



# CITY OF ASHLAND



Ashland Tree Commission  
Minutes  
March 3, 2022

## Call to Order

Commission Chair Chris John called the meeting to order at 6:02 pm via Zoom

<b>Commissioners</b>	<b>Council Liaison</b>
Christopher John	Stephen Jensen
Asa Cates	
Vacancy (3)	<b>Park Liaison</b>
Eric Simpson	Peter Baughman
Vacancy (5)	
Cat Gould	<b>Staff Present:</b>
Vacancy (7)	Aaron Anderson: Associate Planner
<b>Members of the Public in Attendance:</b>	
Kerry Kencairn	
Sam Bickle	
Amy Gunter	

## Approval of Minutes

**Commissioners Cat Gould / Eric Simpson m/s to approve the minutes of February 3, 2022. Voice Vote: All Ayes. Motion passed**

## Public Forum

There was no one in the audience wishing to speak.

## Liaison reports

**Council Liaison** - Councilor Jensen gave a brief update on city operations including the beginning of engineering for the N. Mountain rehabilitation project, as well as the tree removal project on city owned land.

**Parks & Recreation Liaison** – Pine thinning above Lithia due to dead pines. Hunter Park arbor day planting proposed Fri April 8<sup>th</sup>.

**Community Development Liaison** – None

***Order of Planning actions shuffled based on applicants in attendance***

## TYPE I REVIEWS

**PLANNING ACTION:** TREE-2022-00182

**SUBJECT PROPERTIES:** 364 Walker Avenue (Walker Elementary School)

**APPLICANTS:** Kerry KenCairn

**OWNERS:** Ashland School District

**DESCRIPTION:** A request to modify the recent Site Design Review approval for Walker Elementary School (PA-T2-2021-00028) at 364 Walker Avenue to allow the removal of four trees which were previously identified to be preserved and protected. These removals are proposed in response to changes in site grading and stormwater line placement in response to issues identified once sitework was underway.

**COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-5; **MAP:** 39 1E 10; **TAX LOT #:** 3500 (Hunter Park) & 3600 (Walker Elementary School)

Kerry KenCairn was present to represent the application. She started by explaining the balance between conservation and developments. In hindsight these trees probably were being overly optimistic of the ability for them to be saved based on the proximity to the new buildings. She stated that these are beautiful trees, but the depth of the excavation and finished floor elevation of the new building is incompatible with the location of the tree. For the other two trees that are proposed for removal conflict with a required excavation storm water installation. Finally, she points out that these four removals are proposed to be mitigated with 8 additional plantings. At the conclusion of the public hearing the tree commission briefly deliberated before voting on the application.

***Commissioners Asa Cates / Eric Simpson m/s to approve the application as submitted. Voice Vote: All Ayes. Motion passed***

## **TYPE II REVIEWS**

**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:** Rogue Planning & Development Services, LLC, *agent for*  
**OWNERS:** Magnolia Investment Group, LLC and Gil Livni  
**DESCRIPTION:** A request for 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 20 trees on the three subject 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

Amy Gunter and Sam Bickle represented the application. Ms. Gunter gave a brief presentation showing the site plan, existing trees and the proposed landscape plan and physical constraints including floodplain and steep slopes. Ms. Gunter detailed those trees to be removed and that many of them are in poor health. Terrain Landscape presented their landscape plan including the plaza areas with integrated seating and storm water treatment facilities. Sam detailed how the design responds to the topography and street scape. He highlighted that the application intends to put in all new street plantings with red point maples. The landscaping includes all permeable pavers that route to storm water management spaces between the buildings which include dogwoods and vine maple and a specimen magnolia. Sam highlighted that while there are 20 removals the entire project will include over 40 plantings.

At the conclusion of the presentation the applicants fielded several questions from the commission. Commission John asked if they could reconsider the using tree grates for the street trees. Gould questioned why development like this is being allowed in a flood plain. Cates wondered why a three-story building is being approved. There was general agreement that the proposed landscape plan including the storm water management was well done. Simpson stated that while the buildings are tall it provides a shade environment that provides the opportunity to plant species that are more fragrant than one would otherwise be able to do.

***Commissioners Chris John / Asa Cates m/s to recommend approval of the application as submitted with the recommendation that an alternative to the tree grates be considered. Voice Vote: All Ayes. Motion passed***

## **TYPE I REVIEWS (continued)**

**PLANNING ACTION:** PA-TREE-2021-00181  
**SUBJECT PROPERTY:** 260 Fourth St.  
**OWNER/APPLICANT:** Quality Tree Service for PROVOST PROPERTIES LLC  
**DESCRIPTION:** A request to remove one Box Elder at the front of the building at 260 Fourth St. The application includes a letter from Quality Tree Service along with an ISA risk assessment form. The tree has a significant lean as well as rotting at the base.  
**COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1;  
**MAP:** 39 1E 09 AB, **TAX LOT:** 5800

Staff briefly noted that there was not much to add to the conversation. Cates stated that even if the tree didn't have the lean and all the rot the proximity to the building alone is an issue that should require its removal. John stated that we could make the decision quick or make it slow.

***Commissioners Cat Gould / Asa Cates m/s to recommend approval of the application as submitted. Voice Vote: All Ayes. Motion passed***

**PLANNING ACTION:** PA-T1-2022- 00177  
**SUBJECT PROPERTY:** 1554 Webster Street  
**APPLICANT:** Rogue Valley Growers & Crafters Market  
**OWNERS:** State of Oregon/Southern Oregon University  
**DESCRIPTION:** A request for a Conditional Use Permit to allow the seasonal Rogue Valley Growers & Crafters Market to operate on the Southern Oregon University campus at 1554 Webster Street on a temporary basis. As proposed, the market would be open on Tuesdays from 9:00 a.m. to 1:30 p.m. from March through November for up to three seasons.  
**COMPREHENSIVE PLAN DESIGNATION:** Southern Oregon University; **ZONING:** SO; **ASSESSOR'S MAP:** 39 1E 10CD; **TAX LOTS #:** 4200

Staff noted that the primary concern to be evaluated here is the proposed tree protection. This is different from a normal application as there is no proposed construction and the impact will be limited to vehicles setting up for the grower's marks. Ms. Gunter gave a brief presentation highlighting the overall layout. The proposed tree protection is orange construction fence in areas that have vehicle conflict and painted markings on the ground around the vendor areas so as not to preclude pedestrians from being able to enjoy the area around the trees.

At the conclusion of the public hearing the commission deliberated and Cates stated by stated that simply painted lines will simply not provide enough protection to prevent vendors from driving over them and proposed that logs or railroad ties could be used. There was discussion about the concern that those would propose a tripping hazard. Simpson stated that he felt that this group is likely to operate in good faith. Gould stated that the area of concern is the vendor area and that perhaps it could work provide that there is clear instruction that are provided to the vendors.

***Chris John Recused***

***Commissioners Cat Gould / Asa Cates m/s to recommend approval of the tree protection plan that if the Tree protection zones are not respected that the RVGM would install temporary protective measures. Voice Vote: All Ayes. Motion passed***

**Adjournment:** Meeting adjourned at 7:35p.m.

**Next Meeting: April 7, 2022**

*Respectfully submitted by Liz Hamilton*