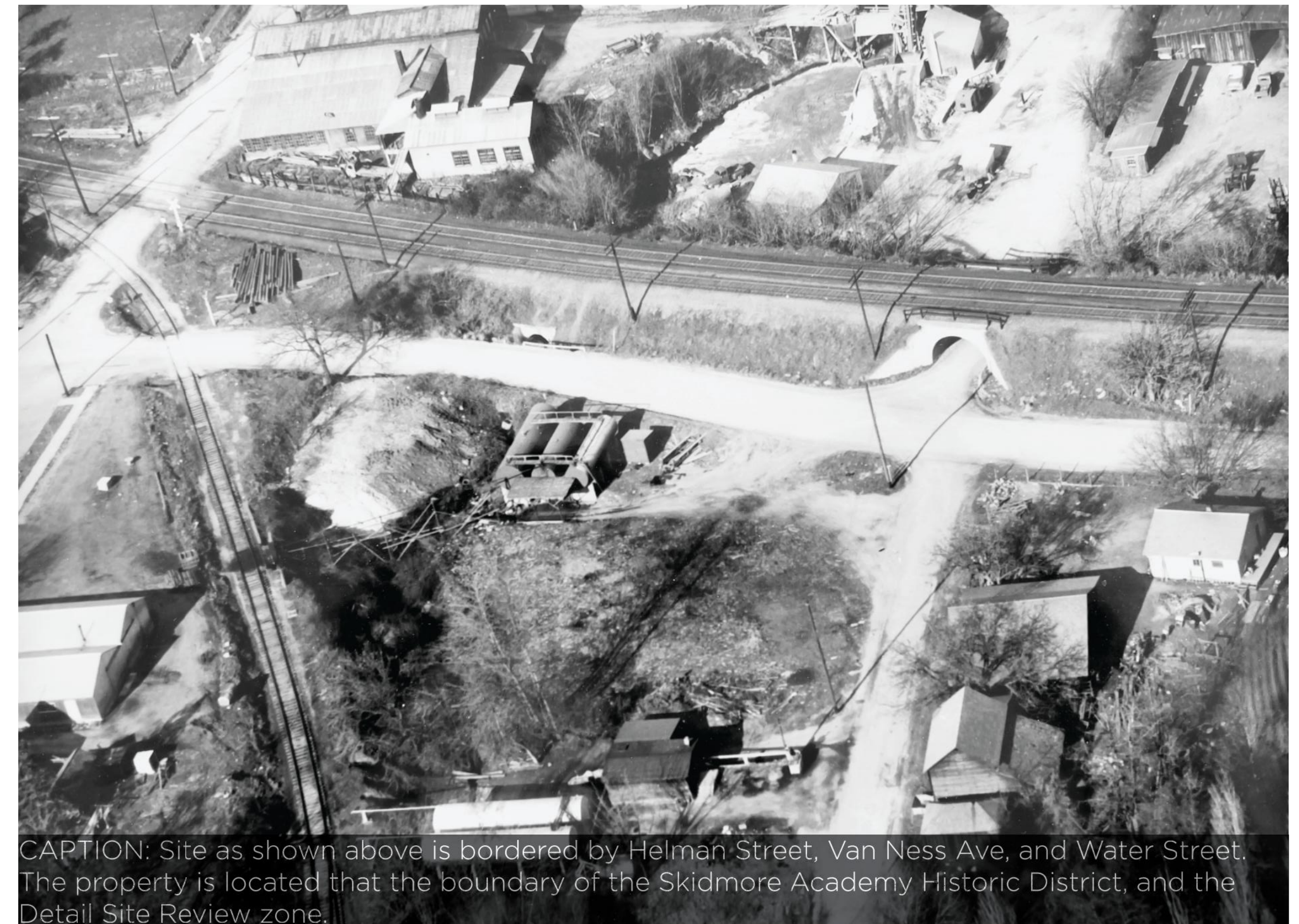
3 REAR ELEVATION  
SCALE: 3/16" = 1'-0"

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



CAPTION: Circa 1910, Ashland Iron Works stood on Van Ness Ave across from the site.

**1** ASHLAND IRON WORKS  
HISTORICAL CONTEXT



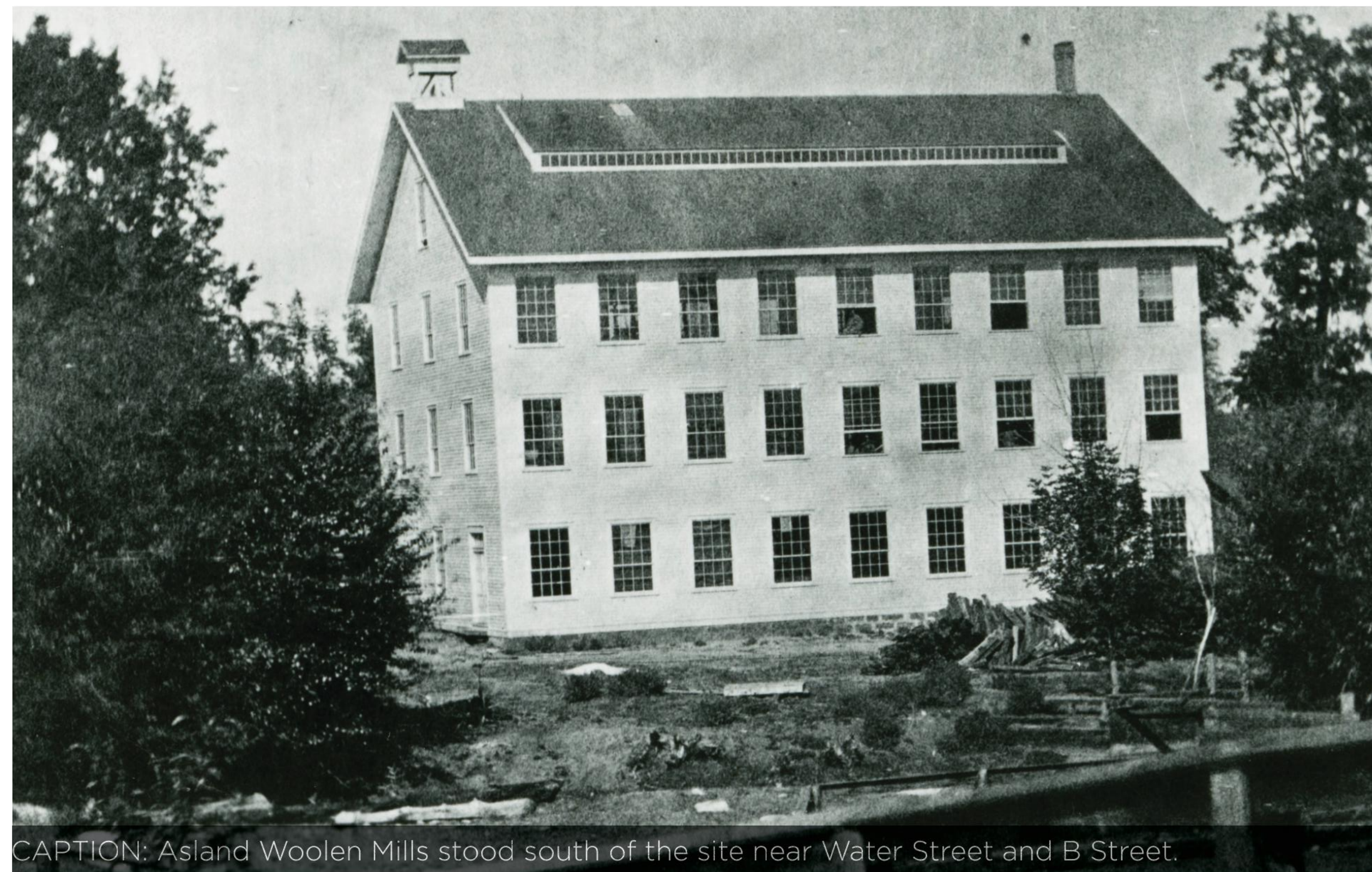
CAPTION: Site as shown above is bordered by Helman Street, Van Ness Ave, and Water Street. The property is located that the boundary of the Skidmore Academy Historic District, and the Detail Site Review zone.

**2** AERIAL OF SITE  
HISTORICAL CONTEXT



CAPTION: Rail detail that borders the site.

**3** RAIL BRIDGE  
HISTORICAL CONTEXT



CAPTION: Ashland Woolen Mills stood south of the site near Water Street and B Street.

**4** ASHLAND WOOLEN MILLS  
HISTORICAL CONTEXT



CAPTION: Wood mill that stood near the corner of Van Ness Ave and Helman Street.

**5** WOOD MILL  
HISTORICAL CONTEXT

## PROJECT DESCRIPTION

Situated at the intersection of three preservation districts, this mixed used development will provide commercial and residential uses on a historically significant but vacant site. Eight buildings are proposed with 1st floor commercial uses and residential units on the 2nd and 3rd floors.

Each proposed building has numerous traditional architectural elements and materials. The scale, form, and massing of some of the material elements are more modern in styling. It can be found that the proposed buildings are architecturally compatible with the historic district design standards and provide a solid neighborhood anchor for the future redevelopment of the adjacent employment zoned properties.

### REVISIONS

#	DATE	DESCRIPTION
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.	.	.

### PLANNING REVIEW

### SITE HISTORY

**H1.0**

PROJECT NO. 2117  
12.31.2021  
TEAM: Pvc, CG, EG



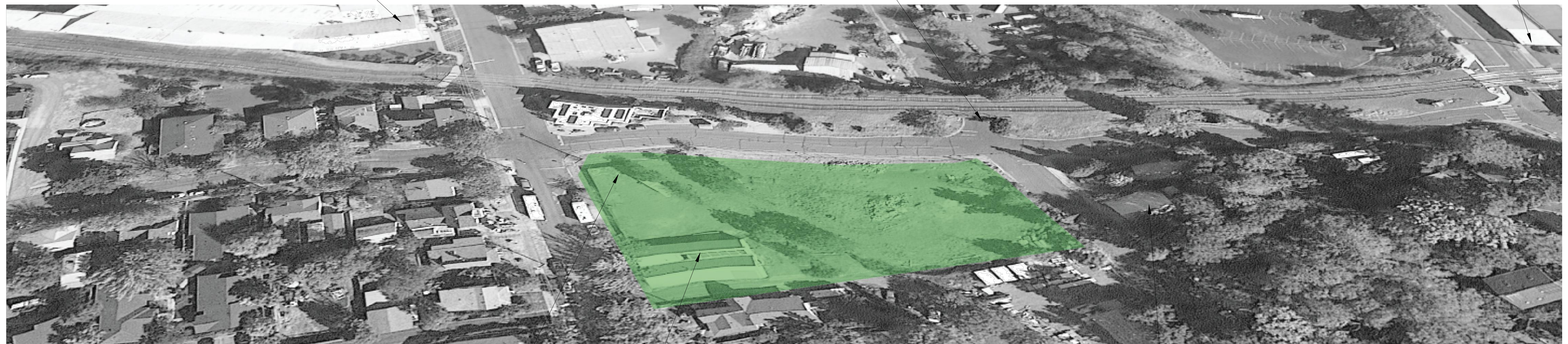
**1 255 Helman St**  
 SCALE: LARGE  
 MATERIAL: VERTICAL METAL SIDING, STUCCO  
 USE: COMMERCIAL



**2 Tunnel Under Rail**  
 SCALE: MEDIUM  
 MATERIAL: CONCRETE, STEEL  
 USE: INDUSTRIAL



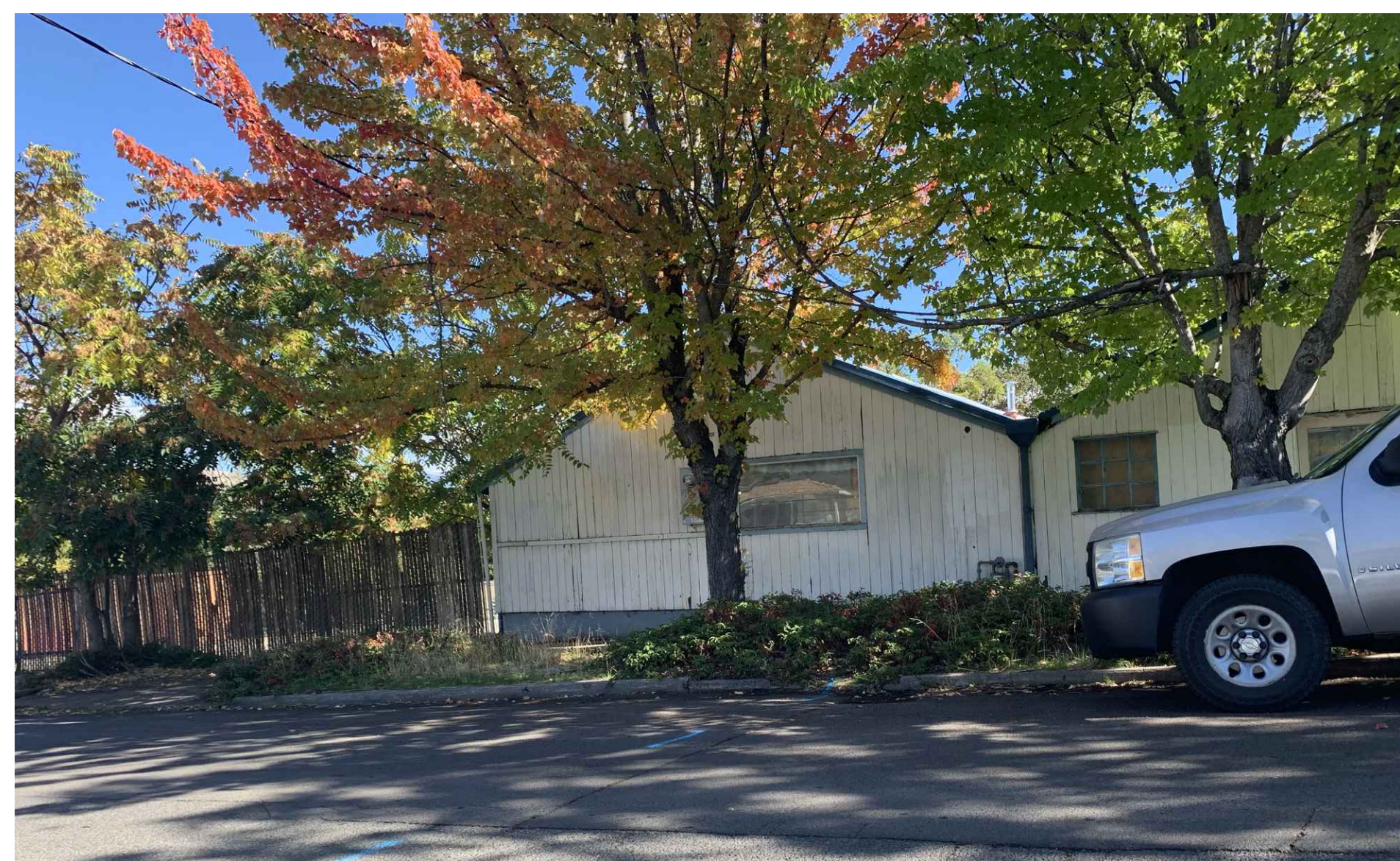
**3 Ashland Lumber**  
 SCALE: LARGE  
 MATERIAL: VERTICAL WOOD, GABLE ROOF  
 USE: COMMERCIAL



**4 Proposed Mixed Use Development**  
 SCALE: LARGE  
 MATERIAL: VERTICAL METAL SIDING, STUCCO, STEEL, GABLE ROOF  
 USE: COMMERCIAL AND RESIDENTIAL

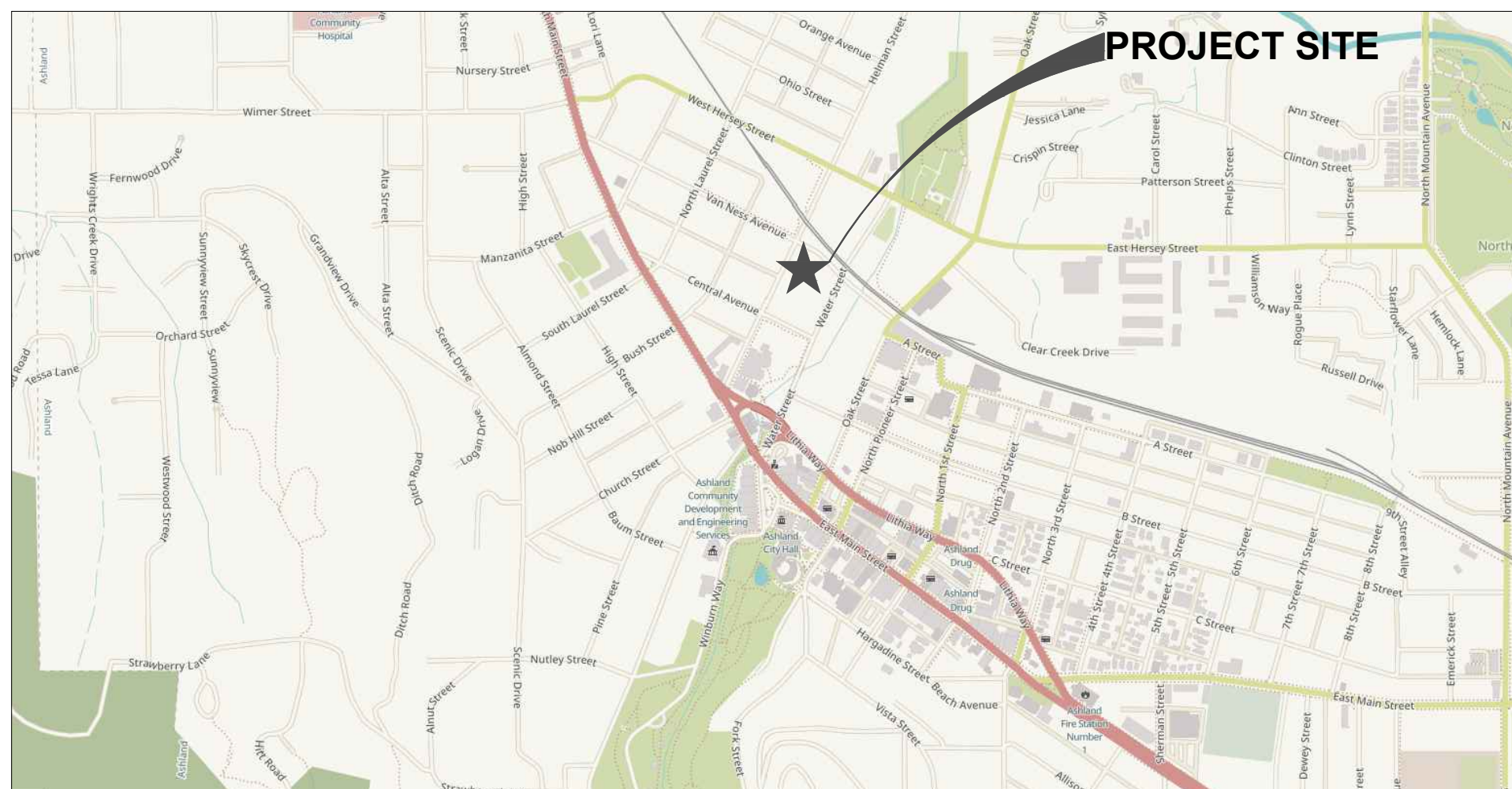
**5 Pyramid Juice**  
 SCALE: MEDIUM  
 MATERIAL: VERTICAL WOOD SIDING, GABLE ROOF  
 USE: INDUSTRIAL

**6 16 Van Ness Ave**  
 SCALE: MEDIUM  
 MATERIAL: VERTICAL AND HORIZONTAL WOOD  
 USE: AGRICULTURE





**1** Concept Render: Van Ness Avenue & Helman Street  
Scale: N.T.S.



## PROJECT DIRECTORY

**PROJECT ADDRESS:** 165 WATER ST / 160 HELMAN ST / 95 VAN NESS AVE

**OWNER/PERMIT APPLICANT:**  
  
 GIL LIVNI  
 MAGNOLIA FINE HOMES, LLC  
 441 TALENT AVE  
 TALENT, OR 97540

**BUILDING DESIGNER:** MAGNOLIA FINE HOMES, LLC  
 441 TALENT AVE  
 TALENT, OR 97540

**SURVEYOR:** SHAWN KAMPMANN  
 POLARIS LAND SURVEYING, LLC  
 PO BOX 459  
 ASHLAND, OR 97501

**CIVIL ENGINEER:**  
  
 MARC CROSS  
 RHINE CROSS GROUP, LLC  
 112 N. 5TH ST. SUITE 200  
 KLAMATH FALLS, OR 97601

**STRUCTURAL ENGINEER:** SNYDER ENGINEERS  
 415 E. PINE ST.  
 CENTRAL POINT, OR 97502

**LAND USE PLANNER:** AMY GUNTER  
 ROGUE PLANNING AND  
 DEVELOPMENT SERVICES, LLC  
 1314-B Center Dr., PMB#457  
 MEDFORD, OR 97501

**LANDSCAPE ARCHITECT:**  
  
 PIPER VON CHAMIER  
 TERRAIN LANDSCAPE ARCHITECTURE  
 33 N. CENTRAL AVE STE. 210  
 MEDFORD, OR 97501

## SHEET INDEX

SV-1	Boundary and Topographic Survey
SV-2	Preliminary Subdivision Map
L0.1	Development Phasing Diagram
L0.2	Tree Protection & Removal Plan
L1.0	Landscape Site Plan
L1.1	Phase 1 Landscape Materials Board
L2.0	Tree Planting Plan
L2.1	Phase 1 Planting Plan
L3.0	Stormwater Diagram
C1.0	Preliminary Grading and Drainage Plan
C2.0	Preliminary Utility Plan
C3.0	Preliminary Erosion Control Plan
A0.0	Comment Responses
A0.1	Architectural Site Plan
A0.2	Street Views
A0.3	Street Elevations
A0.4	Street Elevations
A0.5	Typical Section (Bldg 1-8 Similar)
A0.6	Phase 1 Building Materials Board
A1.1	Building 1 Plans
A1.2	Building 1 Plans
A1.3	Building 1 Elevations
A2.1	Building 2 Plans
A2.2	Building 2 Plans
A2.3	Building 2 Elevations
A3.1	Building 3 Plans
A3.2	Building 3 Plans
A3.3	Building 3 Elevations
A4.1	Building 4 Plans
A4.2	Building 4 Plans
A4.3	Building 4 Elevations
A5.1	Building 5 Plans
A5.2	Building 5 Plans
A5.3	Building 5 Elevations
H1.0	Site History
H2.0	Site Context / Historical Building Comparison

## PROJECT NARRATIVE

Located in the heart of Ashland, this proposed development sits on a sloping 1.19 acre site in the E-1 zoning district, with stunning views of the surrounding mountain peaks.

The goal of this mixed-use development is to provide a vibrant, active setting for both residential and commercial activity on a historically significant but underutilized site. Eight buildings provide commercial space on the ground level and two residential floors above. The setting for these mixed-use structures will be pedestrian-oriented streetscapes on three sides, alley on the fourth side, pedestrian corridors between buildings, spacious outdoor plazas, and environmentally sensitive landscaping. Parking and bicycle parking are provided for all users.

Landscape spaces are designed to treat stormwater on site to the extent possible. As they move through the site, people will cross bridges over rain gardens and stroll along walkways bordered with flow-through planters. Much of the paving underfoot, including in parking areas, will be permeable. Benches, seatwalls and café tables throughout the property provide places to linger, while larger plaza spaces provide opportunities for tenants, neighbors and the public to gather and socialize as a community.

A variety of trees species will shade the streetscape and the interior spaces of the site. A distinctive Magnolia promenade winds through the middle of the site, and a specimen Magnolia tree sits prominently in the central plaza of the proposed Magnolia Terrace development.

## ZONING INFORMATION

**BASE ZONE:** E-1  
**OVERLAY ZONES:** RESIDENTIAL / HISTORIC  
**MAP & TAX LOTS:** 2100 391E04CC, 2000 391E04CC, 7100 391E04CC  
**LOT AREA:** 1.19 ACRE (51,897 SF)

# MAGNOLIA TERRACE

PROPOSED MIXED USE DEVELOPMENT

## PLANNING REVIEW SET

# BOUNDARY & TOPOGRAPHIC SURVEY

LOCATED AT  
 95 Van Ness Avenue, 160 Helman Street &  
 165 Water Street, Ashland, Oregon

LYING SITUATE WITHIN  
 SOUTHWEST QUARTER OF SECTION 4  
 TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN  
 CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR  
**Magnolia Fine Homes LLC**  
 441 Talent Avenue  
 Talent, Oregon 97540

## LEGEND

- SURVEY CONTROL POINT, AS DESCRIBED
- IRON PIN MONUMENT
- BRASS CAP MONUMENT
- SUBJECT PROPERTY LINE
- BOUNDARY LINE
- CENTERLINE
- BASEMENT LINE
- FENCELINE
- BURIED WATER LINE
- BURIED NATURAL GAS LINE
- BURIED TELEPHONE LINE
- BURIED CABLE TV LINE
- BURIED IRRIGATION LINE
- STORM DRAIN LINE
- SANITARY SEWER LINE
- OVERHEAD POWER LINE
- BURIED POWER LINE
- ROCK WALL
- CONTOUR LINE
- GUY ANCHOR
- POWER POLE
- POWER TRANSFORMER
- POWER PEDESTAL/CABINET
- ELECTRIC METER
- AREA LIGHT
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- CATCHBASIN
- CURB INLET
- STORM DRAIN MANHOLE
- SANITARY SEWER MANHOLE
- CLEANOUT
- PHONE MANHOLE
- PHONE PEDESTAL
- GAS METER
- GAS VALVE
- IRRIGATION BOX
- BUILDING
- CONCRETE SURFACE
- ASPHALT SURFACE
- EXISTING BASEMENT, AS DESCRIBED
- DECIDUOUS TREE (AS DESCRIBED)

SCALE: 1" = 20'  
 0' 10' 20' 40' 80'  
 CONTOUR INTERVAL = ONE FOOT

## SURVEY NOTES

THE BASIS OF VERTICAL CONTROL FOR THIS SURVEY IS A CITY OF ASHLAND BENCHMARK, BEING A BRASS CAP IN THE TOP OF A CONCRETE CURB LOCATED AT THE SOUTHWESTERLY CORNER OF NORTH MAIN STREET AND BUSH STREET. BENCHMARK ELEVATION = 1904.074', BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, ADJUSTED IN 1956 (NGVD 29/56).

EXPOSED UTILITY STRUCTURES SHOWN HEREBY WERE FIELD LOCATED DURING THE PERFORMANCE OF THIS SURVEY. BURIED UTILITY LOCATIONS WERE DETERMINED BY UTILIZING A COMBINATION OF FIELD SURVEYED PAINT MARKS AND "AS-BUILT" RECORD DRAWINGS FURNISHED BY THE RESPECTIVE UTILITY COMPANY REPRESENTATIVES, ARE APPROXIMATE AND SHOWN HEREBY FOR GRAPHIC PURPOSES ONLY. FIELD VERIFICATION OF ALL BURIED UTILITIES MUST BE PERFORMED PRIOR TO ANY EXCAVATION OR CONSTRUCTION ACTIVITIES.

## SHEET SV-1

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 JULY 14, 1998  
 SHAWN KAUFMANN  
 2843 LS

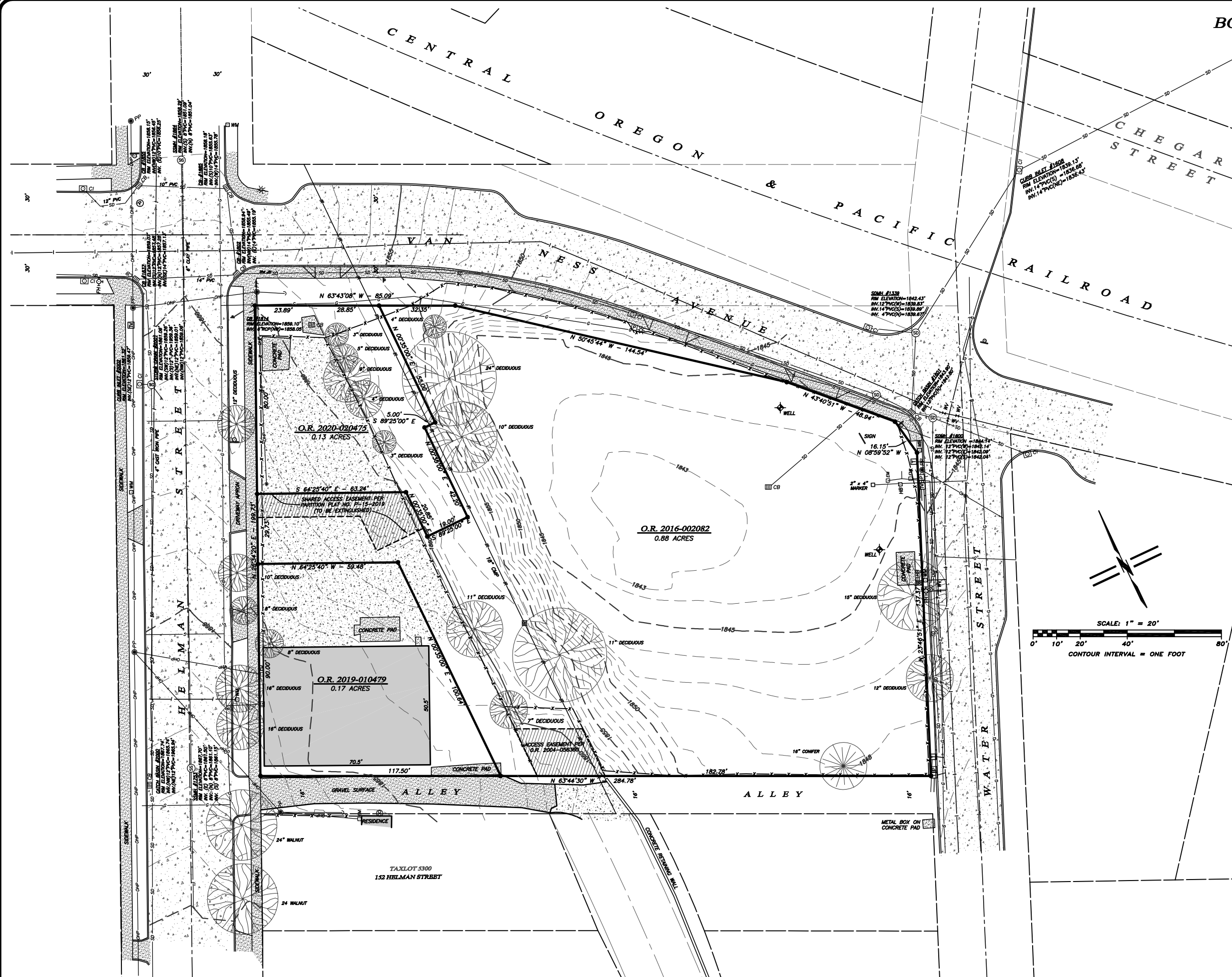
RENEWAL DATE: 6/30/2023

SURVEYED BY:  
**POLARIS LAND SURVEYING LLC**  
 P.O. BOX 459  
 ASHLAND, OREGON 97520  
 (541) 482-5009

DATE: DECEMBER 20, 2021  
 PROJECT NO. 1004-15

Assessor's Map No. 39 1E 04 CC, Tax Lot 2100

**POLARIS LAND SURVEYING**



**PRELIMINARY SUBDIVISION MAP**

LOCATED AT

95 Van Ness Avenue, 160 Helman Street &  
165 Water Street, Ashland, Oregon

LYING SITUATE WITHIN

SOUTHWEST QUARTER OF SECTION 4,  
TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN  
CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR

**Magnolia Fine Homes LLC**  
441 Talent Avenue  
Talent, Oregon 97540

**LEGEND**

- SURVEY CONTROL POINT, AS DESCRIBED
- SUBJECT PROPERTY LINE
- PROPOSED SUBDIVISION BOUNDARY
- BOUNDARY LINE
- BOUNDARY DEED LINE
- CENTERLINE
- FENCELINE
- WATER LINE
- BURIED NATURAL GAS LINE
- PRIVATE IRRIGATION LINE
- STORM DRAIN LINE
- SANITARY SEWER LINE
- OVERHEAD POWER LINE
- CONTOUR LINE
- LIGHT POLE
- POWER POLE
- ELECTRIC METER
- GUY WIRE
- WATER METER
- IRRIGATION BOX
- SIGN
- CATCHBASIN
- STORM SEWER MANHOLE
- SANITARY SEWER MANHOLE
- TELEVISION PEDESTAL
- P.U.E. PUBLIC UTILITY EASEMENT
- P.P.A.E. PUBLIC PEDESTRIAN ACCESS EASEMENT
- S.A.E. SHARED ACCESS EASEMENT
- BUILDING
- CONCRETE SURFACE
- ASPHALT SURFACE
- EXISTING EASEMENT, AS DESCRIBED
- PROPOSED EASEMENT, AS DESCRIBED
- PROPOSED EASEMENT, AS DESCRIBED
- PROPOSED EASEMENT, AS DESCRIBED
- DECIDUOUS TREE (AS DESCRIBED)

**SURVEY NOTES**

THE BASIS OF VERTICAL CONTROL FOR THIS SURVEY IS A CITY OF ASHLAND BENCHMARK BEING A BRASS CAP IN THE TOP OF A CONCRETE CURB LOCATED AT THE SOUTHWESTERLY CORNER OF NORTH MAIN STREET AND BUSH STREET. BENCHMARK ELEVATION = 1904.074', BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, ADJUSTED IN 1956 (NGVD 29/56).

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**SHEET SV-2**

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

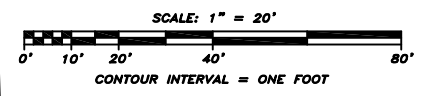
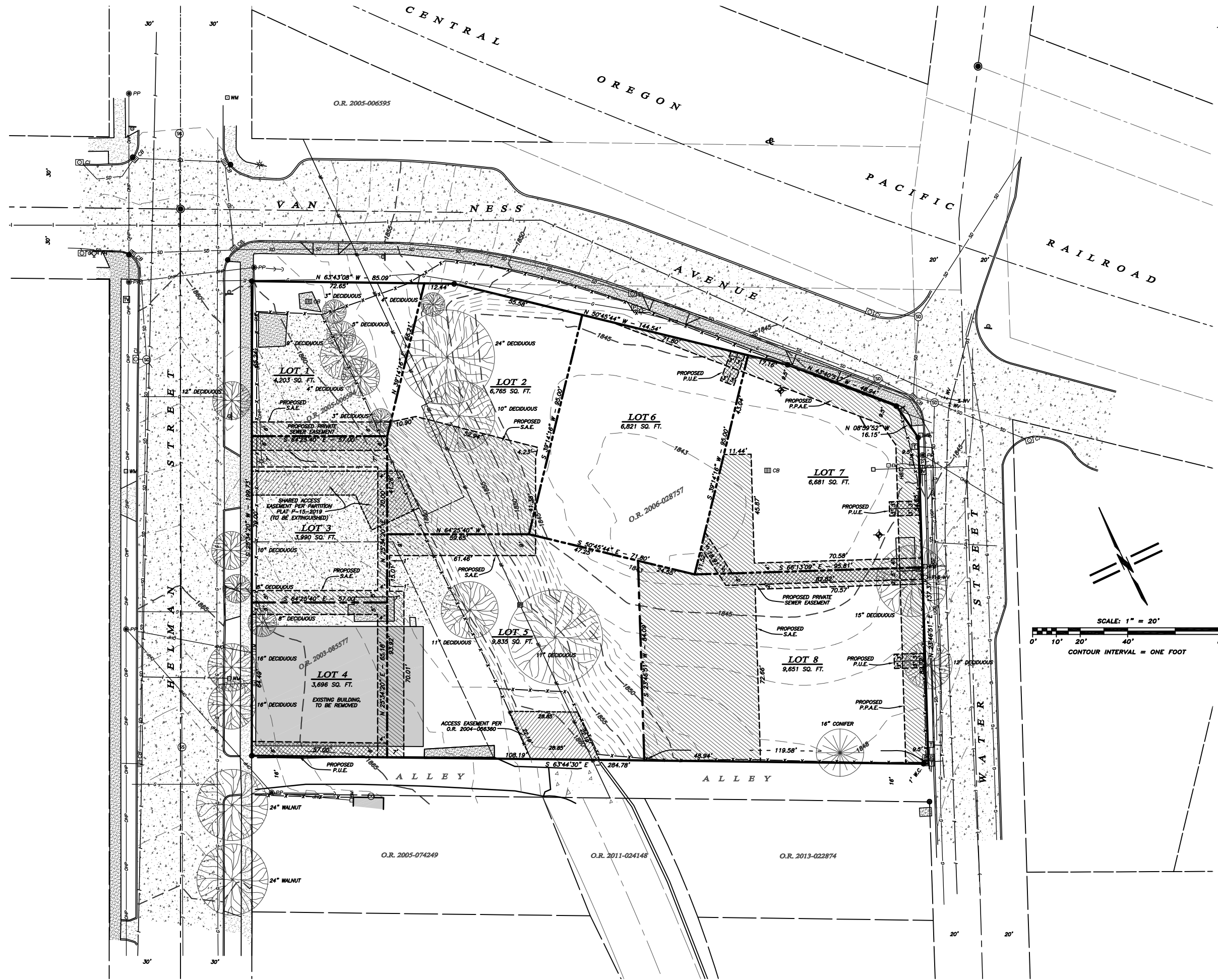
OREGON  
JULY 14, 1988  
SHAWN KAUFMANN  
2883 LS

RENEWAL DATE: 6/30/2023

SURVEYED BY:

**POLARIS LAND SURVEYING LLC**  
P.O. BOX 459  
ASHLAND, OREGON 97520  
(541) 482-5009

DATE: DECEMBER 30, 2021  
PROJECT NO. 1004-15



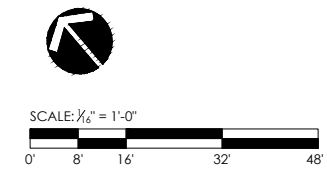
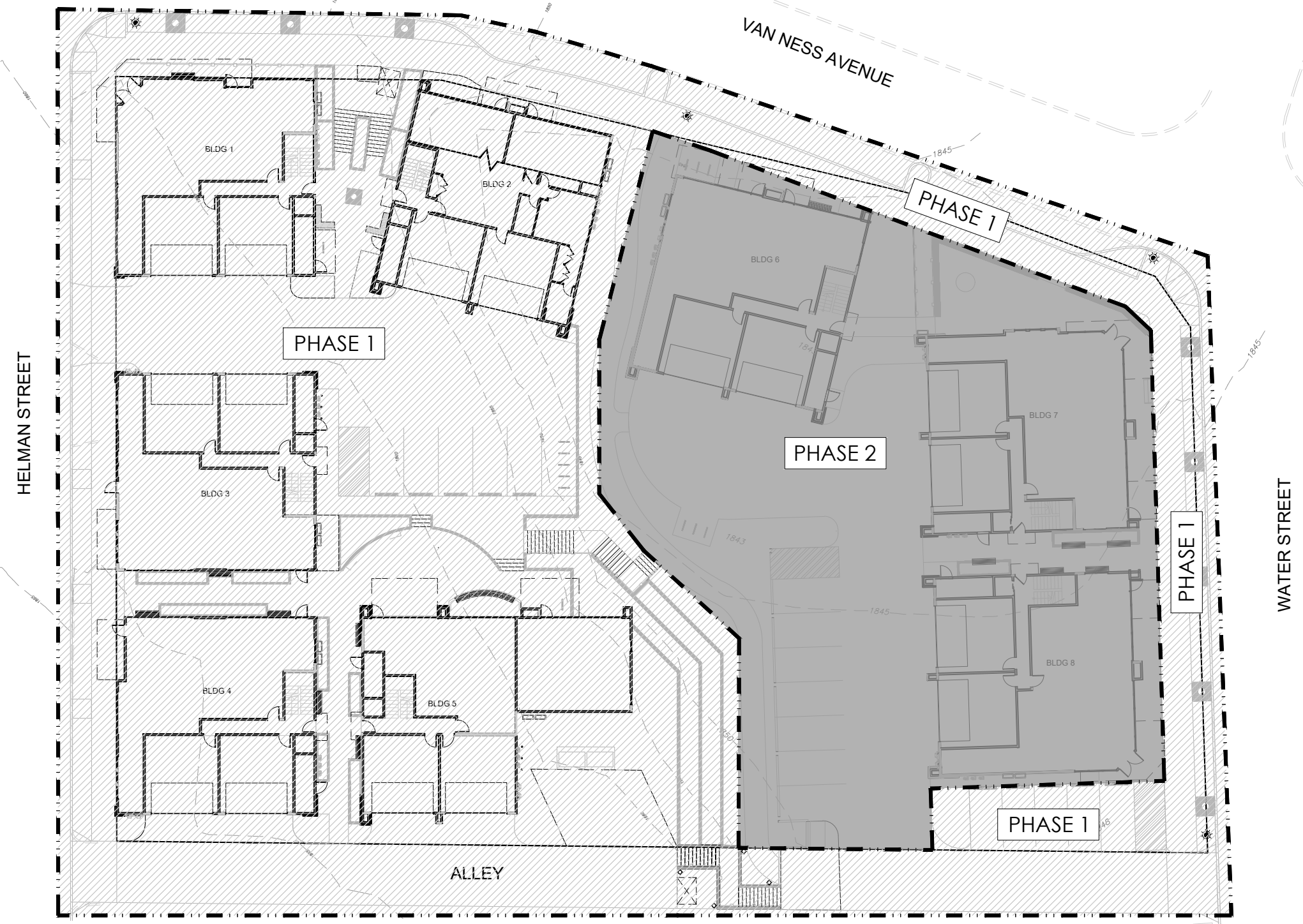
REVISIONS		
#	DATE	DESCRIPTION

PLANNING  
 REVIEW

DEVELOPMENT  
 PHASING DIAGRAM

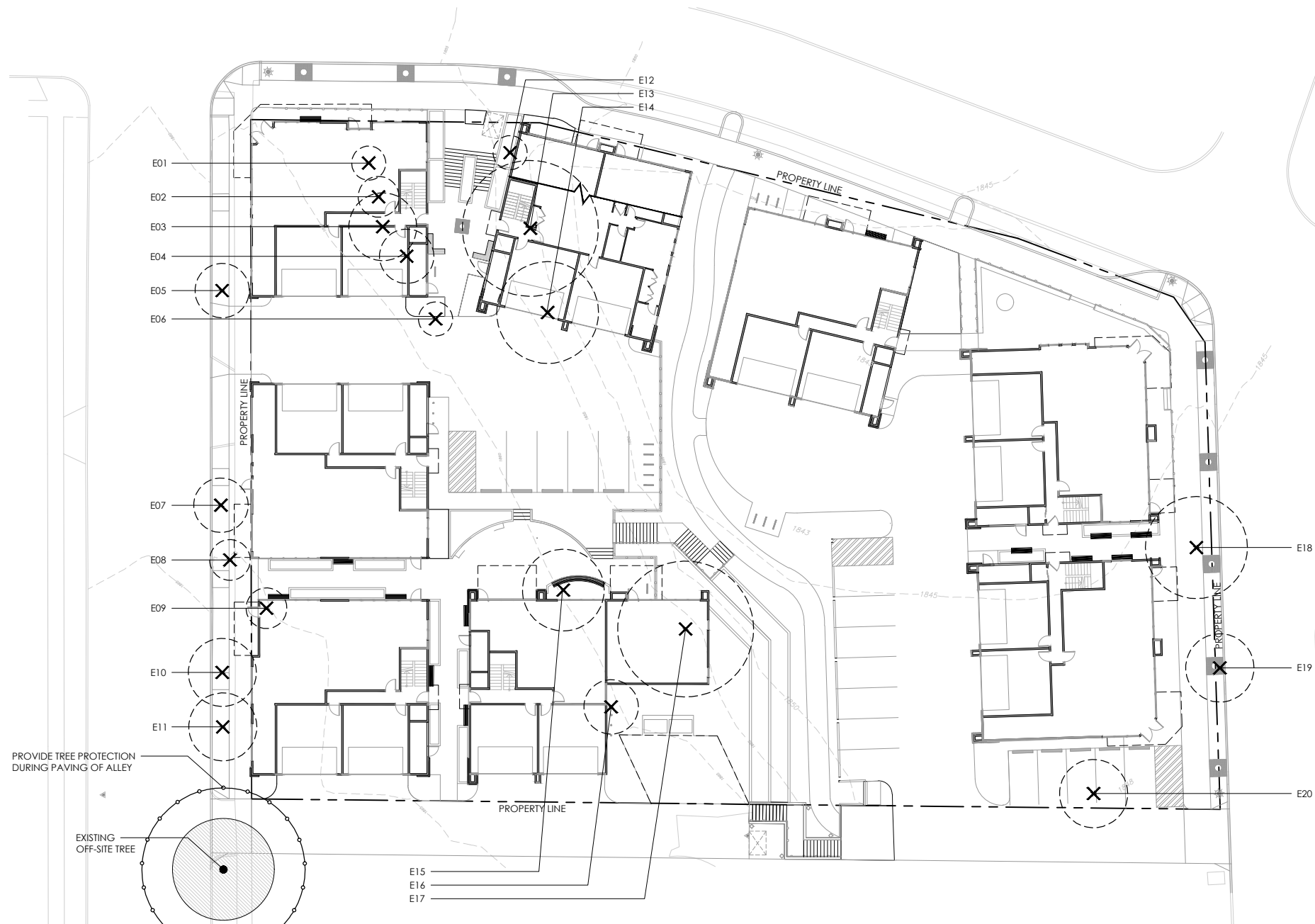
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PROJECT NO. 2117  
 12.31.2021  
 TEAM: PVC, CG, EG



**TREE PROTECTION AND REMOVAL NOTES**

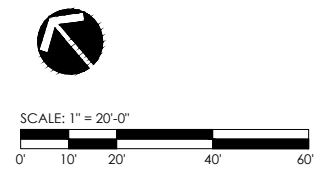
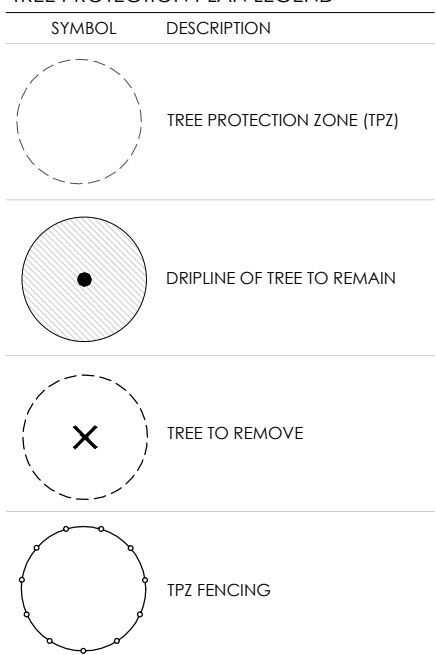
- PRIOR TO DELIVERING EXCAVATION EQUIPMENT OR COMMENCING ANY CONSTRUCTION ACTIVITIES ON THE SITE, THE GENERAL CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT FOR A PRE-CONSTRUCTION MEETING WITH THE LANDSCAPE ARCHITECT AND EXCAVATION SUPERVISOR PRIOR TO COMMENCING ANY WORK ON THE SITE. THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED BY THE CONTRACTOR 48 HRS. IN ADVANCE FOR ALL SITE VISITS REQUESTED. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FROM THE OWNER'S REPRESENTATIVE THAT CONSTRUCTION MAY BEGIN AFTER ALL OF THE DESCRIBED FENCING IS IN PLACE. FENCING SHALL REMAIN IN PLACE UNTIL THE PROJECT IS COMPLETED.
- FENCES MUST BE ERECTED TO PROTECT TREES TO BE PRESERVED AS SHOWN IN DIAGRAM. FENCING SHALL BE 6' TALL TEMPORARY CHAIN LINK PANELS INSTALLED WITH METAL CONNECTIONS TO ALL PANELS AREA INTEGRATED, THESE FENCES SHALL BE INSTALLED SO THAT IT DOES NOT ALLOW PASSAGE OF PEDESTRIANS AND/ OR VEHICLES THROUGH IT. FENCES DEFINE A SPECIFIC PROTECTION ZONE FOR EACH TREE OR GROUP OF TREES. FENCES ARE TO REMAIN UNTIL ALL SITE WORK HAS BEEN COMPLETED. FENCES MAY NOT BE RELOCATED OR REMOVED WITHOUT THE PERMISSION OF THE LANDSCAPE ARCHITECT.
- CONSTRUCTION TRAILERS, TRAFFIC AND STORAGE AREAS MUST REMAIN OUTSIDE FENCED TREE PROTECTION ZONES AT ALL TIMES. SEE DETAIL #1 "TREE PRESERVATION FENCING" FOR ADDITIONAL REQUIREMENTS.
- ALL PROPOSED UNDERGROUND UTILITIES AND DRAIN OR IRRIGATION LINES SHALL BE ROUTED OUTSIDE THE TREE PROTECTION ZONE. IF LINES MUST TRANSVERSE THE PROTECTION AREA, THEY SHALL BE TUNNELED OR BORED UNDER THE TREE ROOTS. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IF ANY PROJECT PLANS CONFLICT WITH THIS REQUIREMENT.
- NO MATERIALS, EQUIPMENT, SPOIL, OR WASTE OR WASHOUT WATER MAY BE DEPOSITED, STORED, OR PARKED WITHIN THE TREE PROTECTION ZONE (FENCED AREA).
- NOTIFY THE LANDSCAPE ARCHITECT IF TREE PRUNING IS REQUIRED FOR CONSTRUCTION CLEARANCE.
- IF INJURY SHOULD OCCUR TO ANY TREE DURING CONSTRUCTION, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY. ALL DAMAGE CAUSED BY CONSTRUCTION TO EXISTING TREES SHALL BE COMPENSATED FOR BY THE OFFENDING PARTY, BEFORE THE PROJECT WILL BE CONSIDERED COMPLETE.
- WATERING SCHEDULE: WATERING PROTECTED TREES SHALL FOLLOW THESE STANDARDS, HOWEVER PERIODS OF EXTREME HEAT, WIND, RAINFALL OR DROUGHT MAY REQUIRE MORE OR LESS WATER THAN RECOMMENDED IN THESE NOTES.
  - MOST SPECIES: 1 TIME PER MONTH DURING IRRIGATION SEASON (USUALLY MARCH THROUGH SEPTEMBER)
  - QUERCUS/OAK: DEEP WATER IN MAY AND SEPTEMBER, DO NOT WATER DURING OTHER MONTHS. FOR OAKS ALREADY IN THE VICINITY OF IRRIGATED CONDITIONS, AUTOMATIC SPRINKLERS OR REGULAR WATERING SHALL NOT BE ALLOWED TO SPRAY ON OR WITHIN 3 FEET OF THE TRUNK. THE WATER SHALL NOT BE ALLOWED TO POOL OR DRAIN TOWARDS THE TRUNK.
  - WATERING METHOD: HAND WATERING SYSTEMS, RECOMMENDED FOR TREES THAT ARE PART OF A DEVELOPMENT PROJECT THAT MUST BE WATERED TO INSURE TREE SURVIVAL DURING THE COURSE OF CONSTRUCTION UNTIL AUTOMATIC IRRIGATION IS INSTALLED.
- EROSION CONTROL DEVICES SUCH AS SILT FENCING, DEBRIS BASINS, AND WATER DIVERSION STRUCTURES SHALL BE INSTALLED ON THE UPHILL SIDE OF THE TREE PROTECTION ZONE TO PREVENT SILTATION AND/ OR EROSION WITHIN THE TREE PROTECTION ZONE.
- BEFORE GRADING, PAD PREPARATION, OR EXCAVATION FOR THE FOUNDATIONS, FOOTINGS, WALLS, OR TRENCHING, ANY TREES WITHIN THE SPECIFIC CONSTRUCTION ZONE SHALL BE ROOT PRUNED 1 FOOT OUTSIDE THE TREE PROTECTION ZONE BY CUTTING ALL ROOTS CLEANLY AT A 90 DEGREE ANGLE TO A DEPTH OF 24 INCHES. ROOTS SHALL BE CUT BY MANUALLY DIGGING A TRENCH AND CUTTING EXPOSED ROOTS WITH A SAW, VIBRATING KNIFE, ROCK SAW, NARROW TRENCHER WITH SHARP BLADES, OR OTHER APPROVED ROOT-PRUNING EQUIPMENT.
- ANY ROOTS DAMAGED DURING GRADING OR CONSTRUCTION SHALL BE EXPOSED TO SOUND TISSUE AND CUT CLEANLY AT A 90 DEGREE ANGLE TO THE ROOT WITH A SAW. PLACE DAMP SOIL AROUND ALL CUT ROOTS TO A DEPTH EQUALING THE EXISTING FINISH GRADE WITHIN 4 HOURS OF CUTS BEING MADE.
- IF TEMPORARY HAUL OR ACCESS ROADS MUST PASS OVER THE ROOT AREA OF TREES TO BE RETAINED, A ROAD BED OF 6 - 8 INCHES OF WOOD MULCH OR GRAVEL SHALL BE CREATED TO PROTECT THE SOIL. THE ROAD BED MATERIAL SHALL BE REPLENISHED AS NECESSARY TO MAINTAIN A MIN. 6 INCH DEPTH.
- SPOIL FROM TRENCHES, BASEMENTS, OR OTHER EXCAVATIONS SHALL NOT BE PLACED WITHIN THE TREE PROTECTION ZONE, EITHER TEMPORARILY OR PERMANENTLY.
- NO BURN PILES OR DEBRIS PILES SHALL BE PLACED WITHIN THE TREE PROTECTION ZONE. NO ASHES, DEBRIS, OR GARBAGE MAY BE DUMPED OR BURIED WITHIN THE TREE PROTECTION ZONE.
- MAINTAIN FIRE-SAFE AREAS AROUND FENCED AREA. ALSO, NO HEAT SOURCES, FLAMES, IGNITION SOURCES, OR SMOKING IS ALLOWED NEAR MULCH OR TREES.
- DO NOT RAISE THE SOIL LEVEL WITHIN THE DRIP LINES TO ACHIEVE POSITIVE DRAINAGE, EXCEPT TO MATCH GRADES WITH SIDEWALKS AND CURBS, AND IN THOSE AREAS, FEATHER THE ADDED TOPSOIL BACK TO EXISTING GRADE AT APPROXIMATELY 3:1 SLOPE.
- REMOVE THE ROOT WAD FOR EACH TREE THAT IS INDICATED ON THE PLAN AS BEING REMOVED.
- EXCEPTIONS TO THE TREE PROTECTION SPECIFICATIONS MAY ONLY BE GRANTED IN EXTRAORDINARY CIRCUMSTANCES WITH WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT PRIOR TO ANY WORK COMMENCING.
- AS A PROTECTIVE MEASURE TO COMPENSATE FOR CONSTRUCTION IMPACTS, TWO TO SIX WEEKS PRIOR TO CONSTRUCTION, ALL RETAINED TREES SHOWN ON THIS PLAN SHALL RECEIVE AN APPLICATION OF MYCOAPPLY ALL PURPOSE SOLUBLE PER MANUFACTURER'S INSTRUCTIONS. THIS MYCORRHIZAE PRODUCT IS A SPECIALLY FORMULATED NATURAL ROOT BIOSTIMULANT WHICH ENHANCES THE ABSORPTIVE SURFACE AREA OF THE TREES' ROOT SYSTEMS. THIS PROMOTES AND IMPROVES NUTRIENT AND WATER UPTAKE CAPABILITIES OF THE REMAINING ROOT STRUCTURE. DISTRIBUTE MYCOAPPLY EVENLY WITHIN THE ACTIVE ROOT ZONE OF RETAINED TREES. APPLY 30 GALS. OF SOLUTION PER TREE 6" DBH AND GREATER, A MINIMUM OF 4" BELOW SOIL SURFACE IN QUANTITIES OF 1/2 GALLON AT EACH POINT OF APPLICATION. LOCATE THE ACTIVE ROOT ZONES WITH LANDSCAPE ARCHITECT PRESENT. MYCOAPPLY IS AVAILABLE FROM MYCORRHIZAL APPLICATION, INC., PHONE (541) 476-3985.



**TREE LEGEND**

#	TREE NAME	TRUNK DBH (IN)	TPZ RADIUS (FT)	ACTION
E01	OAK	6"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E02	OAK	0'-7"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E03	OAK	0'-9"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E04	DECIDUOUS	0'-4"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E05	MAPLE	0'-8"	N/A	REMOVE - INAPPROPRIATE TREE FOR PARKROW
E06	DECIDUOUS	0'-3"	N/A	REMOVE - WITHIN FUTURE DEVELOPMENT FOOTPRINT
E07	DECIDUOUS	0'-10"	N/A	REMOVE - INAPPROPRIATE TREE FOR PARKROW
E08	DECIDUOUS	0'-8"	N/A	REMOVE - WITHIN FUTURE DEVELOPMENT FOOTPRINT
E09	DECIDUOUS	0'-8"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E10	DECIDUOUS	1'-4"	N/A	REMOVE - INAPPROPRIATE TREE FOR PARKROW
E11	DECIDUOUS	1'-4"	N/A	REMOVE - INAPPROPRIATE TREE FOR PARKROW
E12	DECIDUOUS	0'-4"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E13	OAK	2'-0"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E14	MAPLE	0'-10"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E15	DECIDUOUS	0'-11"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E16	DECIDUOUS	0'-7"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E17	FRUITLESS MULBERRY	0'-11"	N/A	REMOVE - WITHIN BUILDING FOOTPRINT
E18	FRUITLESS MULBERRY	1'-3"	N/A	REMOVE - WITHIN FUTURE DEVELOPMENT FOOTPRINT
E19	DECIDUOUS	1'-0"	N/A	REMOVE - INAPPROPRIATE TREE FOR PARKROW
E20	PINE	1'-4"	N/A	REMOVE - WITHIN FUTURE DEVELOPMENT FOOTPRINT

**TREE PROTECTION PLAN LEGEND**



**MAGNOLIA TERRACE**  
**165 WATER ST / 160 HELMAN ST / 95 VAN NESS AVE**  
**ASHLAND, OREGON 97520**

**REVISIONS**

#	DATE	DESCRIPTION

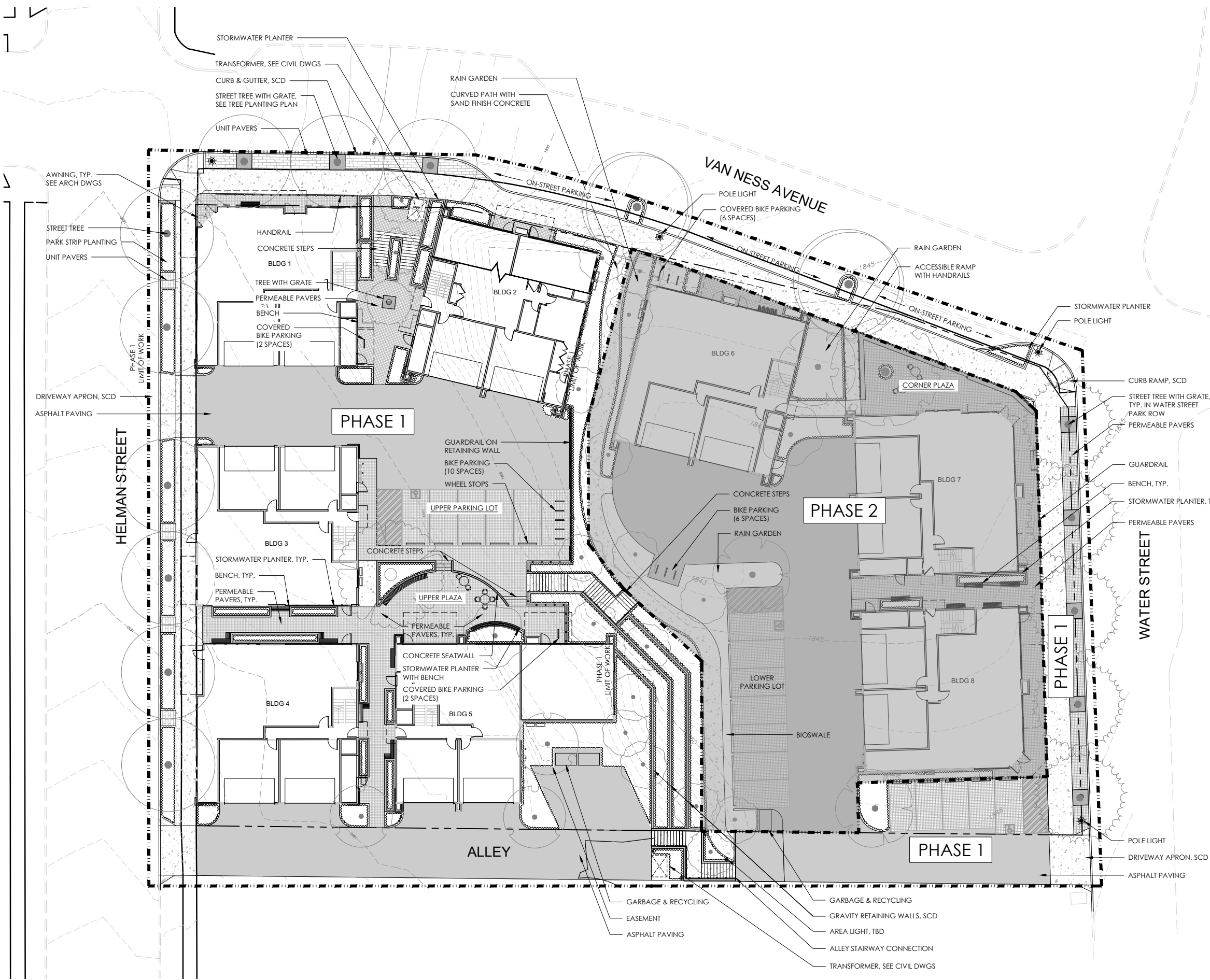
**PLANNING REVIEW**

TREE PROTECTION AND REMOVAL PLAN

**L0.2**

PROJECT NO. 2117  
12.31.2021  
TEAM: PVC, CG, EG





**PRELIMINARY MATERIALS LEGEND**

SYMBOL	DESCRIPTION	NOTES
[Pattern]	CONCRETE PAVING	SAND FINISH
[Pattern]	ASPHALT PAVING	
[Pattern]	UNIT PAVERS	TO MATCH PERMEABLE PAVER STYLE
[Pattern]	PERMEABLE PAVERS	ADA COMPLIANT
[Symbol]	BENCH	
[Symbol]	BIKE RACK	
[Symbol]	BISTRO TABLE & CHAIRS	
[Symbol]	GARBAGE & RECYCLING DUMPSTER	
[Symbol]	POLE LIGHT	STERNBERG STYLE POLE LIGHT, PER ASHLAND PUBLIC WORKS STANDARD
[Symbol]	AREA LIGHT	TBD
[Symbol]	OVERHEAD STRUCTURE FOR VINES	CUSTOM
[Symbol]	TREE GRATE	
[Symbol]	GUARDRAIL	42" HIGH

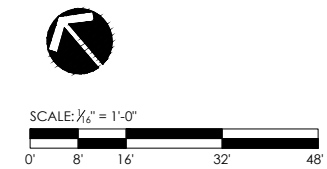
**BICYCLE PARKING**

PER CITY OF ASHLAND LAND USE ORDINANCE - SECTION 18.4.3

**Bicycle Parking for Non-Residential Uses.**  
 Uses required to provide off street parking, except as specifically noted, shall provide two spaces per primary use, or one bicycle parking space for every five required automobile parking spaces, whichever is greater. Fifty percent of the bicycle parking spaces required shall be sheltered from the weather. All spaces shall be located in proximity to the uses they are intended to serve.

USE CATEGORY	MIN. BIKE SPACES REQUIRED	BIKE SPACES PROPOSED
NON-RESIDENTIAL	20 SPACES (2 SPACES X 10 PRIMARY USES)	26 TOTAL SPACES 10 COVERED 16 UNCOVERED
RESIDENTIAL	SEE ARCHITECTURAL DRAWINGS	SEE ARCHITECTURAL DRAWINGS

NOTE: Fourteen (14) spaces will be installed during Phase 1 of development (4 covered, 10 uncovered). The remaining 12 spaces will be installed during Phase 2 (6 covered, 6 uncovered).



MAGNOLIA TERRACE  
 165 WATER ST / 160 HELMAN ST / 95 VAN NESS AVE  
 ASHLAND, OREGON 97520

REVISIONS

#	DATE	DESCRIPTION

PLANNING REVIEW

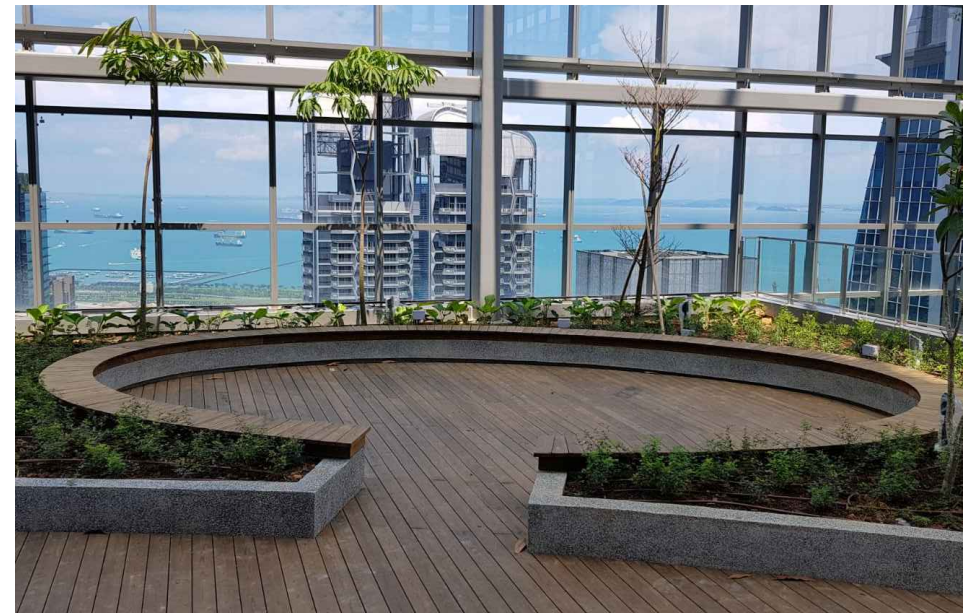
LANDSCAPE SITE PLAN

**L1.0**

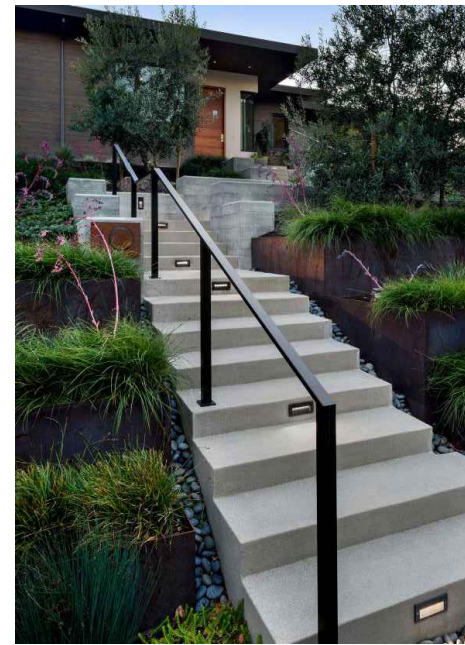
PROJECT NO. 2117  
 12.31.2021  
 TEAM: PVC, CG, EG



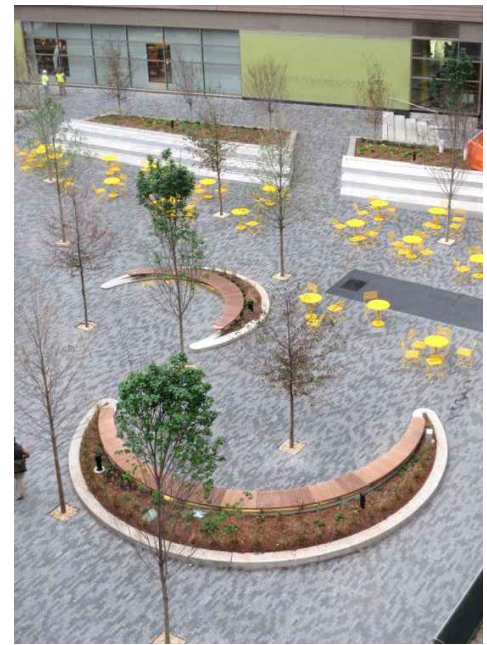
**1 CONCEPT RENDER: CENTRAL PLAZA**  
Scale: N.T.S.



**2 CONCRETE SEATWALL**  
MATERIAL PRECEDENT



**3 HANDRAIL**  
MATERIAL PRECEDENT



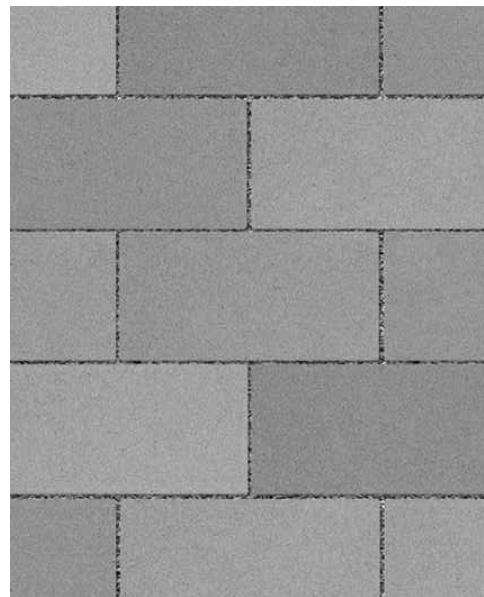
**4 WOOD BENCH**  
MATERIAL PRECEDENT



**5 FLOW THROUGH PLANTER**  
MATERIAL PRECEDENT



**6 SAND FINISHED CONCRETE**  
MATERIAL PRECEDENT



**7 PERMEABLE PAVERS**  
MATERIAL PRECEDENT



**8 TREE GRATE**  
MATERIAL PRECEDENT



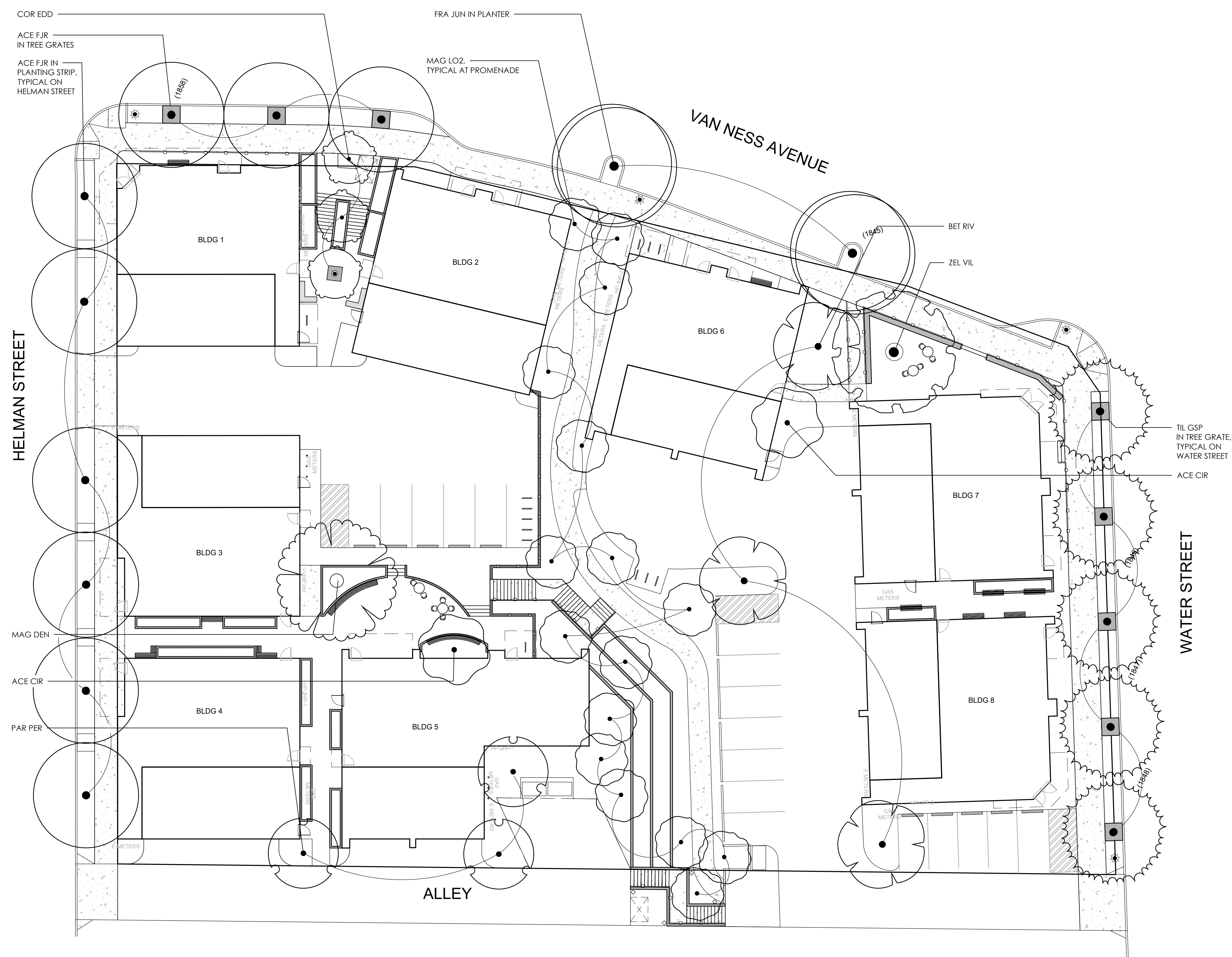
**9 PARK ROW PAVERS**  
MATERIAL PRECEDENT

REVISIONS		
#	DATE	DESCRIPTION

PLANNING REVIEW  
PHASE 1  
LANDSCAPE MATERIALS BOARD

**L1.1**

PROJECT NO. 2117  
12.31.2021  
TEAM: PVC, CG, EG



PRELIMINARY TREE LIST			
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME
	ACE CIR	ACER CIRCINATUM	VINE MAPLE
	ACE FJR	ACER RUBRUM 'FRANK JR.'	REDPOINTE MAPLE
	BET RIV	BETULA NIGRA	RIVER BIRCH
	COR EDD	CORNUS X 'EDDIE'S WHITE WONDER'	EDDIE'S WHITE WONDER DOGWOOD
	FRA JUN	FRAXINUS AMERICANA 'JUNGINGER'	AUTUMN PURPLE WHITE ASH
	MAG DEN	MAGNOLIA DENUDATA	YULAN MAGNOLIA (SPECIMEN)
	MAG LO2	MAGNOLIA X LOEBNERI	LOEBNER MAGNOLIA
	PAR PER	PARROTIA PERSICA	PERSIAN PARROTIA
	TIL GSP	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LITTLELEAF LINDEN
	ZEL VIL	ZELKOVA SERRATA 'VILLAGE GREEN'	VILLAGE GREEN SAWLEAF ZELKOVA



**1 REDPOINTE MAPLE**  
PROPOSED TREE SPECIES



**2 MAGNOLIA BLOSSOMS**  
PROPOSED TREE SPECIES



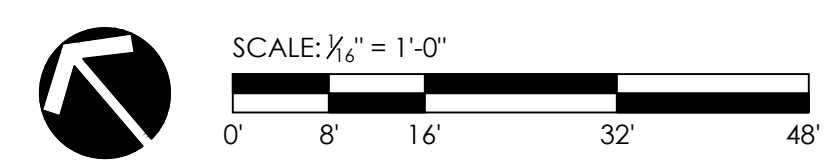
**3 LOEBNER MAGNOLIA**  
PROPOSED TREE SPECIES



**4 GREENSPIRE LITTLELEAF LINDEN**  
PROPOSED TREE SPECIES



**5 AUTUMN PURPLE WHITE ASH**  
PROPOSED TREE SPECIES

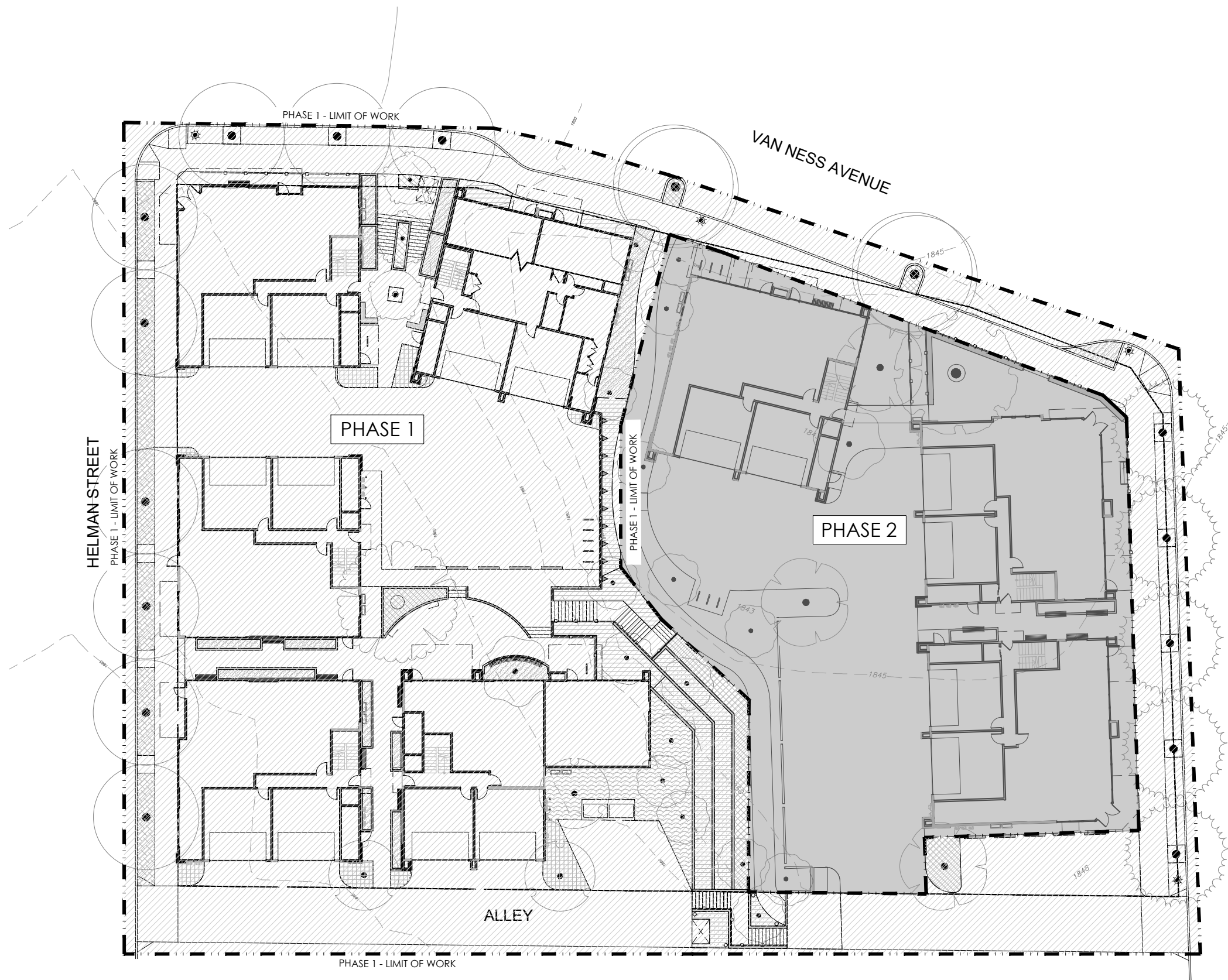


MAGNOLIA TERRACE  
165 WATER ST / 160 HELMAN ST / 95 VAN NESS AVE  
ASHLAND, OREGON 97520

REVISIONS		
#	DATE	DESCRIPTION

PLANNING REVIEW  
PRELIMINARY TREE PLANTING PLAN

**L2.0**  
PROJECT NO. 2117  
12.31.2021  
TEAM: Pvc, CG, EG



PRELIMINARY PHASE 1 PLANT PALETTE

	TRIANGLE CORRIDOR CENTER PLANTERS CAREX FLACCA 'BLUE ZINGER' / BLUE ZINGER SEDGE HEUCHERA X 'AMETHYST MIST' / AMETHYST MIST CORAL BELLS LYSIMACHIA NUMMULARIA / CREEPING JENNY	62 SF	1 GAL 1 GAL 1 GAL
	FOUNDATION PLANTS - NORTH DISTYLIUM X 'BDY01' TM / JEWEL BOX DISTYLIUM MISCANTHUS SACCHARIFLORUS / SILVER BANNER GRASS SPIRAEA SPP	649 SF	1 GAL 1 GAL 1 GAL
	FOUNDATION PLANTS - SOUTH CEANOTHUS SPP CISTUS X BLANCHE / WHITE ROCKROSE MISCANTHUS CAPENSIS / SILVERGRASS SALVIA SPP	824 SF	5 GAL 5 GAL 1 GAL 1 GAL
	PLAZA FEATURE PLANTER DRYOPTERIS ERYTHROSORA 'BRILLIANCE' / BRILLIANCE AUTUMN FERN LIRIOPE MUSCARI / LILYTURF	115 SF	1 GAL 1 GAL
	PARKING ISLANDS CISTUS X OBLONGIFOLIUS / ROCK ROSE FESTUCA GLAUCA 'ELIJAH BLUE' / ELIJAH BLUE FESCUE HELIANTHEMUM NUMMULARIUM / SUNROSE SEDUM X 'AUTUMN JOY' / AUTUMN JOY SEDUM	1,056 SF	1 GAL 1 GAL 1 GAL 1 GAL
	HELMAN PARK ROW MUHLENBERGIA CAPILLARIS / PINK MUHLY GRASS VERBENA BONARIENSIS / TALL VERBENA	899 SF	1 GAL 1 GAL
	STORMWATER PLANTERS IRIS SIBIRICA 'BLUE KING' / BLUE KING SIBERIAN IRIS IRIS SIBIRICA 'LAVENDER BOUNTY' / LAVENDER BOUNTY SIBERIAN IRIS JUNCUS PATENS / CALIFORNIA GRAY RUSH MAHONIA REPENS / CREEPING MAHONIA POLYSTICHUM MUNITUM / WESTERN SWORD FERN	1,001 SF	1 GAL 1 GAL 1 GAL 1 GAL 1 GAL
	GROUNDCOVER PLANTING ARCTOSTAPHYLOS UVA-URSI / KINNIKINNIK	1,026 SF	1 GAL
	VINES AT RETAINING WALL FICUS PUMILA / CREEPING FIG		1 GAL

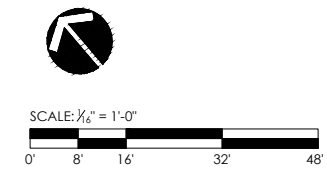
NOTE: SEE L2.0 PRELIMINARY TREE PLANTING PLAN FOR PRELIMINARY TREE LIST.

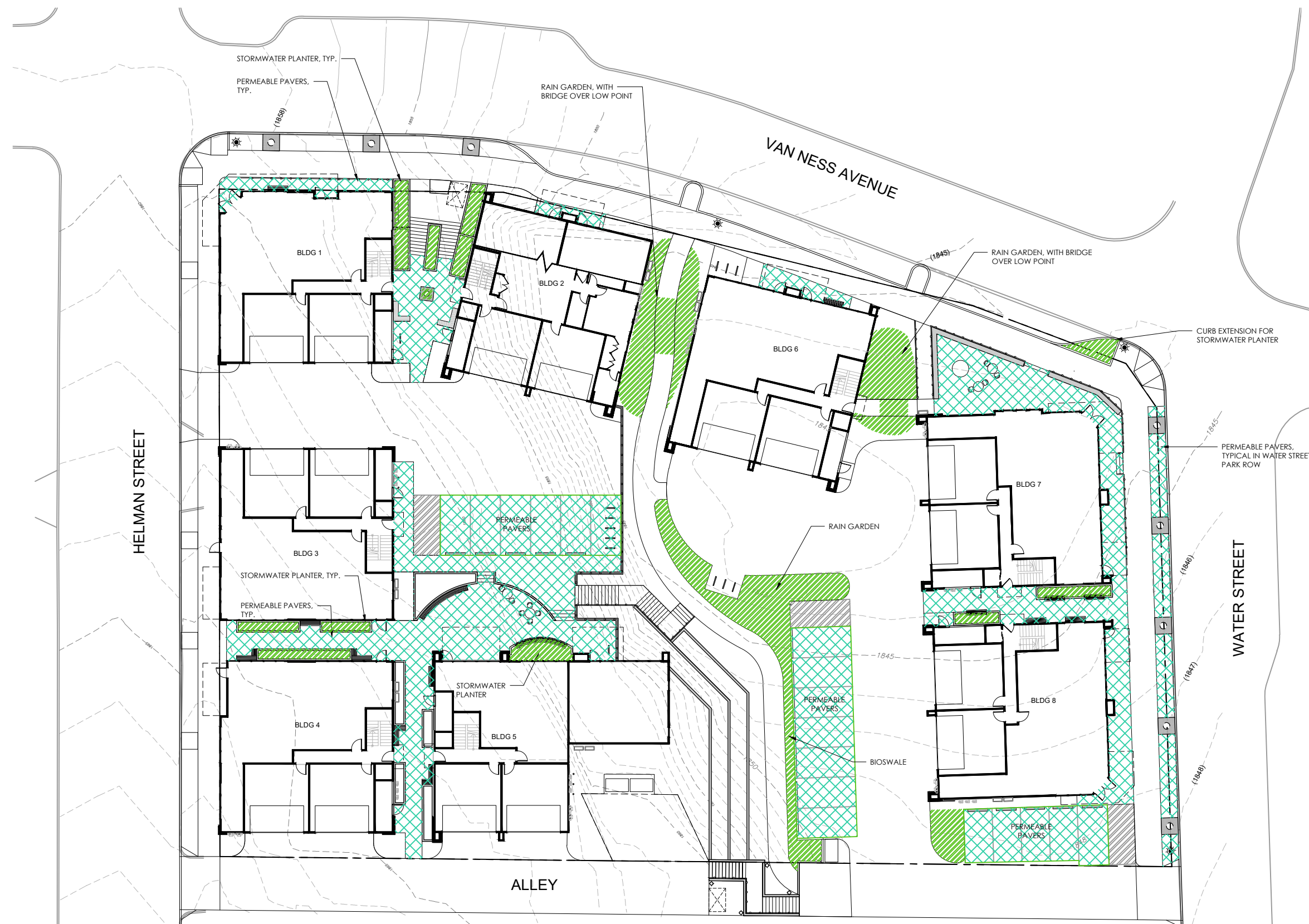




MAGNOLIA TERRACE  
165 WATER ST / 160 HELMAN ST / 95 VAN NESS AVE  
ASHLAND, OREGON 97520

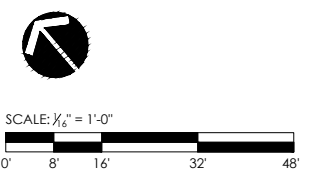
REVISIONS		
#	DATE	DESCRIPTION

PLANNING REVIEW  
PHASE 1 PLANTING PLAN  
**L2.1**  
PROJECT NO. 2117  
12.31.2021  
TEAM: PVC, CG, EG



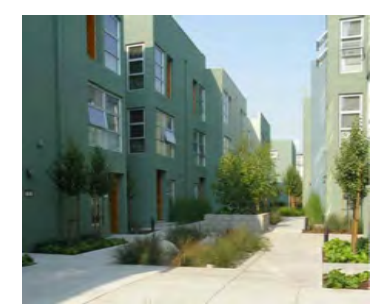


STORMWATER LEGEND		
SYMBOL	DESCRIPTION	NOTES
	PERMEABLE PAVING	TBD
	STORMWATER TREATMENT PLANTING	RAIN GARDENS AND FLOW THROUGH PLANTERS

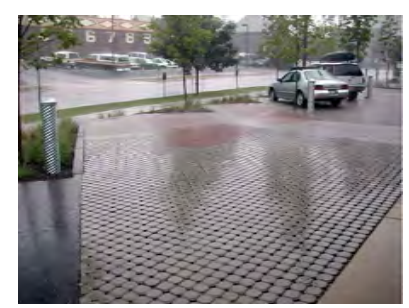


REVISIONS		
#	DATE	DESCRIPTION

PLANNING REVIEW  
STORMWATER DIAGRAM  
**L3.0**  
PROJECT NO. 2117  
12.31.2021  
TEAM: PVC, CG, EG



**1 RAIN GARDEN PLANTERS**  
CONCEPT IMAGE



**2 POROUS PARKING AREAS**  
CONCEPT IMAGE



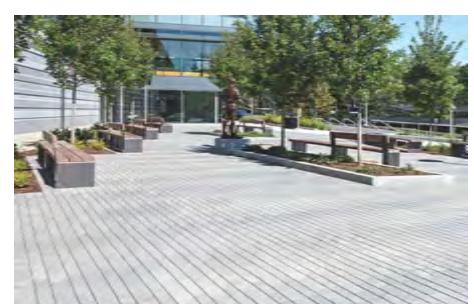
**3 FLOW THROUGH PLANTER**  
CONCEPT IMAGE



**4 RAIN GARDEN BRIDGE**  
CONCEPT IMAGE



**5 FLOW THROUGH PLANTER**  
CONCEPT IMAGE



**6 PERMEABLE PAVER PLAZA**  
CONCEPT IMAGE



**7 DOWNSPOUT ART INTO PLANTERS**  
CONCEPT IMAGE

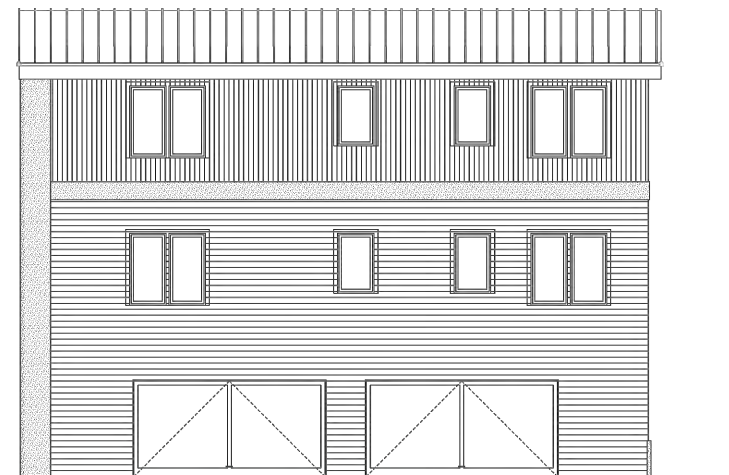


FRONT ELEVATION



LEFT ELEVATION

NOTE: ELEVATIONS OF BUILDING 1 ARE SHOWN FOR REFERENCE; REMAINING BUILDINGS WILL SHARE THE SAME MATERIALS PALETTE. SEE ARCH DWGS FOR FURTHER MATERIALS INFORMATION

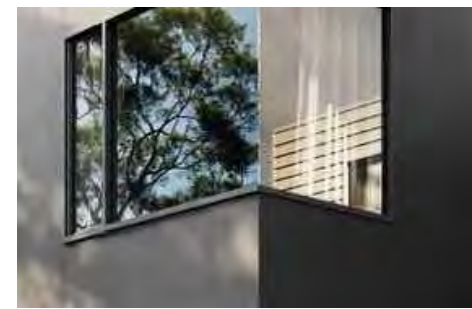


REAR ELEVATION

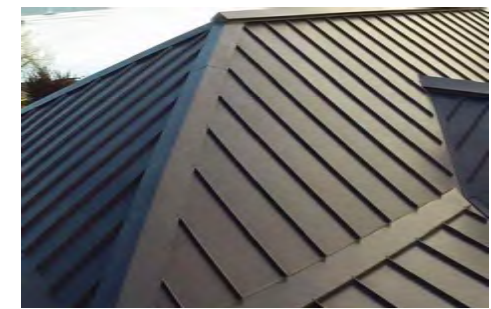


RIGHT ELEVATION

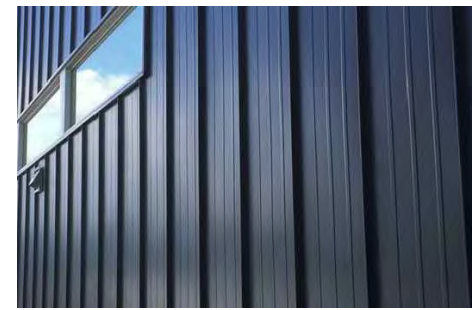
**1 Building 1 Elevations**  
Scale: N.T.S.



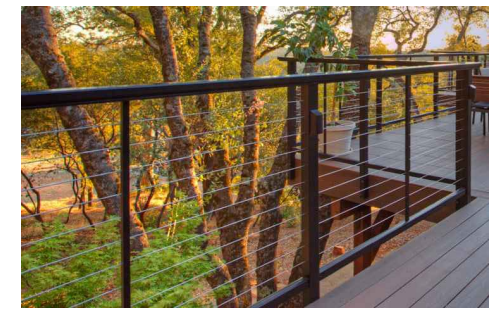
**2 SMOOTH HARDIE BOARD**  
MATERIAL PRECEDENT



**3 STANDING SEAM METAL ROOFING**  
MATERIAL PRECEDENT



**4 VERTICAL SIDING**  
MATERIAL PRECEDENT



**5 CABLE RAIL**  
MATERIAL PRECEDENT



**6 HORIZONTAL SIDING**  
MATERIAL PRECEDENT



**7 PERFORATED METAL RAILING**  
MATERIAL PRECEDENT



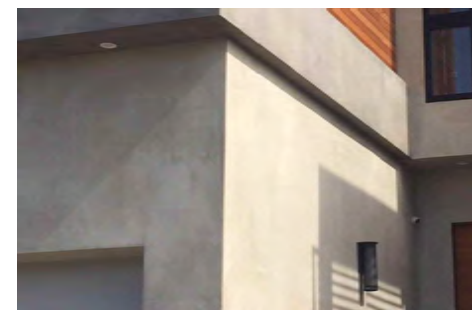
**8 ALUMINUM AND GLASS GARAGE DOORS**  
MATERIAL PRECEDENT



**9 ALUMINUM STOREFRONT DOORS**  
MATERIAL PRECEDENT



**10 PRECAST CONCRETE SILL**  
MATERIAL PRECEDENT



**11 SMOOTH STUCCO**  
MATERIAL PRECEDENT



**12 BUILDING SCONCE**  
MATERIAL PRECEDENT

## EXTERIOR BUILDING MATERIALS

The proposed facades include a rhythm of openings adjacent to the sidewalk with a pedestrian scale width-to-height ratio. The array of facade treatments and materials breaks up the forms of the buildings. The design of the business entrances provides clear, visible, and functional openings with direct access to the public sidewalk. Roof overhangs and awnings emphasize public entrances to the buildings. Upper story floors provide pedestrians shelter from the rain and sun, while the recesses in the facade provide arcades.

Wood, metal, concrete, and stucco comprise the material palette since these textures draw on the historical context of the commercial/industrial neighborhood. The classic materials combined with modern styling and variations in the facades bring multiplicity to the site. The site will include an assortment of building bases. Some will be prominent similar to downtown developments. Others will have less of a presence, consistent with historical examples near the site and more significant commercial/industrial buildings in the area.



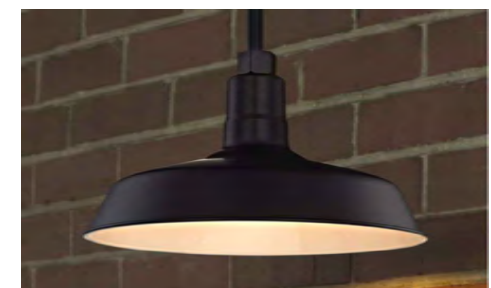
**13 BLACK FRAMED WINDOWS AND DOORS**  
MATERIAL PRECEDENT



**14 CONCRETE BASE WALL**  
MATERIAL PRECEDENT



**15 HORIZONTAL / VERTICAL WOOD GRAINED PANELS**  
MATERIAL PRECEDENT



**16 PENDANT LIGHT**  
MATERIAL PRECEDENT

### REVISIONS

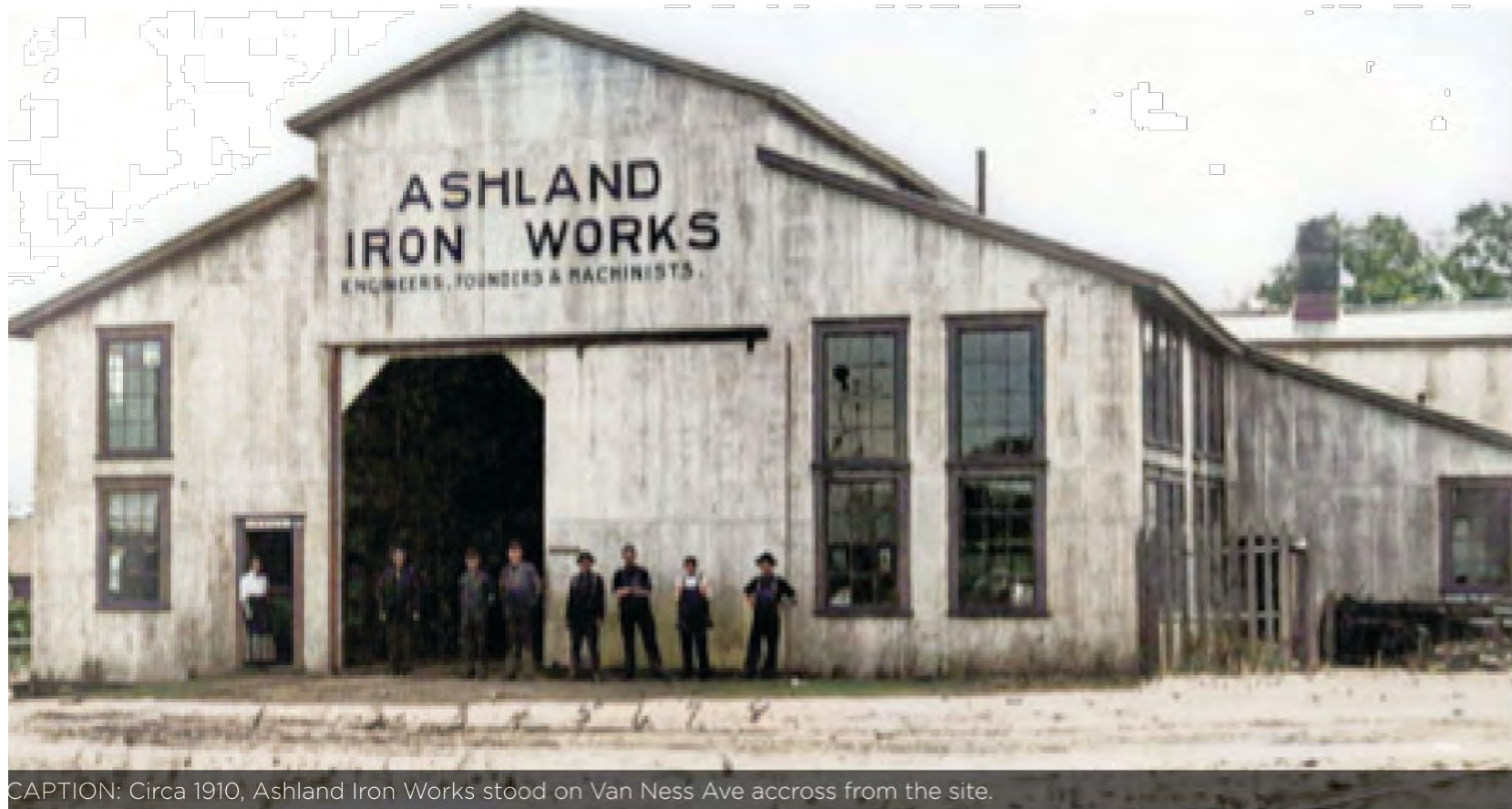
#	DATE	DESCRIPTION

### PLANNING REVIEW

PHASE 1  
BUILDING  
MATERIALS BOARD

**A0.6**

PROJECT NO. 2117  
12.31.2021  
TEAM: PVC, CG, EG



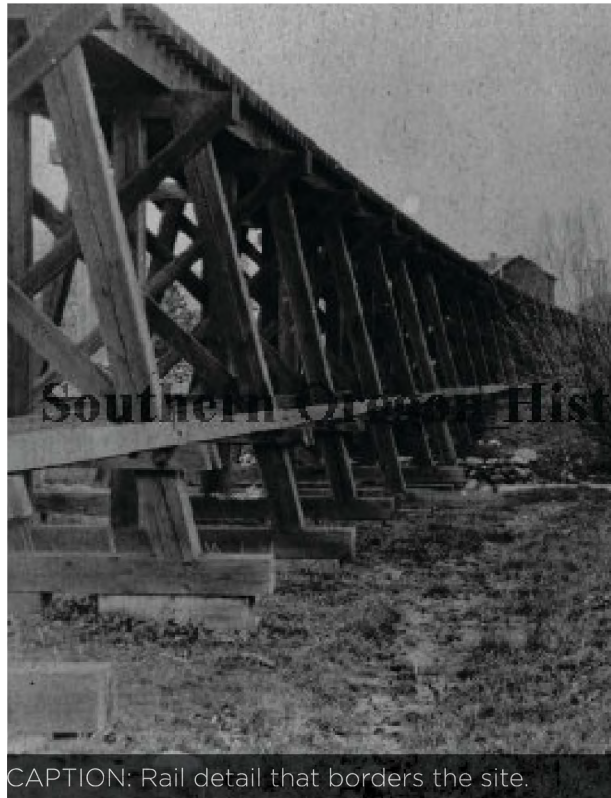
CAPTION: Circa 1910, Ashland Iron Works stood on Van Ness Ave across from the site.

**1** ASHLAND IRON WORKS  
HISTORICAL CONTEXT



CAPTION: Site as shown above is bordered by Helman Street, Van Ness Ave, and Water Street. The property is located that the boundary of the Skidmore Academy Historic District, and the Detail Site Review zone.

**2** AERIAL OF SITE  
HISTORICAL CONTEXT



CAPTION: Rail detail that borders the site.

**3** RAIL BRIDGE  
HISTORICAL CONTEXT



CAPTION: Asland Woolen Mills stood south of the site near Water Street and B Street.

**4** ASHLAND WOOLEN MILLS  
HISTORICAL CONTEXT



CAPTION: Wood mill that stood near the corner of Van Ness Ave and Helman Street.

**5** WOOD MILL  
HISTORICAL CONTEXT

## PROJECT DESCRIPTION

Situated at the intersection of three preservation districts, this mixed used development will provide commercial and residential uses on a historically significant but vacant site. Eight buildings are proposed with 1st floor commercial uses and residential units on the 2nd and 3rd floors.

Each proposed building has numerous traditional architectural elements and materials. The scale, form, and massing of some of the material elements are more modern in styling. It can be found that the proposed buildings are architecturally compatible with the historic district design standards and provide a solid neighborhood anchor for the future redevelopment of the adjacent employment zoned properties.

REVISIONS		
#	DATE	DESCRIPTION

## PLANNING REVIEW

## SITE HISTORY

# H1.0



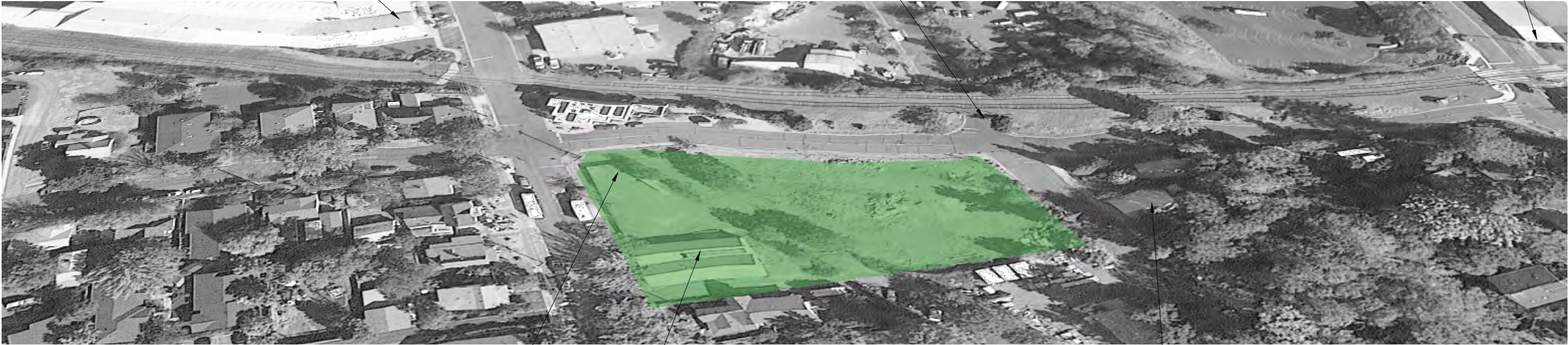
**1 255 Helman St**  
 SCALE: LARGE  
 MATERIAL: VERTICAL METAL SIDING, STUCCO  
 USE: COMMERCIAL



**2 Tunnel Under Rail**  
 SCALE: MEDIUM  
 MATERIAL: CONCRETE, STEEL  
 USE: INDUSTRIAL



**3 Ashland Lumber**  
 SCALE: LARGE  
 MATERIAL: VERTICAL WOOD, GABLE ROOF  
 USE: COMMERCIAL



**4 Proposed Mixed Use Development**  
 SCALE: LARGE  
 MATERIAL: VERTICAL METAL SIDING, STUCCO, STEEL, GABLE ROOF  
 USE: COMMERCIAL AND RESIDENTIAL

**5 Pyramid Juice**  
 SCALE: MEDIUM  
 MATERIAL: VERTICAL WOOD SIDING, GABLE ROOF  
 USE: INDUSTRIAL

**6 16 Van Ness Ave**  
 SCALE: MEDIUM  
 MATERIAL: VERTICAL AND HORIZONTAL WOOD  
 USE: AGRICULTURE



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#	DATE	DESCRIPTION