

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

**ASHLAND PLANNING COMMISSION
REGULAR MEETING
DECEMBER 9, 2008
AGENDA**

- I. **CALL TO ORDER:** 7:00 PM, Civic Center, 1175 E. Main Street

- II. **ANNOUNCEMENTS**

- III. **APPROVAL OF AGENDA**

- IV. **CONSENT AGENDA**
 - A. **Approval of Minutes**
 - 1. **November 6, 2008 Planning Commission Meeting**
 - 2. **November 12, 2008 Planning Commission Meeting**
 - B. **Adoption of Findings for 2200 Ashland Street, PA #2008-00911**

- V. **PUBLIC FORUM**

- VI. **TYPE II PUBLIC HEARINGS**
 - A. **PLANNING ACTION: 2008-00911**
SUBJECT PROPERTY: 2300 Siskiyou Blvd.
APPLICANT: Steve Asher
DESCRIPTION: A request for Site Review approval to construct thirteen condominium units for the property located at 2300 Siskiyou Boulevard. Also included are requests for a Physical & Environmental Constraints Review Permit to allow tree removal and parking space installation on Flood Plain Corridor/Riparian Preservation Lands adjacent to a culverted section of Clay Creek; Tree Removal Permits to remove 36 of the site's 78 trees; and an Exception to Street Standards to not install sidewalks and curbs along Siskiyou Boulevard frontage. (The approval of this application would replace the previous Performance Standards Options subdivision approval from PA #96-131).
COMPREHENSIVE PLAN DESIGNATION: Low Density Multi Family Residential; ZONING: R-2; ASSESSOR'S MAP #: 39 1E 14 CA; TAX LOTS: 7700, 7800, 7801, 7802, 7803, 7804, 7805, 7806, 7807 and 7808.
 - 1. **Adoption of Findings**

 - B. **PLANNING ACTION: 2008-01517**
SUBJECT PROPERTY: 232 Vista Street
APPLICANT: Kerry KenCairn
DESCRIPTION: A request for a Minor Land Partition, a Type II to Variance to the requirement

**CITY OF
ASHLAND**



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

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that the new lot have a paved 20-foot wide access or an unpaved 20-foot wide access with less than 10 percent slope, and a Physical and Environmental Constraints Permit for development and tree removal on Hillside Lands.

**COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; ZONING: R-1-7.5;
ASSESSOR'S MAP #: 39 1E 09BC; TAX LOT: 7500**

VII. OTHER BUSINESS

- A. Select Planning Commission Representative for the Interchange 14 Bridge Design Review Committee.**

VIII. ADJOURNMENT

**CITY OF
ASHLAND**



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**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
SPECIAL MEETING
MINUTES
NOVEMBER 6, 2008

CALL TO ORDER

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

Commissioners Present:

John Stromberg, Chair
Michael Dawkins
Mike Morris
Pam Marsh
Melanie Mindlin
Dave Dotterer
Michael Church

Staff Present:

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

Absent Members:

Tom Dimitre
Debbie Miller

Council Liaison:

Cate Hartzell

ANNOUNCEMENTS

Community Development Director Bill Molnar reminded the Commission of their December 18, 2008 Study Session. He also announced the City Council Public Hearing on the Water Resource Protection Zones Ordinance has been tentatively scheduled for January 20, 2009.

PUBLIC FORUM

No one came forward to speak.

TYPE III PUBLIC HEARINGS

A. Water Resource Protection Zones Ordinance

Staff noted the following items were submitted to the Commission at the beginning of the meeting:

- Memo from Parks & Recreation Director Don Robertson which listed questions and concerns about the use of herbicides, equipment weight restrictions, vegetation replanting requirements, and annual reviews.
- Email from Eric Bonetti questioning where the centerline would be measured for creeks with more than one channel.
- Email from Councilor Hartzell regarding the herbicide issue.
- Emails from Commissioner Miller.

Stromberg noted the discussion outline that was used at the last meeting and clarified they would pick up where they left off.

Enforcement & Penalties

Planning Manager Maria Harris stated language was added that references the General Penalties section of the Ashland Municipal Code, which outlines the procedure for citations and fines. This section also includes language requiring an owner to re-establish the natural condition when a water resource protection zone is illegally altered and language that allows the court to impose additional fees for enforcement costs incurred by the City.

Comment was made questioning how this would be enforced, and whether penalties for intentional violations would differ from accidental incidents. Suggestion was made that staff should attempt to work with the property owner to remedy the situation before issuing a citation.

Mr. Molnar clarified this ordinance would be enforced by the City's Code Compliance Officer. City Attorney Richard Appicello commented on the General Enforcement section of the Ashland Municipal Code and clarified the maximum fine that can be applied according to the City Charter is \$500; however, the Commission could set a minimum fine for intentional activities if they desire.

The Commission discussed the proposed language. Concern was expressed with the requirement that regardless of the violation, the property owner is required to submit a mitigation plan prepared by a natural resource professional. Staff acknowledged the Commission's concerns and suggestion was made to modify Section 18.63.140(B) to read, "Within thirty days (30) of notification by the City of Ashland Planning Division of a violation of unauthorized alteration of native vegetation or disturbance of land, mitigation shall be required, and the staff advisor may require a mitigation plan prepared by a natural resource professional." The majority of the Commission indicated support for this section as modified.

Removal of Invasive Vegetation

Ms. Harris noted Ecologist Jeannine Rossa's testimony that it is safe to use *glyphosate without surfactants* in the riparian area, and Mr. Robertson's concerns that this ordinance might prohibit the Parks Department's use of herbicides. Staff indicated a compromise might be to allow use of this type of herbicide only if it is applied by a trained professional. Ms. Harris noted the report on Managing Himalayan Blackberries that was sent out to the Commission and clarified the findings indicate the most effective treatment for blackberries is mowing or cutting down the canes and then treating them with herbicide. She stated this report makes the case that it is better to remove blackberries in riparian areas and replant with native vegetation since blackberries do not provide significant shade, have shallow roots, and don't allow any new trees or shrubs to be established in the area where they have taken over.

Dawkins voiced his opposition to the use of herbicides and commented that DDT is a good example of a product that was suppose to be really good, but turned out to be harmful. He also disagreed with the proposed removal approach and stated in his experience, the most effective way to eradicate blackberries is to cut them down and dig out the roots. He also shared his concerns regarding bank instability once the blackberries are removed.

Stromberg noted the email submitted by Councilor Hartzell and asked if the Commission would allow Hartzell to share her input. Staff recommended the public hearing be re-opened if the Commission wants to allow her to speak.

Stromberg re-opened the public hearing at 7:44 p.m.

Councilor Hartzell noted the testimony from Rick Landt who told the Commission about successfully removing blackberries manually. She also noted a study that found that blackberries can come back after herbicide application. She clarified her email spoke about toxicity and how it affects waterways and noted the proposed ordinance is suppose to protect the water and habitat; blackberries should not be the main objective.

Stromberg asked if anyone else wished to provide testimony and then closed the public hearing at 7:47 p.m.

The Commission continued their discussion on whether to permit herbicide use. Mindlin noted the ordinance requires a Type I application approval before herbicides can be used. She commented on trying to find a compromise to the issues raised and suggested the ordinance be modified to include the following: 1) only allow *glyphosate without surfactants* herbicides, 2) application of the herbicide could only be done by a certified professional, 3) include a limitation on the number of herbicide re-applications, and 4) include language that encourages repeat mowing as a method for removal. Dawkins indicated he is against the use of herbicides, but is willing to compromise and is

comfortable with Mindlin's suggested amendments. Staff clarified the Parks & Recreation Department would be required to file an application; however, it may cover a longer period of time. It was also clarified the cost for a Type I application is approximately \$900. Dotterer expressed concern with this cost. Marsh commented that this would discourage homeowners to use herbicides to remove a minimal amount of blackberries, but would allow herbicide use in the more extreme situations. Comment was made questioning how the Parks Department applies herbicides and some concern was expressed with spraying rather than dabbing on the product. Mr. Molnar commented on the expenses associated with a Type I approval process, including the noticing requirements and the staff time spent responding to citizens. He also noted there is a provision in the ordinance that allows the fee to be reduced for restoration enhancement activities. Ms. Harris re-stated the four proposed amendments outlined by Commissioner Mindlin and the majority of the group indicated support for this section as amended.

Hardship Variance

Ms. Harris indicated the ordinance is required to include a hardship variance. It was clarified this would be a Type II action and would come before the Planning Commission for approval.

Creeks with More than One Channel

Staff was asked to respond to Mr. Bonetti's email questioning where the centerline would be measured for braided creeks. Staff indicated the ordinance is currently silent on this issue, but they could include language if the Commission desires. Mr. Molnar commented on how other communities address this issue and stated in these instances measurement is typically taken from the center of the braid. Support was voiced for clarifying this in the ordinance. Mr. Molnar noted there are situations where there is a dominant channel, and there may be a need for judgment in some cases. Suggestion was made to include language that indicates where there is an unusual creek bed, staff will visit and evaluate the site. The Commission voiced support for including language to this effect in the ordinance.

Setback Issues

Stromberg reviewed the setback issues listed in the discussion outline. Staff clarified the reduction provision associated with 18.63.080 states *up to 50%* and only the minimum amount needed would be granted. Comment was made questioning whether staff would be allowed to take the size of a house into consideration when determining the appropriate reduction. Mr. Molnar clarified staff generally does not take into account the size of the house, but evaluates the size of the buildable area outside the protection zone. He added the ordinance states any adjustment to the protection zone would only be the minimum amount necessary to accommodate the use. Ms. Harris commented on the Top of Bank issue and clarified the ordinance was amended to include physical characteristics to help identify top of bank.

Activities Issues

Stromberg reviewed the activities issues listed in the discussion outline. Ms. Harris clarified the replanting standards were changed to indicated a minimum plant size of 4 inches for ground cover, the ¾ in. caliper for tree size was removed, and the requirement to identify the plant sources and suppliers was removed. She added staff did not make any changes addressing the canopy tree planting configuration. Recommendation was made to include language that provides staff the ability to approve a different configuration so long as the canopy issue is addressed. Ms. Harris noted the previous language that was inserted into the ordinance and suggested they reinsert the following statement, "Canopy trees shall be planted at 20 ft. intervals or such other interval as required to install materials required for tree mitigation ...". Support was voiced for replacing this language as suggested by staff.

Council Liaison Hartzell left the meeting at 8:50 p.m.

Comment was made questioning the ability for backyard food production in the riparian zone. Staff clarified this would be permitted in the 50/50 zone. It was also questioned if a property owner would be permitted to protect this area with fencing. Mr. Molnar commented on the floodplain regulations and stated solid fences are restricted within 20 ft. of the floodplain. It was questioned if other types of fencing might be acceptable in riparian areas. Ms. Harris stated the idea

is for fencing to be generally prohibited, but they could make an exception for deer fencing in specific cases. The Commission discussed what type of fencing might be acceptable and where it could be located. Comment was made that this issue also pertains to people who might want to install fencing for other reasons besides garden protection in the riparian zone. There was agreement among the Commission to prohibit solid wood fencing and Staff was directed to develop ordinance language that would permit open fencing in the 50/50 use area.

The Commission continued their discussion of the activities issues and whether the ordinance should restrict a property owner from rebuilding a structure in the same location if it has been damaged by a flood for the second time. Comment was made that such a provision is not necessary and if someone's house is washed away twice, they are not going to want to put it back in the same place if they can avoid it. Dawkins noted that he can't remember a single case since 1955 where this has been a problem.

Apply Proposed Ordinance to Specific Sites

Staff commented on two sites the Commission visited during their site visits. In regards to Mr. Brambacher's property on Tolman Creek Rd, he will be able to continue to manage his property as is. However if he wishes to make changes to the channel, that would trigger the requirements of the proposed ordinance. And in regards to the Duncan's property, this ordinance is not going to affect the landscaping work they have already completed. They will be able to leave their landscaping in place and maintain it.

General Issues with the Ordinance as a Whole

Stromberg read the issues listed on the discussion outline aloud. Staff provided clarification that the concerns raised by the Public Works and Parks Departments have already been addressed in the ordinance. Mr. Molnar added the Planning staff will continue to keep these departments abreast as this ordinance moves forward. The Commission briefly reviewed the remaining issues and no changes to the ordinance were proposed.

Commissioners Morris/Dotterrer m/s to extend meeting to 9:45 p.m. Voice Vote: all AYES. Motion passed.

Recommended Additional Programs or Actions

Mindlin provided an explanation of the stormwater infiltration and rainwater catchment issues and read aloud her proposed recommendation which was submitted to the Commission at their last meeting. Comment was made that this language may be too specific and recommending the Commission make a more general recommendation to the Council instead. Marsh suggested they include a note to the Council explaining this issue came up and the Commission agreed that while this issue is much broader than the scope of the ordinance, it should be placed on the City's agenda. Mindlin felt this language was too vague and voiced her preference to use the language she drafted instead. Suggestion was made to take Mindlin's language and add Marsh's proposed statement to the end. The Commission voiced their support for this combination.

Mindlin commented on her second recommendation which addressed the need for ongoing assessment of the native plant requirement. She recommended the City conduct an on-site review of the projects permitted under this ordinance every three years to determine how well the native plants are performing. Church commented that they may want to recommend that the entire ordinance be reviewed, not just the plantings. Dotterrer noted the Stream & Enhancement Guide (which includes the native plant list) will likely be evaluated and updated periodically, and questioned if they could use this instead of a mandatory site visit by staff. Dawkins questioned if there was a way to bring the Parks Department into this since they have the immediate expertise and may be able to help evaluate. Mindlin clarified she is not attached to the methodology of how this is completed, but does believe this needs to be reviewed. Stromberg summarized the intent of this recommendation is to review not only the native plants list, but also the usability of it in actual situations, and somehow involve the Parks Department with this process. Church suggested an additional recommendation that states, "Three years from the effective date of the ordinance, staff will field check all projects that have been subject to the ordinance and report to the Commission on the effectiveness of the provisions." Suggestion was made to incorporate both of these concepts into one recommendation. Church suggested the language, "Three years from the effective date of the ordinance, staff will field check projects that have

been subject to the ordinance and report to the Commission on the effectiveness of the ordinance, including review and usability of the native plants list.”

Commissioners Dotterrer/Marsh m/s to extend meeting to 10:00 p.m. Voice Vote: all AYES. Motion passed.

Commissioners Marsh/Morris m/s to recommend approval to the City Council of adoption of the ordinance adding Chapter 18.63 Water Resource Protection Zones to and modifying Chapter 18.62 Physical and Environmental Constraints of the Ashland Land Use Ordinance with the amendments and changes as delineated in the meeting minutes and noted by staff. **DISCUSSION:** Dotterrer provided an explanation of why he will be voting no on this ordinance. He expressed his concerns with the way this ordinance was developed and felt citizens will find the ordinance confusing and difficult to implement. He voiced his support for staff's efforts, but does not think this is a model for how they should be doing business. He felt the Commission failed to define what the problem was and wished they would have established water quality baselines so that it would have been possible to determine whether or not this ordinance improves the City's water quality. **Roll Call Vote: Commissioners Marsh, Mindlin, Morris, Church, and Stromberg, YES. Commissioners Dotterrer and Dawkins, NO. Motion passed 5-2.**

ADJOURNMENT

Meeting adjourned at 9:55 p.m.

Respectfully submitted by,
April Lucas, Administrative Assistant

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
REGULAR MEETING
MINUTES
NOVEMBER 12, 2008

CALL TO ORDER

Commission Chair John Stromberg called the meeting to order at 7:05 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

John Stromberg, Chair
Michael Dawkins
Mike Morris
Debbie Miller
Pam Marsh
Melanie Mindlin
Dave Dotterrer
Michael Church
Tom Dimitre (*Arrived at 7:25 p.m.; joined the meeting after the first public hearing at 9:45 p.m.*)

Staff Present:

Bill Molnar, Community Development Director
Derek Severson, Associate Planner
Angela Barry, Assistant Planner
Richard Appicello, City Attorney
April Lucas, Administrative Assistant

Absent Members:

None

Council Liaison:

Cate Hartzell, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar reminded the Commission there is a Study Session scheduled for December 18, 2008. He also introduced Mike Faught, the City's new Public Works Director.

APPROVAL OF AGENDA

Commissioners Dotterrer/Church m/s to approve Agenda. Voice Vote: all AYES. Motion passed.

CONSENT AGENDA

A. Approval of Minutes

1. October 14, 2008 Planning Commission Meeting
2. October 28, 2008 Planning Commission Meeting

B. Approval of Findings for 281 Fourth Street, PA #2008-01526

Church noted an error on the October 14, 2008 meeting minutes [under Planning Action 2008-01526, Ex Parte Contact]. He stated Dotterrer is not listed and he is listed twice.

Commissioners Miller/Dotterrer m/s to approve Consent Agenda. Roll Call Vote: Commissioners Dawkins, Dotterrer, Church, Marsh, Miller, Mindlin, Morris, and Stromberg, YES. Motion passed.

PUBLIC FORUM

No one came forward to speak.

TYPE II PUBLIC HEARINGS

Stromberg read aloud the public hearing procedures for land use hearings.

A. PLANNING ACTION: 2008-01318

SUBJECT PROPERTY: 2200 Ashland Street

APPLICANT: Coming Attractions Theatres

DESCRIPTION: Request for Site Review approval to redevelop the existing 5,418 square foot, single-story office building located at 2200 Ashland Street into an 18,791 square foot, three-story office and retail building. The property is located within the Detail Site Review Zone and the development is subject to the Additional Standards for Large Scale Projects and Ashland Boulevard Corridor Design Standards. Also included are requests for: Administrative Variance to the Site Design and Use Standards and Exception to Street Standards relating to the reconfiguration of off-street parking between the building and Ashland Street and to Ashland Street improvements, and Tree Removal Permit to remove six trees greater than six-inches in diameter-at-breast-height.

COMPREHENSIVE PLAN DESIGNATION: Commercial; ZONING: C-1; ASSESSOR'S MAP #: 39 1E 14 BB; TAX LOT #: 300.

Declaration of Ex Parte Contact

No ex parte contact was reported. Dawkins and Stromberg both stated they performed site visits since the last hearing.

Staff Report

Associate Planner Derek Severson noted this item is a continuation from the October 14, 2008 meeting. At that meeting, a request was made by Evan Archerd to extend the public hearing so that he could familiarize himself with the project and provide input. Mr. Severson explained the median was the main issue that came up during that hearing and clarified the proposed median would restrict left hand turns from the proposed driveway onto Ashland Street and would also restrict left hand turns from Clay Street onto Ashland Street. Mr. Severson stated the notice area for this planning action was extended and the residents on Clay Street were provided notice of tonight's hearing. He also commented on the revised findings which were distributed to the Commission at the beginning of the meeting, and noted the modifications that were made to Condition 3(L) and Condition 6.

Public Works Director Mike Faught came forward and introduced Marc Butorac with Kittleson & Associates Transportation Engineering. Mr. Faught clarified Kittleson & Assoc. was hired by the City to review the application, findings, and traffic studies for this planning action.

Mr. Butorac addressed the Commission and noted the Transportation Impact Analysis and Access Management Review Memo that was submitted to the Commission at the beginning of the meeting. He explained the intersection of Clay and Ashland has site distance issues and operational safety issues, and stated they concur with the need to restrict left hand turning movements. He commented on where the existing south bound left turning movements from Clay Street would be diverted to if the median were installed, and noted their concern of vehicles making u-turns on Ashland Street without sufficient site distance. He also indicated traffic coming from I-5 would also need to turn around in order to access the proposed development. For this reason, they are recommending a raised median be installed between Clay and Faith Streets which would enable vehicles to make their u-turn at the Faith. He stated this is consistent with the City's Transportation System Plan and recommended a reimbursement agreement between the City and the Applicant.

Tom Dimitre arrived at 7:25 p.m. and indicated he would wait in the lobby until the next hearing.

Mr. Butorac commented on the need for an east-west connection between Tolman Creek Road and Clay Street, and stated this connection would minimize the number of u-turns on Ashland Street. He recommended the City review this possibility separate from this application. Mr. Butorac noted the commercial uses in the area and clarified larger vehicles, including buses, moving vans and semi-trucks would not be able to turn around at Faith Avenue due to the width of the street.

It was clarified vehicles would still be able to make left hand turns from Faith Avenue onto Ashland Street. It was also clarified it is not possible to restrict left hand turns from Clay Street, but allow left hand turns into the project site because Ashland

Street is not wide enough to accommodate the vehicle storage space that would be needed. Comment was made questioning if there is an alternative to the u-turn at Faith. Mr. Butorac stated the ideal alternative is the east-west connection, which would significantly reduce the need for making a u-turn at Faith. He clarified the volumes on Ashland Street are not an issue; it is the reduced site distance caused by the overpass that are creating these issues. Church commented that the site distance at the Faith and Ashland intersection is also an issue, and if you add in u-turns that could significantly affect this intersection. Mr. Butorac noted the vehicles making u-turns at Faith have plenty of site distance since they are looking at opposing east bound vehicles, but acknowledged Church's concerns and stated the site distance issue affects both ends of the overpass.

Mr. Butorac commented that the City does not have the most desirable street system in this area; however installing a median would diminish the existing safety issue. He stated the system would be aggravated slightly at the Faith intersection, but on a whole, the Applicant is maintaining or slightly improving the current system. However, for future development to occur in this area, he recommended the City create an additional connection between Tolman Creek Road and Clay Street.

David Pyles and Dan Dorrell with the Oregon Department of Transportation (ODOT) addressed the Commission and summarized their letter that was handed out at the beginning of the meeting. Mr. Pyles stated ODOT concurs with the Applicant's Facts, Findings and Conclusions in their Traffic Impact Study, which identifies the need for a median at this location. He stated the scale of the identified improvement is in proportion to the proposed development. Mr. Pyles noted there has been development in this area over the past several years that has bumped up the need for mitigation in this area. He also noted the potential future development on the north side of Clay Street and clarified with or without this project, there is development pressure that is creating this issue. Mr. Pyles concluded his testimony by clarifying the two key conditions of approval that they have requested are: 1) the condition for the raised median, and 2) the condition for the legal access permit.

Dan Dorrell commented on why it is not possible to allow a left hand turn into the proposed development. He agreed with Mr. Butorac's assessment and stated there is not enough vehicle storage space. He clarified the concern is that the vehicles waiting to make this left turn could back out into the west bound traffic lane. Mr. Dorrell also provided a brief explanation of what the channelized median would look like and clarified it would be signed appropriately to help prevent driver confusion.

Marsh questioned if this section of Ashland Street would be included in the study being completed for the Exit 14 Interchange Area Management Plan (IAMP) and asked if the proposed mitigation is consistent with that project. Mr. Pyles stated the IAMP for Exit 14 does not look at an access management strategy west of Tolman Creek Road. However, there may be an opportunity to include this type of system level planning in the final recommendation for the TSP system analysis. Or, it could be done as a follow up, or some type of refinement plan that updates the City's Transportation System Plan. He clarified this type of system level planning is different from the study being completed for the IAMP.

Applicant's Presentation

Mr. Knox agreed to allow a few members of the audience who had time constraints to give their testimony first.

Public Testimony

Greg Jones/641 Faith Avenue/Stated he is not opposed to the proposed development and believes this is a good thing for the area. However, the proposed median and u-turns that would occur at Faith would make one of the City's worst intersections even worse. Mr. Jones stated he has spoken to staff, the City Council, and the Traffic Safety Commission about the problems at Faith and he has yet to see any type of study or mitigation for this area. He stated there has got to be another solution and warned them about creating a worse situation at Faith.

Robin Jokinen /311 E. Hersey Street/Stated she is a small business owner and does deliveries throughout Ashland. Ms. Jokinen explained she has been using Clay Street for 25 years and has never had a problem making a left turn onto Ashland Street. She noted the alternate routes available and explained she does not use Oak Street because of the speed bumps, does not use North Mountain because of the high school and college students, and avoids Walker because of the elementary and middle school. Ms. Jokinen reminded the Commission of the fatal accident that occurred at the intersection of Faith and Ashland and questioned if the proposed development could be accessed from behind the Oil Stop to prevent the median from being installed.

Applicant's Presentation

Mark Knox/ 485 W Nevada Street/ Applicant's Representative/Stated the Applicant agrees with the conditions proposed by staff and ODOT and clarified when they are able to obtain an easement through the Bi-Mart shopping center, the Applicant is willing to pave the driveway to make that connection. Mr. Knox noted the amount of time the Applicant, staff and ODOT has spent working on the median issue and stated no one is taking this situation lightly. He stated the Applicant is willing to pay for their fair share of the median and stated the turning movements out of this site are dangerous with or without this application going through. He clarified it is not this application that is creating the problem and noted ODOT could decide to go in and install the median on their own. He clarified this is a safety issue and stated they do not want to put anyone in a position that is unsafe.

Mr. Knox clarified where the property line ends and where the fencing would be located. Dawkins expressed concern with individuals not being able to connect to the bike path. He stated people will not be inclined to create a new informal path on the slope and stated it would be great if the Applicant could obtain a partial easement for this.

Miller questioned the likelihood of the Applicant getting permission from the Bi-Mart shopping center to access the development site. Mr. Knox noted the informal access that exists today, but clarified they have not yet obtained a legal access from the Oil Stop property. He stated the shopping center is a conglomeration of 17 different owners and it is difficult for this group to come to a decision.

Public Testimony (Cont.)

Mike McGuire/321 Clay Street #51/Stated he would like to continue to be able to make left hand turns from Clay Street onto Ashland Street. He stated he would like to see this development move forward, and stated if the Applicant could get an easement behind the Oil Stop, this would solve the problem.

Helen Leider/321 Clay Street #34/Voiced her concerns with losing access to Ashland Street from Clay Street. She also expressed objection to the noticing that was performed by staff. Ms. Leider stated the proposed median would cause more driving and would affect her quality of life. She noted the upcoming development on Clay Street and stated the City needs more arteries to deal with the traffic.

Elise Thiel/321 Clay Street #19/Stated she is not against to the proposed building, but would oppose this application if it means left hand turns onto Ashland Street would no longer be allowed. She commented on how this proposal would affect the Faith intersection and noted there are a lot of pedestrians who cross at that location. Ms. Thiel voiced her support of retaining the left hand turns from Clay onto Ashland and suggested the City deny any new buildings for this area until an overall traffic study has been completed. She added she hopes the Applicant will be able to gain access to their property from the Oil Stop.

Evan Archerd/2200 Ashland Street/Commented on the importance of supporting local businesses, but stated approving this application with the median installation would cause harm to those who live and work in that area. He stated the issues that have been raised by the traffic engineers are accurate, but stated he does not agree with Kittleson & Assoc.'s conclusions. Mr. Archerd commented on safety and stated there have only been 5 accidents at the intersection of Clay and Ashland in the last 5 years, and 2 of them were on his property and had nothing to do with the intersection. However, there have been 2 fatal accidents at the Faith and Ashland intersection and voiced his objections to diverting traffic to that intersection instead. Mr. Archerd commented on the traffic counts, and stated the traffic study was based on approximately 120 new units on Clay Street; however that development has been reduced to 60 units. Therefore the actual vehicle trips on Clay Street will go down, not up from what was listed in the study. He also noted the proposed development has a much lower number of vehicle trips than the hardware store that previously occupied the site. Mr. Archerd stated the proposed median is not necessary and recommended the Commission approve the application without this condition.

Ron Roth/6950 Old Hwy 99 S/Commented on the driving route he uses daily and stated denying left turn access from Clay onto Ashland Street does not make any sense. Mr. Roth stated he uses Clay Street everyday, but if the median goes in, he will have to use Walker instead, and noted the two schools on this road. He stated it would be in the Bi-Mart shopping centers best interest to provide the easement and stated the existing steep driveway would be impassible in the winter. Mr. Roth encouraged the Commission to decouple this application from the median issue.

Russ Dale/230 Wilson Road/Noted the many properties he has been involved with in this area and strongly encouraged the Commission to approve the proposed development. However, he stated the median is a disaster and stated the Clay/Ashland intersection works fine without any new impediments. He recommended they approve the project, but remove the median condition.

Alan DeBoer/2260 Morada Lane/Noted he is the former owner of the property and voiced his support of Coming Attractions building their headquarters at this location. Mr. DeBoer agreed with the previous speakers that diverting vehicles to make u-turns at Faith is not a good solution, and stated the proposed median would increase vehicle miles traveled. He recommended the Commission approve this application without the median requirement, have the Applicant sign in favor of participating in future improvements, and then direct staff to work on an overall plan for this area.

Dawkins read aloud the written testimony submitted by **Donald Abel/566 Faith Avenue/**The email stated the traffic consequences caused by the proposed median have not been adequately considered, and the fact that he was not notified as an affected party to this change indicates that the larger ramifications were not considered. It stated u-turns are slow and dangerous and take up both lanes. It also indicated these u-turns will interfere with the traffic on Ashland Street, but will also interfere with cars turning either right or left off Faith. Mr. Abel urged the Commission to look at this issue more closely and if necessary do an actual traffic study that addresses the reality of the situation.

Church read aloud the written testimony submitted by **Colin Swales/**The email questioned whether 4 lanes on Ashland Street are needed at the Clay intersection, and whether 3 lanes with a central turn lane would be better. It questioned whether pedestrian crossing and bicycle turning movements were considered in the traffic study, and asked how the median would affect the intersection of Faith and Ashland. It asked what the traffic impacts would be when all of the Clay Street properties are developed to their maximum potential and whether ODOT has considered installing a roundabout at this junction to make turning movements more efficient. It also questioned whether Ashland Street complies with the recently approved changes to the Street Standards in regards to sidewalk width and protection for pedestrians.

Applicant's Rebuttal

Mark Knox/Stated if the Planning Commission decides to not require the median, the Applicant would be supportive of that. However, he cited the 5 traffic engineers who have indicated the median will need to go in, regardless of whether it's this application or the next development. He noted the median issue was talked about with Barclay Square and stated safety matters more than adding one more minute to a driver's commute. Mr. Knox stated the Clay and Ashland intersection is operating at a level of service "F", but the median would bring it to level "B". He stated he hopes the Commission will come to the conclusion that this application stands on its own and should be approved, and the median is more of a community issue that needs to be resolved. He noted ODOT feels strongly that this median needs to go in, and regardless of this project, ODOT is likely to do this on their own in the near future.

Stromberg closed the Public Hearing and the record at 8:50 pm. He also announced the Vista Planning Action would not be heard tonight and would be continued to the December 9, 2008 Planning Commission meeting.

Advice from Legal Counsel and Staff

Comment was made questioning how the City can better control the traffic at the Faith intersection. Mr. Butorac explained the concerns regarding the u-turns at Faith will go away once the new east-west connection is made. He stated the issue at Clay and Ashland is simple and explained there is 330 ft. of intersection site distance and AASHTO requires 412 ft. He stated this is a very black and white line. He added while the Faith intersection does have issues, it meets the AASHTO site distance standards and it also meets City standards.

Church questioned the possibility of severing the requirement for the median from this planning action. Mr. Faught clarified this is an ODOT facility and it is their jurisdiction, and they are requiring this median. He added staff has looked into this and concur with the need for the median. Mr. Butorac stated they have a study before them that indicates this intersection is deficient of site distance; if they defer and any issue (such as a crash) occurs, it puts ODOT, the Applicant, and the City in a very tenuous situation.

Miller noted this site has already been in use, and if the proposed development is built as planned, it will have less traffic than the previous uses. She questioned why these traffic mitigation efforts need to be installed now. Mr. Butorac clarified when this intersection was originally designed, the standards were different. He added this Applicant is required to comply with the current standards.

Deliberations and Decision

Commissioners Dawkins/Marsh m/s to approve Planning Action #2008-01318 as written. DISCUSSION: Several members indicated they would like to discuss dropping the median requirement. Dotterrer suggested they consider removing Conditions 3(L) and 6. Comment was made voicing support for decoupling these issues and taking a more holistic approach to the issues on Ashland Street. Comment was made noting the liability issues, and the 5 traffic engineers who have stated this is an unsafe intersection. Concern was voiced regarding the situation at Faith. Support was voiced for the City to work on a connection between Tolman Creek Rd and Clay Street. Church commented that in his own experience, the proposed median would not solve the problem, and would only push the problems down to the Faith intersection. Miller suggested they work towards putting in arterials before installing the median. She also recommended they hold off on any further urbanization on Clay Street until some comprehensive traffic arrangements have been made. She added the more growth they allow on Clay, the worse the situation will get. Dotterrer commented that they are trying to solve a major transportation problem through land use planning, and this is backwards. Stromberg stated the proposed median would create a new situation at Faith, and they do not have the equivalent ability to evaluate the danger at that intersection. He added to make the Clay/Ashland intersection safe, it would make the Faith/Ashland intersection more dangerous. He noted there would be no ability for larger vehicles to make the u-turn at Faith. He also noted the testimony which indicated the proposed median would divert traffic to Walker Avenue, which has two schools along it.

Commissioners Dotterrer/Miller m/s to amend motion to remove Condition 3(L) and Condition 6. Roll Call Vote: Commissioners Church, Dawkins, Mindlin, Miller, Dotterrer and Stromberg, YES. Commissioners Morris and Marsh, NO. Motion passed 6-2.

DISCUSSION on Main Motion as Amended: Marsh suggested they ask the Applicant to pursue the extension of the bikepath through their property. Comment was made questioning whether they could legally require this since it would have to cross the railroad tracks. Mindlin voiced her support for asking the Applicant to have a future access in the event legal access is granted.

Commissioners Dawkins/Dotterrer m/s to extend meeting to 10:00 p.m. Voice Vote: all AYES. Motion passed.

Commissioners Mindlin/Marsh m/s to amend motion to require the Applicant to provide a future connectivity route to what is now the informal pathway, connecting to the bikepath and through the property to sites on southeast side, at such time a legal connection is made. DISCUSSION: Marsh stated they have an opportunity here, and if they do not act on it, once the lot is developed the opportunity for the path is lost. Mr. Molnar clarified this condition would be activated if and when there is a legal crossing of the railroad tracks. Miller noted that if this property were to change hands, this condition would ensure that this future connection happens. **Roll Call Vote: Commissioners Marsh, Church, Miller, Dawkins, Dotterrer, Mindlin, Morris and Stromberg, YES. Motion passed 8-0.**

DISCUSSION on Main Motion as Amended: Mr. Appicello clarified it is the Commission's job to make a defensible decision and noted the criteria requiring adequate transportation facilities. He recommended the Commission provide clear justification for their decision so that staff can prepare findings. He also recommended the Commission address what would happen if ODOT denies the Applicant's approach permit unless the median is installed. Stromberg clarified the Commission is interested in the safety of the entire transportation system for this area, not just one intersection. He noted the lack of a sufficient turn around for larger vehicles at the Faith/Ashland intersection and noted additional traffic would be diverted onto other streets that have their own hazards. He stated the proposed median focuses on one intersection and does not take into consideration the effects it will have at the Faith intersection. He also noted the lack of a model to evaluate Faith Street as stringently as the Clay intersection was evaluated. Mr. Stromberg added it is the Commission's feeling that what is being proposed is not a responsible, safe solution. Mr. Appicello recommended the Commission consider including a provision that states nothing in this approval stops ODOT from granting approach permits with whatever conditions they deem necessary.

Commissioners Dotterrer/Dawkins m/s to amend motion to include that this approval does not preclude ODOT from imposing conditions on the approach permit to the Applicant. Roll Call Vote: Commissioners Church, Dawkins, Dotterrer, Marsh, Miller, Mindlin, Morris and Stromberg, YES. Motion passed 8-0.

Roll Call Vote on Main Motion as Amended: Commissioners Church, Dawkins, Dotterrer, Marsh, Miller, Mindlin, Morris and Stromberg, YES. Motion passed 8-0.

B. PLANNING ACTION: 2008-00911

SUBJECT PROPERTY: 2300 Siskiyou Blvd.

APPLICANT: Steve Asher

DESCRIPTION: A request for Site Review approval to construct thirteen condominium units for the property located at 2300 Siskiyou Boulevard. Also included are requests for a Physical & Environmental Constraints Review Permit to allow tree removal and parking space installation on Flood Plain Corridor/Riparian Preservation Lands adjacent to a culverted section of Clay Creek; Tree Removal Permits to remove 36 of the site's 78 trees; and an Exception to Street Standards to not install sidewalks and curbs along Siskiyou Boulevard frontage. (The approval of this application would replace the previous Performance Standards Options subdivision approval from PA #96-131).

COMPREHENSIVE PLAN DESIGNATION: Low Density Multi Family Residential; ZONING: R-2; ASSESSOR'S MAP #: 39 1E 14 CA; TAX LOTS: 7700, 7800, 7801, 7802, 7803, 7804, 7805, 7806, 7807 and 7808.

Declaration of Ex Parte Contact

No ex parte contact was reported. Commissioners Stromberg, Dawkins, Church, Dotterrer, Miller, Marsh and Mindlin all had site visits.

Commissioners Mindlin/Church m/s to extend meeting to 10:30 p.m. Voice Vote: all AYES. Motion passed.

Staff Report

Associate Planner Derek Severson presented the staff report and provided a brief overview of the project. He noted the location of the site is on the corner of Bellview and Siskiyou, adjacent to the Ashlander Apartments. Mr. Severson commented on the 1996 subdivision approval and clarified the current proposal would replace the previous one in its entirety. He stated this application includes a request to construct 13 condominium units, as well as tree removal permits to remove 38 of the site's 78 trees, an exception to the Street Standards to not install sidewalks and curbs along the Siskiyou Boulevard frontage, and a request to allow parking space installation on Floodplain Corridor/Riparian Preservation Lands.

Mr. Severson noted this application could have been approved administratively; however, staff felt there were issues that warranted this application coming before the Planning Commission, including: 1) the open space requirement, 2) the location of the surface parking, and 3) the request for an exception to the Street Standards to not install curbs or sidewalks along the Siskiyou frontage. He clarified the Applicant is proposing to install street trees and patch the path that currently exists along the Siskiyou frontage rather than installing a new sidewalk. He stated staff is recommending approval, without the exception to the Street Standards.

Comment was made noting a newer development down the street does not have a sidewalk in front of it, and applying the City's public improvement standards project by project may be causing more problems than it is solving. Additional comment was made questioning the placement of the open space. Mr. Severson clarified numerically, the Applicant meets the standard; however, the Commission must determine whether it functionally meets the standard.

Applicant's Presentation

Mark Knox/485 W Nevada Street/Representing the Applicant/Stated this is one of the most complex projects he has worked on due to a number of factors including the trees, the shape of the property, and the density. Mr. Knox commented on the open space requirements and noted they did have to spread this space out, but they do meet the requirements. He added the minimum requirement is 8% and they are proposing 17.5% of open space. He commented briefly on some of the smaller, narrower spaces and clarified they were not required to include these areas, but felt the residents would need some extra space to store some of their things. He added these smaller spaces were never intended to be "recreational spaces." He

added if you eliminate these areas, this application still meets the open space requirement. Mr. Knox noted the central green area and stated they do believe this will be used as a recreational space. He also commented on the improvements to Siskiyou Boulevard and displayed a photo of a section of the current path. He stated they feel very strongly that this type of pathway is superior to what is being recommended by staff. He noted it is setback further from the street and provides better protection to pedestrians. However if the Planning Commission disagrees, he indicated they will comply with the Street Standards. Mr. Knox clarified they are proposing to install trees and patch the pathway to make it look consistent with the section shown in the photo.

Carol Sunahara/919 Bellview Avenue #3/Stated the application does not meet the approval criteria for Physical and Environmental Constraints and does not think it should be approved. She stated potential impacts to the property and nearby areas have not been considered and adverse impacts have not been minimized. Ms. Sunahara stated the Applicant has not considered the potential hazards the development may create and stated this area of Siskiyou and Bellview is densely populated and there should really be a sidewalk and crosswalk there. She also expressed her concerns with the proposed tree removals and stated these trees are needed to prevent the erosion of Clay Creek.

C. PLANNING ACTION: 2008-01517

SUBJECT PROPERTY: 232 Vista Street

APPLICANT: Kerry KenCairn

DESCRIPTION: A request for a Minor Land Partition, a Type II to Variance to the requirement that the new lot have a paved 20-foot wide access or an unpaved 20-foot wide access with less than 10 percent slope, and a Physical and Environmental Constraints Permit for development and tree removal on Hillside Lands.

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; ZONING: R-1-7.5; ASSESSOR'S MAP #: 39 1E 09BC; TAX LOT: 7500

This item will be continued to the December 9, 2008 Planning Commission meeting.

OTHER BUSINESS

A. Update – APA Legal Issues Forum

This item was not addressed due to time constraints.

ADJOURNMENT

Meeting adjourned at 10:30 p.m.

*Respectfully submitted,
April Lucas, Administrative Assistant*

BEFORE THE PLANNING COMMISSION

December 9, 2008

DRAFT

IN THE MATTER OF PLANNING ACTION #2008-01318, A REQUEST FOR)
SITE REVIEW APPROVAL TO REDEVELOP THE EXISTING 5,418 SQUARE)
FOOT, SINGLE-STORY OFFICE BUILDING LOCATED AT 2200 ASHLAND)
STREET INTO AN 18,971 SQUARE FOOT, THREE-STORY OFFICE AND)
RETAIL BUILDING. THE PROPERTY IS LOCATED WITHIN THE DETAIL)
SITE REVIEW ZONE AND THE DEVELOPMENT IS SUBJECT TO THE)
ADDITIONAL STANDARDS FOR LARGE SCALE PROJECTS AND ASHLAND)
BOULEVARD CORRIDOR DESIGN STANDARDS. ALSO INCLUDED ARE) **FINDINGS,**
REQUESTS FOR: ADMINISTRATIVE VARIANCE TO THE SITE DESIGN AND) **CONCLUSIONS**
USE STANDARDS AND EXCEPTION TO STREET STANDARDS RELATING) **AND ORDERS**
TO THE RECONFIGURATION OF OFF-STREET PARKING BETWEEN THE)
BUILDING AND ASHLAND STREET AND TO ASHLAND STREET)
IMPROVEMENTS, AND TREE REMOVAL PERMITS TO REMOVE SIX TREES)
GREATER THAN SIX-INCHES IN DIAMETER-AT-BREAST-HEIGHT.)

APPLICANTS: Coming Attractions Theatres)
-----)

RECITALS:

- 1) Tax lot 300 of Map 39 1E 14BB is located at 2200 Ashland Street and is zoned C-1 (Commercial).
- 2) The applicants are requesting Site Review approval to redevelop the existing 5,418 square foot, single-story office building located at 2200 Ashland Street into an 18,971 square foot, three-story office and retail building. The property is located within the Detail Site Review Zone and the development is subject to the Additional Standards for Large Scale Projects and Ashland Boulevard Corridor Design Standards. Also included are requests for: Administrative Variance to the Site Design and Use Standards and Exception to Street Standards relating to the reconfiguration of off-street parking between the building and Ashland Street and to Ashland Street improvements, and Tree Removal Permit to remove six trees greater than six-inches in diameter-at-breast-height. The site plan and building elevations are on file at the Department of Community Development.
- 3) The criteria for Site Review approval are as follows:
 - A. All applicable City ordinances have been met or will be met by the proposed development.
 - B. All requirements of the Site Review Chapter have been met or will be met.
 - C. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.

- D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.
- 4) The criteria for an Administrative Variance are as follows:
- A. There is a demonstrable difficulty in meeting the specific requirements of the Site Design Standards due to a unique or unusual aspect of the proposed use of a site;
 - B. Approval of the variance will not substantially negatively impact adjacent properties;
 - C. Approval of the variance is consistent with the stated purpose of the Site Design and Use Chapter; and
 - D. The variance requested is the minimum variance which would alleviate the difficulty.
- 5) The criteria for an Exception to Street Standards are 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 variance will result in equal or superior transportation facilities and connectivity;
 - C. The variance is the minimum necessary to alleviate the difficulty; and
 - D. The variance is consistent with the stated Purpose and Intent of the Performance Standards Options Chapter.
- 6) The criteria for a Tree Removal Permit are as follows:
- 1. The tree is proposed for removal in order to permit the application to be consistent with other applicable Ashland Land Use Ordinance requirements and standards, including but not limited to applicable Site Design and Use Standards and Physical and Environmental Constraints. The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application; and
 - 2. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks; and
 - 3. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property.

The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone. Nothing in this section shall require that the residential density 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 or alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the Ashland Land Use Ordinance.

4. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.
- 7) The Planning Commission, following proper public notice, held public hearings on October 14 and November 12, 2008 at which time testimony was received and exhibits were presented. The Planning Commission approved the requested Site Review, Administrative Variance, Exception to Street Standards and Tree Removal Permits subject to conditions pertaining to the appropriate development of the site.

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

SECTION 1. EXHIBITS

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

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

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

SECTION 2. CONCLUSORY FINDINGS

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

2.2 The Planning Commission finds that the office, retail, and café-restaurant uses proposed for the building are in compliance with the permitted uses in the C-1 Commercial zoning district, and that similar uses. The Planning Commission finds that while the C-1 zoning district does not require standard setbacks from property lines, because the property abuts a residential zoning district to the south, across the railroad tracks, a ten-foot per story rear yard setback is required. In addition, the Commission finds that properties along Ashland Street are subject to special setback requirements that they provide both a 65-foot setback from the centerline of the street and no less than a 20-foot front yard. The Planning Commission finds that the three-story building proposed is located more than 30 feet from the rear property line and thus satisfies the required rear yard setback, and because the building is more than 90 feet from the edge of sidewalk on Ashland Street, and approximately 46 feet from the property line, it complies with the special setbacks as well. The Commission further finds that the proposed building height of 40 feet complies with the maximum 40-foot building height allowed in the zoning district, and that the proposal will result in approximately 29 percent

landscaping on site, which exceeds the 15 percent minimum landscaping requirements for the district.

2.3 The Planning Commission finds that the project is in compliance with the Basic Site Review Standards for Commercial Development, Detail Site Review Standards, Additional Standards for Large Scale Projects, and Ashland Boulevard Corridor Standards. The Commission further finds that the proposed addition adds two stories to the existing building and incorporates an entry atrium, greatly strengthening both the building's orientation to the street and sense of entry despite the challenges posed by the distance and grade change between the building and the sidewalk. In addition, the Commission finds that the sidewalk being provided from the existing sidewalk on Ashland Street down the slope adjacent to the driveway provides a pedestrian connection from the building to the street, and that this connection is further strengthened by the secondary entrance proposed on the façade facing the driveway and new sidewalk connection.

The Planning Commission finds that the building's 18,971 square feet achieve a 0.36 floor area ratio (F.A.R.) on the 52,187 square foot lot, complying with the requirement for an F.A.R. between 0.35 and 0.50. The Commission further finds that the proposed new entry atrium element on the north façade provides a symmetrical balance and division of the building's mass while strengthening the sense of entry, and that the design has incorporated varying surface treatments, changes in relief, and covered entries to further strengthen the entry, break up the building's mass, relate to human scale and provide shelter for pedestrians. The Commission also finds that the two plaza areas provided represent more than the required ten percent of the building area, and incorporate all six of the desired plaza space elements: sitting space, areas for sun and shade, protection from wind, trees, water features and outdoor eating areas.

2.4 The Planning Commission finds that there is adequate capacity of City facilities available to serve the proposed buildings. Existing facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation via existing streets are in place and serve the existing building. The applicants propose to upgrade existing facilities where necessary to serve the proposed development, including undergrounding the existing overhead electrical services at the developer's expense. The applicants have proposed to install a bio-swale and additional engineered detention measures to address on-site stormwater detention and filtration, and will use permeable pavers for a significant portion of the site's proposed paving to minimize run-off.

2.5 The Planning Commission finds that in order to insure the viability, safety and integrity of Ashland Street as a through corridor it is necessary to consider adequate transportation from a broader perspective, with consideration not only of the intersection of Ashland Street and Clay Street which is immediately adjacent to the proposed development's driveway, but also with regard to the potential impacts that modifications to this intersection would have on other intersections in the vicinity, particularly that of Ashland Street and Faith Avenue. In considering the testimony presented, the Planning Commission finds that proposed modifications to address sight and stopping distances at the intersection of Ashland Street and Clay Street would directly affect the Faith Avenue

intersection by re-directing U-turn traffic, including truck traffic which the intersection could not accommodate in its present configuration according to the testimony received. The Planning Commission further finds that based on the testimony presented by numerous speakers and supported by the Commissioners' personal experiences, the installation of the recommended median to limit left turning movements at the Clay Street intersection would have negative impacts to the Faith Avenue intersection and to adjacent streets such as Walker Avenue with schools which would outweigh any improvement achieved at Clay Street, thus resulting in a net reduction in safety for the corridor as a whole. The Planning Commission further finds it necessary to provide for a future driveway connection to enable consolidation of access points with the developments located to the east of the subject property at such time as easements become available, and a condition to this effect has been added.

2.6 The Planning Commission finds that Ashland Street is a state highway and falls under the jurisdiction of the Oregon Department of Transportation (ODOT). The Commission recognizes that the development proposed will be subject to an ODOT driveway approach permit in order to take access from a state highway facility, and a condition has been added to make clear that nothing in the approval being granted is intended to limit ODOT's ability to impose whatever conditions they deem necessary on the required ODOT driveway approach permit.

2.7 The Planning Commission finds that the combination of the right-of-way width, location of improvements within the right-of-way including the overpass, the presence of areas of 50 percent slope between the building and the existing street improvements, and the distance and grade change between the building and the street represent demonstrable difficulties which support granting the requested Administrative Variance for the placement of some of the parking between the building and the street. The Commission further finds that the standard relating to the placement of parking is directly tied to the stated purpose of the Site Design Review Chapter, which is partly to "*[T]o enhance the environment for walking, cycling and mass transit use...*" Typically, the placement of parking between the building and the street not only alters the building's orientation and relationship to the streetscape, but also creates real and perceived barriers for pedestrians and bicyclists, however in this case, the grade change and distance between the existing street improvements affect the building's orientation to a degree that the Commission finds that the placement of the parking as proposed does not result in additional substantially negative impacts. The Planning Commission further finds that the proposed building modifications significantly strengthen the building's orientation to the street and the proposed third story helps this orientation overcome some of the distance and grade change to better relate to the pedestrian streetscape, and that by extending a direct connection from the existing Ashland Street sidewalk along the driveway to the building, the proposal has addressed building orientation and connectivity in a manner consistent with the Chapter and the standard. The Commission finds that the application has satisfied the requirements for the requested Administrative Variance to the Site Design and Use Standards.

2.8 The Planning Commission finds that the application has satisfied the requirements for an Exception to Street Standards with regard to required improvements along Ashland Street. The Commission further finds that the construction of the railroad overpass has created severe slopes and

an exaggerated separation between the property line and the existing street improvements, resulting in a demonstrable difficulty in providing additional sidewalk width or planting street trees which might affect the overpass slope's stability according to the applicants' engineer. The Planning Commission finds that in order to provide equal or superior transportation facilities and pedestrian connectivity in a manner consistent with the purpose and intent of the Performance Standards Options Chapter, in addition to the applicants' providing a sidewalk connection from the existing Ashland Street sidewalk to be installed curbside adjacent to the driveway, that the applicant also make provisions for future connectivity by providing a route to formally connect what is now the informal pathway from the Central Ashland Bikepath (CAB) through the subject property's driveway system and out to the properties to the southeast. This route would be provided at such time as a legal connection, in the form of the necessary public access easement to cross the railroad right-of-way, becomes available.

2.9 The Planning Commission finds that the application satisfies the applicable criteria for a Tree Removal Permit to remove six of the existing trees on and adjacent to the site, including one tree within the ODOT right-of-way located within the path of the proposed sidewalk. The Commission further finds that the removals are proposed in order both to accommodate the proposed redevelopment of the site and to address the declining health of some of the trees. The Commission finds that the proposal is consistent with the applicable approval criteria given the location of the trees relative to the existing building, the extent of the proposed redevelopment of the site in order to bring it fully into compliance with standards, and the proposed re-landscaping of the full site.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the application for Site Review approval to redevelop the existing 5,418 square foot, single-story office building into an 18,971 square foot, three-story office and retail building, an Administrative Variance to the Site Design and Use Standards and Exception to Street Standards relating to the reconfiguration of off-street parking between the building and Ashland Street and to Ashland Street improvements, and Tree Removal Permits to remove six trees greater than six-inches in diameter-at-breast-height (d.b.h.) has satisfied all relative substantive standards and criteria and is supported by evidence in the record.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve the requested Site Review, Administrative Variance, Exception to Street Standards and Tree Removal Permits for Planning Action # 2008-01318. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2008-01318 is denied. The following are the conditions and they are attached to the approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified herein.
- 2) That the conversion of any portion of the building's general office space to a different commercial use shall require approval by the Ashland Planning Department to verify that the total parking

requirements do not exceed the 48 available off-street parking spaces approved with this application.

3) That building permit submittals shall include:

- a) 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 for a modification of this Site Review approval shall be submitted and approved prior to issuance of a building permit.
- b) All easements, including public utility, pedestrian access, drainage and fire apparatus access easements shall be identified on the building permit submittals.
- c) The applicants shall submit an electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Planning, Building and Electric Departments prior to the issuance of the building permit. Transformers and cabinets shall be located in areas least visible from streets, while considering the access needs of the Electric Department.
- d) That a final utility plan for the project shall be reviewed and approved by the Engineering Division and Building Divisions prior to issuance of a building permit. The utility plan shall include the location of connections to all public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Any necessary service upgrades shall be at developer's expense.
- e) That a revised drainage plan, including any necessary on-site detention measures, shall be submitted at the time of a building permit application for review and approval by the Building, Planning and Engineering Divisions. Evidence of any necessary drainage easements shall be provided with the revised drainage plan.
- f) A comprehensive sign program in accordance with the requirements of Chapter 18.96 shall be developed for the building and submitted for review and approval concurrently with the building permit submittals. The applicants shall obtain a Sign Permit prior to installation of any signage, and all requirements of Chapter 18.96 shall be met. Signage located on ODOT right-of-way must be approved by ODOT and evidence of approval provided with the sign permit application.
- g) Lot coverage calculations shall be provided which differentiate new and existing coverage areas on the subject property, including buildings, plazas, sidewalks, walkways, parking areas and all other proposed lot coverage. These calculations are to be used to ensure that the applicants receive proper credit in calculating systems development charges (SDC's) for stormwater at the time of building permit issuance.
- h) The inverted u-racks shall be used for the bicycle parking. Ten bicycle parking spaces shall be installed in accordance with design and rack standards in 18.92.040.I and J prior to the issuance of the certificate of occupancy. The building permit submittals shall verify that the number, spacing and coverage requirements for bicycle parking are met in accordance with

18.92.040.I.

- i) That the color, texture, dimensions, shape and building materials for all exterior components of the project be included at the time of submission of building permit. The information shall be consistent with the colors, texture, dimensions and shape of materials and building details proposed and approved as part of the land use application.
 - j) Revised Landscape, Irrigation and Tree Protection Plans shall be provided for the review and approval of the Staff Advisor prior with the building permit submittal. These revised plans shall address: 1) the recommendations of the Ashland Tree Commission, where consistent with the Site Design and Use Standards and with final approval by the Staff Advisor; 2) identification of required mitigation trees; 3) irrigation system requirements including programmable automatic timer controllers and maintenance watering schedule with seasonal modifications. The applicants shall obtain the required plumbing permits and inspections for installation of the required double-check valve(s) associated with the irrigation system. The applicants shall provide evidence of easement for landscaping to be installed on the adjacent tax lot (39 1E 14BB 200).
 - k) Exterior lighting shall be shielded to prevent direct illumination to abutting properties. Specific lighting fixture details shall be provided for the review and approval of the Staff Advisor with the building permit submittal.
 - l) That the engineered construction drawings for the sidewalk and curb adjacent to the driveway within the ODOT right-of-way shall be submitted for review and approval of the Oregon Department of Transportation and the Ashland Planning and Engineering Divisions. The sidewalk shall be a minimum of five feet in width. Prior to the issuance of a building permit or commencement of work within the right-of-way, the applicant shall submit documentation of approved ODOT permits for all work to be done within the ODOT right-of-way including but not limited to the driveway and approach, utility installation, landscaping, tree removal, and signage.
 - m) Building plans shall be revised to increase the depth of the covered areas beneath the awnings at the primary and secondary entrances to a minimum of seven feet, in keeping with the Detail Site Review requirements to provide protection for pedestrians from rain and sun.
- 4) That prior to the issuance of a building permit:
- a) A Tree Verification Permit shall be applied for and approved by the Ashland Planning Division prior to permit issuance, site work, building demolition, and/or storage of materials. The Verification Permit is to inspect the identification of the trees to be removed and the installation of tree protection fencing for the tree to be retained. The tree protection shall be chain link fencing six feet tall and installed in accordance with 18.61.200.B.
- 5) That prior to the issuance of a certificate of occupancy:
- a) All service and equipment installations shall be installed according to Ashland Electric Department specifications prior to certificate of occupancy. Electric service shall be installed underground to serve the building, and existing overhead service removed as proposed by the applicants, prior to the issuance of the certificate of occupancy. The electric service plan

shall be reviewed and approved by the Ashland Electric Department and Ashland Engineering Division prior to installation.

- b) The requirements of the Ashland Fire Department including fire apparatus access and work area, hydrant and fire department connection spacing and clearance, flow requirements, and approved addressing shall be clearly identified on the construction drawings, and shall be reviewed and approved by the Ashland Fire Department prior to the issuance of a Certificate of Occupancy.
 - c) Required mitigation measures for the trees removed shall be completed prior to the issuance of a certificate of occupancy. The applicants shall provide for on-site or off-site planting of mitigation trees, or make payment in-lieu of replanting as required by ordinance. Any trees to be planted as on-site mitigation shall be identified on the revised Landscape Plan to be submitted with the building permit.
 - d) All hardscaping, including driveways, sidewalks, walkways, and required automobile and bicycle parking; landscaping; and the irrigation system, including that located in the landscape median in Ashland Street shall be installed according to the approved plans, inspected and approved by the Staff Advisor.
 - e) Screening for the trash and recycling enclosure shall be installed in accordance with the Site Design and Use Standards. An opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure in accordance with 18.72.115.A.
6. That prior to the issuance of a building permit, the applicant shall sign an agreement indicating that in the event that an access easement over the properties to the east (Tax Lots 1300, 1500, and 1800) can be obtained in the future, the driveway within the ODOT right-of-way shall be modified at the subject property's owner's expense to accommodate access over those properties. Final language of this agreement shall be approved by the Staff Advisor and City Attorney prior to the applicant's signature.
7. That the applicant shall provide a future connectivity route to what is now the informal pathway connecting to the Central Ashland Bikepath (CAB) through the subject property to properties on the southeast side at such time as a legal connection is made.
8. That nothing in this approval shall preclude the Oregon Department of Transportation (ODOT) from imposing conditions on an approach permit to the applicant.

Planning Commission Approval

Date

**TYPE II
PUBLIC HEARINGS**

**ASHLAND PLANNING DEPARTMENT
STAFF REPORT
October 14, 2008**

PLANNING ACTION: #2008-00911

APPLICANT: Steve Asher

LOCATION: 2300 Siskiyou Boulevard

ZONE DESIGNATION: R-2

COMPREHENSIVE PLAN DESIGNATION: Low Density Multi-Family Residential

APPLICATION DEEMED COMPLETE: September 20, 2008

120-DAY TIME LIMIT: January 18, 2009

ORDINANCE REFERENCE:	18.61	Tree Preservation and Protection
	18.62	Physical & Environmental Constraints
	18.72	Site Design Review
	18.88.050	Exception to Street Standards

REQUEST: A request for Site Review approval to construct thirteen condominium units for the property located at 2300 Siskiyou Boulevard. Also included are requests for a Physical & Environmental Constraints Review Permit to allow tree removal and parking space installation on Flood Plain Corridor/Riparian Preservation Lands adjacent to a culverted section of Clay Creek; Tree Removal Permits to remove 38 of the site's 78 trees; and an Exception to Street Standards to not install sidewalks and curbs along Siskiyou Boulevard frontage. *(The approval of this application would replace the previous Performance Standards Options subdivision approval from PA #96-131).*

I. Relevant Facts

A. Background - History of Application

In April 1998, an application for a Conditional Use Permit and Site Review approval was granted to allow a medical office in the residence located on Tax Lot #1900 on the subject property (PA #98-037).

In April 1998, an extension of the 1996 approval for a nine-lot subdivision was granted (PA #98-079).

In February 1997, an application for Site Review, Outline and Final Plan approval for a nine-lot multi-family subdivision to consist of one existing home and eight new units was approved (PA #96-131). This approval included a Condition #16 which required a deed restriction in favor of the City of Ashland prohibiting the further division of the property.

In April 1993, an application for Site Review approval for a 20-unit condominium complex was approved (PA #92-132). Building permit plans for this project were submitted and reviewed, but were never issued and the approval was ultimately revoked in 1995.

In November 1990, the property was rezoned from High Density Multi-Family Residential (R-3) and Single Family Residential (R-1-7.5) to Low Density Multi-Family Residential (R-2). (PA #90-178/Ordinance #2603). The findings noted that the adoption of site design guidelines, floodplain corridor regulations, and performance standards options had impacted the ability to develop the property to its maximum density, and that the zone change allowed for a more reasonable transition between zones.

In December 1989, a Minor Land Partition to create two lots was approved (PA #89-221). This approval separated the subject property from its parent property to the south which was developed as an 18-unit subdivision.

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

B. Detailed Description of the Site and Proposal

The subject property is irregularly shaped, consisting of nine tax lots on 1.16 acres located at the southwest corner of the intersection of Siskiyou Boulevard and Bellview Avenue. The property is zoned Low Density Multi-Family Residential (R-2). Currently, there is a large home which was previously approved for use as a medical office near the center of the property, and a large outbuilding near the south property line, as well as parking areas adjacent to the existing buildings and two driveways. The current lot configuration is based on a 1996 subdivision approval; the plat for this subdivision was recorded creating the nine existing lots and a variety of associated easements, however the subdivision was not built as originally proposed and the current proposal would replace that approval.

To the east and west, adjacent properties are zoned High Density Multi-Family Residential (R-3). Immediately to the south is Bellview View Estates, an 18-unit multi-family subdivision consisting of five duplexes and eight townhomes zoned Low Density Multi-Family Residential (R-2), and further south properties are zoned Single Family Residential (R-1-7.5). To the north, across Siskiyou Boulevard, properties are zoned High Density Multi-Family Residential (R-3) and Employment (E-1). Immediately to the southwest of the subject property is a 2.41 acre parcel accessed off of upper Clay Street via Chitwood Lane. This parcel is owned by the City of Ashland and intended for future development as a neighborhood park

The subject property is generally wooded with a mix of native shrubs, conifers and hardwood trees, and the submittals identify 78 trees on site greater than six-inches in diameter at breast height (d.b.h.). Clay Creek, a riparian preservation creek, and its associated flood plain traverse the southwesterly corner of the site, however the only a small portion of the creek is day-lighted in this vicinity. The creek flows into a detention pond on an adjacent property to the west and is then piped through the Ashlander Apartments property immediately to the west of the subject property.

1. Site Review

The applicants propose to demolish the existing structures and construct 13 condominium units in five buildings around the perimeter of the subject property. The proposed buildings would consist of a four-plex at the southwest corner of the site, a triplex on the west side of the site, two duplexes along the Siskiyou Boulevard frontage and a third along Bellview. The unit sizes are proposed to vary from one to three bedrooms.

The existing driveway access off of Siskiyou Boulevard is to be closed, and vehicular access is to be limited to a single driveway off of Bellview Avenue which will provide access to private garages for the units as well as some surface parking. The looped driveway system circles a central greenspace and provides internal circulation for residents as well as emergency and service vehicle access.

Parking calculations have been provided demonstrating that 23 parking spaces are required for the proposal, and 24 parking spaces are identified on the site plan submitted. One of these spaces will need to be removed to provide the required disabled person parking space. Each of the condominium units are proposed with a private garage to accommodate automobile and bicycle parking, with the remaining required automobile spaces provided through surface spaces located around the site.

2. Exception to Street Standards

The subject property's Siskiyou Boulevard frontage is paved, but lacks curbs and gutters. A parkrow planting strip is in place but it lacks regularly spaced street trees, and an asphalt multi-use path, broken in places due to tree roots, runs along the full Siskiyou Boulevard frontage instead of a standard sidewalk. The property's Bellview Avenue frontage is improved with paving, curbs, gutters, parkrow planting strip and sidewalks, but lacks street trees. The applicants would typically be required to improve the full Siskiyou Boulevard frontage to current street standards by installing curbs and gutters, parkrow planting strips and street trees, and standard city sidewalks, however the applicants are requesting an Exception to Street Standards in order to defer the curb and sidewalk installation until Siskiyou Boulevard improvements can be comprehensively planned as part of the larger street system, as through a Local Improvement District (LID).

3. Physical & Environmental Constraints Review Permit

The proposal includes two components which trigger review under the Physical & Environmental Constraints Chapter. Portions of three parking spaces are proposed to be placed within twenty feet of the surveyed top of bank line. The application notes that the encroachment covers an area of less than 400 square feet located between proposed units #7 and #8, and points out that a portion of this space is already paved as part of the existing paved driveway which is to be removed. In addition, four trees (#38, #39, and #40 which are 12-inch, 32-inch and 21-inch Black Locusts located

behind the proposed triplex along the west side of the property, and #44 which is a 26-inch Giant Sequoia located near the northwest corner of the site) within 20 feet of the surveyed top of bank are also proposed to be removed.

4. Tree Removal Permit

In addition to the four trees being removed from the riparian preserve lands, an additional 34 of the 78 trees identified as being over six-inches in diameter at breast height are proposed to be removed. These are primarily within or immediately adjacent to the proposed building envelopes and driveway areas, but also include ten trees along the north property line adjacent to the Siskiyou Boulevard right-of-way where a number of the site's trees are heavily concentrated.

II. Project Impact

The application requests Site Review approval to construct thirteen condominium units, and includes requests for a Physical & Environmental Constraints Review Permit to allow tree removal and parking space installation on Flood Plain Corridor/Riparian Preserve Lands adjacent to a culverted section of Clay Creek, Tree Removal Permits to remove 38 of the site's 78 trees, and an Exception to Street Standards to not install sidewalks and curbs along the subject property's Siskiyou Boulevard frontage. The construction of attached single-family housing including condominiums is subject to Type I administrative approval in all residential zoning districts, however in reviewing the application staff felt that two issues which were raised in the application, as outlined below, merited further consideration by the full Planning Commission before a decision could be reached. The item was thus scheduled for a Type II public hearing pursuant to AMC 18.108.040.A.7.

A. Site Review

Applicable Ordinances

The first criterion for Site Review approval is that, "*All applicable City ordinances have been met or will be met by the proposed development.*" The proposed condominiums are a permitted use within the Low Density Multi Family Residential District. Within this district, the base density is 13.5 dwelling units per acre, and developments are required to provide at least 80 percent of the calculated base density. The subject property is 1.16 acres, and has a base density of 15.66 (*1.16 acres x 13.5 dwelling units per acre = 15.66 dwelling units*). The 13 dwelling units proposed represent 83 percent of the base density, satisfying the minimum density requirements for the district.

Standard yard requirements within the zoning district call for front yards to be a minimum of 15 feet excluding garages, however unenclosed porches are permitted with a minimum setback of ten feet from the front property line. Side yards are required to be six feet, except that side yards of a corner lot abutting a public street are required to have a ten foot setback. And rear yards are required to provide at least ten feet per story. As proposed, the application complies with these requirements. The maximum allowed lot coverage within the zoning district is 65 percent, and the application as proposed will result in only 52 percent

of the site is to be covered. The maximum building height is limited to 35 feet or 2 ½ stories, and the buildings proposed comply with this requirement as well.

Site Review Chapter Requirements

The second Site Review criterion is that, “*All requirements of the Site Review Chapter have been met or will be met.*” The applicants have proposed to provide individual refuse and recycling containers for each units to address the ordinance requirements, and a screened trash enclosure is to be provided on site. A condition has been recommended below to require that they be installed prior to occupancy; another condition is recommended requiring that compliance with restrictions on the direct illumination of surrounding properties be demonstrated by providing specifications for proposed exterior lighting fixtures in the building permit submittals.

With the removal of the driveway on Siskiyou Boulevard, and limiting access to the site to a single driveway from Bellview Avenue, the project complies with controlled access standards which require that driveways on residential streets be a minimum of 35 feet from intersections and a minimum of 50 feet from the nearest driveway. As proposed, the Bellview driveway is more than 100 feet from the intersection and 60 feet from the driveway located to the south.

Site Design & Use Standards

The third approval criterion is that, “*The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.*” The Site Design Standards address building orientation, streetscape, open space, natural climate control and building materials. In terms of orientation, buildings are to have their primary orientation to the street, are to comply with required setbacks, and are to be accessed from the street and sidewalk. The streetscape is to include street trees and appropriate front yard landscaping, and landscaping is to include a variety of locally-adapted trees, shrubs and flowering plants with as many of the existing, healthy trees to be preserved as possible. Trees are to be selected to provide natural climate control for the site, and parking areas are to be shaded by large canopied trees and buffered from adjacent uses, and all landscaping is to be irrigated. Building materials and colors are to be compatible with the surroundings and very bright or neon colors are not to be used. The proposed site and building design responds directly to these requirements.

An area equal to at least eight percent of the subject property’s total lot area is required to be dedicated to open space for recreation for use by the tenants of the development; to satisfy the requirement, an area is required to be treated in a surface suitable to human recreational use and may not be covered with shrubs, bark mulch, etc. The application initial submittal materials indicated that fully 17 ½ percent of the site was to be provided for recreational use by tenants; areas identified to satisfy this standard included a central community greenspace located in the center of the driveway loop, lands adjacent to the surveyed top-of-bank, and smaller open spaces around the individual buildings. Staff expressed concerns that some of the areas identified as recreational open space did not appear to provide sufficient area for functional recreational use, including some areas identified as providing private yard areas which were five-feet or less in depth.

In responding to these concerns, the applicant have noted that there is no clear definition within the Ashland Municipal Code clarifying what constitutes recreational space, and have provided revised calculations and a revised site plan noting that even without the center green and some of the smaller yard areas, 12 ¾ percent of the site still serves as open space to more than satisfy the eight percent requirement. In reviewing these most recent submittals, staff note that porches are included in the recreational space calculations despite being bisected by travel paths to and from the doors, and that many of the yard areas included are still less than ten feet deep. In staff's view, the availability of useable recreational space to individual residents is a key component to the livability of a development, and a primary determining factor of usability is dimension. Staff believes that in order to satisfy the recreational space requirements, private yard areas should provide a minimum depth of ten feet in order to adequately provide for recreational use by tenants. The proposed plan as submitted provides a number of opportunities where smaller yard areas could be expanded through slight modifications of adjacent landscaping, and staff has recommended a condition below that they modifications be identified on a revised landscaping plan.

Adequate Capacity

The final criterion for Site Review approval is, *“That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.”* Water, sewer, electric and storm drain utilities are available in the Siskiyou Boulevard and Belleview Avenue rights-of-way to serve the project, and have been identified in conceptual utility and drainage plans provided by the applicant. In discussions of the applicant's utility plan with Public Works and Engineering staff, it has been noted that the existing eight-inch water line identified within the Siskiyou Boulevard right-of-way as providing a number of the proposed water services is being abandoned, and that the applicant will need to either provide a new main from that in Bellview Avenue or bore under Siskiyou Boulevard to connect to the available line there. In addition, Engineering staff have indicated that the applicant's drainage plan will need to be revised to provide for on-site detention of stormwater to ensure that post-development peak stormwater flows are less than or equal to pre-development levels. The applicant has been made aware of these issues, and conditions have been proposed below to require revised utility and drainage plans be provided with the building permit submittals.

Both Siskiyou Boulevard and Bellview Avenue provide paved access to the site. Siskiyou Boulevard is a state highway under the jurisdiction of the Oregon Department of Transportation (ODOT), and Bellview Avenue is a residential neighborhood street. The subject property's Siskiyou Boulevard frontage is paved, but lacks curbs and gutters. A parkrow planting strip is in place but it lacks regularly spaced street trees, and an asphalt multi-use path, broken in places by tree roots, runs along the full Siskiyou Boulevard frontage instead of a standard sidewalk. The property's Bellview Avenue frontage is improved with paving, curbs, gutters, parkrow planting strip and sidewalks, but lacks street trees. The applicant would typically be required to provide improvements to bring the Siskiyou Boulevard frontage to City standards, but an Exception to Street Standards has been requested.

B. Exception to Street Standards

The requested Exception to Street Standards is to defer the improvement of the full Siskiyou Boulevard frontage to current street standards, which would otherwise require that the applicants install curbs and gutters, parkrow planting strips and street trees, streetlights, and standard city sidewalks. The applicant has requested the Exception in order to allow improvement of the street corridor through a more comprehensive planning effort such as a Local Improvement District.

The applicant has provided preliminary civil drawings for the required street improvements in the event that they are required by the Planning Commission, and notes that if the Exception is granted, the existing multi-use path would be re-paved where necessary to address certain areas of upheaval caused by tree roots.

The request notes that the site is unique in being part of a larger street corridor that the applicant suggests should be master planned, adding that improvement to current street standards could result in a significant area of under-utilized public space and would result in a loss of the semi-rural atmosphere created by the multi-use path. It goes on to suggest that granting the Exception could result in superior facilities through a future comprehensive planning process, and is the minimum necessary to address the difficulty in that the applicant is willing to complete tree, landscaping, and irrigation improvements, and patch some areas of the existing path to maintain the existing sidewalk's integrity.

Staff believe strongly that the intensity of development proposed merits improving the street frontage to City standards where there is no barrier to doing so. Staff do not believe that the location within a larger street system represents a demonstrable difficulty or that it is unique to the site or the proposed use, as other multi-family developments on Siskiyou Boulevard have been required to complete similar improvements in recent actions. Staff also do not believe that deferral of the installation of curbing or sidewalk in favor of future improvements can be seen to provide superior transportation facilities or be found to be consistent with the purpose and intent of the Performance Standards Options Chapter when such improvements can be made concurrently with the development while in no way impeding any future comprehensive planning effort. As such, staff would recommend that the requested Exception to Street Standards be denied, and a condition is recommended below to require that the street improvements be completed as part of the project.

C. Physical & Environmental Constraints Review Permit

Two components of the application trigger review under the Physical & Environmental Constraints Chapter. Portions of three parking spaces are proposed to be placed within twenty feet of the surveyed top of bank line. The application notes that the encroachment covers an area of less than 400 square feet located between proposed units #7 and #8, and points out that a portion of this space is already paved as part of the existing paved driveway which is to be removed. In addition, four trees (#38, #39, and #40 which are 12-inch, 32-inch and 21-inch Black Locusts located behind the proposed triplex along the west side of the

property, and #44 which is a 26-inch Giant Sequoia located near the northwest corner of the site) within 20 feet of the surveyed top of bank are also proposed to be removed.

Only an approximately ten-foot section of Clay Creek crosses the subject property at its southwesternmost corner. From there, the creek enters a detention pond on an adjacent property and is then piped beneath the neighboring Ashlander Apartments. Despite the creek's being piped, this section of creek is identified on the adopted "Physical and Environmental Constraints" map as having a required 20-foot setback from the top of the bank and areas within 20 feet of the mapped creek are identified as Flood Plain Corridor Lands. Development, including the installation of parking spaces, and tree removal are thus subject to a Physical and Environmental Constraints Permit.

The application notes that in order to minimize adverse impacts, buildings have been placed beyond the top of bank line and that only a small portion of three parking spaces are to be installed while a significant area of paving from the existing driveway is to be removed. The application emphasizes that the adjacent riparian area has no hydrology because the creek has been piped, and as such no potential hazards are posed by the proposal. In staff's view, the minimal nature of the proposed disturbance; the existing driveway paving to be removed; the nature of the riparian area involved; and the relationship of the site, piped creek, and adjacent apartment development combine to minimize the adverse impacts and potential hazards and satisfy the applicable approval standards for a Physical and Environmental Constraints Review Permit.

D. Tree Removal Permit

In addition to the four trees being removed from the riparian preserve lands, an additional 34 of the site's 78 trees over six-inches d.b.h. are proposed to be removed. These are primarily within or immediately adjacent to the proposed building envelopes and driveway area, but also include approximately ten trees along the north property line adjacent to the Siskiyou Boulevard right-of-way where a number of the site's trees are concentrated. The materials provided indicate that the removals are proposed to permit the application to be consistent with applicable requirements and standards and have been planned in consultation with two arborists. The application notes that the trees have been selectively chosen to avoid impacts on erosion, soil stability, flow of surface waters, protection of adjacent trees, windbreaks, or tree density, size, canopy and species diversity. The application requests that given the nature of the property and the number of trees to remain, no requirement for on-site planting of mitigation trees be imposed. Staff have recommended a condition of approval below to require that replacement trees be identified on a revised landscape plan, or that the applicant provide off-site mitigation or payment in lieu of planting to satisfy the mitigation requirements of the ordinance.

III. Procedural - Required Burden of Proof

The criteria for Site Review approval are described in 18.72.070 as follows:

- A. All applicable City ordinances have been met or will be met by the proposed development.
- B. All requirements of the Site Review Chapter have been met or will be met.

- C. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.
- D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.

The criteria for an Exception to Street Standards are described in 18.88.050 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 variance will result in equal or superior transportation facilities and connectivity;
- C. The variance is the minimum necessary to alleviate the difficulty; and
- D. The variance is consistent with the stated Purpose and Intent of the Performance Standards Options Chapter.

The criteria for a Physical & Environmental Constraints Review Permit are described in 18.62.040.I as follows:

- 1. 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.
- 2. 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.
- 3. 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 permitted development permitted by the Land Use Ordinance.

The criteria for a Tree Removal Permit to remove a tree which is not a hazard are described in 18.61.080.B as follows:

- 1. The tree is proposed for removal in order to permit the application to be consistent with other applicable Ashland Land Use Ordinance requirements and standards, including but not limited to applicable Site Design and Use Standards and Physical and Environmental Constraints.

- The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application; and
2. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks; and
 3. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property.

The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone. Nothing in this section shall require that the residential density 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 or alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the Ashland Land Use Ordinance.

4. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.

IV. Conclusions and Recommendations

Overall, staff believe that the subject property presents a number of unique opportunities in that it is a relatively large prominent corner lot with well-established trees near Clay Creek and a future neighborhood park. As proposed, the project has minimized new impervious surface area through the use of an efficiently designed looped driveway system, and while a number of tree removals are proposed the building placement allows for preservation of a number of trees in order to retain some of the wooded character of the site. As a condominium development in the Low-Density Multi-Family Residential Zoning District, the application was initially subject to administrative approval. While having no strong objections to the proposed development, staff identified two primary issues in the application which we felt merited consideration by the Planning Commission, and the action was therefore scheduled for a public hearing. These two issues, the proposed Exception to Street Standards and the usability of yard areas provided as recreational space, are discussed at greater length in the body of this report and are summarized briefly below:

Exception to Street Standards – The applicant has requested an Exception to Street Standards in order to defer curb and sidewalk improvements along the subject property’s Siskiyou Boulevard frontage until a comprehensive planning process for the entire corridor can be completed. Staff do not believe that the request satisfies the applicable approval criteria, and we recommend denial of this component of the application.

Usable Open Space – While the application indicates that significantly more open space has been provided than is required, a number of the spaces identified in satisfying the standard are less than ten feet in depth or are located on porches which are bisected by travel paths to and from the doors. Staff believe that the usability of yard spaces used in meeting open

space requirements directly affect the livability of a development, and we believe that the usability of these spaces hinges upon their providing a minimum dimension. Staff believe that the site plan presents a number of opportunities for smaller yard areas to be increased through modification of adjacent landscaping, and a condition has been recommended below to require that these modifications be included in a revised landscaping plan.

With these issues in mind, staff would recommend that the requested Site Review approval, Physical & Environmental Constraints Review Permit and Tree Removal permits be approved with the conditions recommended below, and that the requested Exception to Street Standards be denied and the full Siskiyou Boulevard frontage be improved to City street standards.

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified herein.
- 2) The applicant shall obtain required Demolition and Relocation Review Permits through the Building Division prior to removal of the existing structures on the site. Demolition submittal details shall include documentation of the square footage of existing living space and impervious surfaces to be removed in order to insure property crediting of system development charges (SDC's).
- 3) That building permit submittals shall include:
 - a) 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 the Site Review approval shall be submitted and approved prior to issuance of a building permit.
 - b) All easements, including public utility easements, shall be identified on the building permit submittals as required by the Building Division.
 - c) That exterior building materials and paint colors shall be compatible with the surrounding area, and sample exterior building colors shall be provided with the building permit submittals for review and approval of the Staff Advisor. Very bright or neon paint colors shall not be used in accordance with II-B-6a) of the Multi-Family Site Design and Use Standards.
 - d) Specifications for all exterior lighting fixtures. Exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.
 - e) That revised Landscape, Irrigation and Tree Protection Plans shall be provided for the review and approval of the Staff Advisor with the building permit submittals. This plan shall address: 1) the recommendations of the Tree Commission, where consistent with the Site Design and Use Standards and with final approval by the Staff Advisor; 2) a continuous sight-obscuring hedge screen for the three parking spaces between Units #7 and #8 as required in the Parking Lot Landscaping and Screening Standards; 3)

identification of any mitigation trees to be planted on site; 4) modifications of the landscaping plan in order to provide individual private yard areas at least ten feet in depth; 5) the required irrigation plan, including the requirements for programmable automatic timer controllers and a maintenance watering schedule with seasonal modifications. The applicants shall also obtain the required plumbing permits and inspections for installation of the required double-check valve(s) associated with the irrigation system.

- f) Solar setback calculations demonstrating compliance with Solar Setback Standard A in the requisite formula $[(\text{Height} - 6) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$ and elevations or cross section drawings clearly identifying the shadow producing point(s) and their height(s) from natural grade shall be included in building permit submittals.
- g) That a revised stormwater drainage plan, including any necessary on-site detention measures, shall be provided for the review and approval by the Engineering, Building and Planning Departments with the building permit submittal. The drainage plan shall be designed to ensure that post-development peak stormwater flows are less than or equal pre-development levels as required by the Engineering Division.
- h) That a final utility plan for the project shall be provided for the review and approval of the Engineering, Planning and Building Divisions. The utility plan shall include the location of connections to all public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Any necessary service upgrades shall be at developer's expense.
- i) The applicant shall submit an electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric, Engineering, Building and Planning Departments prior to the issuance of the excavation permit or first building permit. Transformers, cabinets and vaults shall be located in areas least visible from streets, while considering the access needs of the Electric Department. The transformer located within the central greenspace shall be relocated elsewhere on site.
- j) That the engineered construction drawings for the closure of the existing driveway on Siskiyou Boulevard, the widening of the existing driveway on Bellview Avenue, and installation of a public sidewalk along Siskiyou Boulevard 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 with a seven-foot landscaped parkrow planting strip between the sidewalk and the street, and plans shall detail the transition from the existing multi-use path in front of the

adjacent Ashlander Apartments. The sidewalk shall be constructed to City of Ashland Street Standards, and shall be completed with all necessary permits and inspections from the City of Ashland and the Oregon Department of Transportation (ODOT).

- 4) That prior to the issuance of the building or excavation permits:
 - a) The a final survey plat or lot consolidation shall be signed and recorded, and evidence of recording provided.
 - b) A Tree Verification Permit shall be obtained, and tree protection measures installed, inspected and approved by Staff Advisor prior to site work, site work, storage of materials, building demolition or the issuance of a building or excavation permit. The Verification Permit is to inspect the identification of trees to be removed and the installation of tree protection fencing for the trees to be retained and protected on and adjacent to the site. The tree protection shall be chain link fencing six feet tall, installed and maintained in accordance with the requirements of AMC 18.61.200.B.
 - c) That silt fencing shall be installed along the top of bank to limit erosion and delineate the boundaries of permitted site disturbance. Silt fencing placement shall be indicated on the revised landscaping plan. This fencing shall be inspected and approved by the Staff Advisor prior to site work, storage of materials, or permit issuance and shall be maintained in place until completion of the project.
- 5) That prior to the issuance of a certificate of occupancy or signature of the condominium survey plat:
 - a) That street trees, one per 30 feet of street frontage, shall be installed on the Siskiyou Boulevard and Bellview Avenue frontages prior to the issuance of the first 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.
 - b) That all landscaping, the irrigation system, and the gazebo shall be installed according to the approved plan, inspected, and approved by the Staff Advisor prior to signature of the condominium survey plat.
 - c) A copy of the proposed CC&R's shall be provided for the review and approval of the Staff Advisor prior to signature of the condominium survey plat. CC&R's shall describe responsibility for the maintenance of all common use-improvements including landscaping, gazebo, driveways, planting strips and street trees. The approved Tree Protection Plan and accompanying standards for compliance shall be noted in the CC&R's. The CC&R's must state that deviations from the plan shall be considered a

violation of the Planning Application approval and therefore subject to penalties described in the Ashland Municipal Code.

- d) All easements including public and private utility easements; TID easements; a pedestrian access easements providing for a creek crossing from the adjacent park property; and reciprocal utility, access or maintenance easements shall be identified on the condominium survey plat as required by the Engineering Division.
- e) All service and equipment installations shall be completed according to Electric, Engineering, Planning, and Building Departments' specifications prior to certificate of occupancy.
- f) The screening for the trash and recycling enclosure shall be installed in accordance with the Site Design and Use Standards prior to certificate of occupancy or signature of the condominium survey plat. An opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure in accordance with 18.72.115.B.
- g) The requirements of the Ashland Fire Department including approved addressing and fire apparatus access shall be satisfied prior to issuance of a certificate of occupancy.
- h) The applicant shall provide tree removal mitigation through replanting on site, replanting off site, or payment in lieu of planting for the 38 trees to be removed prior signature of the condominium survey plat, as required by ordinance. Mitigation trees to be replanted on site shall be identified on the revised landscaping plan to be provided with building permit submittals.
- i) All public improvements including but not limited to the curbs, gutters, sidewalks, street trees, and street lighting shall be installed to City of Ashland standards under permit from the Public Works Department and Oregon Department of Transportation (ODOT) and in accordance with the approved plan prior to signature of the condominium survey.
- j) All hardscape improvements including parking, driveways and on site walkways shall be installed prior to issuance of the first certificate of occupancy or signature of the condominium survey plat. Parking installed shall include one disabled person parking space as required in AMC 18.92. No parking signage or pavement striping shall be installed in the back-up area behind the garages for the four-plex building.



PLANNING ACTION: #2008-00911

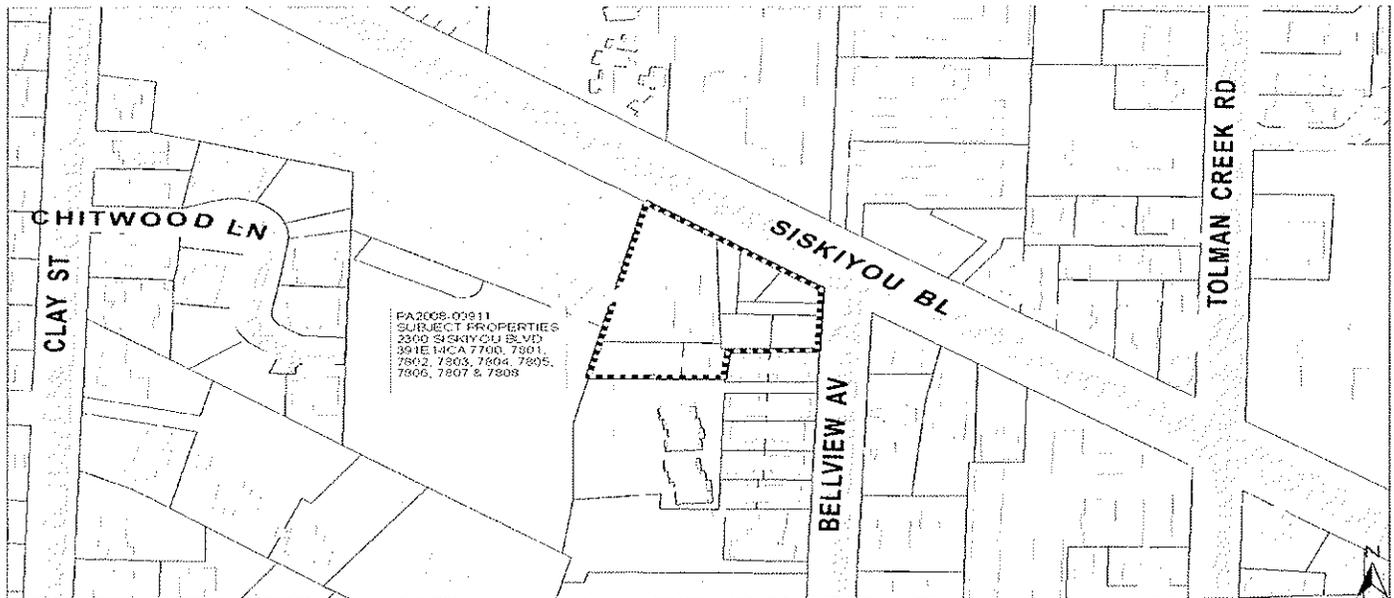
SUBJECT PROPERTY: 2300 Siskiyou Blvd.

OWNER/APPLICANT: Steven Asher

DESCRIPTION: A request for Site Review approval to construct thirteen condominium units for the property located at 2300 Siskiyou Boulevard. Also included are requests for a Physical & Environmental Constraints Review Permit to allow tree removal and parking space installation on Flood Plain Corridor/Riparian Preservation Lands adjacent to a culverted section of Clay Creek; Tree Removal Permits to remove 36 of the site's 78 trees; and an Exception to Street Standards to not install sidewalks and curbs along Siskiyou Boulevard frontage. (The approval of this application would replace the previous Performance Standards Options subdivision approval from PA #96-131). **COMPREHENSIVE PLAN DESIGNATION: Low Density Multi Family Residential; ZONING: R-2; ASSESSOR'S MAP #: 39 1E 14 CA; TAX LOTS: 7700, 7800, 7801, 7802, 7803, 7804, 7805, 7806, 7807 and 7808.**

NOTE: The Ashland Tree Commission will also review this Planning Action on **October 9, 2008 at 6:00 p.m.** in the Community Development and Engineering Services building (Siskiyou Room) located at 51 Winburn Way.

ASHLAND PLANNING COMMISSION MEETING: October 14, 2008, 7:00 PM, Ashland Civic Center



Notice is hereby given that a PUBLIC HEARING on the following request with respect to the ASHLAND LAND USE ORDINANCE will be held before the ASHLAND PLANNING COMMISSION on meeting date shown above. The meeting will be at the ASHLAND CIVIC CENTER, 1175 East Main Street, Ashland, Oregon.

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

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. A copy of the Staff Report will be available for inspection seven days prior to the hearing and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Department, Community Development and Engineering Services, 51 Winburn Way, Ashland, Oregon 97520.

During the Public Hearing, the Chair shall allow testimony from the applicant and those in attendance concerning this request. The Chair shall have the right to limit the length of testimony and require that comments be restricted to the applicable criteria. Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting. (28 CFR 35.102.-35.104 ADA Title I).

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

SITE DESIGN AND USE STANDARDS

18.72.070 Criteria for Approval

The following criteria shall be used to approve or deny an application:

- A. All applicable City ordinances have been met or will be met by the proposed development.
- B. All requirements of the Site Review Chapter have been met or will be met.
- C. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.
- D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.

(ORD 2655, 1991; ORD 2836, 1999)

PHYSICAL & ENVIRONMENTAL CONSTRAINTS

18.62.040.I Criteria for Approval

A Physical Constraints Review Permit shall be issued by the Staff Advisor when the Applicant demonstrates the following:

1. 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.
2. 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.
3. 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 permitted development permitted by the Land Use Ordinance.

(ORD 2808, 1997; ORD 2834, 1998; ORD 2951, 2008)

TREE REMOVAL

18.61.080 Criteria for Issuance of Tree Removal - Staff Permit

An applicant for a Tree Removal Permit shall demonstrate that the following criteria are satisfied. The Staff Advisor may require an arborist's report to substantiate the criteria for a permit.

- A. Hazard Tree: The Staff Advisor shall issue a tree removal permit for a hazard tree if the applicant demonstrates that a tree is a hazard and warrants removal.
 1. A hazard tree is a tree that is physically damaged to the degree that it is clear that it is likely to fall and injure persons or property. A hazard tree may also include a tree that is located within public rights of way and is causing damage to existing public or private facilities or services and such facilities or services cannot be relocated or the damage alleviated. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard or a foreseeable danger of property damage to an existing structure and such hazard or danger cannot reasonably be alleviated by treatment or pruning.
 2. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.
- B. Tree that is Not a Hazard: The City shall issue a tree removal permit for a tree that is not a hazard if the applicant demonstrates all of the following:
 1. The tree is proposed for removal in order to permit the application to be consistent with other applicable Ashland Land Use Ordinance requirements and standards, including but not limited to applicable Site Design and Use Standards and Physical and Environmental Constraints. The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application; and
 2. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks; and
 3. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property.

The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone. Nothing in this section shall require that the residential density 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 or alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the Ashland Land Use Ordinance.

4. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.

(ORD 2951, 2008; ORD 2883, 2002)

EXCEPTION TO STREET STANDARDS

18.88.050 F – Exception to Street Standards

An exception to the Street Standards is not subject to the Variance requirements of section 18.100 and may be granted with respect to the Street Standards in 18.88.050 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 variance will result in equal or superior transportation facilities and connectivity;
- C. The variance is the minimum necessary to alleviate the difficulty; and
- D. The variance is consistent with the stated Purpose and Intent of the Performance Standards Options Chapter.

(ORD 2951, 2008; ORD 2836, 1999)

**PROJECT DESCRIPTION AND FINDINGS OF FACT
FOR A SITE REVIEW PERMIT, PHYSICAL &
ENVIRONMENTAL CONSTRAINTS PERMIT
AND A TREE REMOVAL PERMIT
FOR THE PROPERTY AT 2300 SISKIYOU BOULEVARD**



SUBMITTED TO

**CITY OF ASHLAND PLANNING DEPARTMENT
ASHLAND, OREGON**

SUBMITTED BY

**URBAN DEVELOPMENT SERVICES, LLC
700 MISTLETOE ROAD, SUITE 204
ASHLAND, OR 97520**

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ADDRESS & LEGAL DESCRIPTION: 2300 Siskiyou Boulevard;
391E 14CA 7700, 7800, 7801, 7802, 7803, 7804,
7805, 7806, 7807, and 7808

PROJECT INFORMATION:

APPLICANT:

Steve Asher
P.O. Box 3459
Ashland, OR 97520
Tel: 210-3027

LAND USE PLANNING:

Urban Development Services, LLC
700 Mistletoe Road, Suite 204
Ashland, OR 97520
Tel: 482-3334

DRAFTING

Computerized Architecture Drafting
170 Ashland Loop Road
Ashland, OR 97520
Tel: 488-5899

ARBORIST:

Upper Limb-It Tree Service
P.O. Box 881
Ashland, Oregon 97520
Tel: 482-3667

SURVEYOR:

Polaris Land Survey
P.O. Box 459
Ashland, Oregon 97520
Tel: 482-5009

CIVIL ENGINEERING:

Construction Engineering Consultants
P.O. Box 1724
Medford, Oregon 97501
Tel: 779-5268

LANDSCAPE ARCHITECT:

Sager & Associates
700 Mistletoe Road, Suite 201
Ashland, OR 97520
Tel: 941-7659

CONTRACTOR

Asher Homes
P.O. Box 3459
Ashland, OR 97520
Tel: 210-3027

COMPREHENSIVE PLAN DESIGNATION:

Multi-Family Residential

ZONING DESIGNATION:

R-2-P

LOT STATISTICS (1.16 acres):

<u>Lot Coverage:</u>	R-2-P District Permitted:	65%
	Proposed:	52%
	Structures:	26%
	Drive & Sidewalks:	25%
	Landscaping:	31%
	Recreational Space:	17.5%

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Density (R-2-P):

Base Density: 13.5 units per acre (13.5 units X 1.16 acres) =	15.66 units
Density Bonus Requested:	= none
Minimum Density (80% of Base Density)	= 12.52
Proposed Density:	= 13 units
Existing Approved Density:	= 9 units

APPLICABLE ORDINANCES:

- Low Density Multi-Family Residential, Chapter 18.24
- Tree Preservation & Protection, Chapter 18.61
- Site Design & Use Standards, Chapter 18.72
- Site Design & Use Standards (booklet)

ADJACENT ZONING/USE:

- West: R-3, High Density, Multi-Family Residential
- East: R-3, High Density, Multi-Family Residential
- South: R-2, Low Density, Multi-Family Residential & R-1-7.5-P, Single Family Residential
- North: E-1, Employment & R-3, High Density, Multi-Family Residential
- Subject Site: R-2, Low Density, Multi-Family Residential**

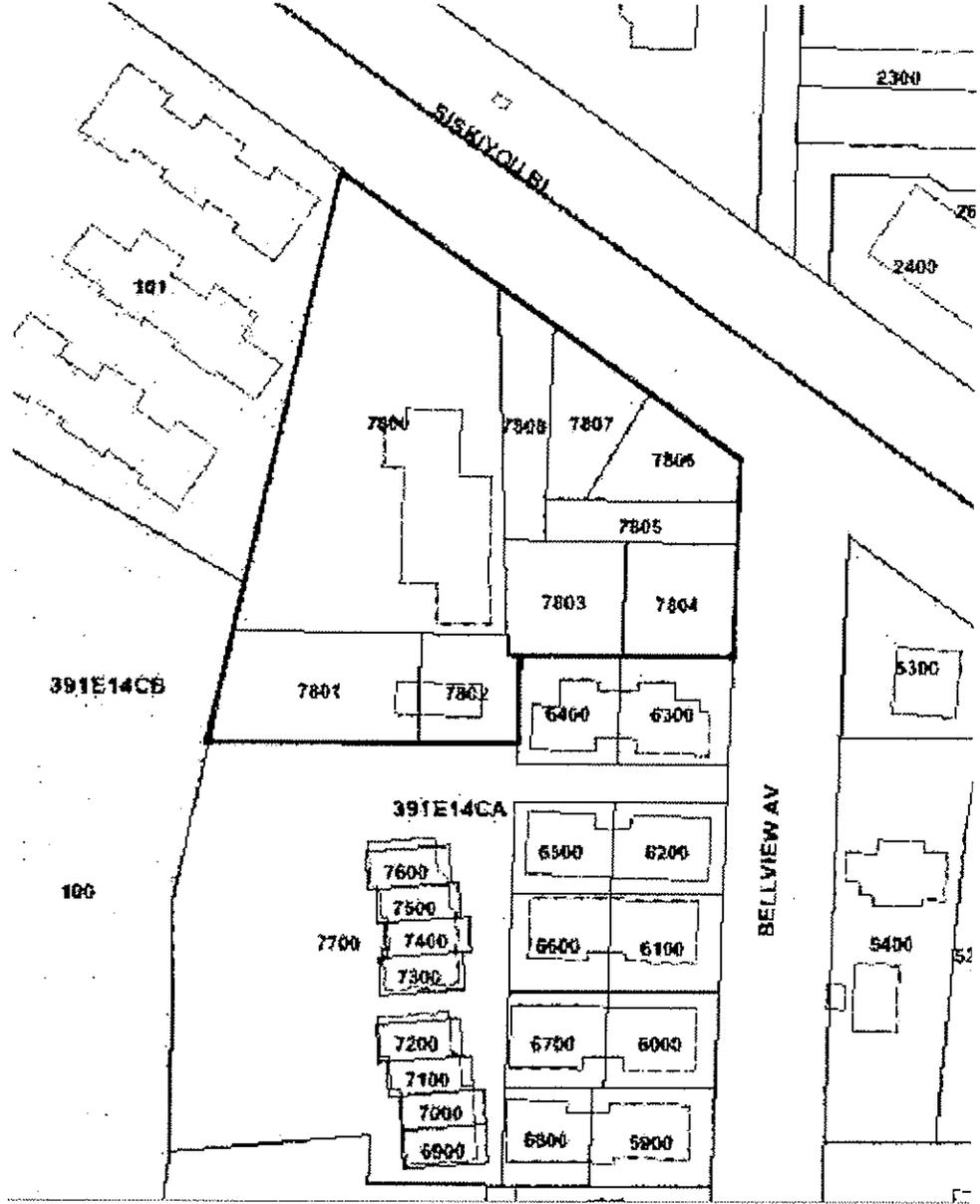
PLANNING ACTION PROPOSAL: The applicants wish to obtain approval for three entitlements:

- 1) A Site Review Permit to construct 13 condominium units on the property located at 2300 Siskiyou Boulevard.
- 2) A Tree Removal Permit for the removal of 36 trees of the site's 78 trees.
- 3) A Physical & Environmental Constraints Permit to allow an encroachment into a mapped riparian area.

PROPERTY DESCRIPTION: The property is located on the southwest corner of Siskiyou Boulevard and Bellview Avenue and is zoned R-2 (Low Density Multi-Family Residential). The property was previously subdivided into 9 townhouse tax lots via Planning Action #96-131, but was never developed with homes, pathways or utilities as described in the planning file. The property currently includes a medical office building (once a house), a small parking lot, a large out building, two driveways and *many* trees.

To the west of the subject property is Clay Creek. However, it should be understood that only a small portion of Clay Creek is day-lighted, goes into a detention pond and then is "piped underground" through the adjacent property (Ashlander Apartments) where it eventually daylights on the north side of Siskiyou Boulevard. In addition, only a 25' section of the creek is on the subject property. On the other side of the creek, southwest of the subject property, is a future City park (accessed from Clay Street).

Due to the previous plat recording in 1996, there are a variety of public and private easements that will be either retained, removed, relocated and re-recorded as part of this application as further described below.



Existing Parcel Configuration

The above illustration is from the Jackson County Assessor's Office and shows the subject property boundaries "hi-lighted" (Tax Lots 7800, 7801, 7802, 7803, 7804, 7805, 7806, 7807 and 7808).

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BACKGROUND:

In December of 1989, the Planning Commission approved a Land Partition (PA-98-221) separating the subject tax lot from its parent parcel to the south (since developed as an 18-lot subdivision).

In November 1990, the City Council approved a zone change (PA-90-178) for this property from R-3 (High Density Multi-Family Residential – 20 units / acre) and R-1-7.5 (Single Family Residential – 3.60 units / acre) to R-2 (Low Density Multi-Family Residential – 13.5 units / acre).

In February 1997, the Planning Commission approved a 9-lot Subdivision and Site Review Permit (PA-96-131) creating the lot configuration that exists today.

In March 1998, the Planning Commission approved a Conditional Use Permit allowing the existing home to be used as a medical office.

No other land use planning or building history could be found for the subject properties.

PROJECT DESCRIPTION:

Site Review Permit: A total of 13 condominium units are proposed to be constructed on the property with the principal goal of having a multi-family development function as a small village successfully integrated into the Siskiyou and Bellview neighborhoods. The applicants contend the proposal meets this goal and also meets City site design and land use code regulations. The attached site plans best illustrate this fact as they identify and incorporate the relationship of the proposed building layout, density requirements, setback requirements, pedestrian circulation, vehicular circulation, vehicular access points, trees, slopes, floodplain, riparian area, future park connection and property line boundaries. These elements are specifically clarified below:

Site Plan: As noted, the proposal is to create a development that functions like a small village but is integrated into the surrounding neighborhood. One of the principal design factors attempting to accomplish this effort is to “outline” the exterior property boundaries with attractive buildings and creating an internal circulation pattern and gathering place for residents to meet incidentally and purposefully.

Vehicular Circulation: Access to the property is now from Siskiyou Boulevard and Bellview Avenue. However, due to access management standards and policies of the Oregon Department of Transportation (ODOT) and the City of Ashland, vehicular access will only occur from Bellview Avenue. This allows ingress and egress movements to occur from a secondary street minimizing potential vehicular conflicts on a principal arterial. Within the development, the internal driveway is a looped driveway system providing not only garage and guest parking access, but also fire and trash truck accessibility.

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Pedestrian Circulation: A variety of pedestrian connections and paths are proposed to and through the property. A sidewalk is proposed along the Bellview Avenue driveway and a second sidewalk entrance extends between the two tri-plex buildings from Siskiyou Boulevard which then connect to an internal sidewalk system leading to each unit. Additionally, a sidewalk leads to a small gazebo overlooking the creek and future City park on the other side. Finally, a pedestrian easement extends from the gazebo to the creek which could eventually be developed with a bridge leading to the future park. However, due to City and Park's Department budget constraints, there is no known timeframe for the park's development.

Density Requirements: Within the R-2 zone, developments are required to provide 80% of the lot's designated base density in an attempt to fully utilize the land and public infrastructure (infill). In this case, the property is 1.16 acres with a base density of 13.5 units per acre or 15.66 units. The proposal is for 13 units or 83% of the base density. Although the base density requirements are being met and more units are possible, it is the applicant's belief additional units, on this particular property, would have a negative impact on the site's open spaces and tenant's livability.

Building Designs: There are a total of five buildings proposed. Two are very similar tri-plex buildings, one is a four-plex, one duplex and one detached single unit. The tri-plex buildings are located along Siskiyou Boulevard and the single detached unit is located along Bellview Avenue creating an articulated building mass along the streets and minimizing the site's asphalt areas and garage faces visibility. The street facing units (seven) are well articulated with large front porches, prominent front doors and direct pedestrian sidewalks. The two interior buildings (six units) are equally articulated and face an internal courtyard (community garden space). Finally, four of the six interior units abut the Clay Creek corridor creating an opportunity for backyards.

Unit Types: Besides a variety of building types, the proposal includes 13 residential units with a variety of sizes. Two of the units will be 3-bedroom, nine will be 2-bedroom and two will be 1-bedroom. The 1-bedroom units are located on the first floor of the four-plex building, the 2-bedroom units are located on the second floor of the four-plex, duplex and tri-plex buildings and the 3-bedroom units are located in the triplex building.

Condominium Development: The 13 units will be constructed and recorded as residential condominiums as a legally permitted use under the Ashland Municipal Code, Chapter 18.24.020 J. The exterior of the buildings as well as the open area around the buildings will be owned in common by the owners. This plan allows for not only consistent maintenance of the driveway, sidewalks, recreational space areas and building improvements, but also flexibility for ownership and rental tenancy.

Vehicle Parking Data:

2 one-bdrms > 500 sq. ft. (1.5 spaces per unit)	= 3 parking spaces
9 two-bdrms (1.75 spaces per unit)	= 15.75 parking spaces
2 three-bdrms (2 spaces per unit)	= 4 parking spaces
<u>Total Required:</u>	= 22.75 (23) spaces

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On-site (open parking spaces):	= 11 spaces
On-site (garage parking spaces):	= 13 spaces
*On-street (no parking credits are requested)	= 3 spaces
<u>Total Provided:</u>	= 27 spaces

Bike Parking: All required bike parking spaces are proposed to be within the garages as permitted per Chapter 18.92.040.B. The garages have been enlarged to provide for bike parking and storage.

Porch Sizes: All of the units have porches and covered patios. Each have been enlarged and have a minimum depth of 8' in an attempt to not only enhance the front facades, but to encourage their use by tenants and encourage social opportunities.

Landscaping: The site's landscaping was designed by a local professional landscape designer familiar with the City's Landscaping Standards within the Site Design Standards as well as the Southern Oregon climate zones. The landscape plan identifies a variety of plants designed to enhance the buildings architecture as well as activity areas such as the various common areas dispersed throughout the site. The plan also identifies a number of private yard areas which are designed to be "open" to the tenants to privately use (garden, etc.) and maintain. The landscaping has been designed so that 50% coverage is accomplished within the first year and 90% within five years.

Exterior Elevations: The building elevations illustrate traditional building facades with various materials for balance and interest. The buildings are individually designed with various materials in order to create variety along the streetscape as well as from within the courtyard area. The buildings have a variety of roof lines, a symmetrical window pattern and an inviting front porch for a positive sense of entry. The siding will be shingle, board & batten, and hardi-plank lap siding with a 7" exposure, window and corner trim is 4". The porches each have corner posts with built-up bases. The side elevations are also enhanced in an attempt to respect neighboring views. In addition, landscaping abuts this side softening its appearance. Overall, the applicant feels the design is well thought out and the mass and scale proportions are consistent with what's found in the immediate neighborhood.

Solar: The proposal complies with the City's Solar Access Standards, Chapter 18.70 as the project is for a condominium development on one tax lot. In addition, the units have been designed in an attempt to minimize shadowing on the south walls of the northern adjacent buildings due to each building's shallow roof-pitch (4/12), location, orientation, and separation.

Utilities: All utilities serving the project are within the adjacent Siskiyou Boulevard and Bellview Avenue rights-of-way. None of the utilities are at capacity to service the development. A pre-application was completed on March 19th, 2008, with City Departments reviewing the application and assessing availability of services. All utility work, including driveway standards as required by the Planning and Fire Departments, have been incorporated into the site plans.

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Two fire hydrants are located within close proximity with one located directly on the corner of Siskiyou Boulevard and Bellview Avenue and the other 60' south of the proposed driveway. All of the units are fire truck accessible from either the adjacent rights-of-way or the private driveway designed to meet width, height and weight requirements for fire-truck ingress and egress. In addition, the units will be 100 amp services which will feed from the existing electrical service along Bellview Avenue and extend into the site. The preliminary electric plan has been designed by Dave Tygerson of the Ashland Electric Department.

Open Space: The proposed development includes a variety of open space areas the largest which is the Clay Creek floodway. This open space area is approximately 290' in length and ranges in width from 25' to 70'. This area is intended to be a passive open space (creek buffering, rear and side yards, landscape screening, etc.). A second open space is the central community green purposefully located in the center of the project to encourage social interaction and central greenery. Finally, small open space areas exist between the buildings that provide mass and scale reduction, additional light and air, and pedestrian connections.

Pedestrian Easement: As with the 1996 application (PA-96-131), a pedestrian easement will be recorded that extends to the far southwest corner of the property where Clay Creek traverses the property which could one-day lead to a bridge and a City park on the other side. However, the City Park is not scheduled to be developed (no known time) and the applicant doesn't intend to disturb this area until the park is installed. At that time, the decision to connect to the park will be the development's Home Owner's Association.

Central Green: As noted above, the project's central green area was designed to encourage social interaction with the tenants and provide a small open green for everyone to view. This area will include an existing tree for shade. The overall recreational space in the R-2 zone is 8% and the application proposes 17.5%.

Phasing: Considering the current state of the economy, it is highly likely phasing of the development will occur. However, due to the relatively small size of the parcel and its multi-family density requirements, all of the on-site and off-site infrastructure requirements will be installed during Phase 1. Phase 1 would also include all of the units fronting along Siskiyou Boulevard and Bellview Avenue (Units #8-13). Phase 2 would consist of the tri-plex and four-plex units (Units #1-7) and would be built within 18 months of Phase 1's completion or request an extension.

Survey: A licensed Surveyor has completed a survey of the subject property in accordance with the various City standards, including Chapter 18.62.050. The surveyor has identified both the Federal Emergency Mapping Agency's (FEMA) floodplain boundary as well as the City of Ashland's own Flood Plain Corridor. The FEMA floodplain boundary is not on the subject property, but the City's Flood Plain Corridor is *(NOTE: It should be clearly understood, that when the City of Ashland adopted its own floodplain corridor maps, corridor boundaries were purposefully enlarged in order to reduce the insurance rates for residents within City limits.)* The Surveyor has also identified the "top of bank" along the Ashland floodplain corridor and all easements and adjacent right-of-way improvements. Finally, the

surveyor, with help from the project Arborist and Landscape Architect, has also identified the site's many trees, species, and canopies.

Top-of-Bank Setback Encroachment: The applicant has setback all structures and improvements 20' from the surveyed top-of-bank, except for a portion of three parking spaces covering an area less than 400 square foot located between units #7 and #8. However, it should be understood, a portion of this area is part of the existing paved driveway leading into the site from Siskiyou Boulevard and that a large area of this driveway is also being removed from the setback and revegetated. Finally, the actual "riparian area" has no hydrology as the water from the adjacent creek is piped through the adjacent apartment complex west of the property and the subject area where piped has no riparian qualities (no water, limited vegetation, no wildlife, etc.). Nevertheless, in order to avoid delay and conflict, the applicant has provided a 20' setback from the top-of-bank which also corresponds with the City's Flood Plain Corridor boundary. Overall, the small paved area is outside of the City's Floodplain Corridor Boundary and the small asphalt area within the setback area will not cause any impact whatsoever.

Development Restriction: In March of 1997, the Planning Commission approved an application (Planning Action #96-131) for a Performance Standards Options subdivision that created nine parcels with one containing the existing house (Planning Action #96-131). The Findings, Conclusions and Orders were adopted by the Ashland Planning Commission on March 11, 1997, and included 17 conditions of approval.

During this time, there appears to be some question by staff as well as some Planning Commissioners (based upon excerpts from the staff report and minutes of the hearing) the largest parcel, parcel with the house, should have been incorporated into the project's master plan in order to evaluate the entire site's transportation ingress and egress opportunities. Because it was not, the end result was a condition of approval (#16) that restricted further partitioning of this parcel in order to minimize potential conflicting turning movements onto or off of Siskiyou Boulevard. The subject condition read as follows:

That a deed restriction in favor of the City of Ashland be placed on the lot containing the existing residence prohibiting the further division of the property.

Based upon a deed search, it appears no deed restriction as described above in Condition #16 was ever recorded even though the subdivision plat was. However, there was a document recorded on July 29, 1998 (98-34770) for all intensive purposes had comparable language that reads:

Agree that Lots 20, 21-26 and 28 (Note: the lot's numbering system was based on the adjacent development to the south which exist today) shall be developed and constructed only in accordance with the Outline and Final Plan and Site Review Approval in the City of Ashland Planning Actions 96-131 and 98-079 (extension of approval) unless such approval is modified or a new approval is granted pursuant to the City of Ashland Land Use Ordinance.

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Obviously, the current proposal is for a “new” development approval that does include the area with the existing house and does not include a vehicular connection with Siskiyou Boulevard as the entire site is being master planned that considers vehicular circulation, access management and density minimums.

Condominium Development: The units will be constructed and recorded as residential condominiums as legally permitted use under the Ashland Municipal Code, Chapter 18.24.020 J. The exterior of the buildings as well as the open area around the buildings will be owned in common by the unit owners. This plan allows for not only consistent maintenance of the driveway, recreational space areas and building improvements, but also flexibility for ownership and rental tenancy.

Tree Protection Measures: Please see the attached Tree Protection Plan as the site has many trees of which 36 are being removed and 42 saved. All tree protection measures have been designed by a licensed Arborist and Landscape Architect. The Tree Protection Plan notes that all tree protection measures will be installed prior to any construction and a Tree Verification Permit obtained in accordance with Chapter 18.61.042. In addition, during construction the site will be monitored by the project arborist.

Findings of Fact

The following information has been provided by the applicants to help the Planning Staff, Planning Commission and neighbors better understand the proposed project. In addition, the required *findings of fact* have been provided to ensure the proposed project meets the Site Design & Use Standards as outlined in the Ashland Municipal Code (AMC), Section 18.72.070, Site Design & Use Standards (Design Standards Booklet, adopted August 4th, 1992), the criteria for a Physical & Environmental Constraints Permit and the criteria for a Tree Removal and Tree Protection as outlined in 18.61.

*For clarity reasons, the following documentation has been formatted in “outline” form with the City’s approval criteria noted in **BOLD** font and the applicant’s response in regular font. Also, there are a number of responses that are repeated in order to ensure that the findings of fact are complete.*

CHAPTER 18.72.070 SITE DESIGN & USE STANDARDS:

A. All applicable City Ordinances have been met or will be met by the proposed development.

It has been the intention of the applicants to meet all City Ordinances without requesting any Variances or Exceptions. To the applicant’s knowledge, all applicable City ordinances have been met and will be met. At the time of the building permit submittal, the application will be substantially consistent with the proposed application and will meet all conditions of approval imposed by the regulating authority.

B. All requirements of the Site Review Chapter have been met or will be met.

All of the requirements listed in the Site Review Chapter, Section 18.72, have been met without Variances or Exceptions. The Site Review Chapter was designed to ensure that high quality development is maintained throughout the City of Ashland. The proposed application was designed and redesigned in order to best meet this purpose and produce a quality living environment.

C. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.

The development complies with the City of Ashland's Site Design Standards, adopted August 4th, 1992. A thorough response as to the project's compliance with the Site Design Standards, Section II-B, Approval Standards and Policies for Multi-Family Residential Developments; Section II-D, Parking Lot Landscaping and Screening Standards; and Section II-E, Street Tree Standards, has been provided below.

D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.

All utilities serving the project are within the adjacent Siskiyou Boulevard and Bellview Avenue rights-of-way. None of the utilities are at capacity to service the development. A pre-application was completed on March 19th, 2008, with City Departments reviewing the application and assessing availability of services. All utility work, including driveway standards as required by the Planning and Fire Departments, have been incorporated into the site plans.

Two fire hydrants are located within close proximity with one located directly on the corner of Siskiyou Boulevard and Bellview Avenue and the other 60' south of the proposed driveway. All of the units are fire truck accessible from either the adjacent rights-of-way or the private driveway designed to meet width, height and weight requirements for fire-truck ingress and egress. In addition, the units will be 100 amp services which will feed from the existing electrical service along Bellview Avenue and extend into the site. The preliminary electric plan was designed by Dave Tygerson of the Ashland Electric Department.

SITE DESIGN APPROVAL STANDARDS:

Multi-family residential development shall conform to the following design standards:

II-B-1) Orientation

II-B-1a) Residential buildings shall have their primary orientation toward the street when they are within 20 to 30 feet of the street.

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The proposed application meets the Site Design Standards, Section II-B-1a. The buildings that are within 20 to 30 feet of the street (right-of-way) and have an actual setback of 10' for the porch and 15' for the units and have their primary orientation fronting either Siskiyou Boulevard or Bellview Avenue. The front facades have been designed to have an attractive and pedestrian friendly streetscape environment as each has an 8' deep front porch and a sidewalk extending from the adjacent right-of-way to the porch.

II-B-1b) Buildings shall be set back from the street according to ordinance requirements, which is usually 20 feet.

The proposed application meets the Site Design Standards, Section II-B-1b. as well as the setback requirements of Chapter 18.24.040. D. which allow porches to be as close as 10' and houses to be 15' from the front property line.

II-B-1c) Building shall be accessed from the street and the sidewalk. Parking areas shall not be located between buildings and the street.

The proposed application meets the Site Design Standards, Section II-B-1c. Parking is within the center of the project in either open parking stalls or within single car garages. All of the parking is generally hidden from the street's view. The units are accessed from the pedestrian sidewalk along the driveway, between the duplex units and directly from the adjacent Siskiyou Boulevard right-of-way.

II-B-2) Streetscape

II-B-2a) One street tree for every 30 feet of frontage, chosen from the street tree list, shall be placed on that portion of the development paralleling the street. Where the size of the project dictates an interior circulation street pattern, a similar streetscape with street trees is required.

The proposed application meets the Site Design Standards, Section II-B-2a. New street trees, every 30' of frontage, will be planted in accordance with the City's adopted street tree standards. The new trees have been chosen from the City Street Tree List.

II-B-2b) Front yard landscaping shall be similar to those found in residential neighborhoods, with appropriate changes to decrease water use.

The proposed application meets the Site Design Standards, Section II-B-2b. The applicant's landscape plan has been designed with a residential building and landscape façade. The proposed planting species are similar to what would be found in other multi-family neighborhoods around the community and specifically Siskiyou Boulevard (see southeast corner of Siskiyou and Maryjane).

Other than the central green, only small amounts of turf are proposed in order to decrease water use.

II-B-3) Landscaping

II-B-3a) Landscaping shall be designed so that 50% coverage occurs within one year of installation and 90% landscaping coverage occurs within 5 years.

The proposed application meets the Site Design Standards, Section II-B-3a. The landscape plan has been designed to meet a 50% "spreading" coverage after the first year and 90% "spreading" coverage prior to the development's 5th year. The landscaping plan was designed by a local landscape professional knowledgeable of the various plant and tree specifications for the Southern Oregon climate.

II-B-3b) Landscaping design shall include a variety of deciduous and evergreen trees and shrubs and flowering plant species well adapted to the local climate.

The proposed application meets the Site Design Standards, Section II-B-3b. The landscaping plan incorporates a variety of deciduous shrubs and flowering plant species for Southern Oregon. The landscaping plan was designed by a local landscape professional knowledgeable of the various plant and tree specifications for this area.

II-B-3c) As many existing healthy trees on the site shall be saved as is reasonably feasible.

Please see the attached Tree Protection Plan as the site has many trees of which 36 are being removed and 42 saved. All tree protection measures have been designed by a licensed Arborist and Landscape Architect with the intent to retain as many existing healthy trees as reasonably feasible and still meet the various other site design requirements. The Tree Protection Plan notes that all tree protection measures will be installed prior to any construction and a Tree Verification Permit obtained in accordance with Chapter 18.61.042. In addition, during construction the site will be monitored by the project arborist.

II-B-3d) Buildings adjacent to streets shall be buffered by landscaped areas of at least 10 feet in width.

The proposed application meets the Site Design Standards, Section II-B-3d. The buildings will sit proudly along Siskiyou Boulevard and Bellview Avenue as described above. Each will have an 8' front porch with a setback of 10' from the porch and 15' from the unit. Landscaping between the buildings and the public sidewalk will be provided as illustrated on the landscaping plan. -D

II-B-3e) Parking areas shall be shaded by large canopied deciduous trees and shall be adequately screened and buffered from adjacent uses.

The project's landscaping plan identifies a number of shade trees in order to reduce excessive heat gain. All of the parking is screened and buffered from the rights-of-way and adequately from adjacent uses.

II-B-3f) Irrigation systems shall be installed to assure landscaping successes. Refer to Parking Lot Landscaping and Screening Standards for more detail.

The proposed application will meet the Site Design Standards, Section II-B-3f as an irrigation system will be installed at the time the landscaping is installed. The landscaping and the irrigation system will be installed by a professional landscape company. All irrigation will be installed prior to issuance of a Certificate of Occupancy Permit.

II-B-4) Open Space

II-B-4a) An area equal to at least 8% of the lot area shall be dedicated to open space for recreation for use by the tenants of the development.

The proposed application meets the Site Design Standards, Section II-B-4a. The applicant proposes approximately 8,879 square feet (17.5%) of recreational space to be used by the tenants. In addition, more open space is spread throughout the property.

II-B-4b) Areas covered by shrubs, bark mulch and other ground covers which do not provide a suitable surface for human use may not be counted toward this requirement.

The above criteria is intended to preclude areas that typically do not promote space for outdoor activities or social gatherings. Such activities typically include parking lot landscaping, architectural landscaping or landscaping along pedestrian and vehicular access corridors. The areas considered recreational open space for the subject project include each unit's porches, the gazebo area, the central garden space and the private yard areas next to each unit. Each provides an opportunity for outdoor recreation and human interaction. The porch provides an outdoor extension of the interior space where tenants can bar-b-que, bird watch, communicate with passing pedestrians, and monitor the surrounding environment.

II-B-4c) Decks, patios, and similar areas are eligible for open space criteria. Play areas for children are required for projects of greater than 20 units that are designed to include families.

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The proposed application meets the Site Design Standards, Section II-B-4c. The application is only proposing 13 units. Incorporated into the plan are small useable yard spaces, porches and common areas as described above. In addition, directly across the creek to the west, the City recently purchased a 2.41 acre parcel for a future park.

II-B-5) Natural Climate Control: Utilize deciduous trees with early leaf drop and low bare branch densities on the south sides of buildings which are occupied and have glazing for summer shade and warmth.

The proposed application meets the Site Design Standards, Section II-B-5. The landscaping plan was designed by a local landscape professional knowledgeable of the various plant and tree specifications for this area. New plantings include deciduous trees that provide for early leaf drop for full winter solar access and summer shading.

II-B-6) Building Materials: Building materials and paint colors should be compatible with the surrounding area. Very bright primary or neon-type paint colors which attract attention to the building or use are unacceptable.

No bright or neon-type paint colors will be used on the building. The proposed material and colors will be earth tone colors consistent with building materials and colors often found on residential buildings.

18.61.080 CRITERIA FOR ISSUANCE OF TREE REMOVAL - STAFF PERMIT:

An applicant for a Tree Removal-Staff Permit shall demonstrate that the following criteria are satisfied. The Staff Advisor may require an arborist's report to substantiate the criteria for a permit.

As noted, the site has many trees of which 36 are being removed and 42 saved. All tree protection measures have been designed by a licensed Arborist and Landscape Architect. The Tree Protection Plan notes that all tree protection measures will be installed prior to any construction and a Tree Verification Permit obtained in accordance with Chapter 18.61.042. In addition, during construction the site will be monitored by the project arborist.

The criteria are as follows:

A. Hazard Tree: The Staff Advisor shall issue a tree removal permit for a hazard tree if the applicant demonstrates that a tree is a hazard and warrants removal.

None of the trees within the proposed project are considered hazardous trees, but it should be noted that some of the trees are not as healthy as should be due to significant amount of crowding.

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B. Tree that is Not a Hazard: The City shall issue a tree removal permit for a tree that is not a hazard if the applicant demonstrates all of the following:

1. The tree is proposed for removal in order to permit the application to be consistent with other applicable Ashland Land Use Ordinance requirements and standards. (e.g. other applicable Site Design and Use Standards). The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application; and

The trees to be removed are due to their location within the proposed footprint areas, sidewalks and driveway areas. The trees proposed to be removed are being removed to meet the various Site Design and Use Standards as well as various land use code regulations (Chapter 18) such as the minimum density requirements, parking standards, separation between buildings, etc. All of the subject trees and their canopies have been located by a licensed surveyor and their health assessed by two arborists (Upper Limb-it and Laurie Sager & Associates).

2. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks; and

Removal of the trees will not have a significant impact on erosion as the trees to be removed have been selectively chosen and will be either re-landscaped or developed. Overall, the removal of the trees will not have a negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.

3. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property.

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. Again, all of the subject trees have been assessed by two arborists (Upper Limb-it and Laurie Sager & Associates) and the replacement trees have been designed by a Landscape Architect and Arborist.

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. Nothing in this section shall require that the residential density 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 or alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the Ashland Land Use Ordinance.

No exceptions are proposed with this application. The applicants have explored a number of alternative designs to minimize tree loss, reduce asphalt, consider heat gain reduction, etc.

4. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.

The applicants are aware of this provision, but due to the nature of the property and the existence of many trees already on site, the applicants and project team members request that no additional tree conditions be added other than those identified on the landscaping plan.

18.61.084 Tree Mitigation Required

An applicant may be required to provide mitigation for any tree approved for removal. The mitigation requirement shall be satisfied by one or more of the following:

A. Replanting on site. The applicant shall plant either a minimum 1 ½-inch caliper healthy and well-branched deciduous tree or a 5-6 foot tall evergreen tree for each tree removed. The replanted tree shall be of a species that will eventually equal or exceed the removed tree in size if appropriate for the new location. The tree shall be planted and maintained according to the specifications in the City Tree Planting and Maintenance Guidelines as approved by the City Council.

Unless otherwise directed, the applicant and project team members request that no additional on-site tree conditions be added other than those identified on the landscaping plan.

B. Replanting off site. If in the City's determination there is insufficient available space on the subject property, the replanting required in subsection A shall occur on other property in the applicant's ownership or control within the City, in an open space tract that is part of the same subdivision, or in a City owned or dedicated open space or park. Such mitigation planting is subject to the approval of the authorized property owners. If planting on City owned or dedicated property, the City may specify the species and size of the tree. Nothing in this section shall be construed as an obligation of the City to allow trees to be planted on City owned or dedicated property.

The applicants are aware of this standard and if determined to be necessary, the applicants will comply.

C. Payment in lieu of planting. If in the City's determination no feasible alternative exists to plant the required mitigation, the applicant shall pay into the tree account an amount as established by resolution of the City Council.

The applicants are aware of this standard and if determined to be necessary, the applicants will comply.

18.61.200 TREE PROTECTION

Tree Protection as required by this section is applicable to any planning action or building permit.

A Tree Protection Plan has been submitted as part of the application in order to protect the trees planned to be preserved as well as the site's neighboring trees. All tree protection measures will be installed prior to any construction and a Tree Verification Permit obtained in accordance with Chapter 18.61.042. No development activities, including, but not limited to clearing, grading, excavation or demolition work will occur without the protection measures in place. Protection measures will only be removed after completion of all construction activity, including landscaping and irrigation installation.

18.62.040 Approval Criteria (Physical & Environmental Constraints):

1. 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.

The applicants have taken all reasonable steps as outlined in Chapter 18.62.075 (Riparian Preservation Standards) to minimize potential impacts to adjacent properties. As noted previously, the area the applicant is proposing to encroach with a portion of three parking spaces is within the 20' setback area from the surveyed top-of-bank, located between units #7 and #8. The encroachment area covers an area less than 400 square feet, however, a portion of this area is part of the existing paved driveway leading into the site from Siskiyou Boulevard and that a large area of this driveway is also being removed from the setback and revegetated.

Finally, the actual "riparian area" has no hydrology as the water from the adjacent creek is piped through the adjacent apartment complex west of the property and the subject area where piped has no riparian qualities (no water, limited vegetation, no wildlife, etc.). Nevertheless, in order to avoid delay and conflict, the applicant has provided a 20' setback from the top-of-bank which also corresponds with the City's Flood Plain Corridor boundary. Overall, the small paved area is outside of the City's Floodplain Corridor Boundary and the small asphalt area within the setback area will not cause any impact whatsoever.

Not only have the applicants conversed directly and indirectly with the neighbors (Ashlander Apartments, Don Graven, Manager), they have hired a professional Landscape Architect, Civil Engineer, Arborist, Land Use Planner, and Home Designer to address any potential impacts associated with the construction of the property. From the various meetings and communications, the applicant contends any and all potential adverse impacts have been minimized.

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

The applicants have considered the potential hazards the eventual development may create and contends due to the fact there is no hydrology along this section of the floodplain corridor, no potential hazards exist.

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3. 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 permitted development permitted by the Land Use Ordinance.

The applicants have considered the potential hazards the eventual development may create and contends due to the fact there is no hydrology along this section of the floodplain corridor, no potential hazards exist. Regardless, the encroachment areas is not within a riparian area nor the actual floodplain.

Attachments:

Site Photos

Vicinity Map

Assessor's Map

City of Ashland Floodplain Map

FEMA Map

City of Ashland Agreement (1998)

Existing Site Plan

Tree Removal & Protection Plan

Grading Plan

Planting Plan

City of Ashland Geographic Information System (GIS) Map

Floorplans & Elevations

Gazebo Plan

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Site Photos



PHOTO "A" (SEE MATCH POINTS ON EXISTING SITE PLAN)



PHOTO "B"



PHOTO "C"

BLISS FORD

JUN 6 2008

City of Portland Department

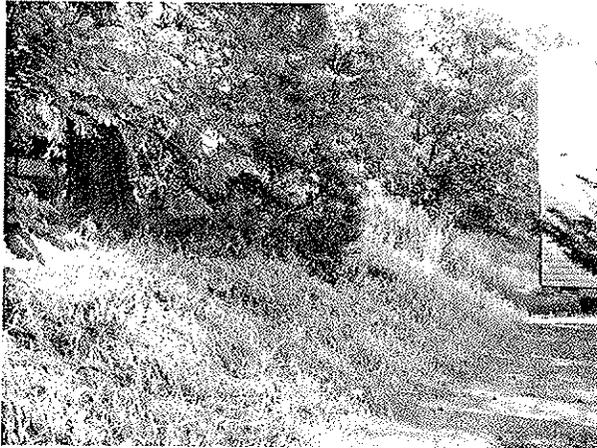


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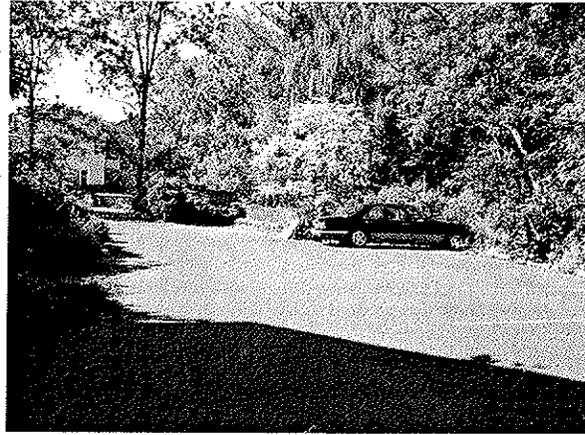


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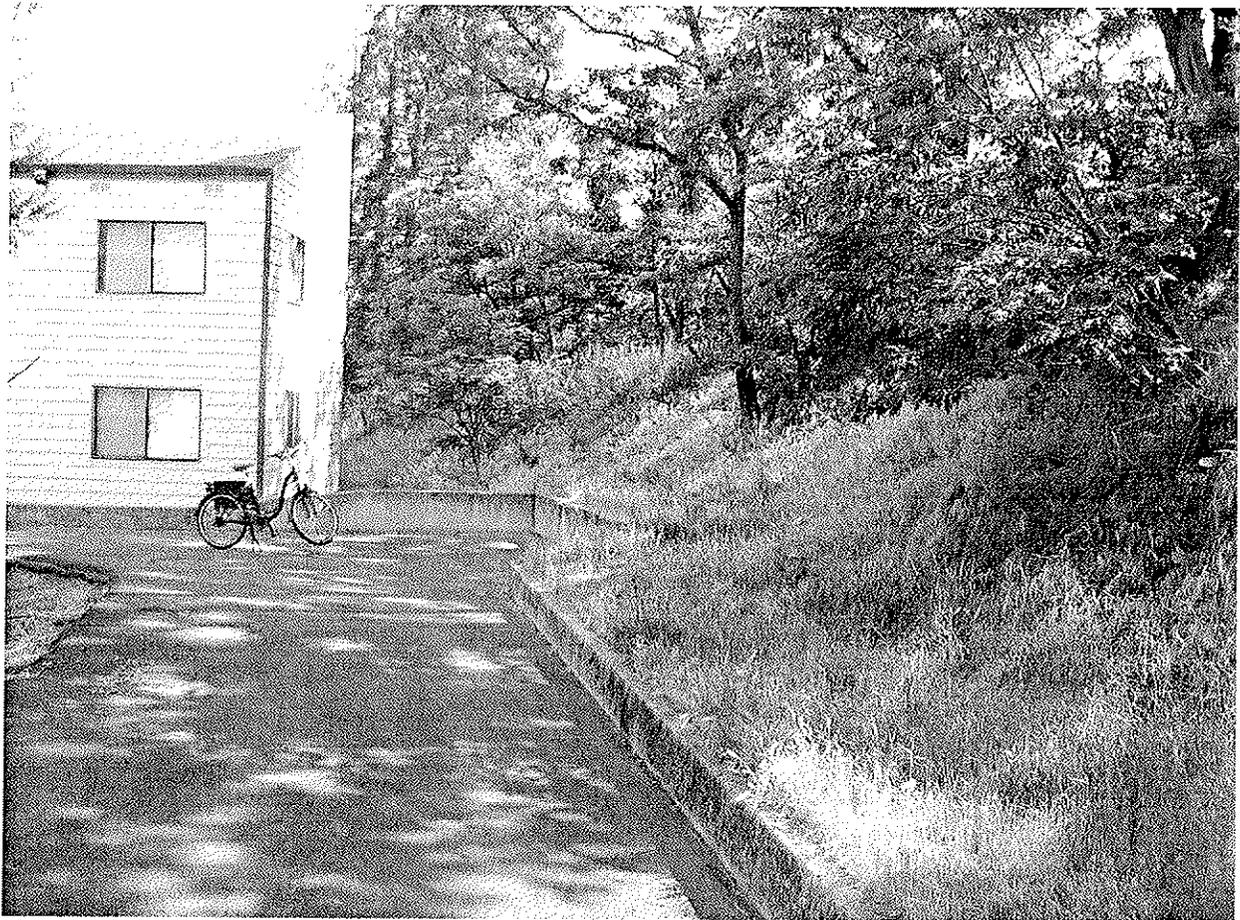


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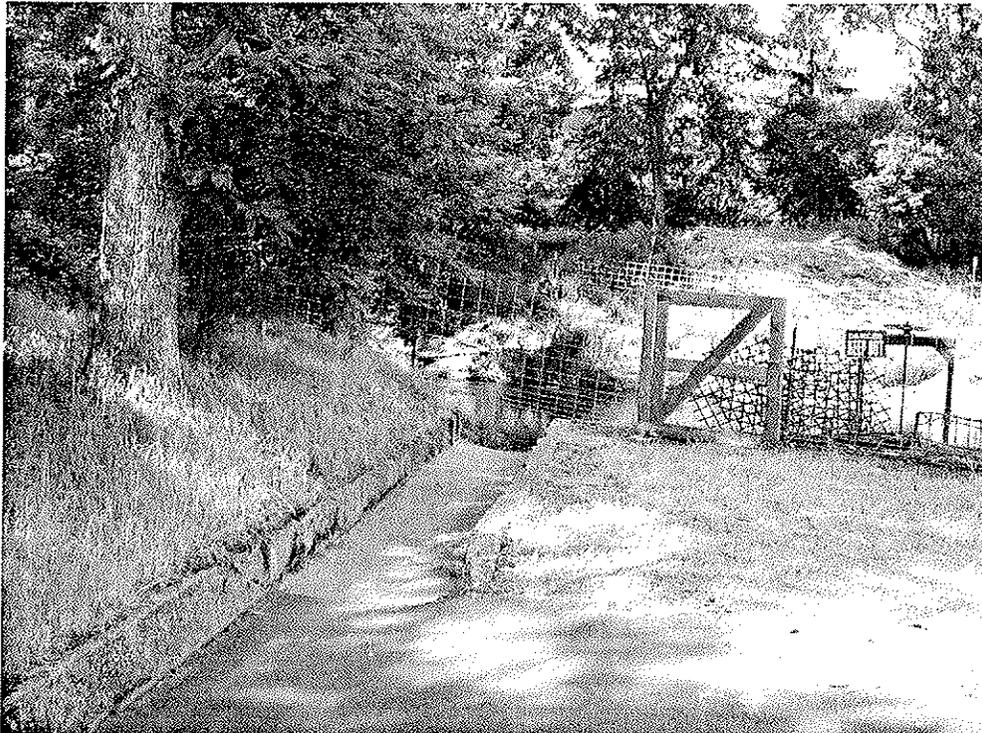


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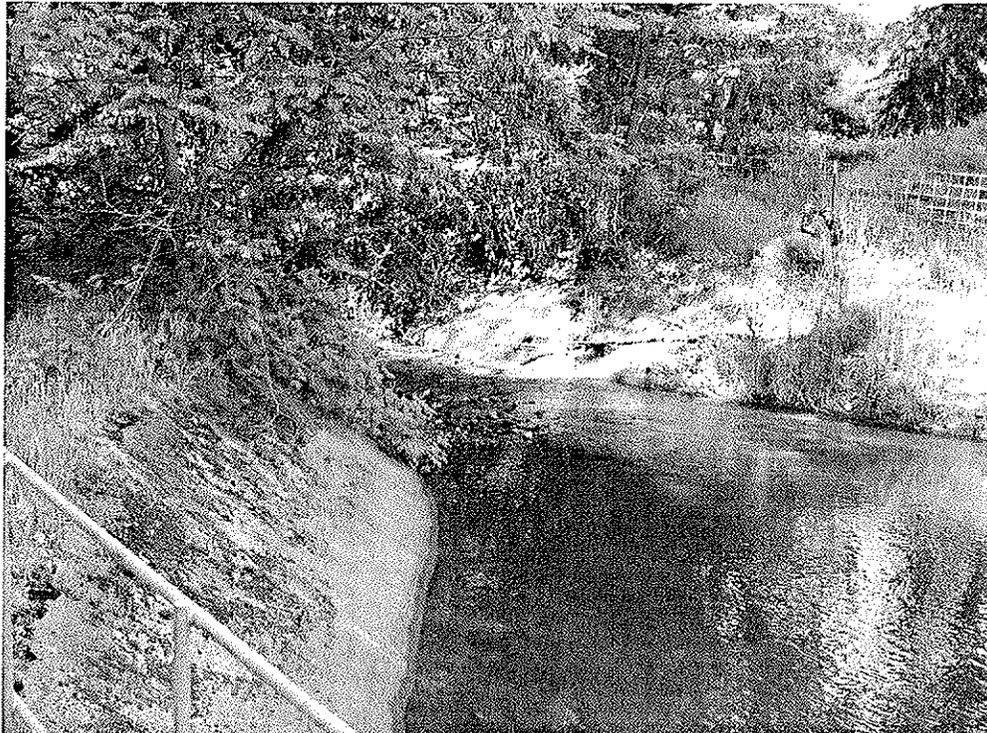


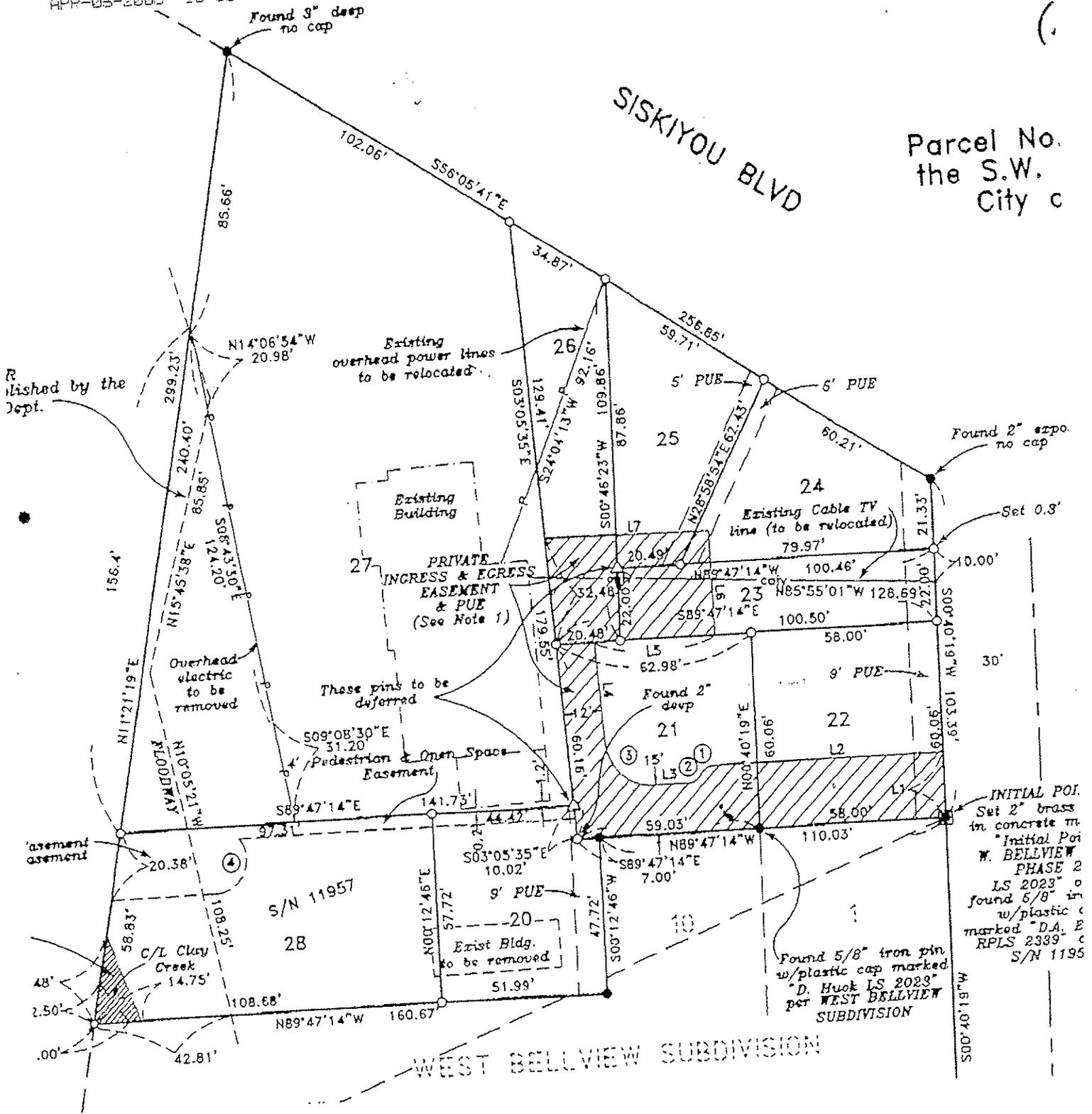
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VAN LEET ASHLAND

SISKIYOU BLVD

Parcel No. the S.W. City c



This subdivision plat is provided to show location of plat easements. Lot boundaries shown hereon are the original lot lines and may not conform to current property lines. This sketch is provided for informational purposes only, and no liability is assumed in connection herewith.

ALL LOTS

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97-33270

JACKSON COUNTY TITLE DIVISION
CENTINENTAL LAWYERS TITLE COMPANY
502 W. Main Street (P. O. Box 218) Medford, OR 97501 (541) 779-2811

7005709 10
3:43 20

ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS, that ,

THOMAS G. SANDER

hereinafter called the Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto

BARBARA DEERDOOT

hereinafter called the Grantee, and unto Grantee's heirs, successors and assigns an easement set forth herein, situated in the County of JACKSON , State of Oregon described as follows, to-wit:

An easement for ingress and egress over the most easterly 109.65 feet of lot Nineteen (19) and the most northerly 29.96 feet of the East 84 feet of the remainder of said lot Nineteen (19) in WEST BELLEVUE SUBDIVISION, a Planned Community in the City of Ashland, Jackson County, Oregon, according to the official plat thereof, now of record. Said easement is for the benefit of and appurtenant to Grantee's property described in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars is \$ NONE; however, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 4th day of November, 1996.

"THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FENCING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

THOMAS G. SANDER

11-04-96

STATE OF OREGON
COUNTY OF Jackson

The foregoing instrument was acknowledged before me this 4th day of November, 1996, by THOMAS G. SANDER

Patricia Gray
Notary Public for Oregon
By commission expires 6/27/00

SPACE FOR RECORDER'S USE



Mail Tax Statements to:
BO GRANGE

RECEIVED

JUL 28 2008
City of Ashland
Field Office Coun

97-33270
70052

EXHIBIT A

Parcel No. One (1) of Minor Partition Plat recorded March 21, 1990 as Partition Plat No. P-12-1990 of "Record of Partition Plats" in Jackson County, Oregon, and filed as Survey #11957 in the Office of the Jackson County Surveyor.

(Code 5-1, Account #1-8248-8, Map #391E14C, Tax Lot #1900)

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

SLP 05 1997

3:43 PM
Frederick J. ...
COUNTY CLERK

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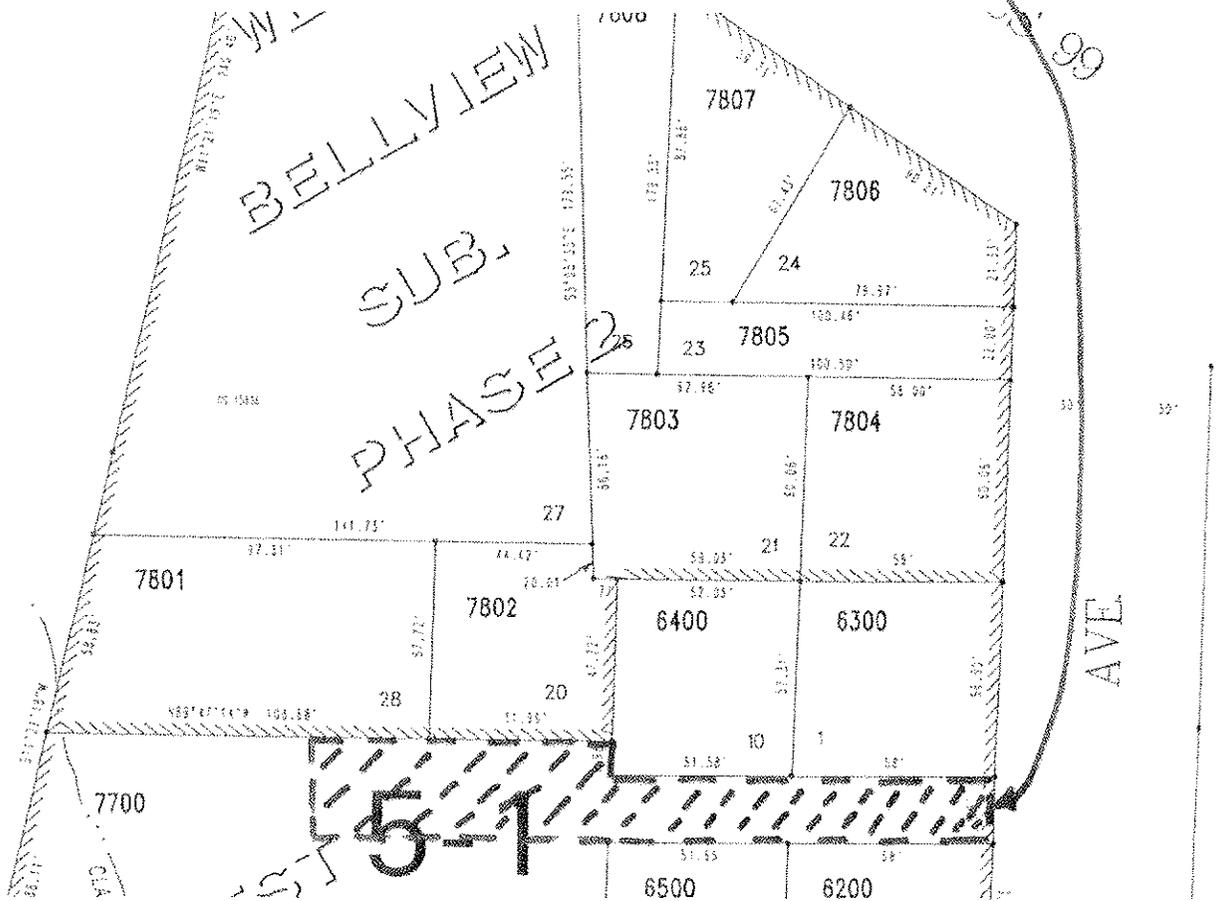
JUL 28 2008

City of Ashland

Field Office Coun

SEE MAP OF IL 1948

EASEMENT
97-33270
BENEFITS WEST
BELLVIEW PH. 2



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JUL 28 2008

City of Ashland

Field Office Coun

98 34770

X CITY OF ASHLAND, OREGON

8:16 5-

AGREEMENT

OWNER: Harten DeGroot ADDRESS: P.O. BOX 580 Laguna Beach, CA 92652

PROPERTY: 39 1E 14 14C 1900 (West Belview Sub./Phase 2 - Lots 20, 21-26 & 28)

TWP RANGE SECTION ASSESSOR'S MAP # TAX LOT # (s)
STREET ADDRESS: Intersection of Belview Avenue & Siskiyou Blvd. Ashland, OR

PLANNING ACTION 98-131 & 98-079 Subdivision and Site Review Approval (Type II) June 25, 1998
PAM TYPE 1 DATE

As the owner(s) of the property listed above, I/we hereby consent to the following improvements, dedication, or other actions as required by the City of Ashland, and agree to bear the proportionate payment of associated costs. This Agreement is to be binding upon myself/ourselves, my/our heir(s), executors, and assigns, and it is my/our express intention that this Agreement shall run with the land, so that fulfillment of the items listed below shall be binding upon future owners of the property. This consent is in consideration of APPROVAL OF OUTLINE, FINAL PLAN AND SITE REVIEW.

IMPROVEMENT, DEDICATION OR OTHER ACTION:

1) AGREE THAT LOTS 20, 21-26 AND 28 SHALL BE DEVELOPED AND CONSTRUCTED ONLY IN ACCORDANCE WITH THE OUTLINE AND FINAL PLAN AND SITE REVIEW APPROVAL IN CITY OF ASHLAND PLANNING ACTIONS 98-131 AND 98-079 UNLESS SUCH APPROVAL IS MODIFIED OR A NEW APPROVAL IS GRANTED PURSUANT TO THE CITY OF ASHLAND LAND USE ORDINANCE.

2) AGREE THAT NO DEVELOPMENT OF LOTS 20, 21-26 AND 28 CAN OCCUR UNTIL THE EXISTING STRUCTURE LOCATED UPON LOTS 20 AND 28 IS REMOVED.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

[Signature]
SIGNATURE

8/26/98
DATE

JUL 29 1998

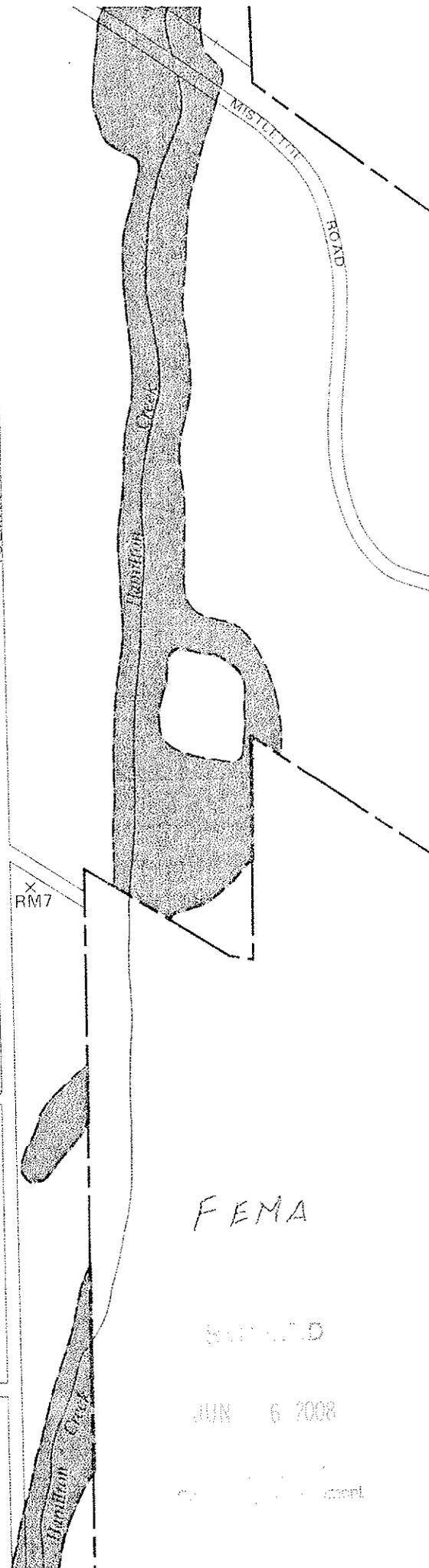
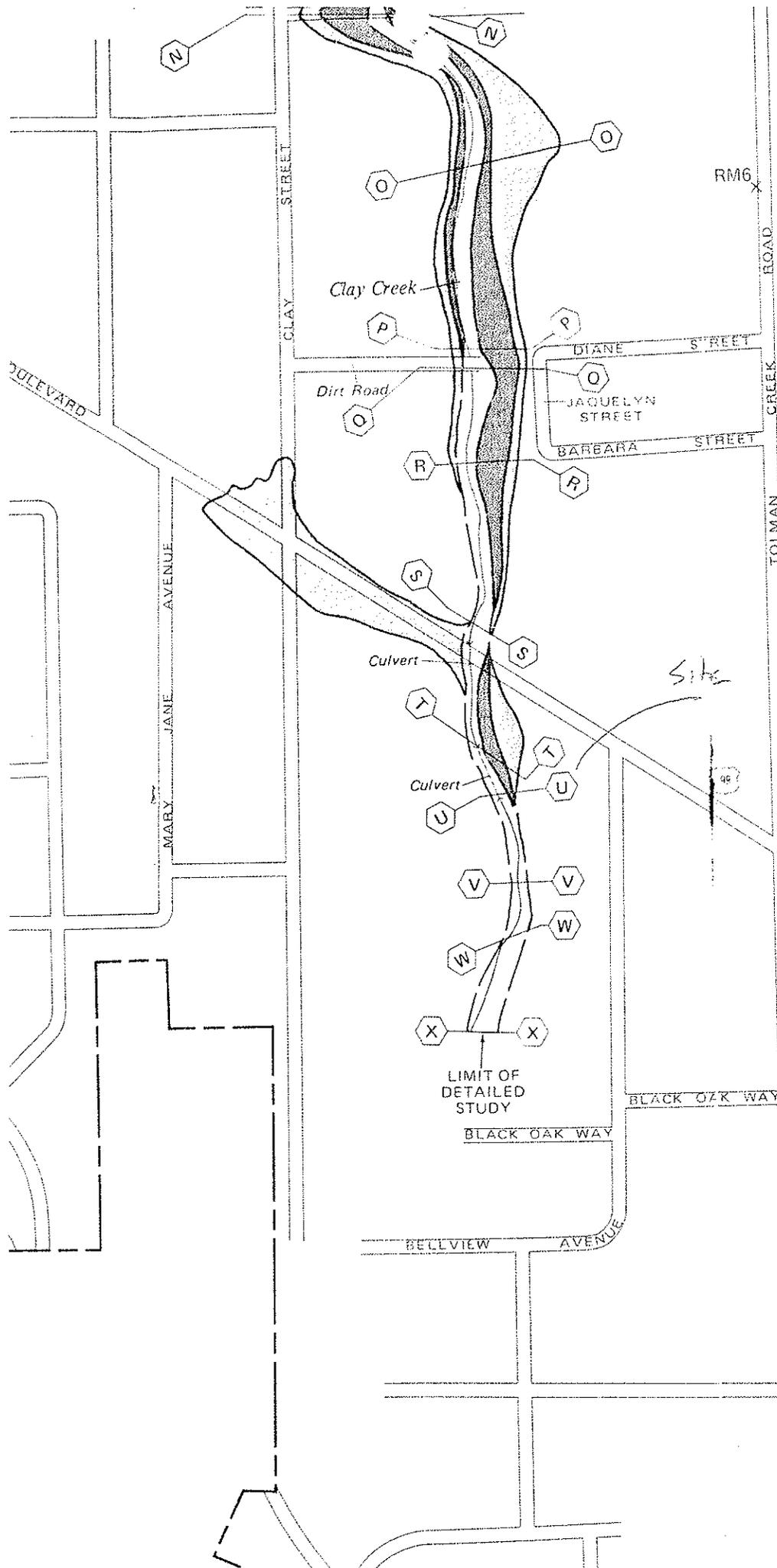
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COUNTY CLERK

STATE OF OREGON
County of Jackson

On this 26th day of August, 1998, before me personally appeared Harten DeGroot, whose identity was proven to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she)(they) executed the same.



[Signature]
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: March 10, 1999

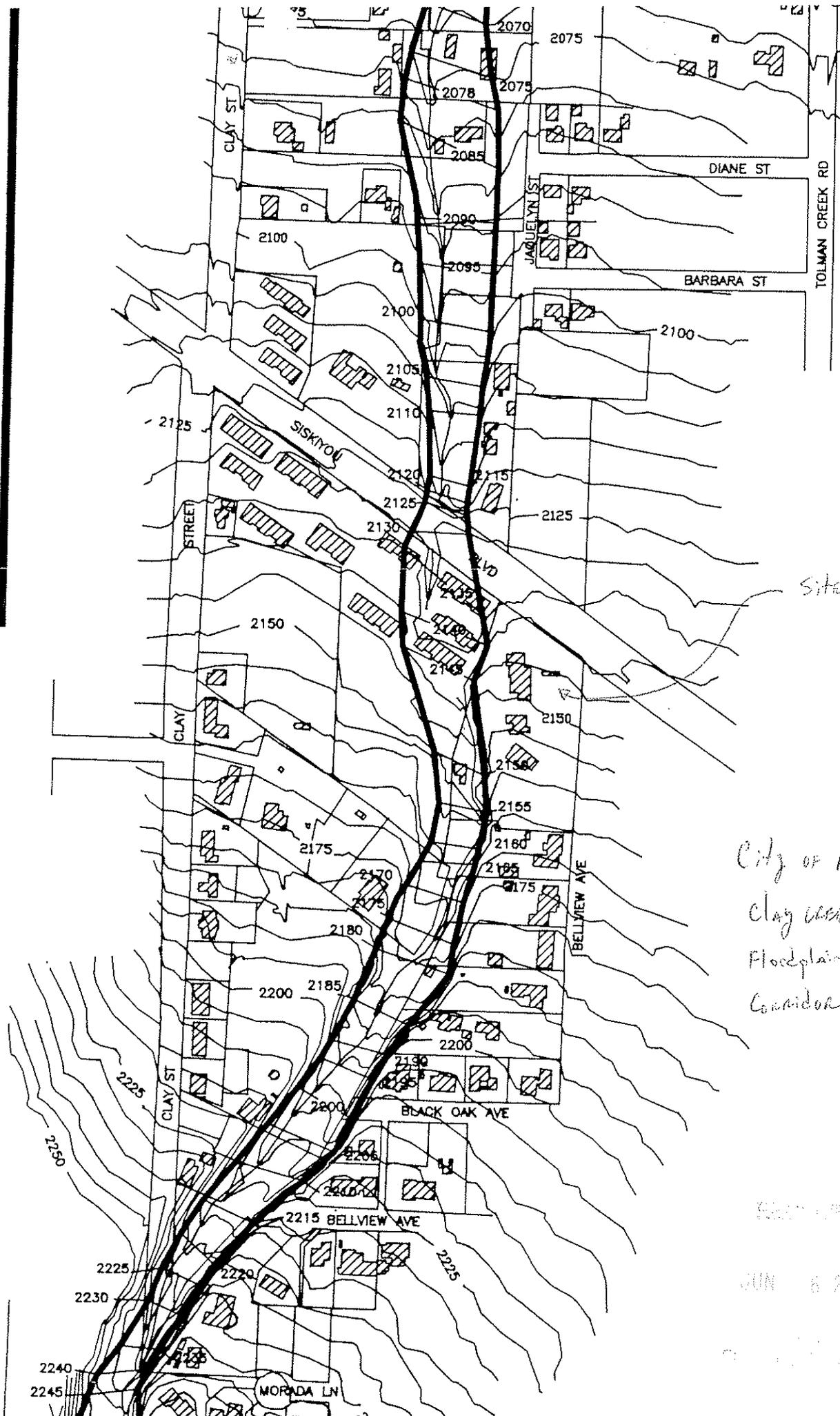


FEMA

STANDARD

JUN 6 2008

Department



Site

City of Ashland's
Clay Creek
Floodplain
Corridor

REVISION

JUN 6 2008

City of Ashland

CITY OF ASHLAND

July 3, 2008

Urban Development Services, LLC
Attn: Mark Knox
700 Mistletoe Road, Suite #204
Ashland, OR 97520

Re: PA #2008-00911, for the property located at 2300 Siskiyou Boulevard
Incompleteness Determination

Mark,

I have reviewed your application received on June 6, 2008 for a Site Review and Physical and Environmental Constraints Review Permit for the property located at 2300 Siskiyou Boulevard. After examining the materials presented, I have determined that the application is incomplete because the information listed below was not provided. Incomplete applications are subject to delay in accordance with ORS 227.178. The application cannot be further processed and deemed complete until the missing information is submitted or the applicant indicates that the missing information will not be provided.

Evidence of Easement – Evidence of easement for access over the property to the south or signature of the property owner on the property granting access needs to be provided before the application can be deemed complete.

Tree Inventory: In preliminary site visits by staff, the tree identification numbers in the tree inventory provided with the submittal do not coincide with the tree identification tags in place on site. For example, Tree #80 is tagged on site but not identified in the provided inventory, Tree #29's on-site location does not match its mapped location, and some trees along the creek corridor were observed without tags. A revised tree inventory which accurately reflects the on-site tree identification is needed before Staff can review the project, as required in AMC 18.61.050.A.e. (Staff will likely schedule a site visit by the Planning Commission, and on-site tree identification provides a primary means of orienting to the site.)

Access from the Street: The Site Design and Use Standards require that buildings be accessed from the street and sidewalk. Staff does not believe that the proposed walkways incorporated into the required 20-foot driveway width can be found to satisfy this standard for Units 1-4, 6 & 7. Similarly, the placement of the walkway within the required driveway width and back-up dimension near Units 10 and 11 is a concern. A revised site plan identifying separated facilities is needed to demonstrate compliance with the driveway width and access from the street requirements.



Separation between buildings: In some areas, it appears that porches extend into the area required as a separation between buildings. This occurs between Unit 5 and Units 1 and 2, and between Units 11 and 12.

Tree Protection Zones: Building footprints are shown extending significantly into the tree protection zones for trees #39 and #40. Has the project arborist reviewed this and indicated that the trees are able to accommodate the proposed construction disturbance? Have specific construction methodologies been recommended for construction within the tree protection zones? This information will need to be provided before staff and the Tree Commission can consider the proposed encroachment into tree protection zones.

Functional Recreational Space: An area equal to at least eight percent of the lot area is required to be dedicated to open space for recreation for use by the tenants of the development. While the application materials submitted indicate that nearly 18 percent open space is to be provided, Staff is concerned that a number of the areas identified as recreational open space are not suited to recreational use and will not be seen as satisfying the standard by the Planning Commission. The lawn area under a large tree within the parking lot, immediately adjacent to parking spaces and circulating vehicles seems ill-suited to recreational use; some of the private yards identified for recreational use include areas that are less than five-feet wide located between buildings and adjacent to walkways; and a significant portion of the creek corridor is steeply sloped and heavily treed limiting its recreational potential. Staff believes that a stronger demonstration that sufficient functional recreational open space has been provided is needed to satisfy the standard.

Top of Bank Setback Impact – Construction Disturbance: The 20-foot top of bank setback is intended to provide an area protected from disturbance. The placement of building envelopes and porches up to this line is a concern for staff as the necessary site work associated with construction and maintenance will result in disturbance of the area required to be protected. In other recent applications, envelopes have been required by the Planning Commission to provide a five-foot buffer between the envelope and the required setback line to allow for construction disturbance.

Top of Bank Setback Encroachment – Parking Spaces: The parking calculations provided suggest that more parking is being provided than may be required by the proposed number of units (i.e. 23 spaces required, 24 spaces provided in addition to potential on-street credits). The approval criteria for a Physical and Environmental Constraints Review Permit require a demonstration that all reasonable steps have been taken to reduce the adverse impacts on the environment. It would appear that the amount of parking to be placed within the top of bank area could be reduced, minimizing the environmental impact, while still satisfying the parking requirements of the proposed development.

As proposed, these parking spaces also appear to direct headlight glare into windows of the Ashlander building. The landscape materials provided will need to function as a sight-obscuring screen.

Available Back-Up Dimension: The northernmost compact parking spaces between Units 9 and 10 does not appear to have the required 22-foot clear back up dimension available.

Street Improvements: Full street improvements to city street standards will be required along the property's Siskiyou Boulevard frontage. Plans will need to be provided identifying the establishment of a curb line, and the



installation of a seven-foot parkrow planting strip with street trees and a six-foot sidewalk. The plans should detail how the new sidewalk will transition to the existing multi-use path in front of the adjacent Ashlander Apartments, and details provided should include street light installation and provisions for the re-installation of an RVTD bus stop along the property's frontage. (These plans will need to be reviewed and approved by the City of Ashland and the Oregon Department of Transportation (ODOT).)

Civil Plans: Civil plans for the utility improvements associated with the development of the site will be needed to address to demonstrate adequate capacity. The Public Works/Engineering Division has indicated that a manhole will be needed in place of the catch basin near the existing Siskiyou driveway.

Handicapped Parking Space: One disabled person parking space is required, but does not appear to be identified on the plans provided.

Refuse Container Screening: Refuse containers or disposal areas are required to be screened; this does not appear to be addressed in the narrative or plan provided. Will individual refuse containers be provided and screened for the individual units, or is a central screened container proposed.

Generally, planning staff believe that the proposed site design is driven largely by the desire to provide circulation to private garage space for each of the individual units, necessitating significantly more space for vehicular circulation than would otherwise be necessary at the expense of required elements such as functional open space and pedestrian access. As proposed, staff will likely send the application to a hearing, with a final staff recommendation to the Planning Commission dependent on how the above items can be addressed.

To continue the Planning Department's review of your application, you must select and complete one of the following three options:

1. Submit all of the missing information;
2. Submit some of the requested information and give the City of Ashland Planning Division written notice that no other information will be provided; or
3. Submit written notice to the City of Ashland Planning Division indicating that no other information will be provided.

Please note that failure to complete one of the three options within 180 days of the application submittal date (June 6, 2008) will result in your application being deemed void. The application will be deemed void if the additional information is not submitted by December 3, 2008.

I have enclosed a form, entitled the "*Applicant's Statement of Completeness*". Please review the enclosed form and return it to me with any additional material you will be submitting. Your application will not be further processed until the Applicant's Statement of Completeness form is completed and received by the City of Ashland Planning Division.



If you have questions, please contact me at 552-2040 or seversod@ashland.or.us.

Sincerely,

Derek Severson
Associate Planner

Encl: Applicant's Statement of Completeness

Cc: File





URBAN DEVELOPMENT SERVICES, LLC
LAND USE PLANNING AND DEVELOPMENT SERVICES

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City of Ashland

July 28, 2008

Ashland Planning Department
Attn: Derek Severson
51 Winburn Way
Ashland, OR 97520

Subject: 2300 Siskiyou Boulevard; PA# 2008-00911

Derek,

In regards to the July 3rd, 2008 Incomplete Letter regarding Planning Action 2008-00911 and our meeting of July 10th, I've attempted to respond below to each item:

1) **Evidence of Easement** – Evidence of easement for access over the property to the south or signature of the property owner on the property granting access needs to be provided before the application can be deemed complete.

I e-mailed you this information on July 22nd. It clearly allows full access to the property, but because this is a driveway serving the adjacent neighbors to the south, the applicant has attempted to minimize the impact on the neighbors by only limiting the number of vehicle trips to only the two single-bedroom two units (less than 500 sq. ft.). I felt this is important to note as it demonstrates the applicant's commitment to thoughtful planning and neighborhood sensitivity.

2) **Tree Inventory:** In preliminary site visits by staff, the tree identification numbers in the tree inventory provided with the submittal do not coincide with the tree identification tags in place on site. For example, Tree #80 is tagged on site but not identified in the provided inventory, Tree #29's on-site location does not match its mapped location, and some trees along the creek corridor were observed without tags. A revised tree inventory which accurately reflects the on-site tree identification is needed before Staff can review the project, as required in AMC 18.61.050.A.e. (Staff will likely schedule a site visit by the Planning Commission, and on-site tree identification provides a primary means of orienting to the site.)

On July 14th, 2008 the project arborist visited the site for retagging the trees. Considering the number of trees on this property, I'm not surprised, but I believe all should now be correctly tagged and match the revised Tree Protection and Removal Plan. The revised

plan addresses additional protection and construction measures as well. However, the plan doesn't tag the trees down near the west property line (near creek corridor or the piped corridor section as the construction will be no where near this area. This is a significant amount of additional cost and based upon past precedents, groups of trees not affected by construction have not been required to be surveyed and tagged).

3) **Access from the Street:** The Site Design and Use Standards require that buildings be accessed from the street and sidewalk. Staff does not believe that the proposed walkways incorporated into the required 20-foot driveway width can be found to satisfy this standard for Units 1-4, 6 & 7. Similarly, the placement of the walkway within the required driveway width and back-up dimension near Units 10 and 11 is a concern. A revised site plan identifying separated facilities is needed to demonstrate compliance with the driveway width and access from the street requirements.

Generally, the sidewalks within the perimeter of the development are more for aesthetics, pedestrian delineation, and to meet site design regulations noted in Section II-B-1c of the Site Design and Use Standards which states:

II-B-1c) Buildings shall be accessed from the street and the sidewalk. Parking areas shall not be located between buildings and the street.

The applicant and I feel strongly the above standard is not only being met, but is being exceeded. All of the units are accessed from the street and the units along the rights-of-way are being accessed from both front and back. That said, the applicant is willing to "remove" a portion of the sidewalks if the staff and the Planning Commission feel it is necessary. For example, the sidewalk along the Bellview Avenue driveway – to the edge of Unit #10 could be removed and replaced with asphalt. Again, this isn't preferred as the client and I believe the difference in material presents a superior presence from the street and considering the low number of vehicle trips, the sidewalk's location would rarely be an issue. In addition, the sidewalk would be designed to support 44,000 lbs. of weight (fire truck).

Finally, the applicant and I believe that the area of sidewalk abutting and extending to Units #1 – 7 is permissible as this section of driveway only serves five parking spaces (within single car garages). This was specifically designed this way, in consultation with the Fire Department, so as to have a looped driveway system that gives more room for the common green area and doesn't have an unnecessary amount of paving, but a reasonable amount based upon the circumstances of the site's needs and the code's requirement as noted in Chapter 18.92.070 B.3. which states:

AMC 18.92.070 B.3: Parking areas of more than seven parking spaces shall be served by a driveway 20 feet in width and constructed to facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety, and shall be clearly and permanently marked and defined. Parking areas of seven spaces or less shall be served by a driveway 12 feet in width.

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Overall, the applicant and I believe the plan meets the standards and is superior to the alternative, but would consider a condition of approval by the Planning Commission to either 1) remove the section of sidewalk from Bellview Avenue to the end of Unit #10 and replace with asphalt; 2) reduce the width of the common green's west side by an additional 4' in order to accommodate a full 20' of driveway and 4' sidewalk; 3) increase the common green's west side by 4' by reducing the asphalt area from 16' to 12' as permitted under 18.92.070 B.3. Again, the applicant and I believe the plan, as proposed, is the best design solution.

4) Separation between buildings: In some areas, it appears that porches extend into the area required as a separation between buildings. This occurs between Unit 5 and Units 1 and 2, and between Units 11 and 12.

Based upon previous conversations and definition review, the separation between buildings is based upon "buildings" and not "porches". As such, all separation between buildings is being complied with. If for some reason the Planning Commission or Staff believe strongly the intent of the ordinance (Chapter 18.24.040 E.3) was to include porches and their mass infringes on the livability of either unit, the applicants would like to further discuss in the public hearing. Overall, the applicant and I believe the proposal complies with the standard and the inclusion of porches (front or back) is an amenity that should be encouraged.

5) Tree Protection Zones: Building footprints are shown extending significantly into the tree protection zones for trees #39 and #40. Has the project arborist reviewed this and indicated that the trees are able to accommodate the proposed construction disturbance? Have specific construction methodologies been recommended for construction within the tree protection zones? This information will need to be provided before staff and the Tree Commission can consider the proposed encroachment into tree protection zones.

As noted above, on July 14th, 2008 the project Arborist and Landscape Architect revisited the site to specifically review trees #39 and #40. The Tree Protection and Removal Plan have been modified to remove the two trees. See revised Tree Removal and Protection Plan for details.

Functional Recreational Space: An area equal to at least eight percent of the lot area is required to be dedicated to open space for recreation for use by the tenants of the development. While the application materials submitted indicate that nearly 18 percent open space is to be provided, Staff is concerned that a number of the areas identified as recreational open space are not suited to recreational use and will not be seen as satisfying the standard by the Planning Commission. The lawn area under a large tree within the parking lot, immediately adjacent to parking spaces and circulating vehicles seems ill-suited to recreational use; some of the private yards identified for recreational use include areas that are less than five-feet wide located between buildings and adjacent to walkways; and a significant portion of the creek corridor is steeply sloped and heavily treed limiting its recreational potential. Staff believes that a stronger demonstration that sufficient functional recreational open space has been provided is needed to satisfy the standard.

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It should be clearly understood the 17.5% identified on the plans and within the narrative is significantly more than the 8% required by code (18.24.040 H.) and that after reducing the areas specifically of concern by staff, the application still significantly exceeds the 8% minimum. Note: no areas calculated with the recreational space are beyond the creek's embankment and therefore these areas are relatively level and an acceptable area for recreational opportunity. The applicable code section regarding this issue reads as follows:

18.24.040 H. Outdoor Recreation Space: At least 8% of the lot area shall dedicated to outdoor recreational space and shall be part of the overall landscaping requirements.

Although there is no definition of what constitutes "recreational space" within the Ashland Municipal Code, the applicant and I evaluated staff's comments noted in the letter and recalculated these areas and reduced the percentage from the overall recreational space originally provided, but it still maintains a 12.5%* recreational area. The reduction information is as follows:

9 porches < 8' deep	= 778 sq. ft.
Center green	= 1,317 sq. ft.*
Side yards	= 52 sq. ft. (area east of Unit #9)
	= 100 sq. ft. (area south of Unit #13)
	= 100 sq. ft. (area north of Unit # 12)
	= 60 sq. ft. (area west of Unit #1)
<i>Total (4.75%)</i>	<i>= 2,407 sq. ft.</i>

Total Required by code (8% minimum)	= 4,042 sq. ft.
Total Provided with center green (17.5%)	= 8,879 sq. ft.
Total Provided without center green (12.75%)	= 6,472 sq. ft.

Finally, even though the application still exceeds the minimum outdoor recreational space requirements, the applicant and project team members are adamant the center green is still a recreational space and should be considered by staff, if not in this application, but in future applications as this space could easily be used for reading a book, playing a board game or many other passive recreational uses. Secondly, this area was once planned to be a community garden, but during preliminary discussions with staff it was stated gardens wouldn't be considered as recreational space due to past Planning Commission interpretations. Although the applicant and I still have difficulty comprehending the reasons behind this interpretation considering our current economic and environmental dilemma, the applicant has agreed to remove the center green from the recreational calculations.

Top of Bank Setback Impact – Construction Disturbance: The 20-foot top of bank setback is intended to provide an area protected from disturbance. The placement of building envelopes and porches up to this line is a concern for staff as the necessary site work associated with construction and maintenance will result in disturbance of the area required to be protected. In other recent

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applications, envelopes have been required by the Planning Commission to provide a five-foot buffer between the envelope and the required setback line to allow for construction disturbance.

The applicant and I appreciate staff's position on this matter, but would like to discuss this issue directly with the Planning Commission as it's our position the 20' setback was originally created for this very purpose. In fact, there is some question, based upon precedents, this section of code only requires a 10' setback, but until recently a 20' setback measurement has been interpreted. Nevertheless, the applicant and I both contend the additional 5' is unnecessary for the following reasons:

- 1) The original purpose of the 20' setback considered the fact that construction was going to take place and thus an appropriate setback was established (is this being considered or discussed with the proposed Riparian Ordinance Amendment?);
- 2) The construction period for the building and porches abutting the 20' top of bank setback is very minimal (6 – 9 months);
- 3) The applicant will be required to landscape this area immediately after construction as it is part of the landscaping plan and typically a requirement prior to a final certificate of occupancy. If the Planning Commission or Staff desires, the landscaping in these areas can take place sooner.

Overall, the applicant, project's Landscape Architect, Arborist and I contend the proposal is far more sensitive to the creek corridor than any of the adjacent developments who have designed their buildings with their windowless backs or sides facing the creek where as the proposed project is incorporating the creek's natural amenities by designing the units orientation and floor plans to overlook the creek's corridor. This provides a far superior living environment and appreciation of the area.

Top of Bank Setback Encroachment – Parking Spaces: The parking calculations provided suggest that more parking is being provided than may be required by the proposed number of units (i.e. 23 spaces required, 24 spaces provided in addition to potential on-street credits). The approval criteria for a Physical and Environmental Constraints Review Permit require a demonstration that all reasonable steps have been taken to reduce the adverse impacts on the environment. It would appear that the amount of parking to be placed within the top of bank area could be reduced, minimizing the environmental impact, while still satisfying the parking requirements of the proposed development.

As proposed, these parking spaces also appear to direct headlight glare into windows of the Ashlander building. The landscape materials provided will need to function as a sight-obscuring screen.

As noted in the application materials, this section of creek is not a creek, but a piped system that is underground paralleling a section of the Ashlander Apartments to the east and then diverting west towards a culvert under Siskiyou Boulevard approximately 415 feet away. This area is covered with dry grass and drought tolerant vegetation. Nothing in this area is "riparian" related and an error on the map that should be corrected as this section has been piped for at least 25 years. As such, the applicant would prefer to retain

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the extra space as it's really not encroaching into an area that has contributing attributes of a riparian area.

Available Back-Up Dimension: The northernmost compact parking spaces between Units 9 and 10 does not appear to have the required 22-foot clear back up dimension available.

The applicants agree the parking spaces located between units #9 and 10 appear to not have the adequate 22' of back-up distance and will modify prior to building permits being submitted. The subject spaces will be modified into a single space and shifted to the east so that the back-up dimension is met. With this adjustment, the adjacent sidewalk will likely be shifted as well.

Street Improvements: Full street improvements to city street standards will be required along the property's Siskiyou Boulevard frontage. Plans will need to be provided identifying the establishment of a curb line, and the installation of a seven-foot parkrow planting strip with street trees and a six-foot sidewalk. The plans should detail how the new sidewalk will transition to the existing multi-use path in front of the adjacent Ashlander Apartments, and details provided should include street light installation and provisions for the re-installation of an RVTD bus stop along the property's frontage. (These plans will need to be reviewed and approved by the City of Ashland and the Oregon Department of Transportation (ODOT).)

Based upon our July 10th conversation and various messages to Bill Molnar, Planning Director, this issue appears to still remains in question. It should be understood, this issue was discussed during the initial pre-application meetings with both Public Works and Planning Staff. The consensus between all parties was the improvements in this area should be done comprehensively as the existing bike path, meandering pedestrian walkway, and bus shelter space work very well and are part of a larger system that is a character defining element of this section of Siskiyou Boulevard.

As such, considering the previous discussions on this matter and now the late timing of this possibility, the applicant would at least prefer these items be part of a Local Improvement District (as previously agreed to and recorded as part of the 1996 application; PA-96-131) and defer any improvements until they are comprehensively planned and understood for not only this section, but preferably the sections of Siskiyou Boulevard as described above.

Civil Plans: Civil plans for the utility improvements associated with the development of the site will be needed to address to demonstrate adequate capacity. The Public Works/Engineering Division has indicated that a manhole will be needed in place of the catch basin near the existing Siskiyou driveway.

Per our discussion on July 10th and follow-up discussions with Public Works, they have rescinded this request as there is no question the adjacent infrastructure is available to serve the proposal. The applicant and agents have met on a number of occasions with the various utility departments with no indication the infrastructure is at capacity. The applicant is aware of the need for a new manhole near the existing driveway (to be

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closed) and will provide engineering details prior to issuance of a building permit and will obtain the necessary right-of-way improvements from the Oregon Department of Transportation prior to initiating work in this area.

Handicapped Parking Space: One disabled person parking space is required, but does not appear to be identified on the plans provided.

This issue is easily solvable considering the application is over-parked by one parking space. The applicant would request this also be a condition of approval of the Planning Action, but it is the applicant's intent to merge two standard spaces into a single handicapped parking space.

Refuse Container Screening: Refuse containers or disposal areas are required to be screened; this does not appear to be addressed in the narrative or plan provided. Will individual refuse containers be provided and screened for the individual units, or is a central screened container proposed.

The proposed trash enclosure will be made of block and will be enclosed from the front from a screened gate. All individual units are to have individual cans for recycling and trash service.

In conclusion, the applicant and project team have worked on this project, in consultation with the Planning and Public Work's staff over the past two years. There have been many changes based upon staff's suggestions that the applicant has complied with even though not necessarily seen as a benefit to the site or applicant. These include converting a couple of the standard two-bedroom units to small single bedroom units, opening up the creek corridor near the gazebo, breaking-up the mass of units by creating duplex floor plans instead of tri-plex plans, etc.

The suggestion the application is largely driven by the desire to provide circulation to private garage space is not correct, not fair and not a typical design standard or criteria element the applicant and project team are aware of. In fact, the design of the looped driveway system and private garages is more an attribute of the site's natural features, shape and the City's minimum density standards. In addition, the transportation requirements and Site Design criteria either force the application into considering two-story mass buildings with an open parking lot(s) similar to the Ashlander Apartments to the west or as designed and submitted. The applicant and the applicant's project consultants believe strongly the proposed units will create a positive living environment for the tenants (renters or owners), create a positive streetscape along both Siskiyou Boulevard and Bellview Drive (oversized front porches and minimal mass), and be respectful to the context of the neighborhood (similar mass and scale as to Bellview Estates Phase I, but less than the Ashlander Apartments). Overall, the applicant desires to put forth a product that is appreciated by the tenants and is sustainable over the projects lifetime.

If procedurally necessary, we look forward to meeting with the Ashland Planning

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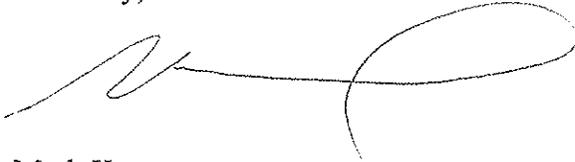
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City of Ashland
Field Office Court

Commission to discuss the positive attributes of the project. If it is determined the application is subject to staff review, we hope the above written responses and our various verbal conversations have better clarified the project and it now deemed complete and acceptable.

Thanks again for your assistance on these matters. If for any reason you have a question, please do not hesitate to contact me at 821-3752 or Steve Asher at 210-3027.

Sincerely,



Mark Knox

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JUL 28 2008

City of Ashland

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AUG 21 2008

08/21/08 10:00 AM



URBAN DEVELOPMENT SERVICES, LLC

LAND USE PLANNING AND DEVELOPMENT SERVICES

August 20th, 2008

Ashland Planning Department
Attn: Derek Severson
51 Winburn Way
Ashland, OR 97520

Subject: 2300 Siskiyou Boulevard; PA# 2008-00911; ADDENDUM

Derek,

Please find attached preliminary Civil Engineering Plans and revised Landscaping plans identifying a new sidewalk, new concrete curb, and a landscape strip for street trees along the property's Siskiyou Boulevard frontage. The plans also show additional utility information per your previous July 3rd, 2008 request. Final engineering details and specifications will be available at the time the building plans are submitted.

The preliminary civil plans are in compliance with the City's adopted 1999 Street Standards for sidewalk width, planting strip width, curb standards, etc. and have been reviewed and discussed with various City utility departments in order to also comply with their standards. In addition, the plans have been reviewed by Dan Dorrell of the Oregon Department of Transportation (ODOT) and Paige Townsend of the Rogue Valley Transit District (RVTD). Each department, including ODOT and RVTD agreed the plans were acceptable and had little to no comment. *NOTE: The existing bus shelter (concrete pad) has been abandoned due to a change in service at RVTD, but nevertheless the applicant has agreed to complete some preliminary planning, in consultation with RVTD, so that when the service is restarted, the location of the eventual concrete pad and shelter will already be planned and minimal conflicts will occur (trees, plants, irrigations, etc.). A revised Landscaping Plan has also been included for your review.*

Finally, as you've heard from the applicant and me, the street improvements for this section of Siskiyou Boulevard had never been previously mentioned in previous approvals, previous pre-application meetings and/or follow-up meetings. The applicant attempted on at least two occasions to verify if any street improvements would be necessary and each time it was said the improvements should wait until a more comprehensive plan of this section of Siskiyou Boulevard was complete. Nevertheless, it now appears that due to the recent discussions regarding Arterial Streets Standards and

setbacks with the Planning Commission, the street “may” need to be improved to meet the 1999 Street Standards.

Although this information is unfortunate considering its late timing, it’s really unfortunate as the current improvements, from Walker Avenue to Tolman Creek Road work very well, but with the change it’s likely to detract from the rural atmosphere this section of Siskiyou Boulevard possesses. Instead, the improvements should be deferred as originally intended for a variety of reasons, mostly to do with comprehensive street planning from Walker Street to Tolman Creek Road with these same neighbors having public input similar to the lower section of Siskiyou Boulevard. For example, the attached design and cross-section illustrates how it complies with the Street Standards for Arterial Streets, but it could just as easily accommodate either a wider planting strip, a meandering sidewalk a second row of street trees or many variations of each that at least utilizes the right-of-way considerably more than what the current street standards propose.

As such, the applicants would like to request an Exception to the Street Standards to not install a new sidewalk and curbs until this area, specifically the south side of Siskiyou Boulevard from Walker Avenue to Tolman Creek Road, can be thoroughly understood and vetted with neighbors and citizen input. If deemed appropriate, street trees and irrigation will be installed at this time. Regardless of what decision is made, the applicant proposes to repave the existing sidewalk in order to eliminate certain areas of up-heaving.

The Street Exception Standards are found in Chapter 18.88.050 F of the Ashland Municipal Code and are identified below in italics followed by the applicant’s response in regular font:

18.88.050.F - Exception to Street Standards - An exception to the Street Standards is not subject to the Variance requirements of section 18.100 and may be granted with respect to the Street Standards in 18.88.050 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.*

As noted above, the site is unique as it is part of a larger section of street that should be master-planned by the City through a process similar to the recent public meetings involving the lower section of Siskiyou Boulevard (from Gresham Street to Ashland Street). There are a variety of reasons for this request which include:

- This section of street, from Walker Avenue to Tolman Creek Road, has approximately 30’ of right-of-way from the back of the existing bike lane to the property line. The adopted standards call for a 6’-8’ parkrow (planting strip) and a 6’ sidewalk leaving 17’-6” of “under utilized public space”.

- The existing sidewalk between Walker Avenue and Tolman Creek Road has a wider sidewalk that meanders north to south and also up and down in elevation in order to accommodate various sections of trees. The end result of the sidewalk creates a semi-rural atmosphere that is inviting for pedestrians in a section of street with high vehicle and speed numbers.

B. *The variance will result in equal or superior transportation facilities and connectivity;*

The request will result in a superior transportation and connectivity facility as this section of street will be comprehensively evaluated and eventually utilized to create not only a better atmosphere for all current modes of transportation, but “could” also be designed to accommodate other modes of transportation, provide additional shade trees, improved sense of security for pedestrians, improved tree health, storm water improvements, etc.

C. *The variance is the minimum necessary to alleviate the difficulty; and*

The request is the minimum necessary to alleviate the difficulty. The applicant is willing to complete tree, landscaping, irrigation improvements and patch certain areas of up-heaving in order to maintain the existing sidewalk’s integrity and minimize the request. Finally, the applicant will also be removing the existing driveway off Siskiyou Boulevard and will include the small portion of Asphalt between the street and sidewalk creating an area for additional planting.

D. *The variance is consistent with the stated Purpose and Intent of the Performance Standards Options Chapter.*

The stated Purpose and Intent of the Performance Standards Options Chapter are found in Chapter 18.88.010 of the Ashland Municipal Code and is as follows:

18.88.010 Purpose and Intent - *The purpose and intent of this Chapter is to allow an option for more flexible design than is permissible under the conventional zoning codes. The design should stress energy efficiency, architectural creativity and innovation, use the natural features of the landscape to their greatest advantage, provide a quality of life equal to or greater than that provided in developments built under the standard zoning codes, be aesthetically pleasing, provide for more efficient land use, and reduce the impact of development on the natural environment and neighborhood.*

The request is consistent with the stated purpose and intent of the Performance Standards Options Chapter found in Chapter 18.88.010 as the applicant is proposing to defer the installation of curbing and sidewalk construction for this section of the street in order to provide an opportunity to fully assess the many possible options which include accommodating right-of-way for alternative modes of transportation, additional shade trees, improved sense of security for

pedestrians, improved tree health, possible alternatives to storm water management, improved aesthetics, etc. with the goal to eventually provide a better quality of life along the street for users and residents.

Finally, the existing improvements along the north side of this section of Siskiyou Boulevard work well, but because they were constructed in small portions at various times and completed without evaluating the entire section of street from Walker Avenue to Tolman Creek Road, the end result is essentially “just another street” with various interruptions and limited continuity. As such, the applicant believes the both sides of the street should be evaluated, but in particular, due to the fact “no improvements” have occurred in approximately 30 years on the north side, the request is appropriate. The applicant would prefer these items be part of a Local Improvement District (as previously agreed to and recorded as part of the 1996 application; PA-96-131) and defer sidewalk and curbing improvements until they are comprehensively planned and understood.

Thanks again for your assistance on these matters. If for any reason you have a question, please do not hesitate to contact me at 821-3752 or Steve Asher at 210-3027.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above the name Mark Knox.

Mark Knox

RECEIVED

AUG 21 2008

City of Ashland
Planning Department



August 21st, 2008

Ashland Planning Department
Attn: Derek Severson
51 Winburn Way
Ashland, OR 97520

Subject: 2300 Siskiyou Boulevard; PA# 2008-00911

Derek,

In regards to the July 3rd, 2008 Incomplete Letter regarding Planning Action 2008-00911 and our meeting of July 10th, I've attempted to respond below to each item:

1) **Evidence of Easement** – Evidence of easement for access over the property to the south or signature of the property owner on the property granting access needs to be provided before the application can be deemed complete.

I e-mailed this information on July 22nd. It easement allows full access through the adjacent property, but because this is a driveway serving the adjacent neighbors to the south, the applicant has attempted to minimize the impact on the neighbors by only limiting the number of vehicle trips to only the two single-bedroom two units (less than 500 sq. ft.). I felt this is important to note as it demonstrates the applicant's commitment to thoughtful planning and neighborhood sensitivity.

2) **Tree Inventory:** In preliminary site visits by staff, the tree identification numbers in the tree inventory provided with the submittal do not coincide with the tree identification tags in place on site. For example, Tree #80 is tagged on site but not identified in the provided inventory, Tree #29's on-site location does not match its mapped location, and some trees along the creek corridor were observed without tags. A revised tree inventory which accurately reflects the on-site tree identification is needed before Staff can review the project, as required in AMC 18.61.050.A.e. (Staff will likely schedule a site visit by the Planning Commission, and on-site tree identification provides a primary means of orienting to the site.)

On July 14th, 2008 the project arborist visited the site for retagging the trees. Considering the number of trees on this property, I'm not surprised, but I believe all should now be correctly tagged and match the revised Tree Protection and Removal Plan. The revised

plan addresses additional protection and construction measures as well. However, the plan doesn't tag the trees down near the west property line (near creek corridor or the piped corridor section as the construction will be no where near this area. This is a significant amount of additional cost and based upon past precedents, groups of trees not affected by construction have not been required to be surveyed and tagged).

3) **Access from the Street:** The Site Design and Use Standards require that buildings be accessed from the street and sidewalk. Staff does not believe that the proposed walkways incorporated into the required 20-foot driveway width can be found to satisfy this standard for Units 1-4, 6 & 7. Similarly, the placement of the walkway within the required driveway width and back-up dimension near Units 10 and 11 is a concern. A revised site plan identifying separated facilities is needed to demonstrate compliance with the driveway width and access from the street requirements.

Generally, the sidewalks within the perimeter of the development are more for aesthetics, pedestrian delineation, and to meet site design regulations noted in Section II-B-1c of the Site Design and Use Standards which states:

II-B-1c) Buildings shall be accessed from the street and the sidewalk. Parking areas shall not be located between buildings and the street.

The applicant and I feel strongly the above standard is not only being met, but is being exceeded. All of the units are accessed from the street and the units along the rights-of-way are being accessed from both front and back. That said, the applicant is willing to "remove" a portion of the sidewalks if the staff and the Planning Commission feel it is necessary. For example, the sidewalk along the Bellview Avenue driveway – from the driveway's entrance to the edge of Unit #10 could be removed and replaced with asphalt. Again, this isn't preferred as the client and I believe the difference in material presents a superior presence from the street and considering the low number of vehicle trips, the sidewalk's location would rarely be an issue. In addition, the sidewalk would be designed to support 44,000 lbs. of weight (fire truck).

Finally, the applicant and I believe the area of sidewalk abutting and extending to Units #1 – 7 is permissible as this section of driveway only serves five parking spaces (within single car garages). This was specifically designed this way, in consultation with the Fire Department, so as to have a looped driveway system that gives more room for the common green area and doesn't have an unnecessary amount of paving, but instead a reasonable amount of width based upon the circumstances of the site's needs and the code's requirement as noted in Chapter 18.92.070 B.3. which states:

AMC 18.92.070 B.3: Parking areas of more than seven parking spaces shall be served by a driveway 20 feet in width and constructed to facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety, and shall be clearly and permanently marked and defined. Parking areas of seven spaces or less shall be served by a driveway 12 feet in width.

Overall, the applicant and I believe the plan meets the standards and is superior to the alternative, but would consider a condition of approval by the Planning Commission to either 1) remove the section of sidewalk from Bellview Avenue to the end of Unit #10 and replace with asphalt; 2) reduce the width of the common green's west side by an additional 4' in order to accommodate a full 20' of driveway and 4' sidewalk; 3) increase the common green's west side by 4' by reducing the asphalt area from 16' to 12' as permitted under 18.92.070 B.3. Again, the applicant and I believe the plan, as proposed, is the best design solution.

4) Separation between buildings: In some areas, it appears that porches extend into the area required as a separation between buildings. This occurs between Unit 5 and Units 1 and 2, and between Units 11 and 12.

Based upon previous conversations and definition review, the separation between buildings is based upon "buildings" and not "porches". As such, all separation between buildings is being complied with. If for some reason the Planning Commission or Staff believe strongly the intent of the ordinance (Chapter 18.24.040 E.3) was to include porches and their mass infringes on the livability of either unit, the applicants would like to further discuss in the public hearing. Overall, the applicant and I believe the proposal complies with the standard and the inclusion of porches (front or back) is an amenity that should be encouraged. However, as noted above, the applicant would be willing to remove the offending porch as a condition of approval if requested by the Planning Commission.

5) Tree Protection Zones: Building footprints are shown extending significantly into the tree protection zones for trees #39 and #40. Has the project arborist reviewed this and indicated that the trees are able to accommodate the proposed construction disturbance? Have specific construction methodologies been recommended for construction within the tree protection zones? This information will need to be provided before staff and the Tree Commission can consider the proposed encroachment into tree protection zones.

As noted above, on July 14th, 2008 the project Arborist and Landscape Architect revisited the site to specifically review trees #39 and #40. The Tree Protection and Removal Plan have been modified to remove the two trees. See revised Tree Removal and Protection Plan for details.

Functional Recreational Space: An area equal to at least eight percent of the lot area is required to be dedicated to open space for recreation for use by the tenants of the development. While the application materials submitted indicate that nearly 18 percent open space is to be provided, Staff is concerned that a number of the areas identified as recreational open space are not suited to recreational use and will not be seen as satisfying the standard by the Planning Commission. The lawn area under a large tree within the parking lot, immediately adjacent to parking spaces and circulating vehicles seems ill-suited to recreational use; some of the private yards identified for recreational use include areas that are less than five-feet wide located between buildings and adjacent to walkways; and a significant portion of the creek corridor is steeply sloped and heavily

treed limiting its recreational potential. Staff believes that a stronger demonstration that sufficient functional recreational open space has been provided is needed to satisfy the standard.

It should be clearly understood the 17.5% identified on the plans and within the narrative is significantly more than the 8% required by code (18.24.040 H.) and that after reducing the areas specifically of concern by staff, the application still significantly exceeds the 8% minimum. Note: no areas calculated with the recreational space are beyond the creek's embankment and therefore these areas are relatively level (is now the parking area for the existing medical office) and an acceptable area for recreational opportunity. The applicable code section regarding this issue reads as follows:

18.24.040 H. Outdoor Recreation Space: At least 8% of the lot area shall dedicated to outdoor recreational space and shall be part of the overall landscaping requirements.

Although there is no definition of what constitutes "recreational space" within the Ashland Municipal Code, the applicant, project Landscape Architect and I evaluated staff's comments noted in the letter and recalculated these areas and reduced the percentage from the overall recreational space originally provided, but it still maintains a 12.5%* recreational area. The reduction information is as follows:

9 porches < 8' deep	= 778 sq. ft.
Center green	= 1,317 sq. ft.*
Side yards	= 52 sq. ft. (area east of Unit #9)
	= 100 sq. ft. (area south of Unit #13)
	= 100 sq. ft. (area north of Unit # 12)
	= 60 sq. ft. (area west of Unit #1)
<i>Total (4.75%)</i>	<i>= 2,407 sq. ft.</i>

Total Required by code (8% minimum)	= 4,042 sq. ft.
Total Provided with center green (17.5%)	= 8,879 sq. ft.
Total Provided without center green (12.75%)	= 6,472 sq. ft.

Finally, even though the application still exceeds the minimum outdoor recreational space requirements, the applicant and project team members are adamant the center green is still a recreational space and should be considered by staff, if not in this application, but in future applications as this space could easily be used for reading a book, playing a board game or many other passive recreational uses. Secondly, this area was once planned to be a community garden, but during preliminary discussions with staff it was stated gardens wouldn't be considered as recreational space due to past Planning Commission interpretations. Although the applicant and I still have difficulty comprehending the reasons behind this interpretation considering our current economic and environmental dilemma, the applicant has agreed to remove the center green from the recreational calculations.

Top of Bank Setback Impact – Construction Disturbance: The 20-foot top of bank setback is intended to provide an area protected from disturbance. The placement of building envelopes and

porches up to this line is a concern for staff as the necessary site work associated with construction and maintenance will result in disturbance of the area required to be protected. In other recent applications, envelopes have been required by the Planning Commission to provide a five-foot buffer between the envelope and the required setback line to allow for construction disturbance.

The applicant and I appreciate staff's position on this matter, but would like to discuss this issue directly with the Planning Commission as it's our position the 20' setback was originally created for this very purpose. In fact, there is some question, based upon precedents, this section of code only requires a 10' setback, but until recently a 20' setback measurement has been interpreted. Nevertheless, the applicant and I both contend the additional 5' is unnecessary for the following reasons:

- 1) The original purpose of the 20' setback considered the fact that construction was going to take place and thus an appropriate setback was established (Note: Is this topic being considered or discussed during the hearings for the proposed Riparian Ordinance Amendment?);
- 2) The construction period for the building and porches abutting the 20' top of bank setback is very minimal (6 – 9 months);
- 3) The applicant will be required to landscape this area immediately after construction as it is part of the landscaping plan and typically a requirement prior to a final certificate of occupancy. If the Planning Commission or Staff desires, the landscaping in these areas can take place sooner.

Overall, the applicant, project's Landscape Architect, Arborist and I contend the proposal is far more sensitive to the creek corridor than any of the adjacent developments who have designed their buildings with their windowless backs or sides facing the creek where as the proposed project is incorporating the creek's natural amenities by designing the units orientation and floor plans to overlook the creek's corridor. This provides a far superior living environment and appreciation of the area.

Top of Bank Setback Encroachment – Parking Spaces: The parking calculations provided suggest that more parking is being provided than may be required by the proposed number of units (i.e. 23 spaces required, 24 spaces provided in addition to potential on-street credits). The approval criteria for a Physical and Environmental Constraints Review Permit require a demonstration that all reasonable steps have been taken to reduce the adverse impacts on the environment. It would appear that the amount of parking to be placed within the top of bank area could be reduced, minimizing the environmental impact, while still satisfying the parking requirements of the proposed development.

As proposed, these parking spaces also appear to direct headlight glare into windows of the Ashlander building. The landscape materials provided will need to function as a sight-obscuring screen.

As noted in the application materials, this section of creek is not a creek, but a piped system that is underground paralleling a section of the Ashlander Apartments to the east and then diverting west towards a culvert under Siskiyou Boulevard approximately 415

feet away. This area is covered with dry grass and drought tolerant vegetation. Nothing in this area is “riparian” related and an error on the map that should be corrected as this section has been piped for at least 25 years. As such, the applicant would prefer to retain the extra space as it’s really not encroaching into an area that has contributing attributes of a riparian area.

Available Back-Up Dimension: The northernmost compact parking spaces between Units 9 and 10 does not appear to have the required 22-foot clear back up dimension available.

The applicants agree the parking spaces located between units #9 and 10 appear to not have the adequate 22’ of back-up distance and will modify prior to building permits being submitted. The subject spaces will be modified into a single space and shifted to the east so that the back-up dimension is met. With this adjustment, the adjacent sidewalk will likely be shifted as well. Both are minor changes and have no impact on the building, utility or tree protection layout.

Street Improvements: Full street improvements to city street standards will be required along the property's Siskiyou Boulevard frontage. Plans will need to be provided identifying the establishment of a curb line, and the installation of a seven-foot parkrow planting strip with street trees and a six-foot sidewalk. The plans should detail how the new sidewalk will transition to the existing multi-use path in front of the adjacent Ashlander Apartments, and details provided should include street light installation and provisions for the re-installation of an RVTB bus stop along the property's frontage. (These plans will need to be reviewed and approved by the City of Ashland and the Oregon Department of Transportation (ODOT).)

It should be understood, this issue was discussed during the initial pre-application meetings with both Public Works and Planning Staff. The consensus between all parties was the improvements in this area should be done comprehensively as the existing bike path, meandering pedestrian walkway, and bus shelter space work very well and are part of a larger system that is a character defining element of this section of Siskiyou Boulevard.

As such, considering the previous discussions on this matter and now the late timing of this possibility, the applicant would at least prefer these items be part of a Local Improvement District (as previously agreed to and recorded as part of the 1996 application; PA-96-131) and defer any improvements until they are comprehensively planned and understood for not only this section, but preferably the sections of Siskiyou Boulevard as described above. This is further discussed in the attached addendum document dated August 20, 2008.

Civil Plans: Civil plans for the utility improvements associated with the development of the site will be needed to address to demonstrate adequate capacity. The Public Works/Engineering Division has indicated that a manhole will be needed in place of the catch basin near the existing Siskiyou driveway.

Per our discussion on July 10th and follow-up discussions with Public Works, they have

rescinded this request as there is no question the adjacent infrastructure is available to serve the proposal. Regardless, the applicants project Civil Engineer has completed preliminary utility plans showing the utility line locations and sizes. All of which meet capacity standards for this project. The applicant and agents have also met on a number of occasions with the various utility departments with no indication the infrastructure is at capacity. The applicant is aware of the need for a new manhole near the existing driveway (to be closed) and will provide final engineering details prior to issuance of a building permit and will obtain the necessary right-of-way improvements from the Oregon Department of Transportation prior to initiating work in this area.

Handicapped Parking Space: One disabled person parking space is required, but does not appear to be identified on the plans provided.

This issue is easily solvable considering the application is over-parked by one parking space. The applicant would request this also be a condition of approval of the Planning Action, but it is the applicant's intent to merge two standard spaces into a single handi-cap parking space which will resolve this issue.

Refuse Container Screening: Refuse containers or disposal areas are required to be screened; this does not appear to be addressed in the narrative or plan provided. Will individual refuse containers be provided and screened for the individual units, or is a central screened container proposed.

The proposed trash enclosure will be made of block and will be enclosed from the front from a screened gate. All individual units are to have individual cans for recycling and trash service.

In conclusion, the applicant and project team have worked on this project, in consultation with the Planning and Public Work's staff over the past two years. There have been many changes based upon staff's suggestions that the applicant has complied with even though not necessarily seen as a benefit to the site or applicant. These include converting a couple of the standard two-bedroom units to small single bedroom units, opening up the creek corridor near the gazebo, breaking-up the mass of units by creating duplex floor plans instead of tri-plex plans, removing the existing driveway off Siskiyou Boulevard, etc.

The suggestion the application is largely driven by the desire to provide circulation to private garage space is not correct, not fair and not a typical design standard or criteria element the applicant and project team are aware of. In fact, the design of the looped driveway system and private garages is more an attribute of the site's natural features, shape and the City's minimum density standards. In addition, the transportation requirements and Site Design criteria either force the application into considering two-story mass buildings with an open parking lot(s) similar to the Ashlander Apartments to the west or as designed and submitted. The applicant and the applicant's project consultants believe strongly the proposed units will create a positive living environment for the tenants (renters or owners), create a positive streetscape along both Siskiyou

Boulevard and Bellview Drive (oversized front porches and minimal mass), and be respectful to the context of the neighborhood (similar mass and scale as to Bellview Estates Phase I, but less than the Ashlander Apartments). Overall, the applicant desires to put forth a product that is appreciated by the tenants and is sustainable over the projects lifetime.

If procedurally necessary, we look forward to meeting with staff and the Ashland Planning Commission to discuss the positive attributes of the project. If it is determined the application is subject to staff review, we hope the above written responses and our various verbal conversations have better clarified the project and the application can now be deemed complete and acceptable.

Thanks again for your assistance on these matters. If for any reason you have a question, please do not hesitate to contact me at 821-3752 or Steve Asher at 210-3027.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Knox', with a large, sweeping flourish extending to the right.

Mark Knox

REGISTERED

AUG 21 2008

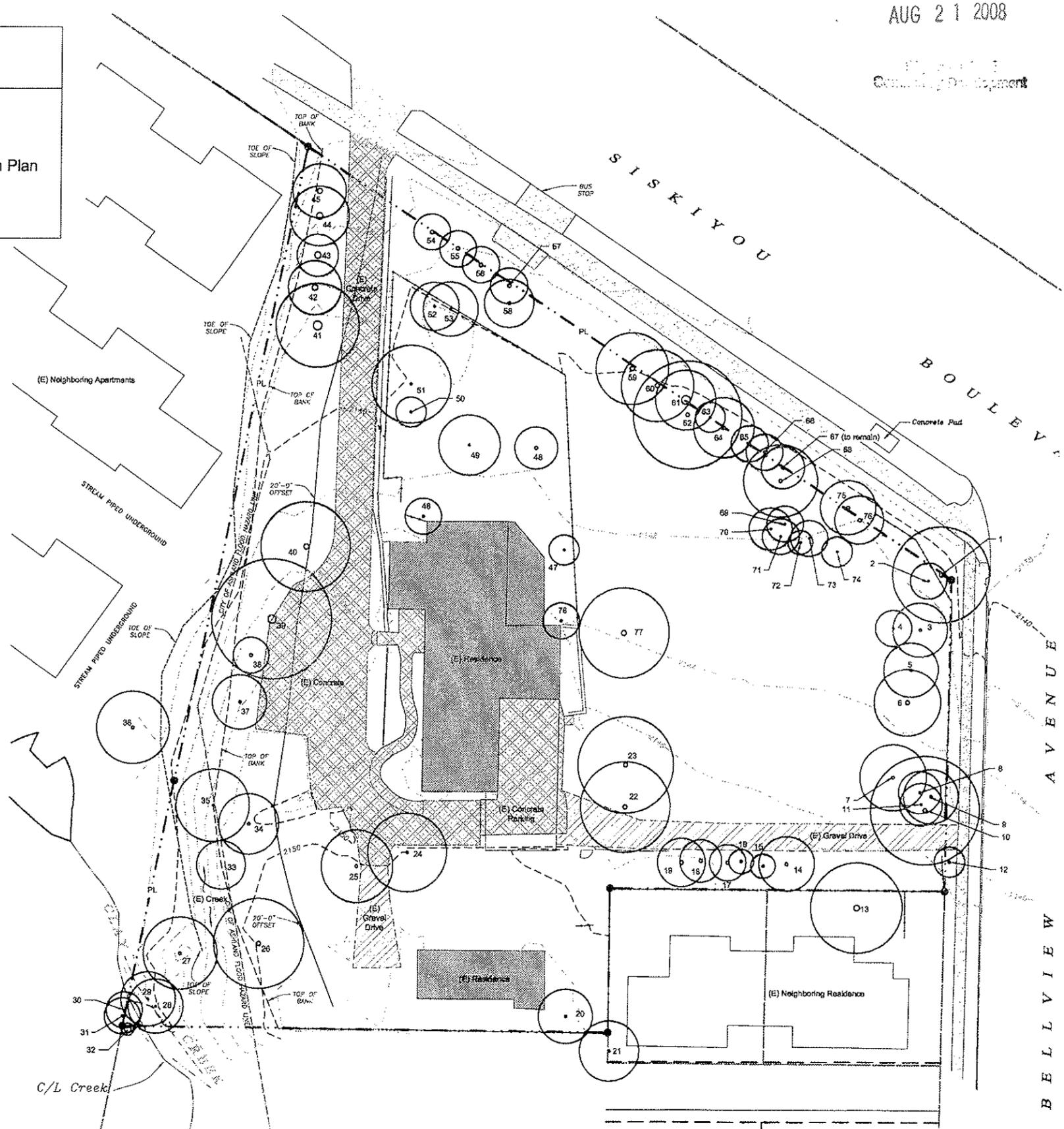
Professional
Landscape Development

SHEET INDEX

- T-1 Existing Site Plan
- S-1 Site Plan
- S-2 Utility Plan
- L-1 Tree Removal and Protection Plan
- L-2 Grading Plan
- L-3 Planting Plan

TREE INVENTORY

Tree #	Species	DBH	Height	Crown Radius	Tree Protection Zone Radius	Relative Tolerance To Construction	Condition	Notes
1	Ulmus pumila	18	30	16	8	good	poor	no top
2	Ulmus pumila	7	30	6	3.5	good	fair	
3	Ulmus pumila	9	28	9	4.5	good	fair	
4	Ulmus pumila	8	23	6	3	good	good	
5	Juglans nigra	8	27	9	6	moderate	good	
6	Codrus atlantica	15	32	11	7.5	good	good	
7	Ulmus pumila	11	32	11	5.5	good	fair	
8	Ulmus pumila	8	30	7	4	good	poor	suppressed topped
9	Ulmus pumila	10	30	9	5	good	fair	under wires
10	Ulmus pumila	15	32	18	7.5	good	fair	leaning
11	Ulmus pumila	8	30	7	4	good	poor	
12	Cedrus	8	-	5	-	-	-	
13	Cupressus glabra	22	45	15	16.5	good	good	neighbors tree
14	Acer negundo	12	27	9	6	good	good	
15	Picea pungens	7	24	4	5.25	moderate	fair	
16	Picea pungens	7	25	4	5.25	moderate	fair	
17	Picea pungens	12	30	6	6	good	good	
18	Pinus ponderosa	12	30	7	6	good	good	
19	Pinus ponderosa	15	32	8	7.5	good	good	
20	Fraxinus latifolia	9	30	8	6.75	moderate	good	neighbors tree
21	Calocedrus decurrens	12	35	10	9	moderate	good	anthracnose
22	Platanus acerifolia	16	41	15	12	good	fair	anthracnose
23	Platanus acerifolia	16	45	18	12	moderate	fair	
24	Robinia pseudoacacia	8	-	13	-	-	-	
25	Fraxinus latifolia	11	47	12	8.25	moderate	poor	
26	Metasequoia glyptostroboides	18	36	15	12	moderate	fair	
27	Populus trichocarpa	32	49	30	40	poor	good	suppressed
28	Alnus rubra	6	38	9	4.5	moderate	fair	suppressed
29	Alnus rubra	6	33	8	4.5	moderate	fair	suppressed
30	Populus trichocarpa	6	30	6	6	poor	fair	
31	Populus trichocarpa	6	30	6	6	poor	good	
32	Populus trichocarpa	26	40	2	32.5	poor	good	
33	Pinus ponderosa	7	28	8	3.5	good	good	
34	Betula pendula	11	31	10	8.25	moderate	good	
35	Robinia pseudoacacia	8	27	7	3	good	fair	
36	Quercus garryana	24	39	21	24	good	poor	1/2 dead
37	Robinia pseudoacacia	10	32	9	6	good	fair	snag
38	Robinia pseudoacacia	12	12	6	6	good	poor	
39	Robinia pseudoacacia	32	38	20	24	good	good	
40	Robinia pseudoacacia	21	33	15	15	good	fair	
41	Sequoiadendron giganteum	36	47	14	27	moderate	good	
42	Sequoiadendron giganteum	23	42	9	17.25	moderate	good	
43	Sequoiadendron giganteum	25	42	7	18.75	moderate	good	
44	Sequoiadendron giganteum	26	41	10	19.5	moderate	good	
45	Sequoiadendron giganteum	21	38	9	15.75	moderate	good	
46	Juniperus monosperma	9	25	6	6.75	moderate	fair	
47	Cupressus sempervirens	7	20	5	3.5	good	good	
48	Picea pungens	12	30	7	6	moderate	good	
49	Malus domestica	7	18	10	3.5	good	good	
50	Cupressus sempervirens	6	20	5	4	good	fair	
51	Catalpa speciosa	13	29	9	9.75	moderate	good	
52	Betula pendula	7	22	6	5.25	moderate	fair	
53	Betula pendula	6	32	9	6	moderate	good	
54	Chamaecyparis lawsoniana	14	27	6	7	good	good	
55	Chamaecyparis lawsoniana	14	35	6	7	good	good	
56	Chamaecyparis lawsoniana	14	28	6	7	good	good	
57	Chamaecyparis lawsoniana	14	22	6	7	good	fair	
58	Pinus ponderosa	11	40	8	5.5	good	good	
59	Chamaecyparis lawsoniana	17	40	12	8.5	good	good	
60	Chamaecyparis lawsoniana	17	40	12	8.5	good	good	
61	Sequoiadendron giganteum	34	60	10	25.5	moderate	good	
62	Platanus acerifolia	14	40	18	10.5	moderate	good	
63	Picea abies	7	30	5	5.25	moderate	poor	dead top
64	Pseudotsuga menziesii	11	28	10	8.25	moderate	poor	dead top
65	Cedrus deodara	7	40	6	3.5	good	fair	
66	Picea abies	7	30	6	5.25	moderate	poor	suppressed
67	Picea abies	11	35	7	8.25	moderate	good	
68	Platanus acerifolia	12	40	12	9	moderate	fair	
69	Pinus ponderosa	6	26	6	3	good	good	
70	Pinus ponderosa	9	35	7	4.5	good	fair	
71	Pinus ponderosa	6	27	6	3	good	good	
72	Pinus ponderosa	7	35	4	3.5	good	good	
73	Pinus ponderosa	6	28	6	3	good	good	
74	Pinus ponderosa	8	27	5	3	good	good	
75	Picea abies	11	35	9	8.25	moderate	good	
76	Pinus nigra	12	34	8	6	good	fair	
77	Liriodendron tulipifera	20	48	15	15	good	good	
78	Juniperus monosperma	10	-	6	-	moderate	-	



Laurie Sager
 AND ASSOCIATES LANDSCAPE ARCHITECTS INC
 700 MISTLETOE ROAD, SUITE 201
 ASHLAND, OREGON 97520



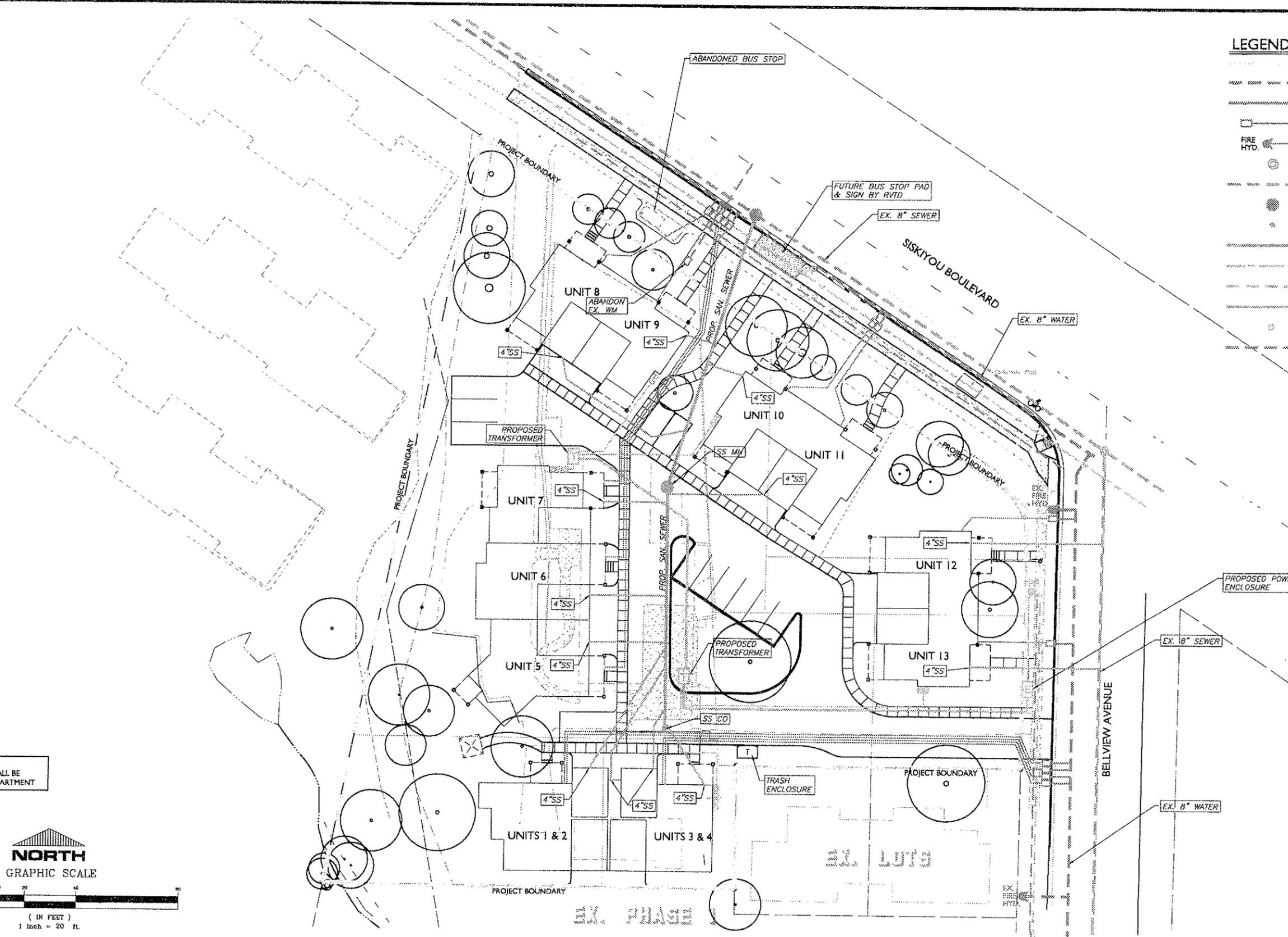
Revision Date:

Drawn By:
 WMP
 Scale 1" = 20'-0"

WEST BELLEVUE SUBDIVISION
 2300 SISKIYOU BOULEVARD
 ASHLAND, OREGON

August 20, 2008

- LEGEND**
- PROJECT BOUNDARY
 - ==== EXISTING WATER MAIN
 - ==== PROPOSED WATER MAIN
 - PROPOSED WATER METER
 - PROPOSED FIRE HYDRANT
 - EXISTING SEWER MANHOLE
 - EXISTING SANITARY SEWER MAIN
 - PROPOSED SEWER MANHOLE
 - PROPOSED SEWER CLEAN OUT
 - PROPOSED SANITARY SEWER MAIN
 - EXISTING OVERHEAD POWER
 - EXISTING UNDERGROUND POWER
 - PROPOSED UNDERGROUND POWER
 - PROPOSED HOUSE METER
 - EXISTING TELEPHONE
 - EXISTING GAS



NOTE:
FINAL FIRE HYDRANT LOCATIONS SHALL BE
APPROVED BY THE ASHLAND FIRE DEPARTMENT

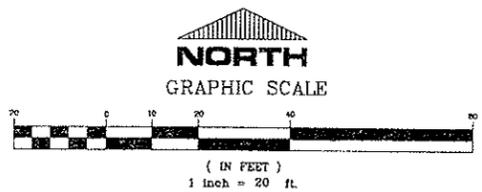


EXHIBIT C.1

CONSTRUCTION ENGINEERING CONSULTANTS
P.O. BOX 1724 • MEDFORD, OREGON 97501
PH. (541) 779-5268 • FAX (541) 779-3139

DRAWN BY: ELS	DATE: 08/08
CHECKED BY: MWK	DATE: 08/08
APPROVED RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

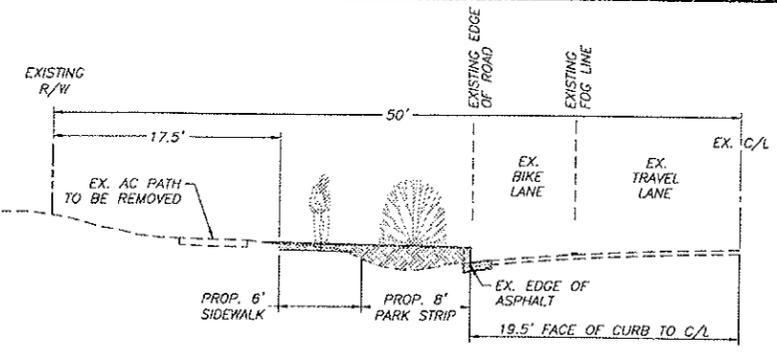
NO.	REVISION	DATE	BY

REGISTERED PROFESSIONAL ENGINEER
15,898PE
OREGON
JULY 21, 1996
PATRICK V. HAYES
EXPIRES 8/30/08

CITY OF ASHLAND
WEST BELLVIEW SUBDIVISION
CONCEPTUAL IMPROVEMENTS

CONCEPTUAL UTILITY PLAN
8/20/08

PROJECT NO. _____
DRAWING NO. _____



A CROSS SECTION
SISKIYOU BOULEVARD

- LEGEND**
- PROJECT BOUNDARY
 - EXISTING STORM DRAIN
 - EXISTING CATCH BASIN
 - EXISTING CURB INLET
 - PROPOSED STORM DRAIN *
 - PROPOSED CURB INLET
 - PROPOSED CATCH BASIN
 - PROPOSED STORM CLEAN OUT
 - PROPOSED DRAINAGE FLOWLINE
 - FLOW DIRECTION
- * PROPOSED STORM DRAIN MAINS TO BE SIZED DURING PROJECT DESIGN PHASE

EX. GROUND CONTOURS
CONTOUR INTERVAL = 2'
INDEX INTERVAL = 10'

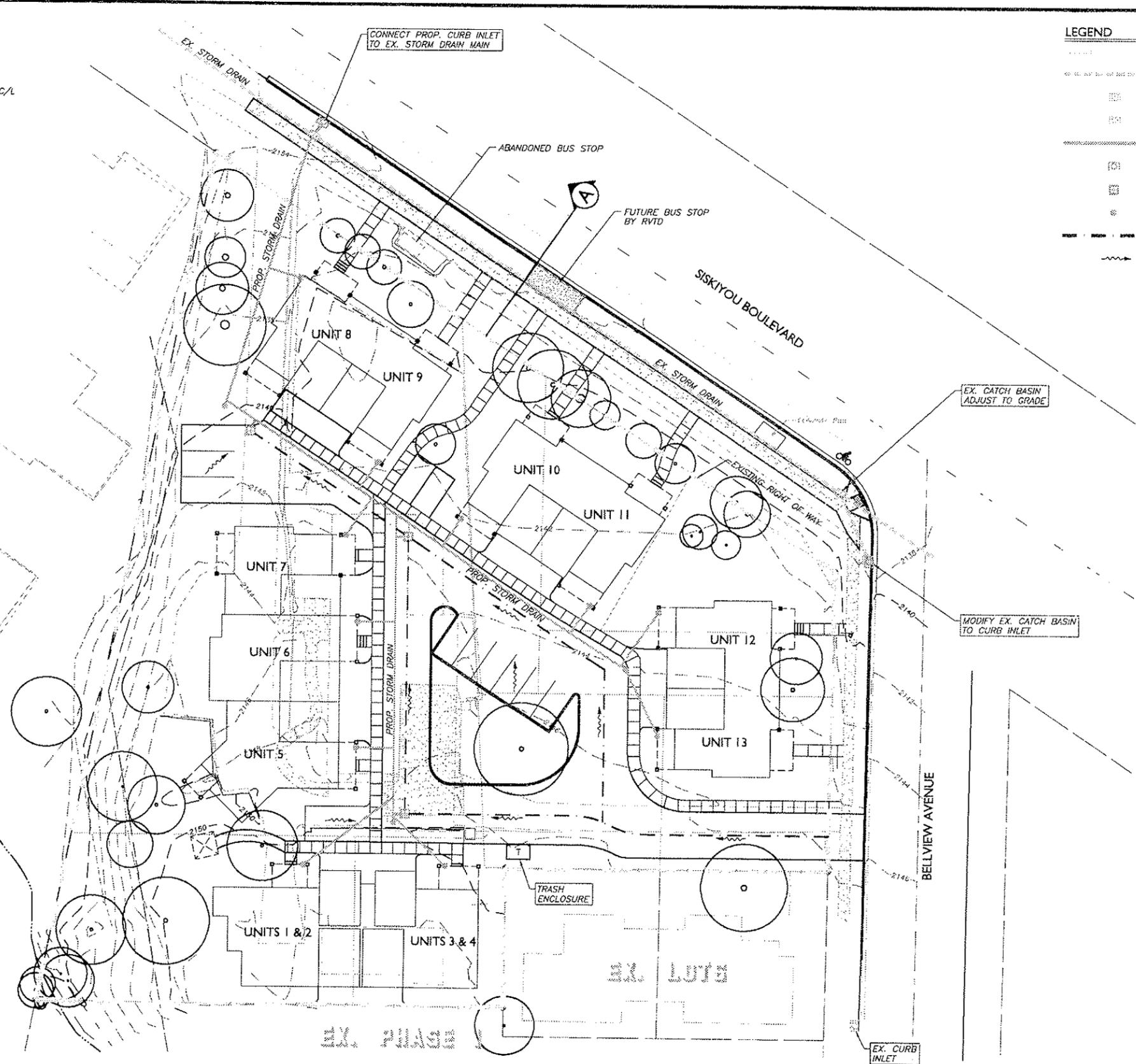


EXHIBIT C.2



DRAWN BY: ELS	DATE: 08/08
CHECKED BY: MJZ	DATE: 08/08
APPROVED RVS:	DATE:
APPROVED:	DATE:
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APPROVED:	DATE:

NO.	REVISION	DATE	BY

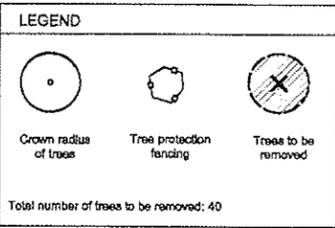
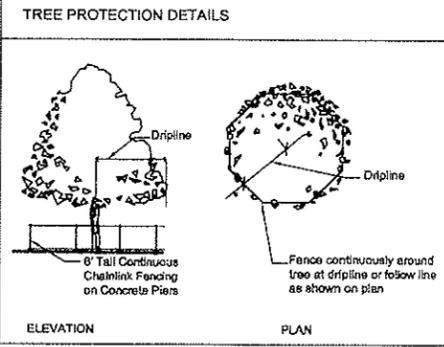


CITY OF ASHLAND
WEST BELLVIEW SUBDIVISION
CONCEPTUAL IMPROVEMENTS

CONCEPTUAL GRADING & DRAINAGE PLAN
8/20/08

PROJECT NO. _____
DRAWING NO. _____

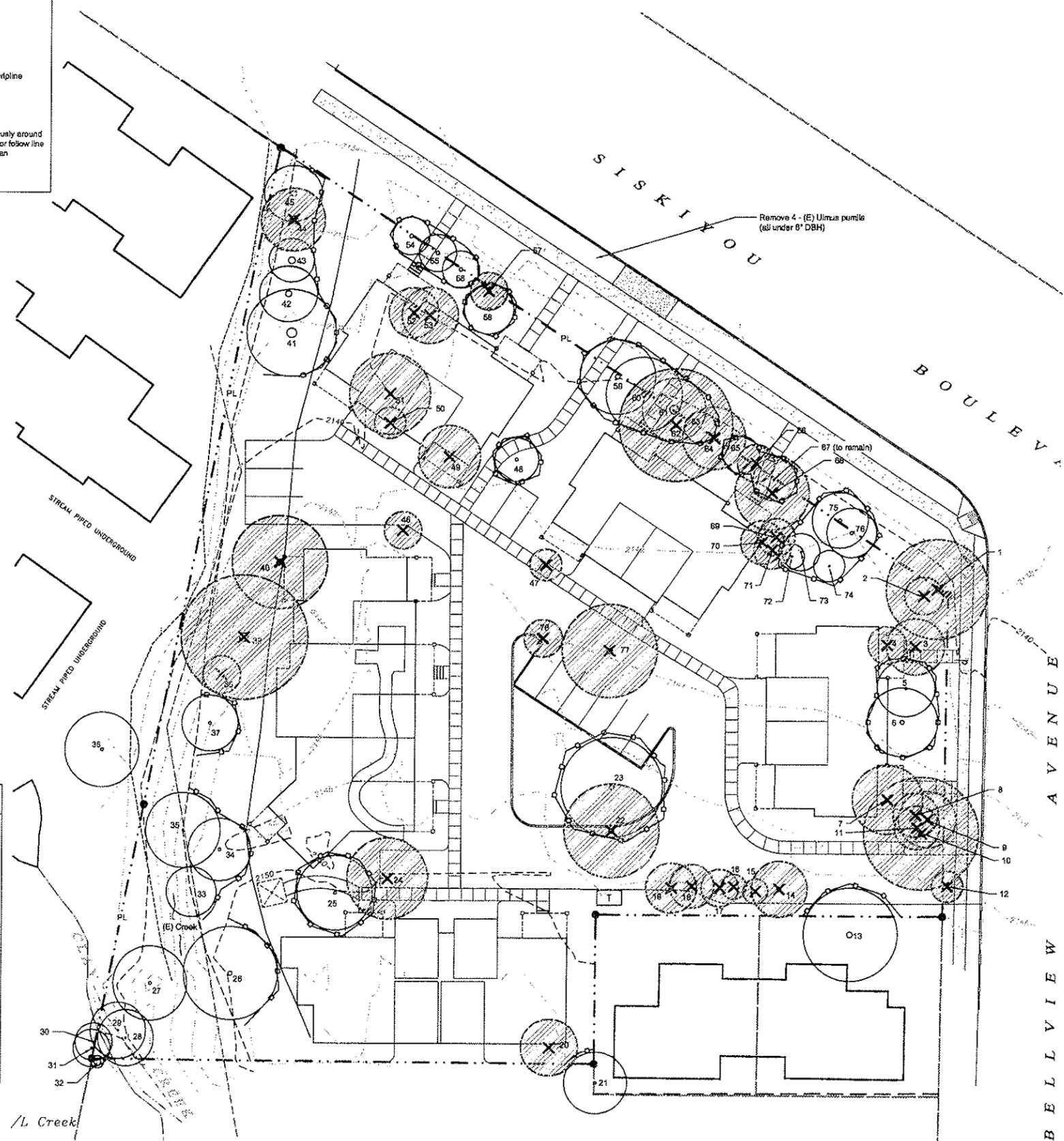
Tree #	Species	DBH	Height	Crown Radius	Tree Protection Zone Radius	Relative Tolerance To Construction	Condition	Notes
1	<i>Ulmus pumila</i>	16	30	16	8	good	poor	no top
2	<i>Ulmus pumila</i>	7	30	8	4.5	good	fair	
3	<i>Ulmus pumila</i>	8	26	8	4.5	good	fair	
4	<i>Ulmus pumila</i>	8	23	8	3	good	fair	
5	<i>Juglans nigra</i>	8	27	9	6	moderate	good	
6	<i>Cedrus atlantica</i>	15	32	11	7.5	good	good	
7	<i>Ulmus pumila</i>	11	32	11	6.5	good	fair	
8	<i>Ulmus pumila</i>	8	30	7	4	good	poor	suppressed
9	<i>Ulmus pumila</i>	10	30	9	5	good	fair	topped
10	<i>Ulmus pumila</i>	15	32	18	7.5	good	fair	under wires
11	<i>Ulmus pumila</i>	8	30	7	4	good	poor	leaning
12	<i>Cedrus</i>	8	5	-	-	good	good	
13	<i>Cupressus glabra</i>	22	45	15	18.5	good	good	neighbors tree
14	<i>Acer negundo</i>	12	27	8	8	good	good	
15	<i>Picea pungens</i>	7	24	4	5.25	moderate	fair	
16	<i>Picea pungens</i>	7	25	4	5.25	moderate	fair	
17	<i>Picea pungens</i>	12	30	6	6	good	good	
18	<i>Pinus ponderosa</i>	12	30	7	6	good	good	
19	<i>Pinus ponderosa</i>	15	32	8	7.5	good	good	
20	<i>Fraxinus latifolia</i>	9	30	8	8.75	moderate	good	
21	<i>Cercocarpus occidentalis</i>	12	35	10	9	moderate	good	neighbors tree
22	<i>Platanus acerifolia</i>	18	41	15	12	good	fair	anthracnose
23	<i>Platanus acerifolia</i>	18	45	18	12	moderate	fair	anthracnose
24	<i>Robinia pseudoacacia</i>	8	-	13	-	good	good	
25	<i>Fraxinus latifolia</i>	11	47	12	8.25	good	fair	
26	<i>Melastochloa glyptostroboides</i>	18	38	15	12	moderate	good	
27	<i>Populus trichocarpa</i>	32	49	30	40	poor	good	
28	<i>Alnus rubra</i>	6	36	8	4.5	moderate	poor	suppressed
29	<i>Alnus rubra</i>	6	33	8	4.5	moderate	poor	suppressed
30	<i>Populus trichocarpa</i>	6	30	8	8	poor	fair	
31	<i>Populus trichocarpa</i>	6	30	8	8	poor	fair	
32	<i>Populus trichocarpa</i>	26	49	2	32.5	poor	good	
33	<i>Pinus ponderosa</i>	7	28	8	3.5	good	good	
34	<i>Betula pendula</i>	11	31	10	8.25	moderate	good	
35	<i>Robinia pseudoacacia</i>	6	27	7	3	good	fair	
36	<i>Quercus garryana</i>	24	38	21	24	good	poor	1/2 dead
37	<i>Robinia pseudoacacia</i>	10	32	9	6	good	fair	
38	<i>Robinia pseudoacacia</i>	12	12	6	6	good	poor	snag
39	<i>Robinia pseudoacacia</i>	32	38	20	24	good	poor	structurally unsound
40	<i>Robinia pseudoacacia</i>	21	33	15	15	good	poor	
41	<i>Sequoiadendron giganteum</i>	35	47	14	27	moderate	good	
42	<i>Sequoiadendron giganteum</i>	23	42	9	17.25	moderate	good	
43	<i>Sequoiadendron giganteum</i>	25	42	7	18.75	moderate	good	
44	<i>Sequoiadendron giganteum</i>	28	41	10	19.5	moderate	fair	
45	<i>Sequoiadendron giganteum</i>	21	38	9	15.75	moderate	good	
46	<i>Juniperus monosperma</i>	9	26	8	6.75	moderate	good	
47	<i>Cupressus sempervirens</i>	7	20	5	3.5	good	good	
48	<i>Picea pungens</i>	12	30	7	9	moderate	good	
49	<i>Milvus domestica</i>	7	19	10	3.5	good	good	
50	<i>Cupressus sempervirens</i>	8	20	5	4	good	good	
51	<i>Catalpa speciosa</i>	13	28	9	9.75	moderate	good	
52	<i>Betula pendula</i>	7	22	8	5.25	moderate	good	
53	<i>Betula pendula</i>	6	32	9	6	moderate	good	
54	<i>Chamaecyparis lawsoniana</i>	14	27	8	7	good	good	
55	<i>Chamaecyparis lawsoniana</i>	14	35	8	7	good	good	
56	<i>Chamaecyparis lawsoniana</i>	14	28	8	7	good	good	
57	<i>Chamaecyparis lawsoniana</i>	14	22	8	7	good	fair	
58	<i>Pinus ponderosa</i>	11	40	8	5.5	good	good	
59	<i>Chamaecyparis lawsoniana</i>	17	40	12	8.5	good	good	
60	<i>Chamaecyparis lawsoniana</i>	17	40	12	8.5	good	good	
61	<i>Sequoiadendron giganteum</i>	34	80	10	25.5	moderate	good	
62	<i>Platanus acerifolia</i>	14	40	18	10.5	moderate	fair	
63	<i>Pinus abies</i>	7	30	5	6.25	moderate	good	
64	<i>Pseudotsuga menziesii</i>	11	28	10	6.25	moderate	good	
65	<i>Cedrus deodara</i>	7	40	8	3.5	good	fair	dead top
66	<i>Pinus abies</i>	7	30	8	6.25	moderate	poor	suppressed
67	<i>Pinus abies</i>	11	35	7	8.25	moderate	good	
68	<i>Platanus acerifolia</i>	12	40	12	9	moderate	good	
69	<i>Pinus ponderosa</i>	8	28	5	3	good	good	
70	<i>Pinus ponderosa</i>	8	35	7	4.5	good	good	
71	<i>Pinus ponderosa</i>	8	27	6	3	good	good	
72	<i>Pinus ponderosa</i>	7	35	4	3.5	good	good	
73	<i>Pinus ponderosa</i>	6	28	6	3	good	good	
74	<i>Pinus ponderosa</i>	6	27	5	3	good	good	
75	<i>Pinus abies</i>	11	35	8	8.25	moderate	good	
76	<i>Pinus nigra</i>	12	34	8	9	good	fair	
77	<i>Liriodendron tulipifera</i>	20	48	15	15	good	good	
78	<i>Juniperus monosperma</i>	10	-	8	-	moderate	good	



TREE PROTECTION and SITE CLEARING NOTES

*Any proposed utility line through tree protection zones shall be hand trenched - follow Tree Protection Notes.

1. Install tree protection fencing prior to start of construction.
2. Landscape adjacent to the project area shall be protected from damage. No storage of equipment or materials shall occur within drip lines of trees to be preserved which are those identified on this plan.
3. Trees that are shown to remain shall be protected with fencing as shown in Detail. Fencing shall be 6' tall temporary chain link panels installed with metal connections so that all panels are integrated, those fences shall be installed so that they do not allow passage of pedestrians and/or vehicles through it.
4. Exceptions to the tree protection specifications may only be granted with written approval from owner's representative.
5. Work within drip line of trees to remain may require disturbance of tree protection fences. Contractor shall obtain authorization from owner's representative prior to moving fence. Contractor shall remove the fence temporarily to complete work, and replace it at the end of each work day. No storage of equipment or materials shall occur within drip line of trees. After the proposed work within drip line is completed, fencing shall be reinstalled. Note: Where protection fencing overlaps proposed construction, the following measures shall be followed:
 - a) Hand dig to required depth of final work.
 - b) Roots under 2" in diameter may be hand cut at a 90° angle and packed with moist soil.
 - c) Where roots greater than 2" in diameter are encountered, contractor shall notify Landscape Architect or arborist for direction.
6. Do not raise the soil level within the drip lines of existing trees.
7. Trees to be preserved shall be deep watered throughout construction period as necessary.
8. Inspection Schedule:
 - a) Fencing locations and installation technique shall be inspected and approved by owner's representative before demolition or rough grading begins.
 - b) Routine inspections of fencing and site conditions will occur randomly during construction. Work shall cease if fencing is damaged or moved without prior approval from owner's representative.
 - c) Inspection will occur upon completion of project to determine condition of trees post construction.
9. Tree(s) to be removed that have branches extending into the canopy of tree(s) to remain must be removed by a qualified arborist and not by demolition or construction contractors. The qualified arborist shall remove the tree in a manner that causes no damage to the tree(s) and under study to remain.
10. Any brush clearing required within the tree protection zone shall be accomplished with hand-operated equipment.
11. Trees to be removed shall be felled so as to fall away from tree protection zones and to avoid pulling and breaking of roots of trees to remain. If roots are entwined, the consultant requires to first sever the major woody root mass before extracting the trees. This may be accomplished by cutting through the roots by hand, with a vibrating knife, rock saw, narrow brancher with sharp blades, or other approved root-pruning equipment.
12. Trees to be removed from within the tree protection zone shall be removed by a qualified arborist. The trees shall be cut near ground level and the stump ground out.
13. All downed brush and trees shall be removed from the tree protection zone either by hand or with equipment sitting outside the tree protection zone. Extraction shall occur by lifting the material out, not by skidding it across the ground.
14. Brush shall be chipped and placed in the tree protection zone to a depth of 6 inches.
15. Structures and underground features to be removed within the tree protection zone shall use the smallest equipment possible and operate from outside the tree protection zone. The consultant shall be on site during all operations within the tree protection zone to monitor demolition activity.
16. A six-foot tall chain link fence with concrete piers shall be erected to enclose the tree protection zone.
17. Any damage to trees due to construction activities shall be reported to the consulting arborist within six hours so that remedial action can be taken. Timeliness is critical to tree health.
18. If temporary haul or access roads must pass over the root area of trees to be retained, a method of 6 inches of mulch or gravel shall be created to protect the soil. The roadbed material shall be replenished as necessary to maintain a 6-inch depth.



Laurie Sager
AND ASSOCIATES LANDSCAPE ARCHITECTS INC
 700 MISTLETOE ROAD, SUITE 201
 ASHLAND, OREGON 97520



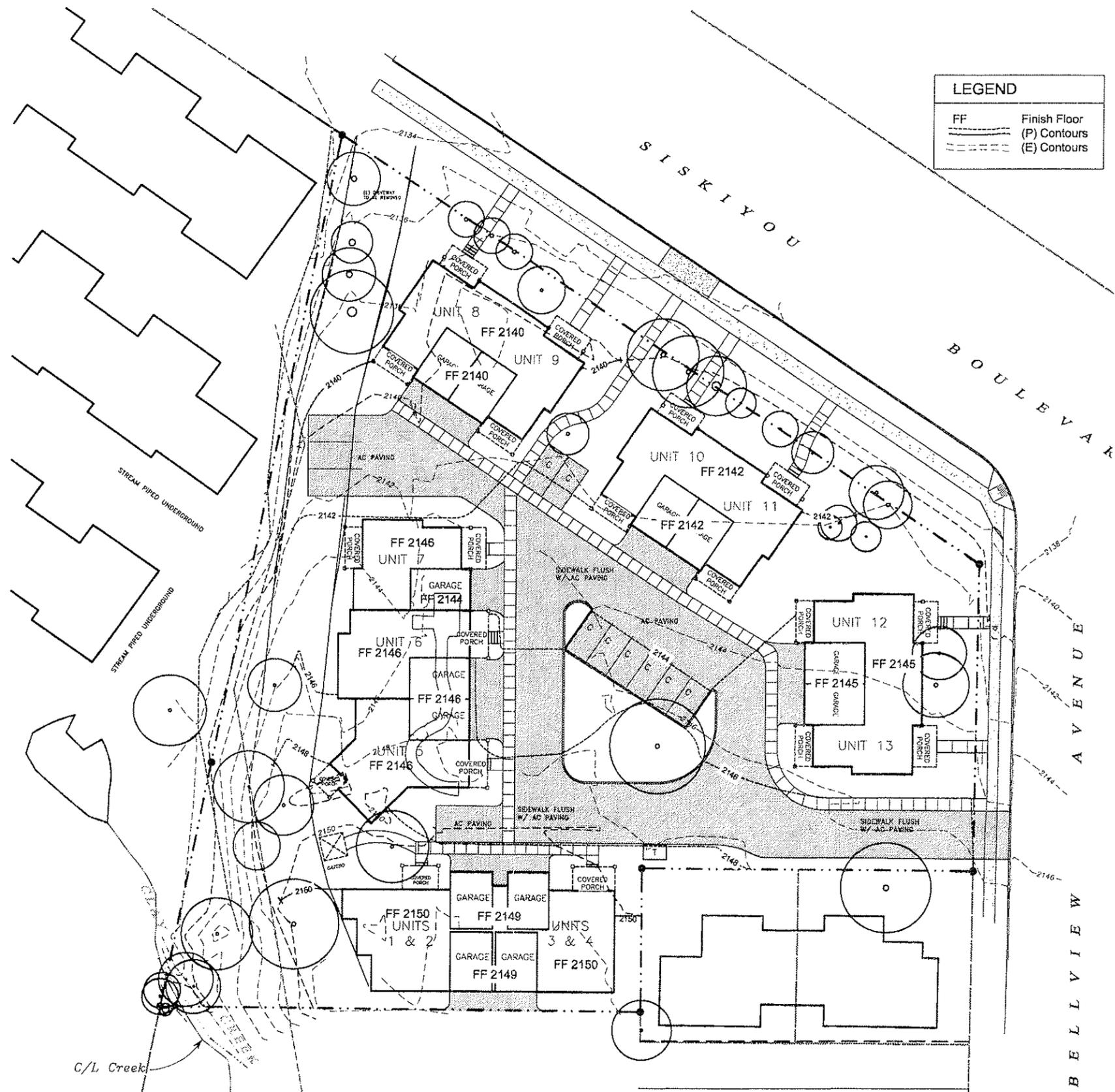
Revision Date:
 July 28, 2008

Drawn By:
 WMP

Scale 1" = 20'-0"

WEST BELLEVUE SUBDIVISION
 2,300 SISKIYOU BOULEVARD
 ASHLAND, OREGON

August 20, 2008



LEGEND	
FF	Finish Floor
(P)	Contours
(E)	Contours

Laurie Sager
 AND ASSOCIATES LANDSCAPE ARCHITECTS INC
 700 MISTLETOE ROAD, SUITE 201
 ASHLAND, OREGON 97520



Revision Date:

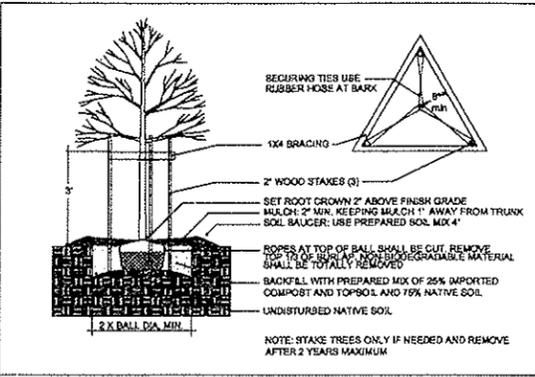
Drawn By:
 ICS
 Scale 1" = 20'-0"

WEST BELLVIEW SUBDIVISION
 2300 SISKIYOU BOULEVARD
 ASHLAND, OREGON

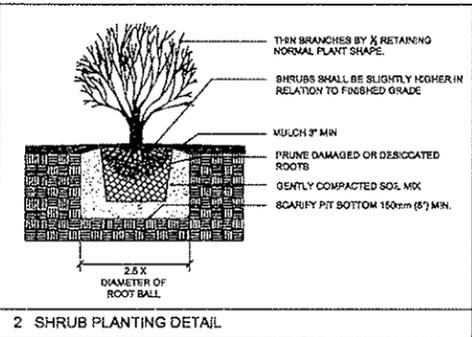
August 20, 2008

NOTES

1. Place 6" compost/topsoil blend in all proposed tree and shrub planting areas.
2. Compost/topsoil blend from Crater Sand and Gravel.
3. Install soil in 3" lifts and tamp thoroughly to blend w/ existing soil - except within drip-line of existing trees.
4. Plant all trees and shrubs per Detail 1 & 2.
5. Mulch planting areas after installation of plant material with 3" of dark mulch, or equal.
6. Provide temporary fencing to all proposed trees to protect from deer. Remove after 1 year.



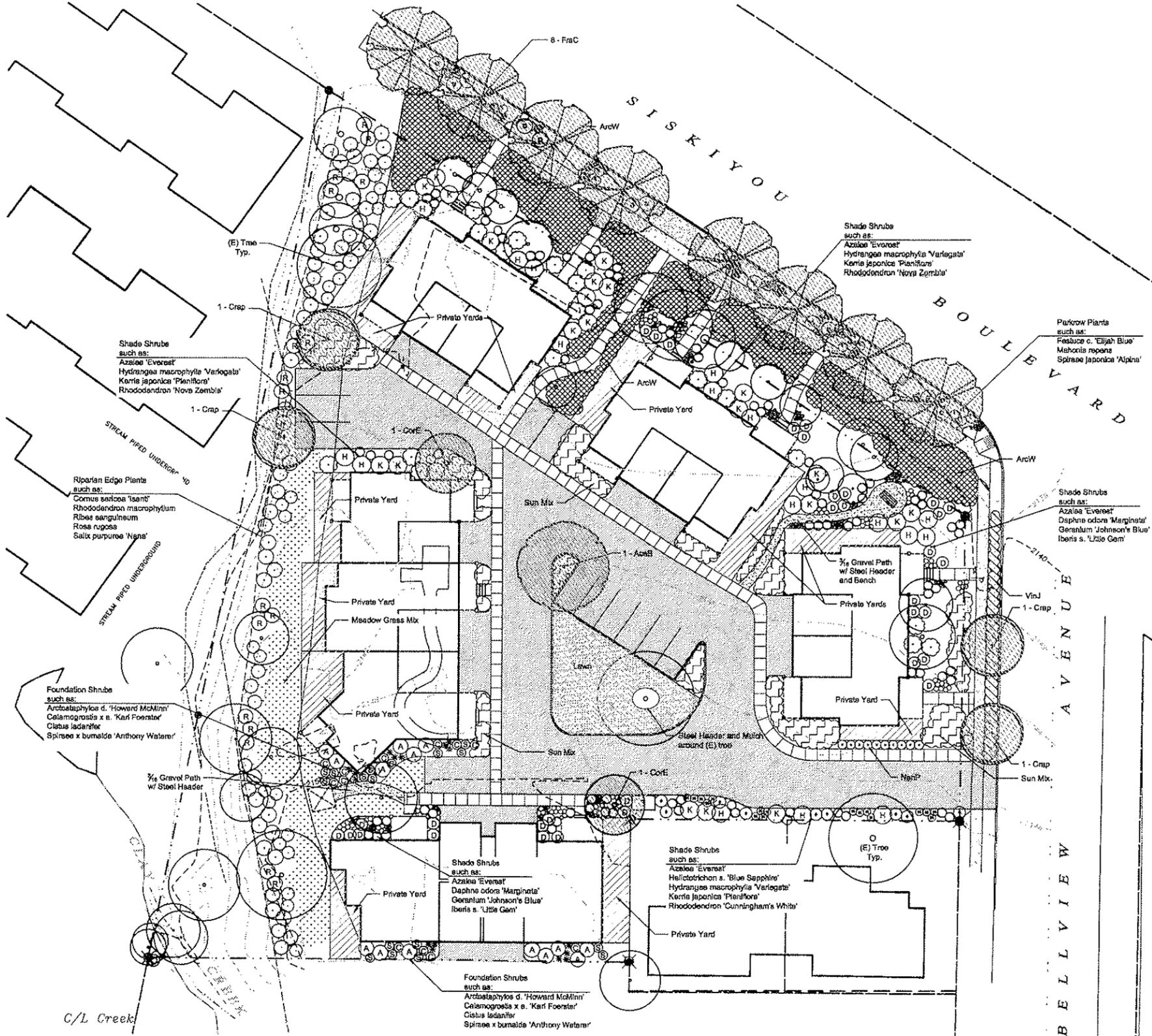
1 TREE PLANTING DETAIL



2 SHRUB PLANTING DETAIL

PLANT LEGEND

Symbol	Scientific Name	Common Name	Size
AceB	Acer rubrum 'Brandywine'	Brandywine Maple	1 1/2' cal
ArcH	Arctostaphylos d. 'Howard McMini'	Howard McMini Manzanita	5 gal
AzeE	Azalea 'Everest'	Everest Azalea	5 gal
CalK	Calamagrostis x s. 'Karl Foerster'	Foerster's Feather Reed Grass	1 gal
CisL	Cistus ladanifer	Crimson-Spot Rockrose	5 gal
CorE	Cornus 'Eddie's White Wonder'	Eddie's White Wonder Dogwood	1 1/2' cal
CorI	Cornus sericea 'Isanti'	Isanti Red-Osier Dogwood	5 gal
Crap	Crataegus phaenopynum	Washington Hawthorn	1 1/2' cal
DapM	Daphne odora 'Marginata'	Winter Daphne	5 gal
FesE	Festuca c. 'Elijah Blue'	Elijah Blue Fescue	1 gal
FmsC	Fraxinus pennsylvanica 'Cinnamon'	Cinnamon Ash	1 1/2' cal
GerJ	Geranium 'Johnson's Blue'	Johnson's Blue Cranesbill	1 gal
HelS	Helictotrichon s. 'Sapphire'	Sapphire Blue Cat Grass	1 gal
HydV	Hydrangea macrophylla 'Variegata'	Variegated Big-Leaf Hydrangea	5 gal
IbeL	Iberis s. 'Little Gem'	Little Gem Candytuft	1 gal
KerJ	Kerria japonica 'Pleniflora'	Double Flowered Kerria	1 gal
MahR	Mahonia repens	Climbing Mahonia	1 gal
NanP	Nandina 'Plum Passion'	Plum Passion Heavenly Bamboo	5 gal
RhoC	Rhododendron x 'Cunningham's White'	Cunningham's White Rhododendron	5 gal
RhoM	Rhododendron macrophyllum	Western Rhododendron	5 gal
RhoN	Rhododendron 'Nova Zembla'	Nova Zembla Rhododendron	5 gal
RibR	Ribes sanguineum	Red Flowering Currant	5 gal
RoaR	Rosa rugosa	Japanese Rose	5 gal
SalW	Salix purpurea 'Nana'	Dwarf Alaska Blue Willow	5 gal
SpW	Spirea x bumalda 'Anthony Waterer'	Anthony Waterer Spirea	5 gal
SpA	Spirea j. 'Alpine'	Daphne Spirea	5 gal
[Symbol]	Arctostaphylos u. 'Wood's Compact'	Wood's Compact Kinnikinnick	1 gal
[Symbol]	Vince minor 'Jekyll's White'	Jekyll's White Common Periwinkle	1 gal
[Symbol]	Meadow Grass Mix	Seed Mix per LA	
[Symbol]	Lawn	Sod	
[Symbol]	Sun Mix:		
[Symbol]	Erica c. 'Springwood'	Springwood Heath	1 gal
[Symbol]	Erysimum 'Bowles Mauve'	Bowles Mauve Wallflower	1 gal
[Symbol]	Ilex glabra 'Compacta'	Compact Inkberry	5 gal
[Symbol]	Rosmarinus 'Tuscan Blue'	Tuscan Blue Rosemary	2 gal



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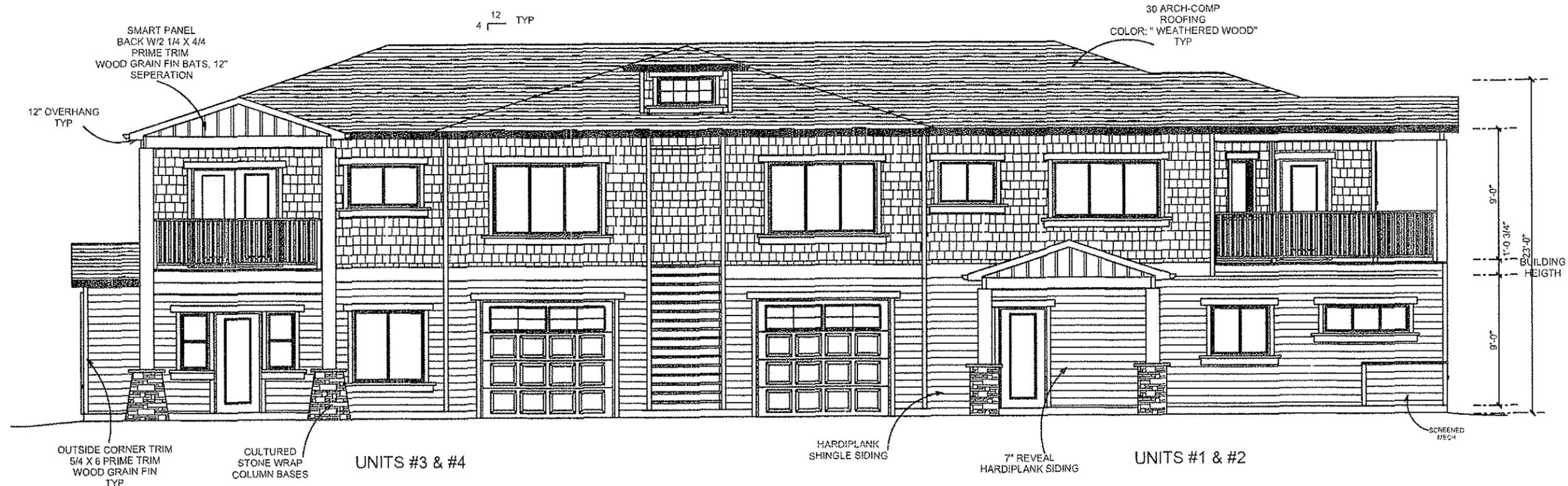
Revision Date:

Drawn By:
 WMP
 Scale 1" = 20'-0"

WEST BELLEVUE SUBDIVISION
 2300 SISKIYOU BOULEVARD
 ASHLAND, OREGON

August 20, 2008

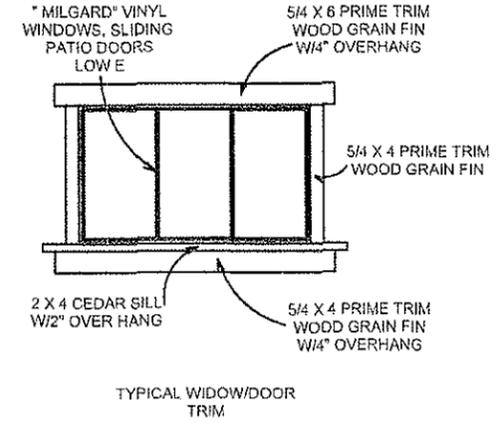
NOTES:



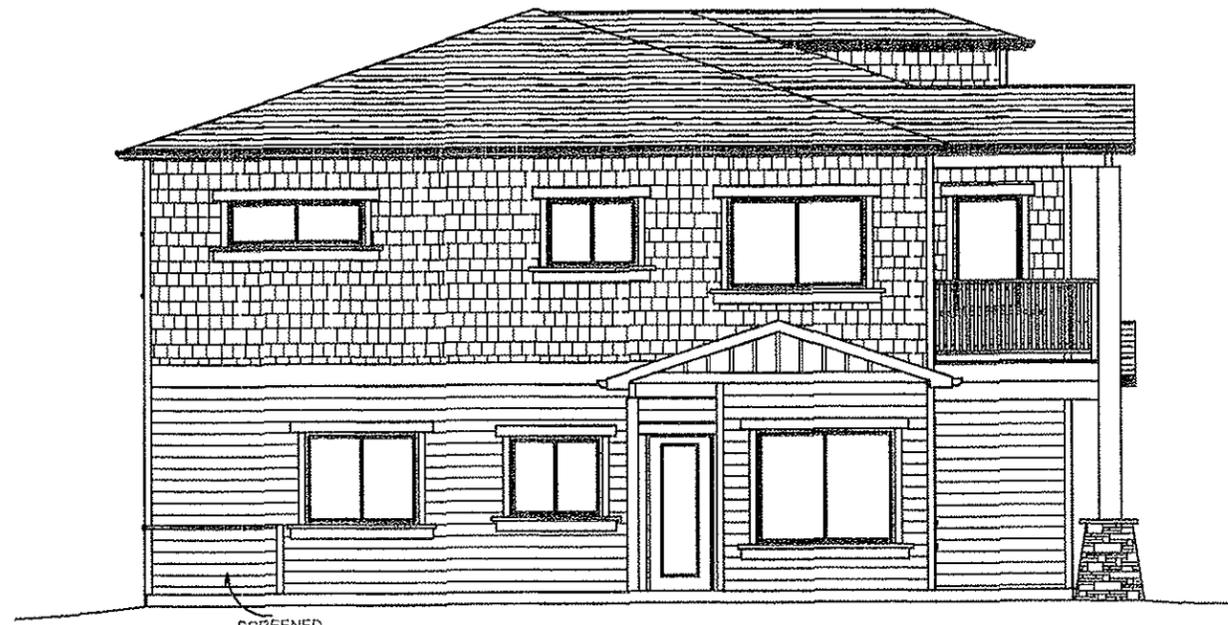
UNITS #3 & #4

UNITS #1 & #2

NORTH ELEVATION



TYPICAL WINDOW/DOOR TRIM



UNIT #3 & #4
EAST ELEVATION

UNITS #1, 2, 3 & 4
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

REV.	DATE	REV.	DATE

TITLE:
ELEVATIONS

AS NOTED
SCALE: 1/4" = 1'

FILE:
ASHER-BELLVIEW

DRAWN BY: JWT	DATE: 6/05/08
CHECKED BY:	DATE:

SHEET 3 OF 4

PROJECT:
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

CUSTOMER:
ASHER HOMES
P.O. BOX 3459
ASHLAND OR 97520
541-482-5375
CCB#56025

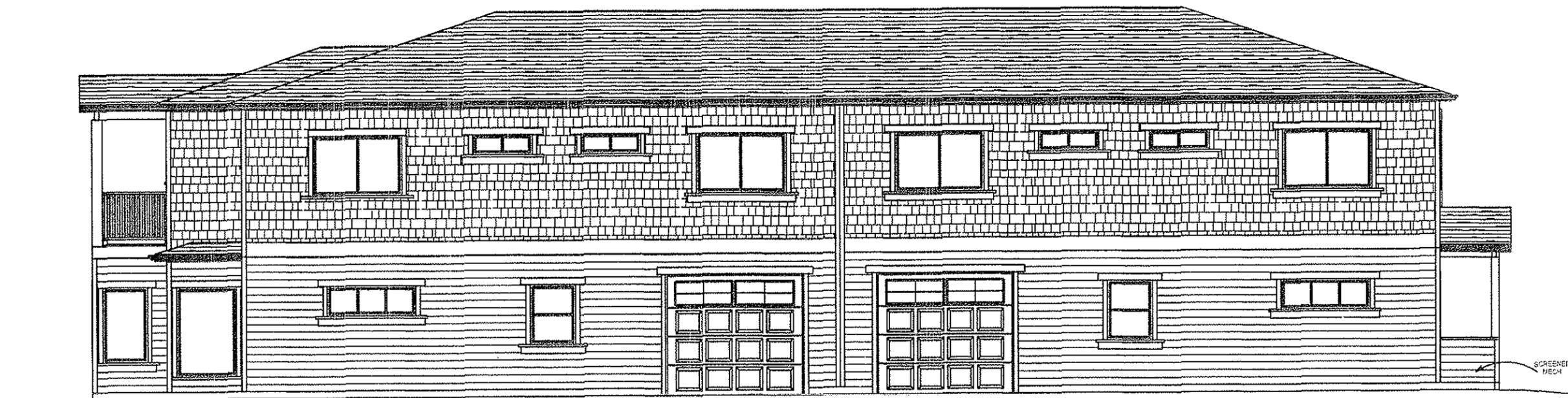
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Architectural Firm

Design Residential, Inc.
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NOTES:



UNITS #1 AND #2

UNITS #3 AND #4

SOUTH ELEVATION



UNIT #3 & #4
EAST ELEVATION

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UNITS #1, 2, 3 & 4
WEST BELLVIEW
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REV.	DATE	REV.	DATE

TITLE:
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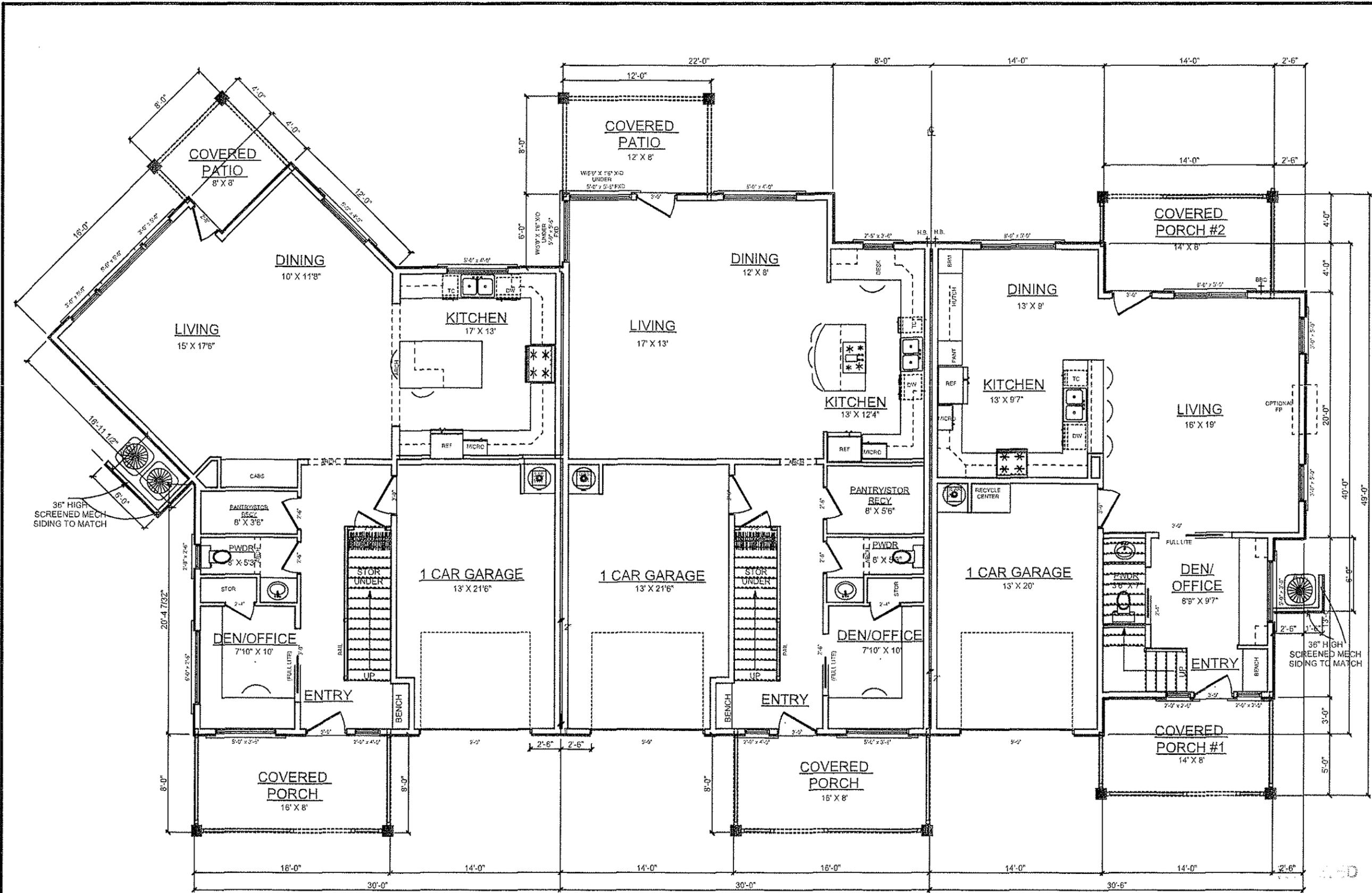
SHEET 4 OF 4

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UNITS #5, 6 & 7
 WEST BELLVIEW
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 FOR: ASHER HOMES

REV.	DATE:	REV.	DATE:
TITLE: MAIN FLOOR PLAN			
AS NOTED SCALE: 1/4" = 1'			
FILE: ASHER-BELLVIEW			
DRAWN BY:	DATE:		
JWT	6/05/08		
CHECKED BY:	DATE:		
SHEET 1 OF 4			

PROJECT:
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UNIT #5
 MAIN FLOOR
 1058 SQ. FT.-LIVING
 289 SQ. FT.-GARAGE

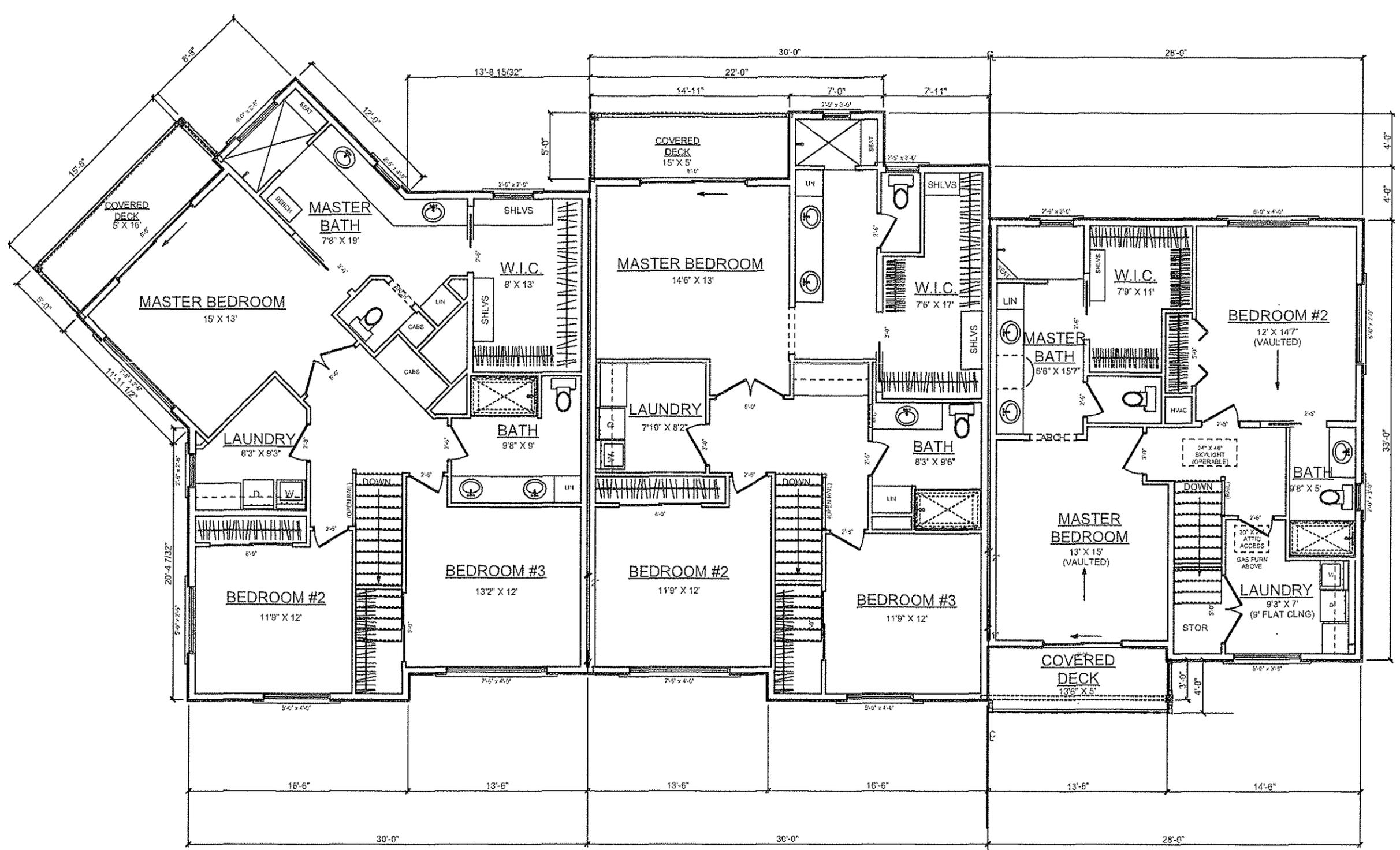
UNIT #6
 MAIN FLOOR
 996 SQ. FT.-LIVING
 289 SQ. FT.-GARAGE

UNIT #7
 MAIN FLOOR
 792 SQ. FT.-LIVING
 277 SQ. FT.-GARAGE

JUN 6 2008



NOTES:



UNIT #5
UPPER FLOOR
1328 SQ. FT.-LIVING

UNIT #6
UPPER FLOOR
1255 SQ. FT.-LIVING

UNIT #7
UPPER FLOOR
894 SQ. FT.-LIVING

REVISED
JUN 6 2008

UNITS #5, 6 & 7
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

REV.	DATE	REV.	DATE

TITLE:
UPPER
FLOOR PLAN
AS NOTED
SCALE: 1/4" = 1'

FILE:
ASHER-BELLVIEW
DRAWN BY: DATE:
JWT 6/05/08
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SHEET 2 OF 4

PROJECT:
WEST BELLVIEW
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FOR: ASHER HOMES

CUSTOMER:
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NOTES:

UNITS #5, 6 & 7
WEST BELLVIEW
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ASHLAND, OR 97520
FOR: ASHER HOMES

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SHEET 4 OF 4

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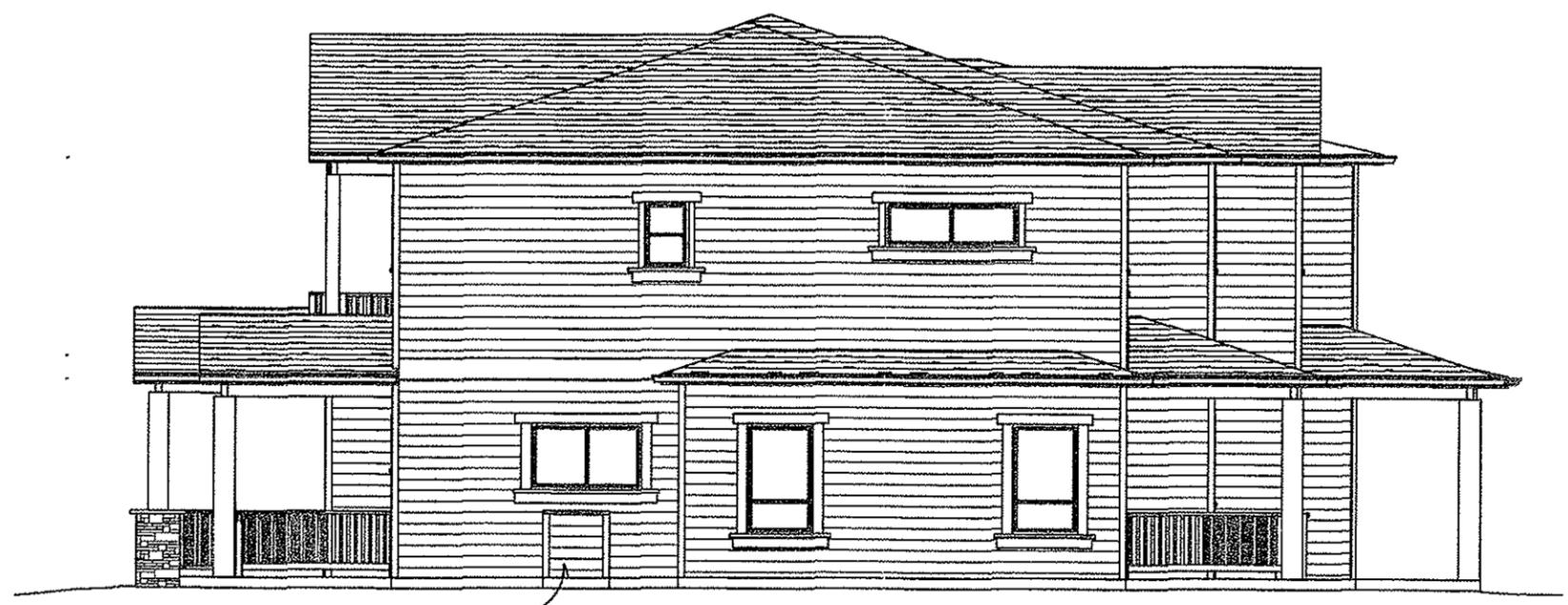


UNIT #7

UNIT #6

UNIT #5

WEST ELEVATION



UNIT # 7

NORTH ELEVATION

6/5/08
JUN 6 2008

Design Residential
Customer Agreement

12
4 TYP

HARDIPLANK
SHINGLE SIDING

30 ARCH-COMP
ROOFING
COLOR: "WEATHERED WOOD"
TYP

12" OVERHANG
TYP

OUTSIDE CORNER TRIM
5/4 X 6 PRIME TRIM
WOOD GRAIN FIN
TYP

BUILDING
HEIGHT

23'-0"

9'-0"

1'-0 3/4"

9'-0"

NOTES:

UNITS #5, 6 & 7
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

REV.	DATE:	REV.	DATE:

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AS NOTED
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SHEET 3 OF 4

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WEST BELLVIEW
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CUSTOMER:
ASHER HOMES
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SCREENED
MECH

UNIT #5

SMART PANEL
BACK W/2 1/4 X 4/4
PRIME TRIM
WOOD GRAIN FIN BATS, 12"
SEPERATION

UNIT #6

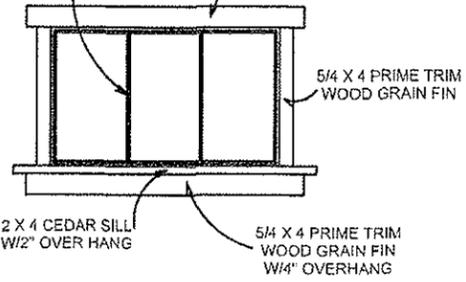
1" MILGARD" VINYL
WINDOWS, SLIDING
PATIO DOORS
LOW E

5/4 X 6 PRIME TRIM
WOOD GRAIN FIN
W/4" OVERHANG

UNIT #7

7" REVEAL
HARDIPLANK SIDING

EAST ELEVATION

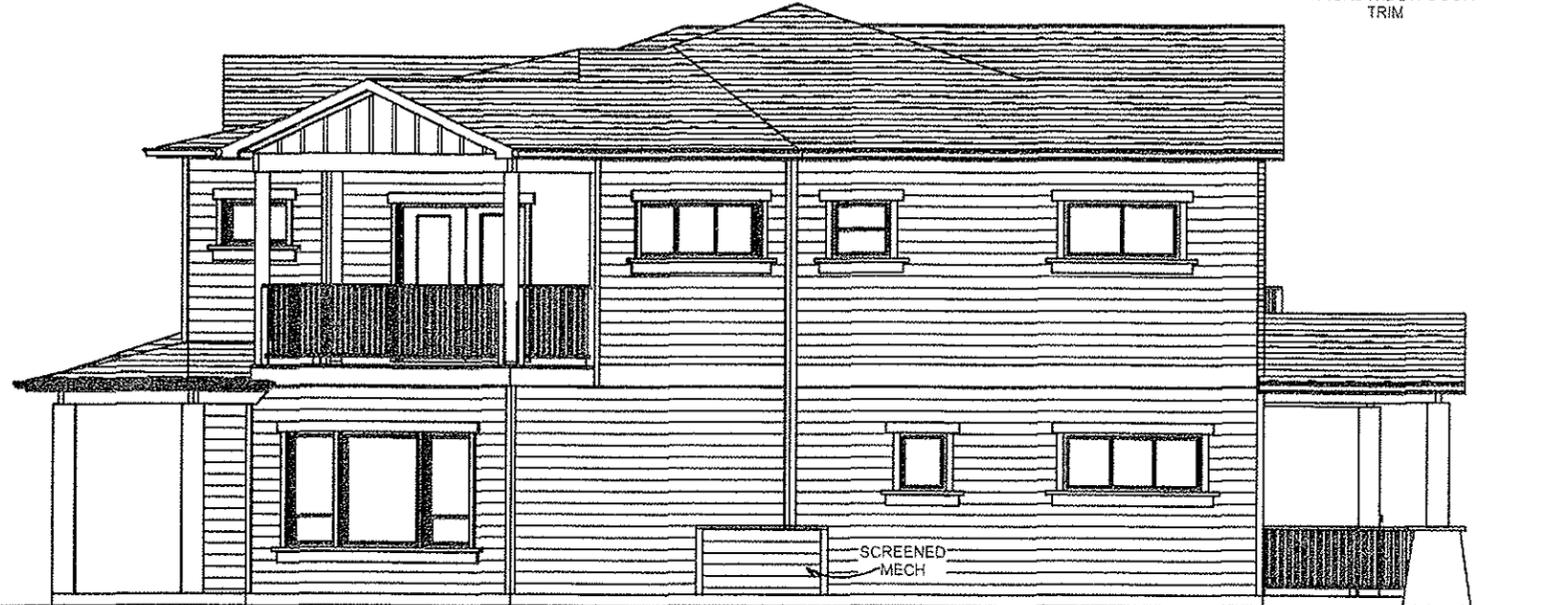


2 X 4 CEDAR SILL
W/2" OVER HANG

5/4 X 4 PRIME TRIM
WOOD GRAIN FIN

5/4 X 4 PRIME TRIM
WOOD GRAIN FIN
W/4" OVERHANG

TYPICAL WINDOW/DOOR
TRIM



SCREENED
MECH

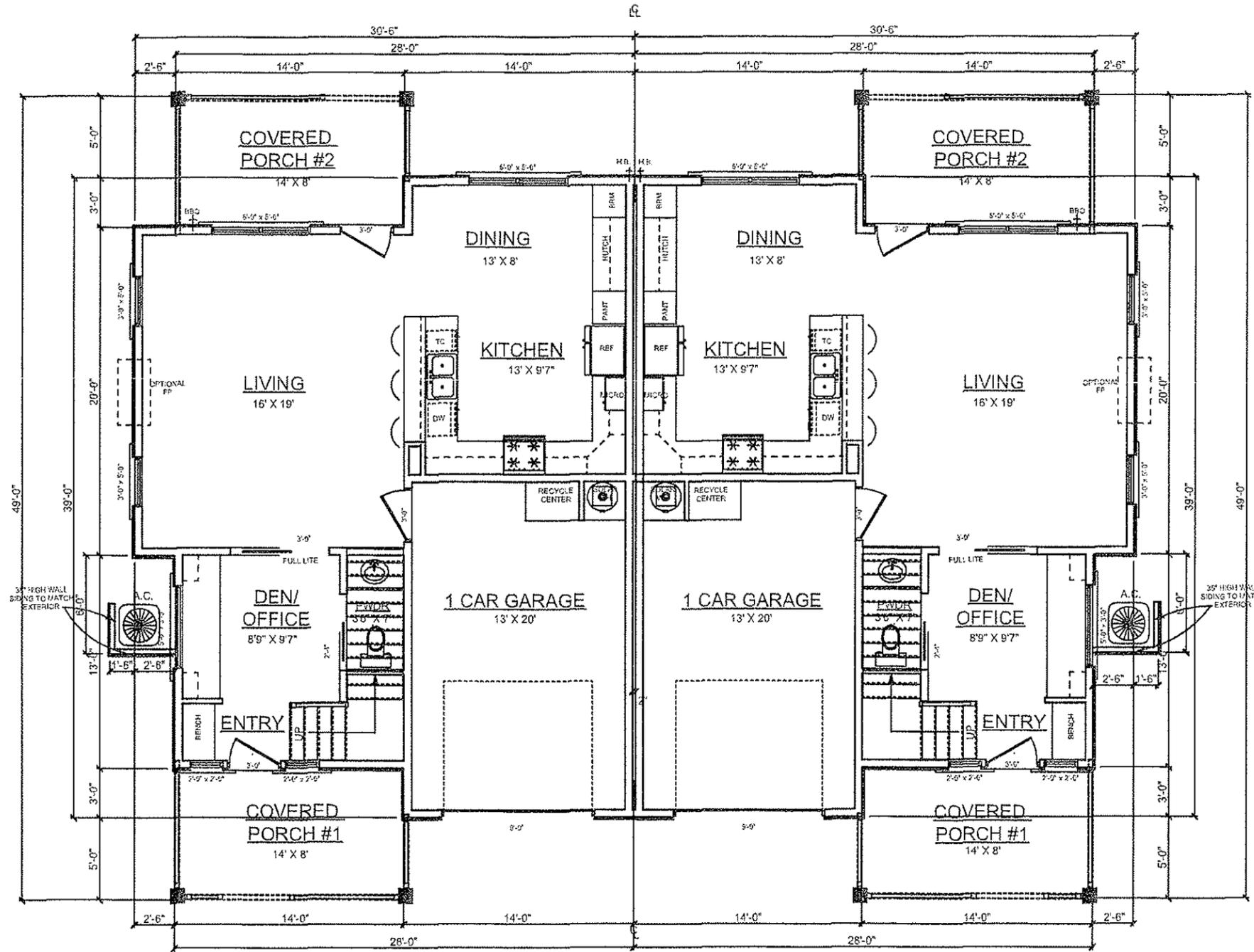
UNIT #5
SOUTH ELEVATION

JUN 6 2008

JUN 6 2008

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NOTES:



UNIT #8, 10, 12
 MAIN FLOOR
 778 SQ. FT.-LIVING
 277 SQ. FT.-GARAGE

UNIT #9, 11, 13
 MAIN FLOOR
 778 SQ. FT.-LIVING
 277 SQ. FT.-GARAGE

UNITS #8, 9, 12 & 13
 WEST BELLVIEW
 SUBDIVISION, PH II
 ASHLAND, OR 97520
 FOR: ASHER HOMES

REV.	DATE	REV.	DATE

TITLE:
 MAIN FLOOR
 PLAN
 AS NOTED
 SCALE: 1/4" = 1'

FILE:
 ASHER-BELLVIEW
 DRAWN BY: DATE:
 JMT 6/05/08
 CHECKED BY: DATE:

SHEET 1 OF 4

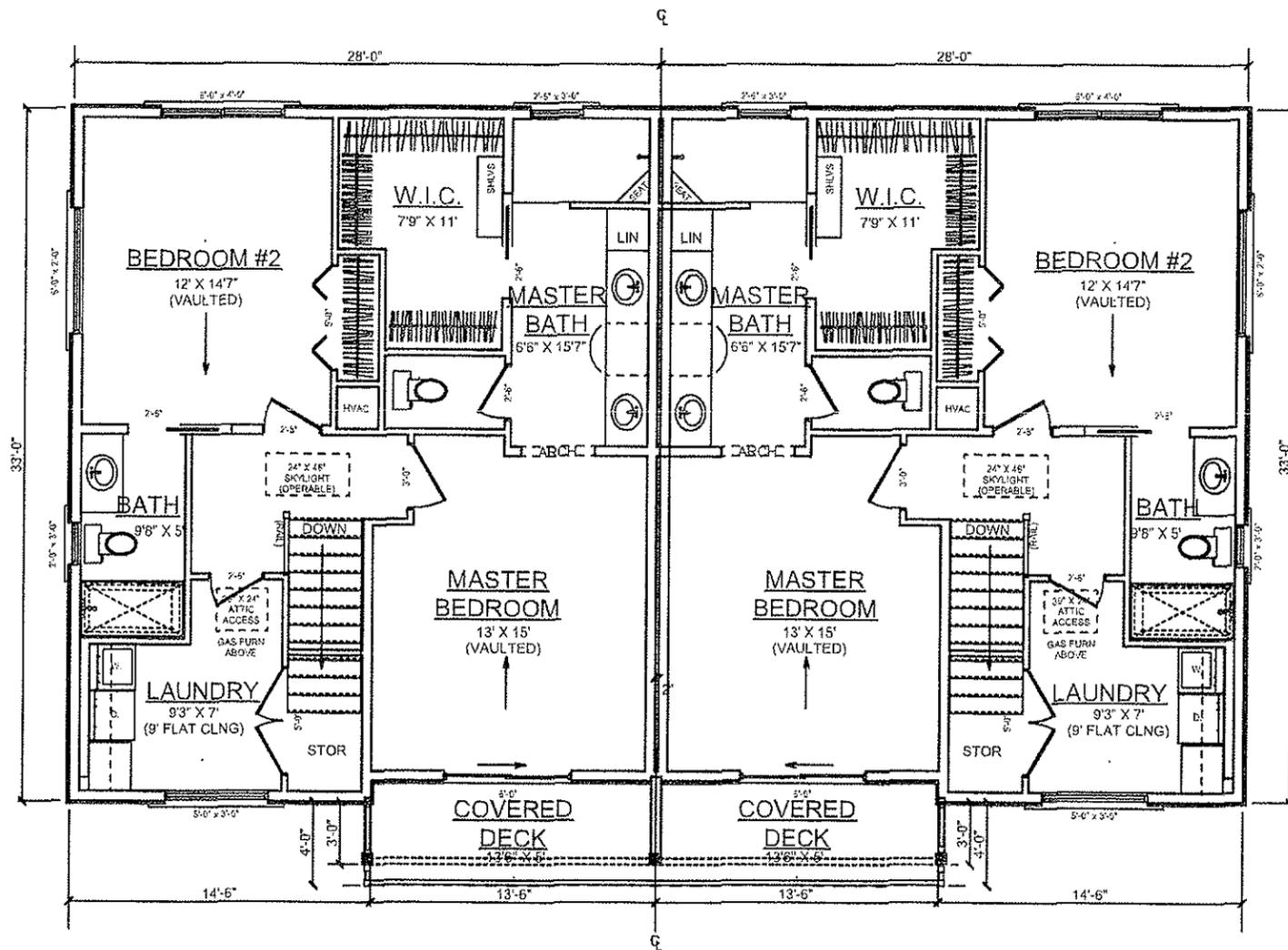
PROJECT:
 WEST BELLVIEW
 SUBDIVISION, PH II
 ASHLAND, OR 97520
 FOR: ASHER HOMES

CUSTOMER:
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NOTES:



UNIT #8,10,12
UPPER FLOOR
894 SQ. FT.-LIVING

UNIT #9, 11, 13
UPPER FLOOR
894 SQ. FT.-LIVING

UNITS #8, 9, 12 & 13
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

REV.	DATE:	REV.	DATE:

TITLE:
UPPER FLOOR
PLAN
AS NOTED
SCALE: 1/4" = 1'

FILE: ASHER-BELLVIEW	
DRAWN BY: JWT	DATE: 6/05/08
CHECKED BY:	DATE:

SHEET 2 OF 4

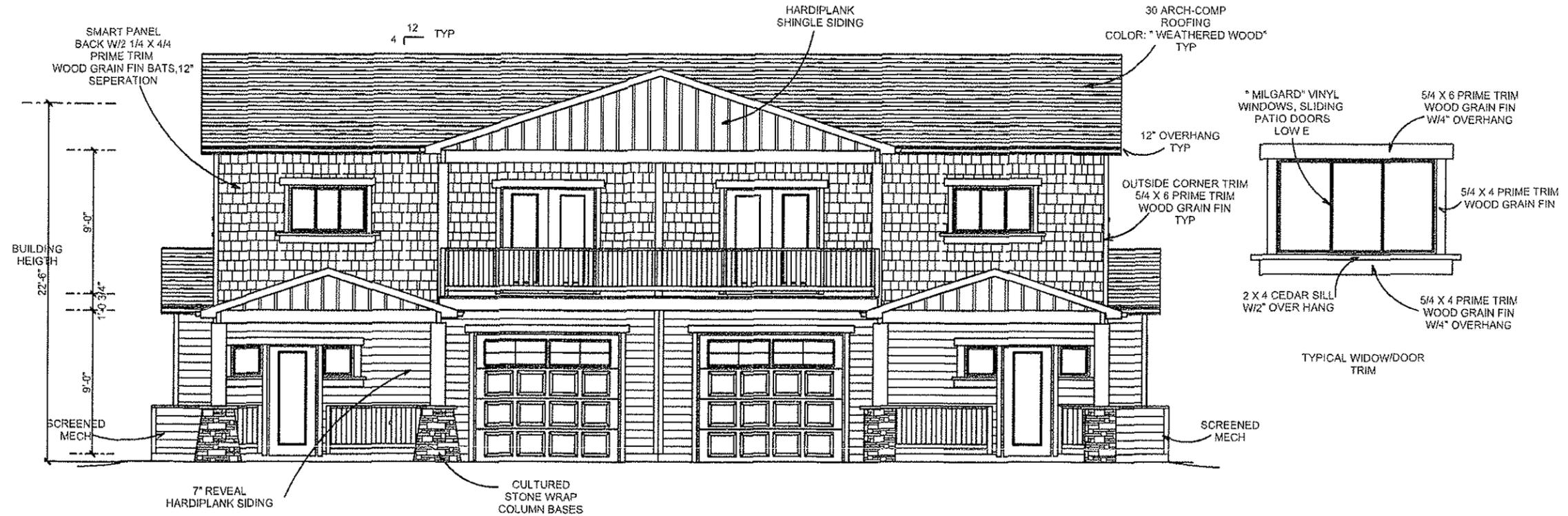
PROJECT:
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

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NOTES:



UNIT #8-9 SOUTH ELEVATION
UNIT #12-13 WEST ELEVATION



UNIT #8, WEST ELEVATION
UNIT #12, NORTH ELEVATION

UNITS #8, 9, 12 & 13
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

REV.	DATE	REV.	DATE

TITLE:
ELEVATIONS

AS NOTED
SCALE: 1/4" = 1'

FILE:
ASHER-BELLVIEW

DRAWN BY: JWT	DATE: 6/05/08
CHECKED BY:	DATE:

SHEET 3 OF 4

PROJECT:
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

CUSTOMER:
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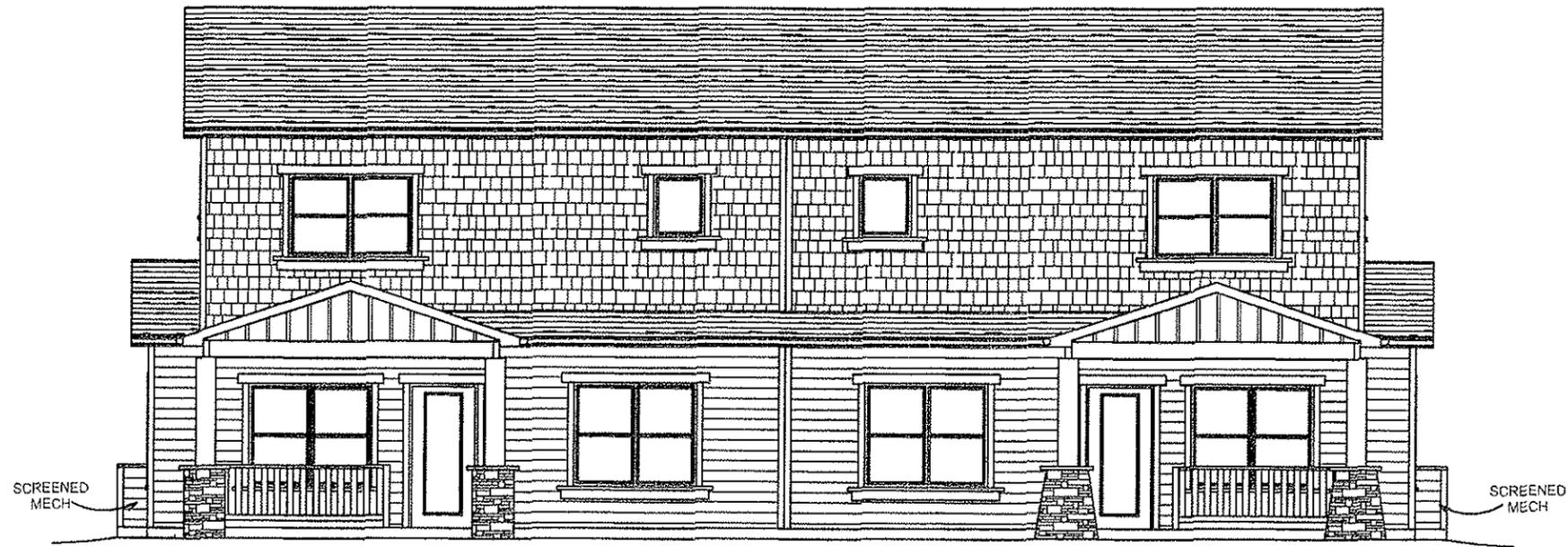
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NOTES:

UNITS #8, 9, 12 & 13
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES



UNIT #9, NORTH ELEVATION
UNIT #13, EAST ELEVATION

UNIT #8, NORTH ELEVATION
UNIT #12, EAST ELEVATION



UNIT #9, EAST ELEVATION
UNIT #13, SOUTH ELEVATION

REV.	DATE	REV.	DATE

TITLE:
ELEVATIONS

AS NOTED
SCALE: 1/4" = 1'

FILE:
ASHER-BELLVIEW

DRAWN BY: JWT	DATE: 6/05/08
CHECKED BY:	DATE:

SHEET 4 OF 4

PROJECT:
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

CUSTOMER:
ASHER HOMES
P.O. BOX 3459
ASHLAND OR 97520
541-482-5375
CCB#56025

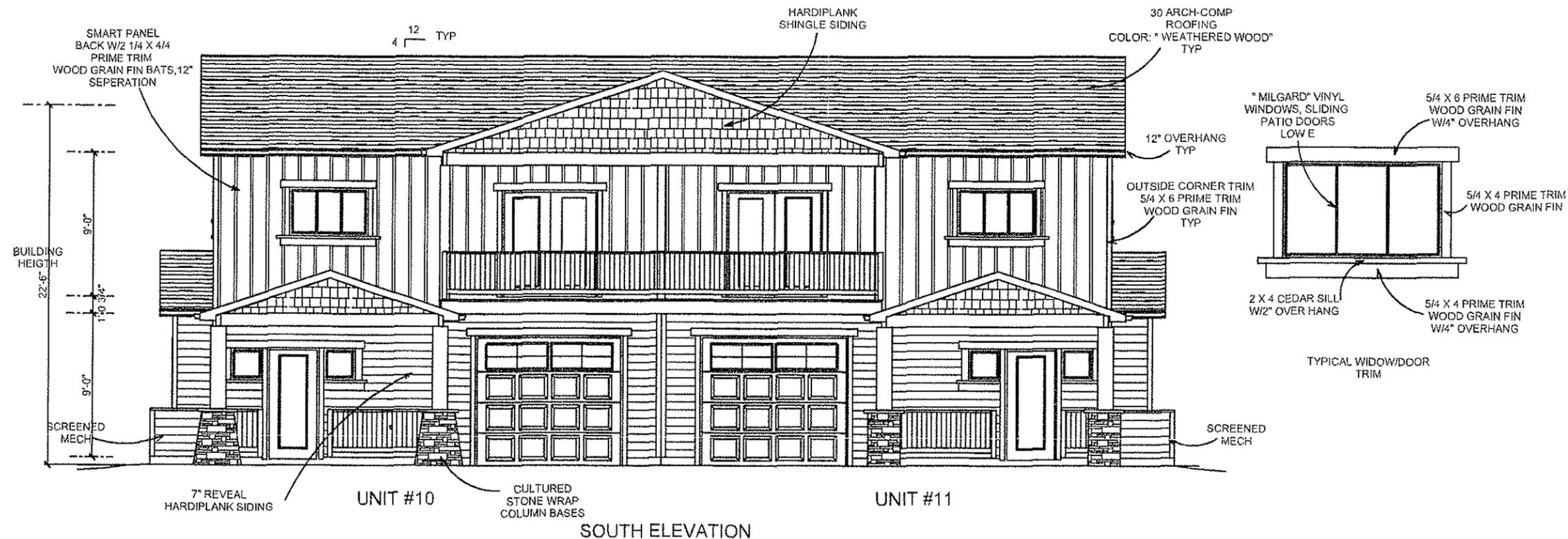
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NOTES:



UNITS #10 & #11
 WEST BELLVIEW
 SUBDIVISION, PH II
 ASHLAND, OR 97520
 FOR: ASHER HOMES

REV.	DATE	REV.	DATE

TITLE:
ELEVATIONS

AS NOTED
SCALE: 1/4" = 1'

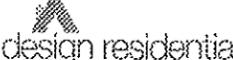
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ASHER-BELLVIEW

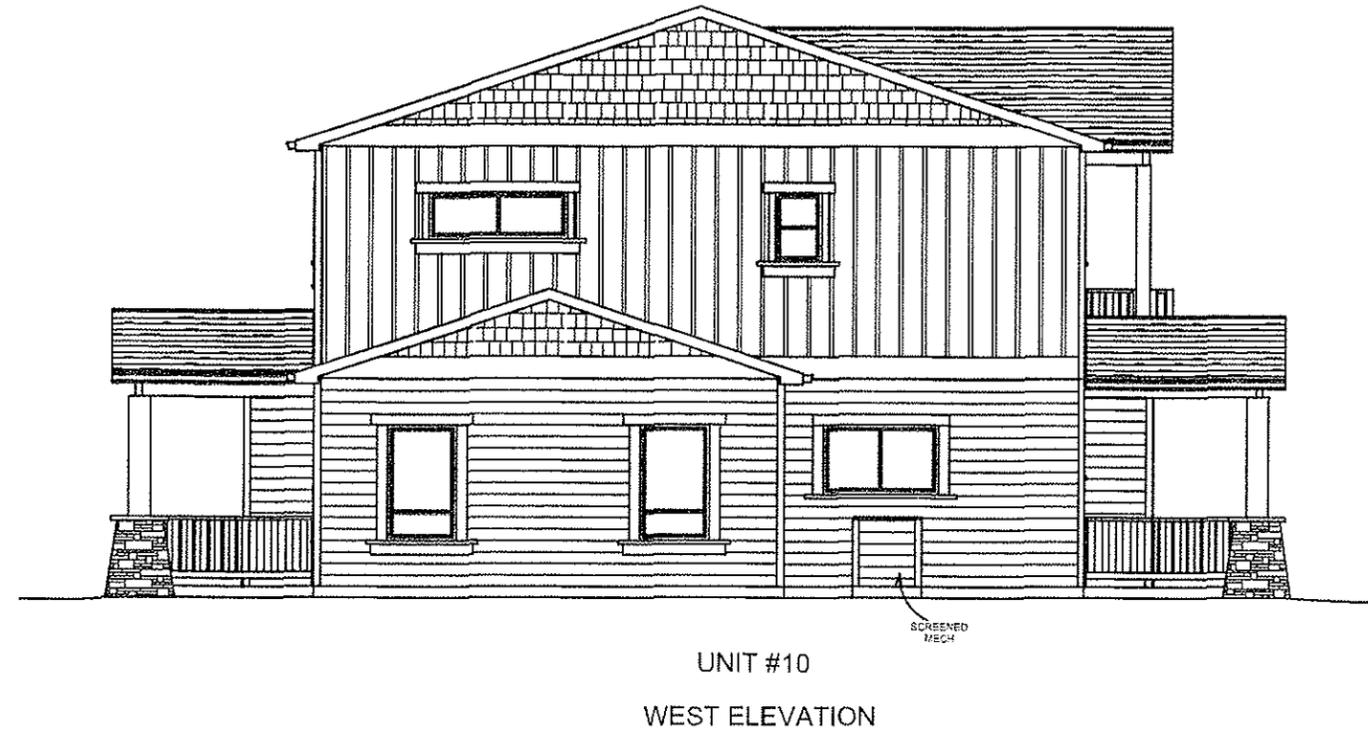
DRAWN BY:	DATE:
JWT	6/05/08
CHECKED BY:	DATE:

SHEET 1 OF 2

PROJECT:
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

CUSTOMER:
ASHER HOMES
P.O. BOX 3459
ASHLAND OR 97520
541-482-5375
CCB#56025

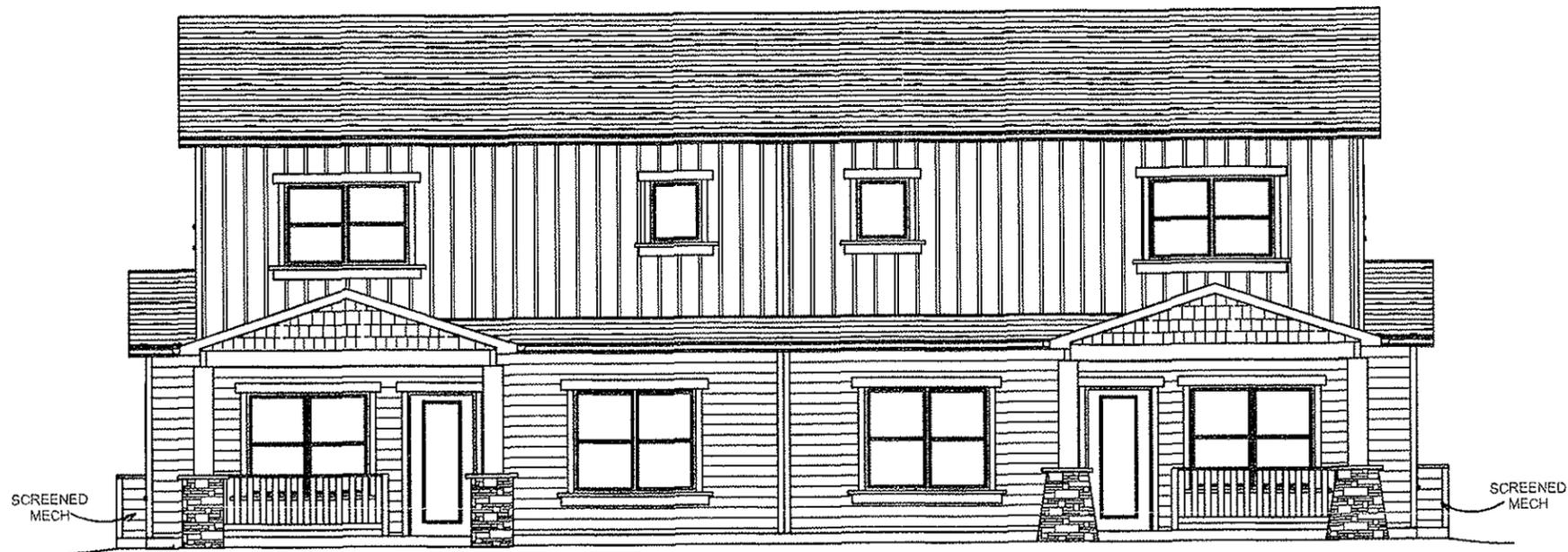

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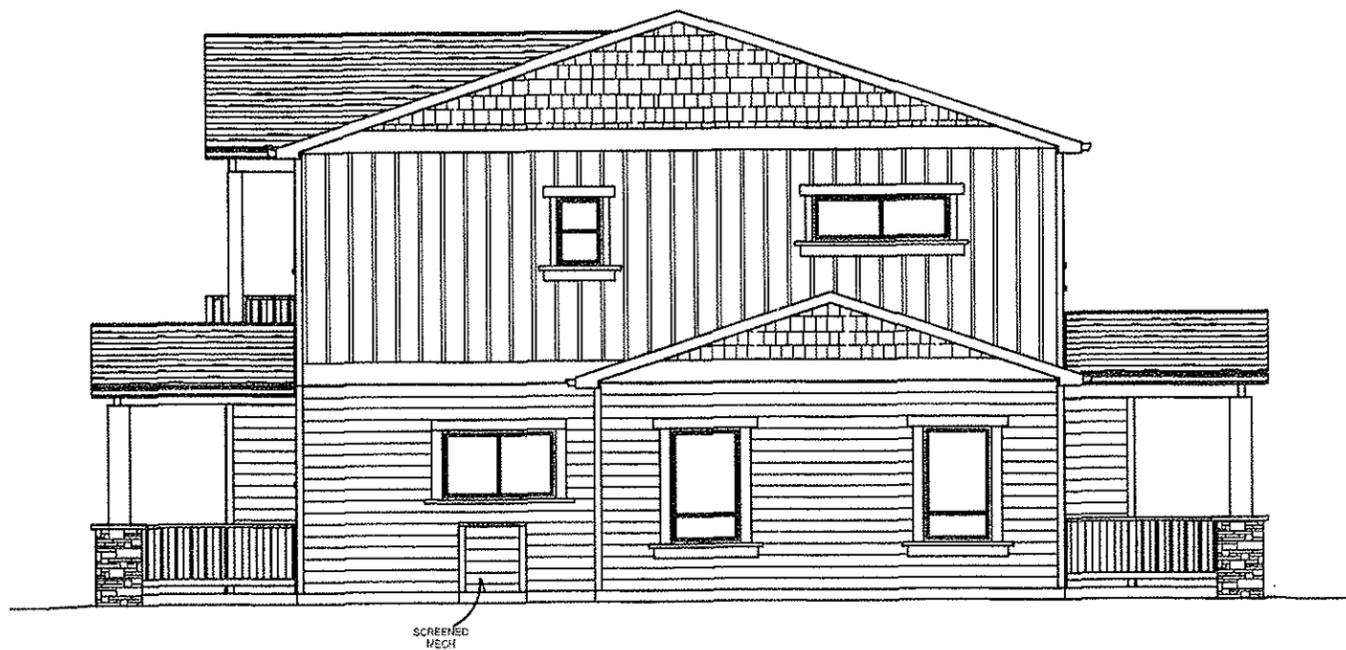
Design Residential
 Home Design Unit Builders

NOTES:



UNIT #11, NORTH ELEVATION

UNIT #10, NORTH ELEVATION



UNIT #11 EAST ELEVATION

UNITS #10 & #11
 WEST BELLVIEW
 SUBDIVISION, PH II
 ASHLAND, OR 97520
 FOR: ASHER HOMES

REV.	DATE	REV.	DATE

TITLE:
ELEVATIONS

AS NOTED
SCALE: 1/4" = 1'

FILE:
ASHER-BELLVIEW

DRAWN BY: JWT	DATE: 6/05/08
CHECKED BY:	DATE:

SHEET 2 OF 2

PROJECT:
 WEST BELLVIEW
 SUBDIVISION, PH II
 ASHLAND, OR 97520
 FOR: ASHER HOMES

CUSTOMER:
 ASHER HOMES
 P.O. BOX 3459
 ASHLAND OR 97520
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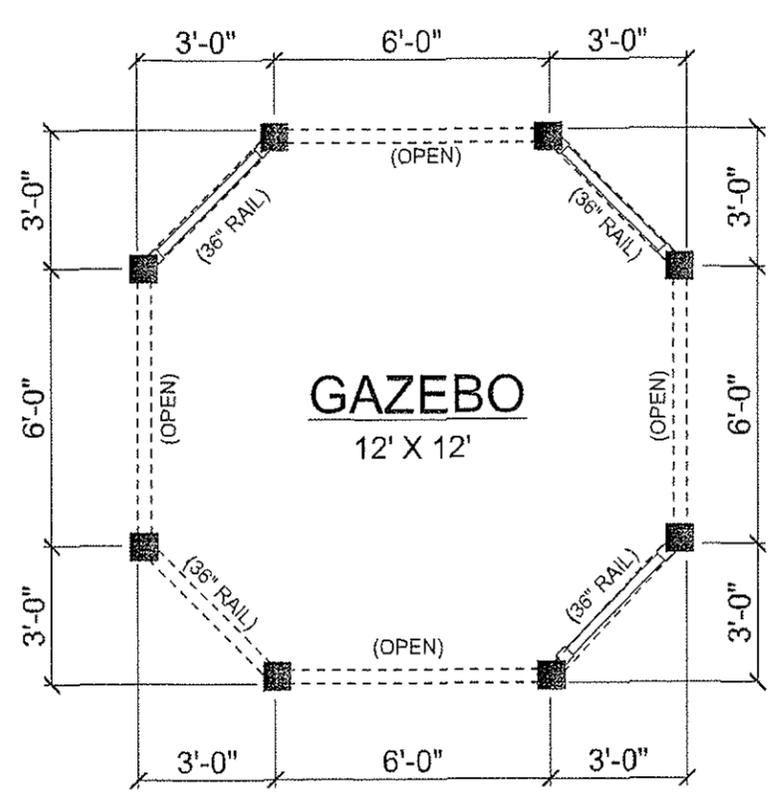
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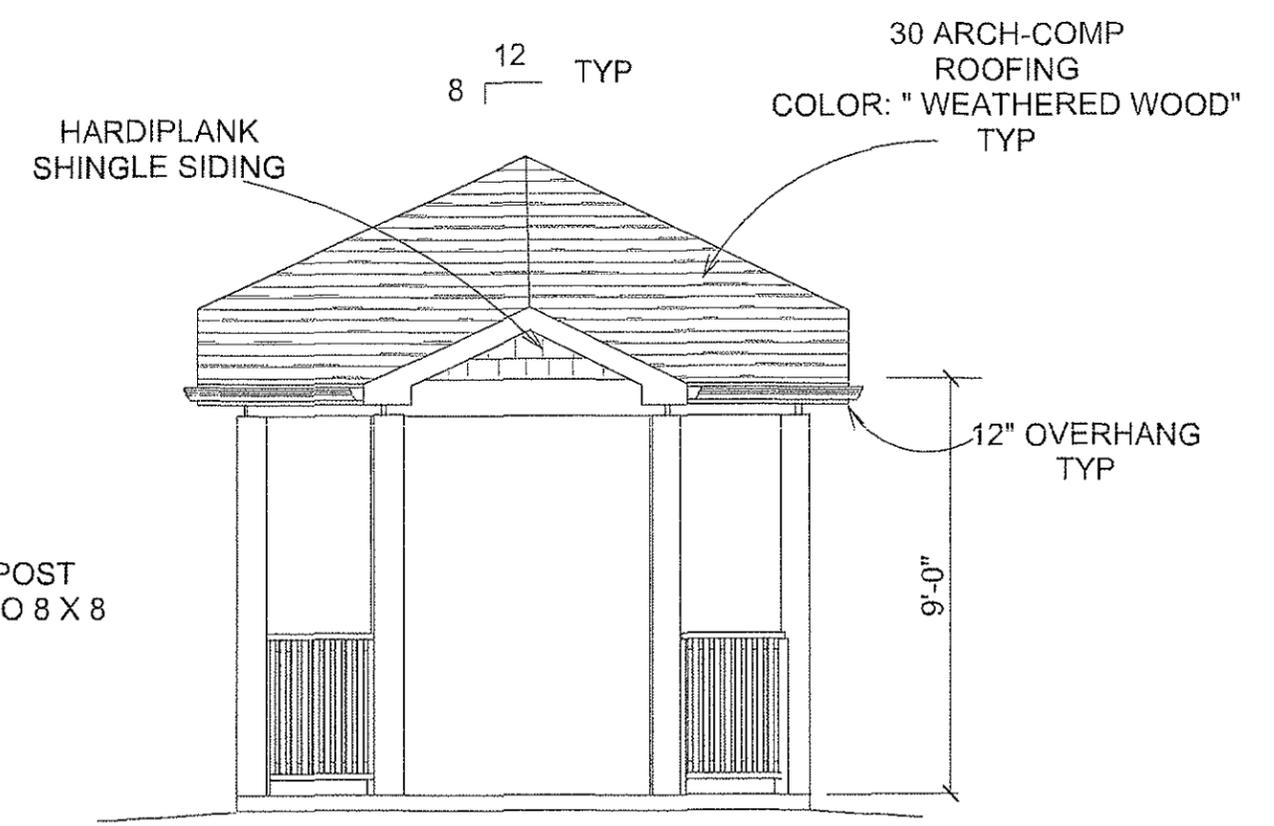
NOTES:

GAZEBO
 WEST BELLVIEW
 SUBDIVISION, PH II
 ASHLAND, OR 97520
 FOR: ASHER HOMES



FLOOR PLAN

6 X 6 POST
 WRAP TO 8 X 8



TYP ELEVATION

REV.	DATE	REV.	DATE

TITLE:
 AS NOTED

AS NOTED
 SCALE: 1/2" = 1'

FILE:
 ASHER-BELLVIEW

DRAWN BY:	DATE:
JWT	6/05/08
CHECKED BY:	DATE:

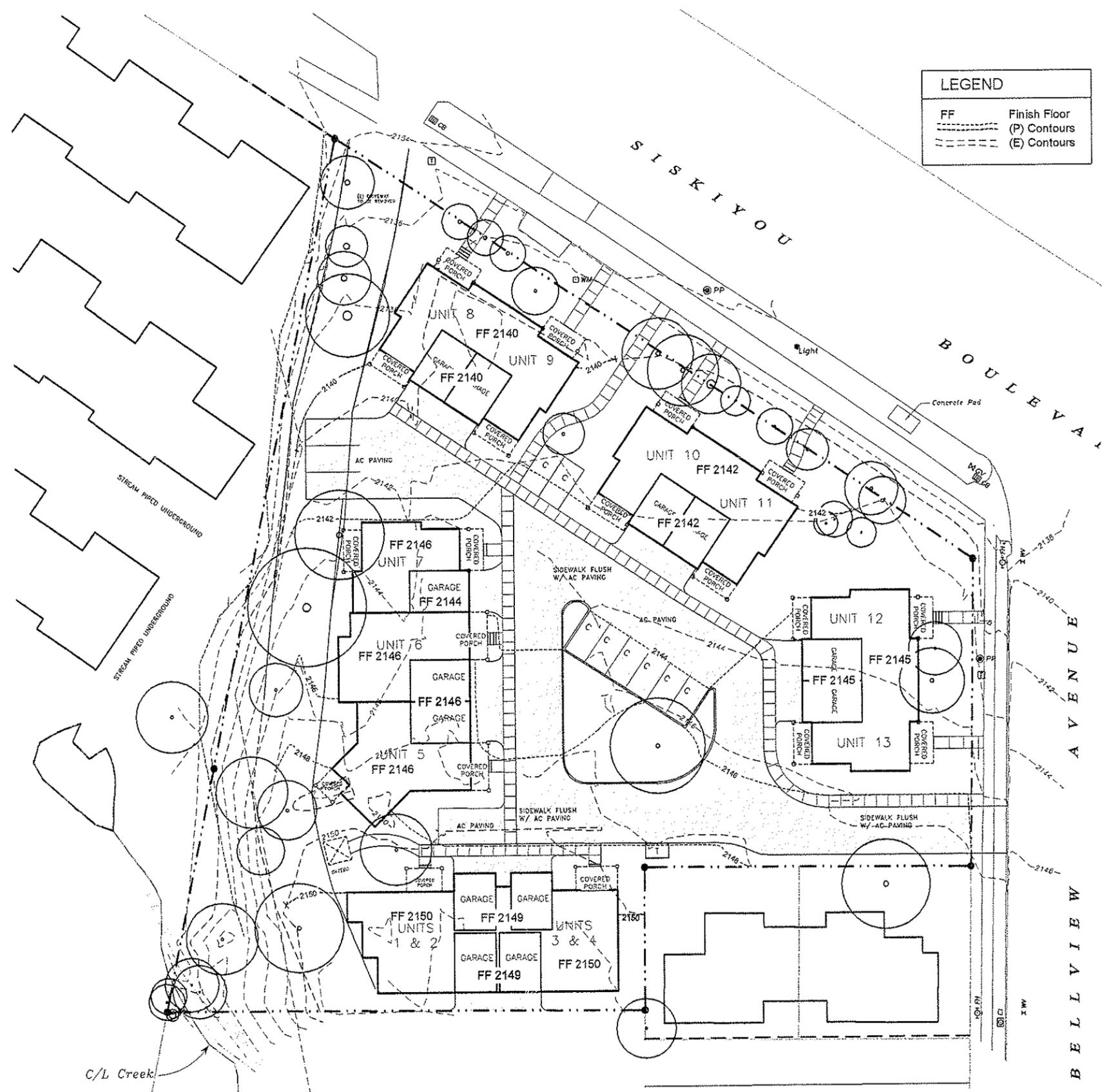
SHEET 1 OF 1

PROJECT:
 WEST BELLVIEW
 SUBDIVISION, PH II
 ASHLAND, OR 97520
 FOR: ASHER HOMES

CUSTOMER:
 ASHER HOMES
 P.O. BOX 3459
 ASHLAND OR 97520
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 CCB#56025

REVISIONS
 JUN 6 2008

Contract Agreement



LEGEND	
FF	Finish Floor
(P) Contours	
(E) Contours	

LAURIE SAGER
 AND ASSOCIATES LANDSCAPE ARCHITECTS INC
 700 MISTLETOE ROAD, SUITE 201
 ASHLAND, OREGON 97520



Revision Date:

Drawn By:
 LCS
 Scale 1" = 20'0"

HALF SCALE

WEST BELLVIEW SUBDIVISION
 2300 SISKIYOU BOULEVARD
 ASHLAND, OREGON

PL-10

JUN 6 2008

June 6, 2008

PLANNED

JUN 6 2002

CR. 10/10/02

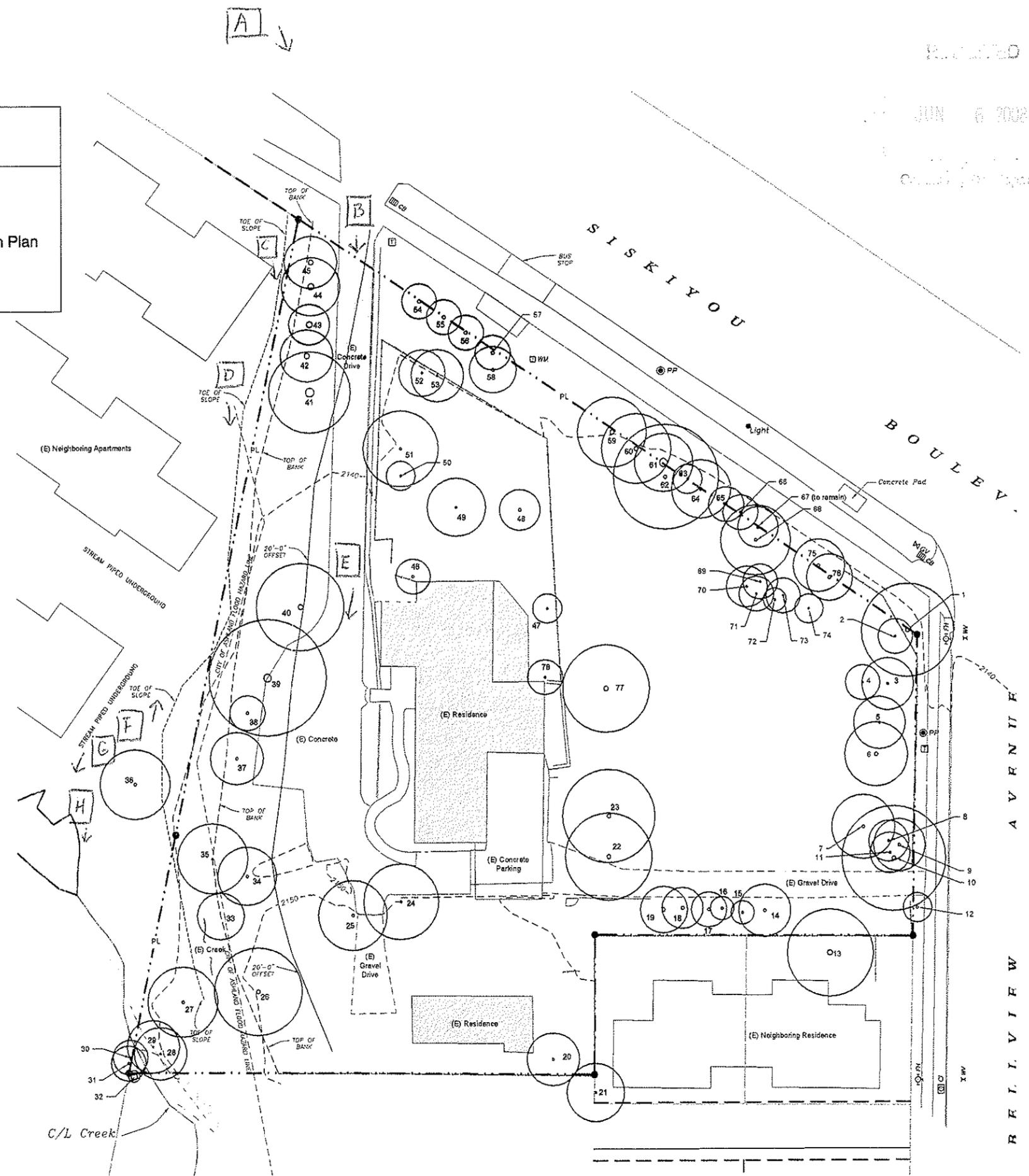
photos

SHEET INDEX

T-1	Existing Site Plan
S-1	Site Plan
S-2	Utility Plan
L-1	Tree Removal and Protection Plan
L-2	Grading Plan
L-3	Planting Plan

TREE INVENTORY

Tree #	Species	DBH	Height	Crown Radius	Tree Protection Zone Radius	Relative Tolerance To Construction	Condition	Notes
1	Ulmus pumila	16	30	18	8	good	poor	no top
2	Ulmus pumila	7	30	6	3.5	good	fair	
3	Ulmus pumila	9	28	8	4.5	good	fair	
4	Ulmus pumila	8	23	6	3	good	fair	
5	Juglans nigra	8	27	6	6	moderate	good	
6	Cedrus atlantica	15	32	11	7.5	good	good	
7	Ulmus pumila	11	32	11	5.5	good	fair	
8	Ulmus pumila	8	30	7	4	good	poor	suppressed
9	Ulmus pumila	10	30	9	5	good	fair	tapped under wires
10	Ulmus pumila	15	32	18	7.5	good	fair	leaning
11	Ulmus pumila	8	30	7	4	good	poor	
12	Cedrus	8	5	5	-	-	-	
13	Cupressus glabra	22	45	16	18.5	good	good	neighbors tree
14	Acer negundo	12	27	8	6	good	good	
15	Picea pungens	7	24	4	5.25	moderate	fair	
16	Picea pungens	7	25	4	5.25	moderate	fair	
17	Picea pungens	12	30	8	6	good	good	
18	Pinus ponderosa	12	30	7	6	good	good	
19	Pinus ponderosa	15	32	8	7.5	good	good	
20	Fraxinus latifolia	9	30	9	6.75	moderate	good	
21	Calocedrus decurrens	12	35	10	9	moderate	good	neighbors tree
22	Platanus acerifolia	18	41	15	12	good	fair	anthracnose
23	Platanus acerifolia	16	45	16	12	moderate	fair	
24	Robinia pseudoacacia	8	-	13	-	good	-	
25	Fraxinus latifolia	11	47	12	8.25	moderate	good	
26	Metasequoia glyptostroboides	18	38	15	12	moderate	fair	
27	Populus trichocarpa	32	48	30	40	good	poor	suppressed
28	Alnus rubra	6	36	9	4.5	moderate	fair	suppressed
29	Alnus rubra	6	33	9	4.5	moderate	fair	suppressed
30	Populus trichocarpa	6	30	6	6	poor	fair	
31	Populus trichocarpa	8	30	6	8	poor	fair	
32	Populus trichocarpa	28	40	2	32.5	poor	good	
33	Pinus ponderosa	7	23	8	3.5	good	good	
34	Betula pendula	11	31	10	8.25	moderate	good	
35	Robinia pseudoacacia	6	27	7	3	good	fair	1/2 dead
36	Quercus garryana	24	39	21	24	good	poor	eneg
37	Robinia pseudoacacia	10	32	9	6	good	fair	
38	Robinia pseudoacacia	12	12	6	6	good	poor	
39	Robinia pseudoacacia	32	38	20	24	good	good	
40	Robinia pseudoacacia	21	33	15	15	good	fair	
41	Sequoiadendron giganteum	36	47	14	27	moderate	good	
42	Sequoiadendron giganteum	23	42	9	17.25	moderate	good	
43	Sequoiadendron giganteum	25	42	7	18.75	moderate	good	
44	Sequoiadendron giganteum	28	41	10	18.5	moderate	fair	
45	Sequoiadendron giganteum	21	38	9	15.75	moderate	good	
46	Juniperus monosperma	9	25	8	6.75	moderate	fair	
47	Cupressus sempervirens	7	20	5	3.5	good	good	
48	Picea pungens	12	30	7	6	moderate	good	
49	Malus domestica	7	19	10	3.5	good	good	
50	Cupressus sempervirens	8	20	6	4	good	fair	
51	Catalpa speciosa	13	29	9	9.75	moderate	good	
52	Betula pendula	7	22	8	5.25	moderate	fair	
53	Betula pendula	8	32	9	6	moderate	good	
54	Chamaecyparis lawsoniana	14	27	8	7	good	good	
55	Chamaecyparis lawsoniana	14	35	8	7	good	good	
56	Chamaecyparis lawsoniana	14	28	8	7	good	good	
57	Chamaecyparis lawsoniana	14	22	8	7	good	fair	
58	Pinus ponderosa	11	40	8	5.5	good	good	
59	Chamaecyparis lawsoniana	17	40	12	8.5	good	good	
60	Chamaecyparis lawsoniana	17	40	12	8.5	good	good	
61	Sequoiadendron giganteum	34	60	10	25.5	moderate	good	
62	Platanus acerifolia	14	40	18	10.5	moderate	fair	
63	Picea abies	7	30	5	5.25	moderate	good	
64	Pseudotsuga menziesii	11	28	10	8.25	moderate	poor	dead top
65	Cedrus deodara	7	40	8	5.5	good	fair	
66	Picea abies	7	30	6	5.25	moderate	poor	suppressed
67	Picea abies	11	35	7	8.25	moderate	good	
68	Platanus acerifolia	12	40	12	9	moderate	fair	
69	Pinus ponderosa	6	28	8	3	good	good	
70	Pinus ponderosa	9	35	7	4.5	good	fair	
71	Pinus ponderosa	6	27	8	3	good	good	
72	Pinus ponderosa	7	35	4	3.5	good	fair	
73	Pinus ponderosa	6	28	8	3	good	good	
74	Pinus ponderosa	6	27	5	3	good	good	
75	Picea abies	11	35	8	8.25	moderate	good	
76	Pinus nigra	12	34	8	6	good	fair	
77	Liriodendron tulipifera	20	48	15	15	good	good	
78	Juniperus monosperma	10	-	6	-	moderate	-	



Laurie Sager
 AND ASSOCIATES LANDSCAPE ARCHITECTS INC
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 ASHLAND, OREGON 97520



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Scale 1" = 20'0"

HALF SCALE

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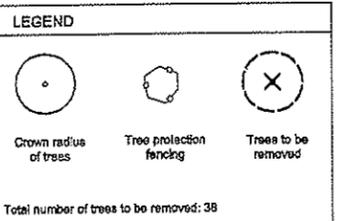
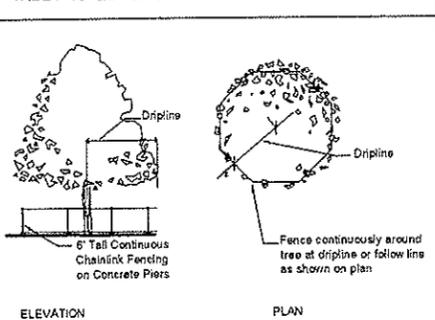
June 6, 2008

TREE INVENTORY

*Trees in italics are to be removed

Tree #	Species	DBH	Height	Crown Radius	Tree Protection Zone Radius	Relative Tolerance To Construction	Condition	Notes
1	<i>Ulmus pumila</i>	16	30	16	8	good	poor	no top
2	<i>Ulmus pumila</i>	7	30	8	3.5	good	fair	
3	<i>Ulmus pumila</i>	9	28	8	3.5	good	fair	
4	<i>Ulmus pumila</i>	8	27	9	8	moderate	good	
5	<i>Juglans nigra</i>	16	32	11	7.5	good	good	
6	<i>Cedrus deodara</i>	11	32	11	5.5	good	fair	
7	<i>Ulmus pumila</i>	8	30	7	4	good	poor	suppressed
8	<i>Ulmus pumila</i>	10	30	9	5	good	fair	topped
9	<i>Ulmus pumila</i>	16	32	18	7.5	good	fair	under wires
10	<i>Ulmus pumila</i>	8	30	7	4	good	poor	leaving
11	<i>Cedrus</i>	8	45	15	8	good	good	neighbor tree
12	<i>Cupressus glabra</i>	12	27	9	6	good	good	
13	<i>Acer negundo</i>	7	24	4	5.25	moderate	fair	
14	<i>Picea pungens</i>	7	25	4	5.25	moderate	fair	
15	<i>Picea pungens</i>	12	30	6	6	good	good	
16	<i>Picea pungens</i>	12	30	7	6	good	good	
17	<i>Pinus ponderosa</i>	16	32	8	7.5	good	good	
18	<i>Pinus ponderosa</i>	9	30	8	6.75	moderate	good	
19	<i>Fraxinus latifolia</i>	12	35	10	9	moderate	good	neighbor tree
20	<i>Calocedrus decurrens</i>	18	41	15	12	good	fair	anthracnose
21	<i>Platanus acerifolia</i>	16	45	16	12	moderate	fair	
22	<i>Platanus acerifolia</i>	8	27	8	13	good	poor	
23	<i>Robinia pseudoacacia</i>	11	47	12	8.25	moderate	good	
24	<i>Fraxinus latifolia</i>	18	38	15	12	moderate	fair	
25	<i>Metasequoia glyptostroboides</i>	32	49	30	40	poor	good	
26	<i>Populus trichocarpa</i>	6	38	9	4.5	moderate	fair	suppressed
27	<i>Alnus rubra</i>	6	33	9	4.5	moderate	fair	suppressed
28	<i>Alnus rubra</i>	6	30	8	6	poor	fair	
29	<i>Populus trichocarpa</i>	6	30	6	8	poor	fair	
30	<i>Populus trichocarpa</i>	26	40	2	32.5	poor	good	
31	<i>Pinus ponderosa</i>	7	28	8	3.5	good	good	
32	<i>Pinus ponderosa</i>	11	31	10	8.25	moderate	good	
33	<i>Botula pendula</i>	6	37	6	3	good	fair	
34	<i>Robinia pseudoacacia</i>	24	39	21	24	good	good	1/2 dead
35	<i>Quercus garryana</i>	10	32	8	5	good	fair	
36	<i>Robinia pseudoacacia</i>	12	12	8	6	good	poor	snag
37	<i>Robinia pseudoacacia</i>	32	38	20	24	good	good	
38	<i>Robinia pseudoacacia</i>	21	33	15	15	good	fair	
39	<i>Sequoiadendron giganteum</i>	38	47	14	27	moderate	good	
40	<i>Sequoiadendron giganteum</i>	23	42	8	17.25	moderate	good	
41	<i>Sequoiadendron giganteum</i>	25	42	7	18.75	moderate	good	
42	<i>Sequoiadendron giganteum</i>	29	41	10	19.5	moderate	good	
43	<i>Sequoiadendron giganteum</i>	21	38	9	18.75	moderate	good	
44	<i>Juniperus monosperma</i>	8	25	8	6.75	moderate	fair	
45	<i>Cupressus sempervirens</i>	7	20	5	3.5	good	good	
46	<i>Cupressus sempervirens</i>	12	30	7	9	moderate	good	
47	<i>Pinus ponderosa</i>	7	19	10	3.5	good	good	
48	<i>Malus domestica</i>	8	20	5	4	good	fair	
49	<i>Cupressus sempervirens</i>	13	29	9	8.75	moderate	good	
50	<i>Catalpa speciosa</i>	7	22	8	5.25	moderate	fair	
51	<i>Betula pendula</i>	8	32	9	6	good	good	
52	<i>Chamaecyparis lawsoniana</i>	14	27	8	7	good	good	
53	<i>Chamaecyparis lawsoniana</i>	14	35	8	7	good	good	
54	<i>Chamaecyparis lawsoniana</i>	14	28	8	7	good	good	
55	<i>Chamaecyparis lawsoniana</i>	14	22	8	7	good	fair	
56	<i>Chamaecyparis lawsoniana</i>	11	40	8	5.5	good	good	
57	<i>Pinus ponderosa</i>	17	40	12	8.5	good	good	
58	<i>Chamaecyparis lawsoniana</i>	17	40	12	8.5	good	good	
59	<i>Chamaecyparis lawsoniana</i>	34	80	10	25.5	moderate	good	
60	<i>Platanus acerifolia</i>	14	40	18	10.5	moderate	fair	
61	<i>Picea abies</i>	7	30	5	5.25	moderate	good	dead top
62	<i>Pseudotsuga menziesii</i>	11	28	10	8.25	moderate	poor	suppressed
63	<i>Cedrus deodara</i>	7	40	8	3.5	moderate	poor	
64	<i>Picea abies</i>	7	30	6	6.25	moderate	good	
65	<i>Picea abies</i>	11	35	7	8.25	moderate	good	
66	<i>Picea abies</i>	12	40	12	9	moderate	good	
67	<i>Platanus acerifolia</i>	6	28	6	3	good	good	
68	<i>Pinus ponderosa</i>	9	35	7	4.5	good	fair	
69	<i>Pinus ponderosa</i>	6	27	8	3	good	good	
70	<i>Pinus ponderosa</i>	7	35	4	3.5	good	good	
71	<i>Pinus ponderosa</i>	6	28	8	3	good	good	
72	<i>Pinus ponderosa</i>	6	27	5	3	good	good	
73	<i>Pinus ponderosa</i>	11	35	8	8.25	moderate	good	
74	<i>Picea abies</i>	12	34	8	6	good	fair	
75	<i>Pinus nigra</i>	20	48	15	15	good	good	
76	<i>Liriodendron tulipifera</i>	10	-	6	-	moderate	-	
77	<i>Juniperus monosperma</i>	-	-	-	-	-	-	

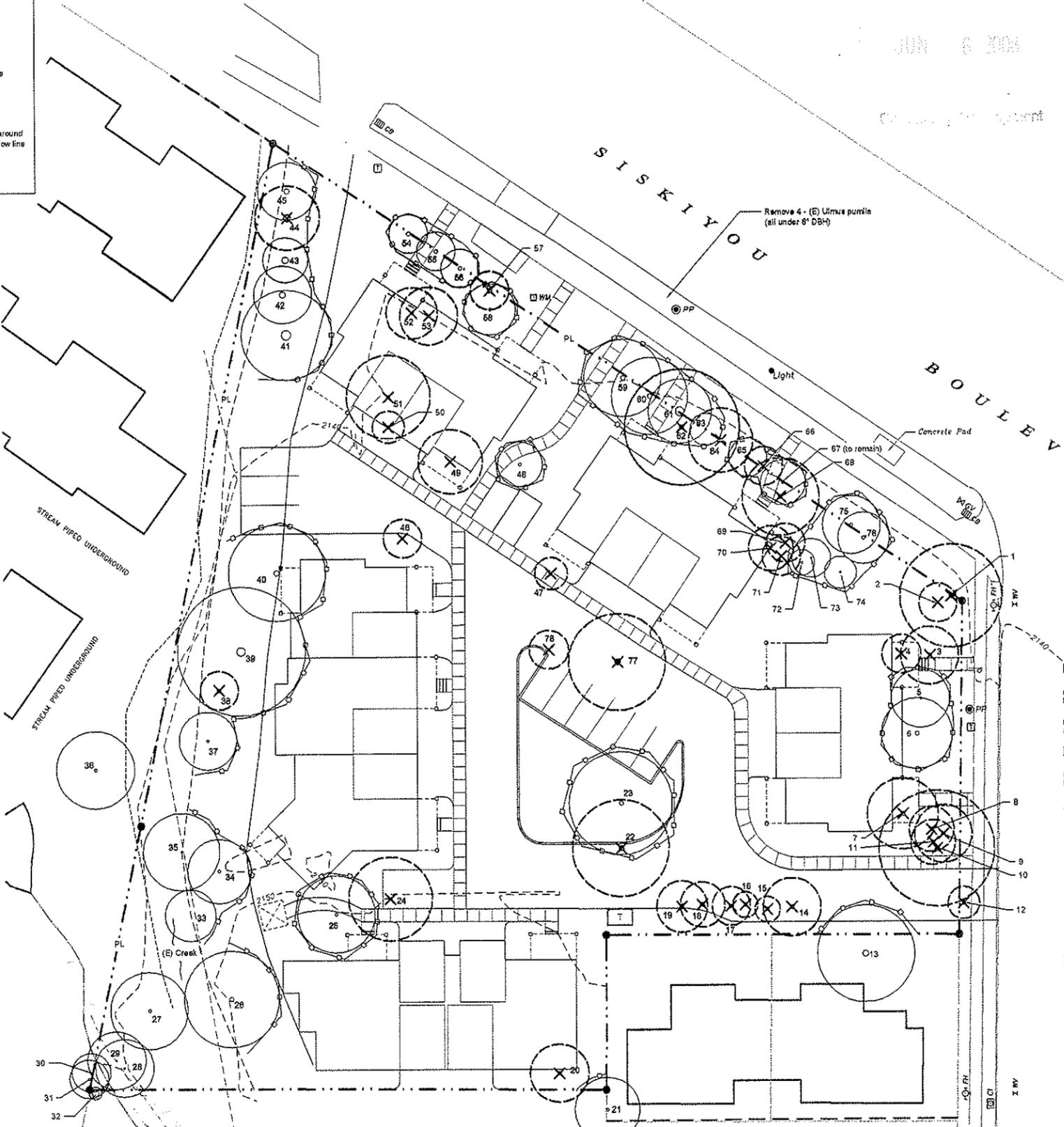
TREE PROTECTION DETAILS



TREE PROTECTION and SITE CLEARING NOTES

1. Install tree protection fencing prior to start of construction.
2. Landscape adjacent to the project area shall be protected from damage. No storage of equipment or materials shall occur within drip lines of trees to be preserved which are those identified on this plan.
3. Trees that are shown to remain shall be protected with fencing as shown in Detail. Fencing shall be 6' tall temporary chain link panels installed with metal connections so that all panels are integrated, these fences shall be installed so that they do not allow passage of pedestrians and/or vehicles through.
4. Exceptions to the tree protection specifications may only be granted with written approval from owner's representative.
5. Work within dripline of trees to remain may require disturbance of tree protection fences. Contractor shall obtain authorization from owner's representative prior to moving fence. Contractor shall remove the fence temporarily to complete work, and replace at the end of each work day. No storage of equipment or materials shall occur within dripline of trees. After the proposed work within dripline is completed, fencing shall be reinstalled. Note: Where protection fencing overlaps proposed construction, the following measures shall be followed:
 - a) Hand dig to required depth of final work.
 - b) Roots under 2" in diameter may be hand cut at a 90° angle and packed with moist soil.
 - c) Where roots greater than 2" in diameter are encountered, contractor shall notify Landscape Architect or arborist for direction.
6. Do not raise the soil level within the drip lines of existing trees.
7. Trees to be preserved shall be deep watered throughout construction period as necessary.
8. Inspection Schedule:
 - a) Fencing locations and installation technique shall be inspected and approved by owner's representative before demolition or rough grading begins.
 - b) Routine inspections of fencing and site conditions will occur randomly during construction. Work shall cease if fencing is damaged or moved without prior approval from owner's representative.
 - c) Inspection will occur upon completion of project to determine condition of trees post construction.
9. Tree(s) to be removed that have branches extending into the canopy of tree(s) to remain must be removed by a qualified arborist and not by demolition or construction contractors. The qualified arborist shall remove the tree in a manner that causes no damage to the tree(s) and under story to remain.
10. Any brush clearing required within the tree protection zone shall be accomplished with hand-operated equipment.
11. Trees to be removed shall be felled so as to fall away from tree protection zones and to avoid pulling and breaking of roots of trees to remain. If roots are entwined, the consultant requires to first sever the major woody root mass before extracting the trees. This may be accomplished by cutting through the roots by hand, with a vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root-pruning equipment.
12. Trees to be removed from within the tree protection zone shall be removed by a qualified arborist. The trees shall be cut near ground level and the stump ground out.
13. All downed brush and trees shall be removed from the tree protection zone either by hand or with equipment sitting outside the tree protection zone. Extraction shall occur by lifting the material out, not by skidding it across the ground.
14. Brush shall be chipped and placed in the tree protection zone to a depth of 6 inches.
15. Structures and underground features to be removed within the tree protection zone shall use the smallest equipment possible and operate from outside the tree protection zone.
16. A six-foot tall chain link fence with concrete piers shall be erected to enclose the tree protection zone.
17. Any damage to trees due to construction activities shall be reported to the consulting arborist within six hours so that remedial action can be taken. Timeliness is critical to tree health.
18. If temporary haul or access roads must pass over the root area of trees to be retained, a roadbed of 6 inches of mulch or gravel shall be created to protect the soil. The roadbed material shall be replenished as necessary to maintain a 6-inch depth.

/L Creek



LAURIE SAGER
AND ASSOCIATES LANDSCAPE ARCHITECTS INC
 700 MISTLETOE ROAD, SUITE 201
 ASHLAND, OREGON 97520



Revision Date:

Drawn By:
WMP
Scale 1" = 20'-0"

HALF SCALE

WEST BELLEVUE SUBDIVISION
 2300 SISKIYOU BOULEVARD
 ASHLAND, OREGON

June 6, 2008

JUN 6 2005

City of Siskiyou

SISKIYOU BL

BELLVIEW AV



Property lines are for reference only, not scaleable

NOTES:

JUN 6 2008

UNITS #1, 2, 3 & 4
 WEST BELLVIEW
 SUBDIVISION, PH II
 ASHLAND, OR 97520
 FOR: ASHER HOMES

REV.	DATE	REV.	DATE

TITLE:
 MAIN FLOOR
 PLAN
 AS NOTED
 SCALE: 1/4" = 1'

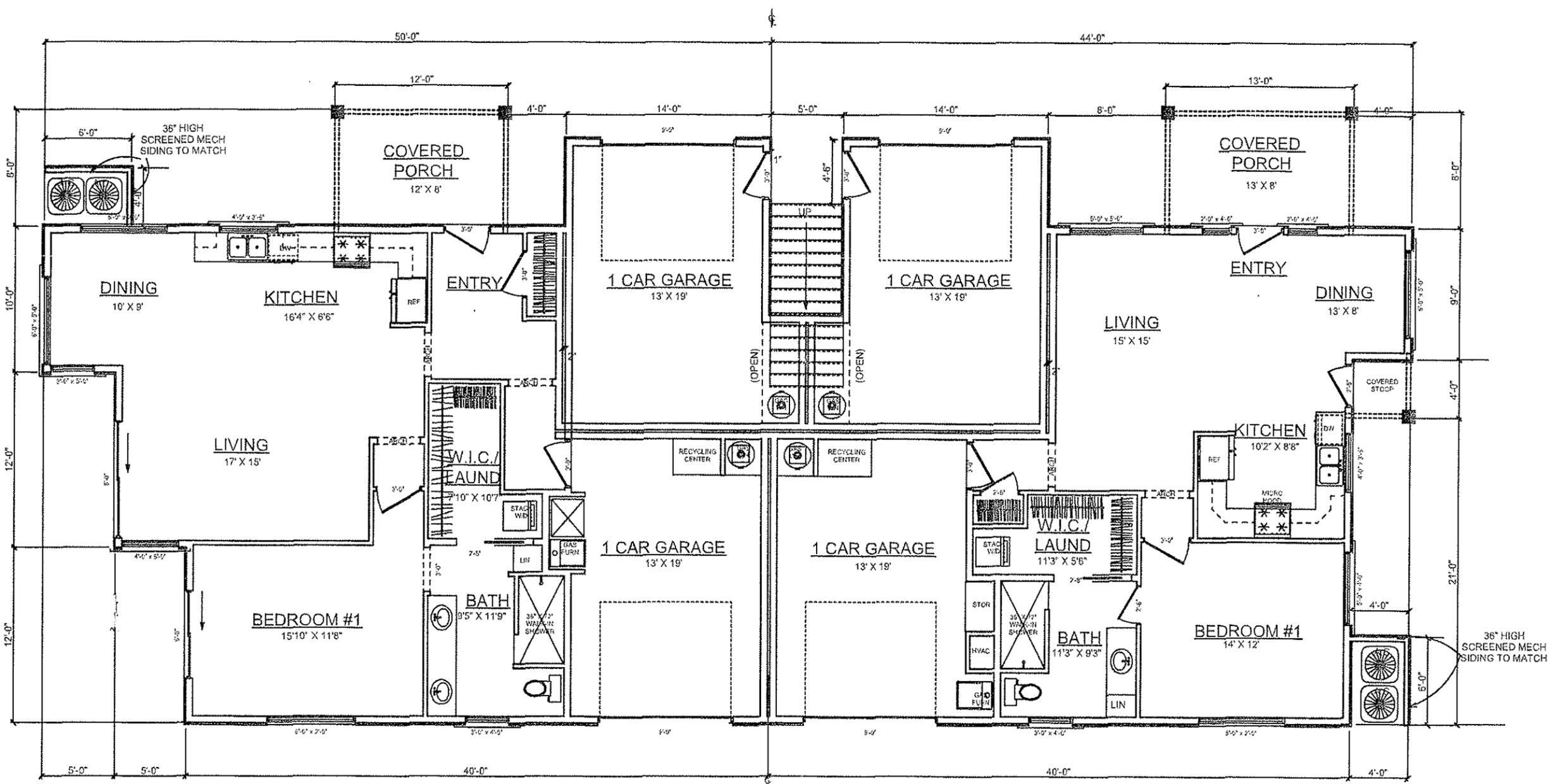
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 ASHER-BELLVIEW
 DRAWN BY: DATE:
 JWJ 6/05/08
 CHECKED BY: DATE:

SHEET 1 OF 4

PROJECT:
 WEST BELLVIEW
 SUBDIVISION, PH II
 ASHLAND, OR 97520
 FOR: ASHER HOMES

CUSTOMER:
 ASHER HOMES
 P.O. BOX 3459
 ASHLAND OR 97520
 541-482-5375
 CCB#56025

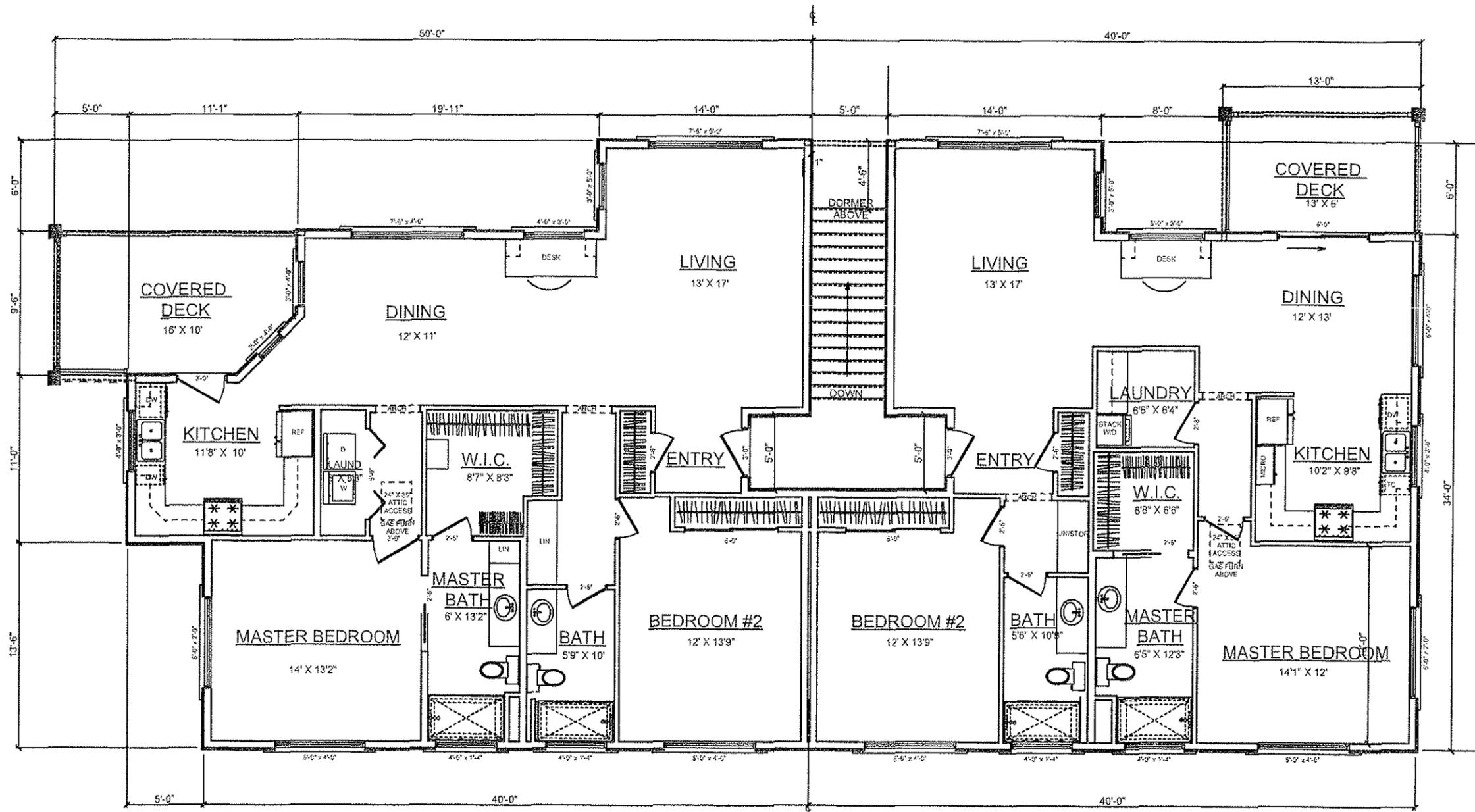
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 Medford, OR 97501
 541-608-3356 / fax: 608-0112
 www.designresidential.biz



UNIT #1
 1044 SQ. FT.-LIVING
 276 SQ. FT.-GARAGE

UNIT #3
 837 SQ. FT.-LIVING
 287 SQ. FT.-GARAGE

NOTES:



UNIT #2
1426 SQ. FT.-LIVING

UNIT #4
1342 SQ. FT.-LIVING

UNITS #1, 2, 3 & 4
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

REV.	DATE	REV.	DATE

TITLE:
UPPER FLOOR
PLAN
AS NOTED
SCALE: 1/4" = 1'

FILE:
ASHER-BELLVIEW

DRAWN BY: DATE:

JWT 6/05/08

CHECKED BY: DATE:

SHEET 2 OF 4

PROJECT:
WEST BELLVIEW
SUBDIVISION, PH II
ASHLAND, OR 97520
FOR: ASHER HOMES

CUSTOMER:
ASHER HOMES
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CCB#56025

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**BEFORE THE PLANNING COMMISSION
December 9, 2008**

IN THE MATTER OF PLANNING ACTION #2008-00911, A REQUEST FOR)
SITE REVIEW APPROVAL TO CONSTRUCT 13 CONDOMINIUM UNITS)
FOR THE PROPERTY LOCATED AT 2300 SISKIYOU BOULEVARD.)
ALSO INCLUDED ARE REQUESTS FOR A PHYSICAL & ENVIRONMENTAL)
CONSTRAINTS REVIEW PERMIT FOR TREE REMOVAL AND PARKING)
SPACE INSTALLATION ON FLOODPLAIN CORRIDOR/RIPARIAN)
PRESERVATION LANDS ADJACENT TO A CULVERTED SECTION OF CLAY)
CREEK; TREE REMOVAL PERMITS TO REMOVE 38 OF THE SITE'S 78 TREES;) **FINDINGS,**
AND AN EXCEPTION TO STREET STANDARDS TO NOT INSTALL CURBS) **CONCLUSIONS**
AND SIDEWALKS ALONG THE SITE'S SISKIYOU BOULEVARD FRONTAGE.) **AND ORDERS**
THE APPROVAL OF THIS APPLICATION REPLACES THE PREVIOUS)
PERFORMANCE STANDARDS OPTIONS SUBDIVISION APPROVAL)
GRANTED UNDER PA #96-131.)

APPLICANTS: Steve Asher, *Asher Homes*)
-----)

RECITALS:

- 1) Tax lots 7800, 7801, 7802, 7803, 7804, 7805, 7806, 7807 and 7808 of Map 39 1E 14CA are located at 2300 Siskiyou Boulevard and are zoned R-2 (Low Density Multi-Family Residential).
- 2) The applicants are requesting Site Review approval to construct thirteen condominium units for the property located at 2300 Siskiyou Boulevard. Also included are requests for a Physical & Environmental Constraints Review Permit to allow tree removal and parking space installation on Flood Plain Corridor/Riparian Preservation Lands adjacent to a culverted section of Clay Creek; Tree Removal Permits to remove 38 of the site's 78 trees; and an Exception to Street Standards to not install sidewalks and curbs along Siskiyou Boulevard frontage. The approval of this application replaces the previous Performance Standards Options subdivision approval from PA #96-131. The site plan and building elevations are on file at the Department of Community Development.
- 3) The criteria for Site Review approval are as follows:
 - A. All applicable City ordinances have been met or will be met by the proposed development.
 - B. All requirements of the Site Review Chapter have been met or will be met.
 - C. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.
 - D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided

to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.

- 4) The criteria for a Physical & Environmental Constraints Review Permit are as follows:
 1. 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.
 2. 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.
 3. 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 permitted development permitted by the Land Use Ordinance.

- 5) The criteria for an Exception to Street Standards are 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 variance will result in equal or superior transportation facilities and connectivity;
 - C. The variance is the minimum necessary to alleviate the difficulty; and
 - D. The variance is consistent with the stated Purpose and Intent of the Performance Standards Options Chapter.

- 6) The criteria for a Tree Removal Permit are as follows:
 1. The tree is proposed for removal in order to permit the application to be consistent with other applicable Ashland Land Use Ordinance requirements and standards, including but not limited to applicable Site Design and Use Standards and Physical and Environmental Constraints. The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application; and
 2. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks; and
 3. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property.

The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone. Nothing in this section shall require that the residential density 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 or alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the Ashland Land Use Ordinance.

4. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.
- 7) The Planning Commission, following proper public notice, held a public hearing on November 12, 2008 at which time testimony was received and exhibits were presented. The Planning Commission approved the requested Site Review, Physical & Environmental Constraints Review Permit, and Tree Removal Permits subject to conditions pertaining to the appropriate development of the site. However, the requested Exception to Street Standards was denied.

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

SECTION 1. EXHIBITS

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

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

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

SECTION 2. CONCLUSORY FINDINGS

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

2.2 The Planning Commission finds that condition sixteen (16) of Planning Action #96-131 which restricted further division of the lot containing the existing residence, was a requirement of the previous subdivision which, while platted, was never developed. The Commission further finds that this condition was imposed to limit the impacts of additional development to the parking, circulation, and open space proposed with Planning Action #96-131. The Commission finds that the nine lots under consideration with the current application are contiguous units under a single ownership and may be viewed as a single parent parcel, and that the current request involves a new division of this parent parcel, including a complete reconfiguration of vehicular access, parking, circulation and open space, to replace the approval of Planning Action #96-131 in its entirety.

2.3 The Planning Commission finds that the proposed construction of thirteen (13) new residential condominiums in accordance with density and site review requirements is a permitted use

in the Low Density Multiple-Family Residential (R-2) District. The Planning Commission finds that the base density of the 1.16 acre subject property at 13.5 units per acre is 15.66 units, and that the 13 units proposed comply with the density while satisfying the 80 percent minimum density requirement. The Planning Commission further finds that the application as submitted complies with the yard area requirements, maximum building height limitations, and 65 percent lot coverage allowance for the zoning district, and that refuse and recycling containers and required screening will be provided.

The Planning Commission finds that with the removal of the existing driveway on Siskiyou Boulevard, and limiting access to the site to a single driveway from Bellview Avenue, the project complies with controlled access standards which require that driveways on residential streets be a minimum of 35 feet from intersections and a minimum of 50 feet from the nearest driveway. As proposed, the Bellview driveway is more than 100 feet from the intersection and 60 feet from the driveway located to the south.

The Planning Commission finds that the development complies with the adopted Site Design Standards by orienting buildings to the street, providing for access to the buildings from the sidewalk, proposing street trees and landscaping with a variety of locally-adapted trees, shrubs and flowering plants, and preserving as many of the existing, healthy trees as possible.

The Planning Commission finds that the availability of useable recreational space to individual residents is a key component to the livability of a development, and that a primary determining factor of usability is dimension. The Planning Commission further finds that in order to satisfy the recreational space requirements which call for at least eight percent of the project's total lot to be dedicated for recreational use by tenants, private yard areas provided shall have a minimum depth of ten feet in order to adequately provide for recreational use. A condition of approval has been included to require that a revised landscape plan demonstrating that the private yard areas provided have a depth of at least ten feet.

The Planning Commission finds that water, sewer, electric and storm drain utilities are available in the Siskiyou Boulevard and Belleview Avenue rights-of-way to serve the project, and have been identified in conceptual utility and drainage plans provided by the applicant. The Commission finds however that the existing eight-inch water line identified within the Siskiyou Boulevard right-of-way as providing a number of the proposed water services is being abandoned, and that the applicant will need to provide a new main from the one in Bellview Avenue or bore under Siskiyou Boulevard to connect to the available line there in order to serve the project. In addition, the Commission finds that on-site detention of stormwater may be necessary to ensure that post-development peak stormwater flows are less than or equal to pre-development levels. Conditions to address the water line and on-site stormwater detention in revised utility and drainage plans have been added. The Commission finds that Siskiyou Boulevard, a state highway, and Bellview Avenue, a residential neighborhood street, provide paved access to the site. The Commission further finds that the subject property's Siskiyou Boulevard frontage is paved, but lacks curbs and gutters. In addition, while a parkrow planting strip is in place it lacks regularly spaced street trees, and an asphalt multi-use path,

broken in places by tree roots, runs along the full Siskiyou Boulevard frontage instead of a standard sidewalk. The property's Bellview Avenue frontage is improved with paving, curbs, gutters, parkrow planting strip and sidewalks, but lacks street trees. The Commission has included conditions to require that these frontages be brought to city street standards to provide adequate transportation for the proposed development.

2.4 The Planning Commission finds that an approximately ten-foot section of Clay Creek crosses the subject property at its southwestern-most corner, and that from there the creek enters a detention pond on an adjacent property and is then piped beneath the neighboring Ashlander Apartments. The Commission further finds that despite the creek's being piped, this section of creek is identified on the adopted "Physical and Environmental Constraints" map as having a required 20-foot setback from the top of the bank and that all areas within 20 feet of the top of bank are identified as Flood Plain Corridor Lands. The Planning Commission finds that two components of the proposed development thus require a Physical and Environmental Constraints Review Permit: the placement of three parking spaces within 20 feet of the surveyed top of bank line, and the removal of four trees (#38, #39, and #40 which are 12-inch, 32-inch and 21-inch Black Locusts located behind the proposed triplex along the west side of the property, and #44 which is a 26-inch Giant Sequoia located near the northwest corner of the site) within 20 feet of the surveyed top of bank.

The Planning Commission finds that in order to minimize adverse impacts of the proposed development, buildings have been proposed for placement beyond the top of bank setback line and that only a small portion of three parking spaces are to be installed, while a significant area of paving from the existing driveway is to be removed. The Planning Commission further finds that the riparian area adjacent to the proposed parking spaces has no hydrology because the creek has been piped, and as such no potential hazards are posed by the proposal. The Commission finds that the minimal nature of the proposed disturbance, the existing driveway paving to be removed, the nature of the riparian area involved, and the relationship of the site, piped creek, and adjacent apartment development combine to minimize the adverse impacts and potential hazards and satisfy the applicable approval standards for a Physical and Environmental Constraints Review Permit.

2.5 The Planning Commission finds that the application satisfies the applicable criteria for a Tree Removal Permit to remove a total of 38 of the 78 existing trees on the site over six-inches in diameter at breast height (d.b.h.), including the four trees proposed for removal from the riparian preserve lands. The trees to be removed are primarily located within or immediately adjacent to the proposed building envelopes and driveway areas, but also include approximately ten trees along the north property line adjacent to the Siskiyou Boulevard right-of-way. The Planning Commission further finds that the proposed removals are to permit the application to be consistent with applicable requirements and standards and have been planned in consultation with two arborists, and that the removals will not have a significant negative impact to erosion, soil stability, flow of surface waters, protection of adjacent trees, windbreaks, or tree density, size, canopy and species diversity. The Planning Commission finds that given concerns expressed by the applicants over requiring on-site mitigation plantings due to the nature of the property and the number of trees to remain, the

applicants may alternatively provide off-site mitigation or payment in lieu of planting to satisfy the mitigation requirements of the ordinance.

2.6 The Planning Commission finds that the application has failed to satisfy the requirements for an Exception to Street Standards with regard to required street improvements along the Siskiyou Boulevard frontage. The applicants have requested an Exception to Street Standards to defer required frontage improvements and allow for improvement of the street corridor through a comprehensive planning effort such as a future Local Improvement District. The Planning Commission finds that the intensity of development proposed merits improvement of the street frontage to City standards in order to provide adequate transportation where there is no barrier to doing so, and further finds that the location within a larger street system is neither a demonstrable difficulty nor is it unique to the site or the proposed use. The Commission finds that other multi-family developments on Siskiyou Boulevard have been required to complete similar improvements in recent actions. The Commission further finds that deferral of the installation of curbing and sidewalks cannot be seen to provide superior transportation facilities or be found to be consistent with the purpose and intent of the Performance Standards Options Chapter when such improvements can be made concurrently with the development without in any way impeding a future comprehensive planning effort, and conditions requiring full frontage improvements have been included.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the application for Site Review approval to construct thirteen condominium units, Physical & Environmental Constraints Review Permit to allow tree removal and parking space installation on Flood Plain Corridor/Riparian Preservation Lands adjacent to a culverted section of Clay Creek, and Tree Removal Permits to remove 38 of the site's 78 trees has satisfied all relative approval criteria and is supported by evidence in the record, however the Commission also concludes that the requested Exception to Street Standards to not install sidewalks and curbs along the Siskiyou Boulevard frontage fails to satisfy the relative approval criteria.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve the requested Site Review, Physical & Environmental Constraints Review Permit, and Tree Removal Permits for Planning Action # 2008-00911, but deny the requested Exception to Street Standards. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2008-00911 is denied. The following are the conditions and they are attached to the approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified herein.
- 2) The applicant shall obtain required Demolition and Relocation Review Permits through the Building Division prior to removal of the existing structures on the site. Demolition submittal details shall

include documentation of the square footage of existing living space and impervious surfaces to be removed in order to insure property crediting of system development charges (SDC's).

- 3) That building permit submittals shall include:
- a) 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 the Site Review approval shall be submitted and approved prior to issuance of a building permit.
 - b) All easements, including public utility easements, shall be identified on the building permit submittals as required by the Building Division.
 - c) That exterior building materials and paint colors shall be compatible with the surrounding area, and sample exterior building colors shall be provided with the building permit submittals for review and approval of the Staff Advisor. Very bright or neon paint colors shall not be used in accordance with II-B-6a) of the Multi-Family Site Design and Use Standards.
 - d) Specifications for all exterior lighting fixtures. Exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.
 - e) That revised Landscape, Irrigation and Tree Protection Plans shall be provided for the review and approval of the Staff Advisor with the building permit submittals. This plan shall address: 1) the recommendations of the Tree Commission, where consistent with the Site Design and Use Standards and with final approval by the Staff Advisor; 2) a continuous sight-obscuring hedge screen for the three parking spaces between Units #7 and #8 as required in the Parking Lot Landscaping and Screening Standards; 3) identification of any mitigation trees to be planted on site; 4) modifications of the landscaping plan in order to provide individual private yard areas at least ten feet in depth; 5) the required irrigation plan, including the requirements for programmable automatic timer controllers and a maintenance watering schedule with seasonal modifications. The applicants shall also obtain the required plumbing permits and inspections for installation of the required double-check valve(s) associated with the irrigation system.
 - f) Solar setback calculations demonstrating compliance with Solar Setback Standard A in the requisite formula $[(\text{Height} - 6) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$ and elevations or cross section drawings clearly identifying the shadow producing point(s) and their height(s) from natural grade shall be included in building permit submittals.
 - g) That a revised stormwater drainage plan, including any necessary on-site detention measures, shall be provided for the review and approval of the Engineering, Building and Planning Departments with the building permit submittal. The drainage plan shall be designed to ensure that post-development peak stormwater flows are less than or equal pre-development levels as required by the Engineering Division.

- h) That a final utility plan for the project shall be provided for the review and approval of the Engineering, Planning and Building Divisions. The utility plan shall include the location of connections to all public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Any necessary service upgrades shall be at developer's expense.
 - i) The applicant shall submit an electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric, Engineering, Building and Planning Departments prior to the issuance of the excavation permit or first building permit. Transformers, cabinets and vaults shall be located in areas least visible from streets, while considering the access needs of the Electric Department. The transformer located within the central greenspace shall be relocated elsewhere on site.
 - j) That the engineered construction drawings for the closure of the existing driveway on Siskiyou Boulevard, the widening of the existing driveway on Bellview Avenue, and installation of a public sidewalk along Siskiyou Boulevard 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 with a seven-foot landscaped parkrow planting strip between the sidewalk and the street, and plans shall detail the transition from the existing multi-use path in front of the adjacent Ashlander Apartments. The sidewalk shall be constructed to City of Ashland Street Standards, and shall be completed with all necessary permits and inspections from the City of Ashland and the Oregon Department of Transportation (ODOT).
- 4) That prior to the issuance of the building or excavation permits:
- a) The a final survey plat or lot consolidation shall be signed and recorded, and evidence of recording provided.
 - b) A Tree Verification Permit shall be obtained, and tree protection measures installed, inspected and approved by Staff Advisor prior to site work, site work, storage of materials, building demolition or the issuance of a building or excavation permit. The Verification Permit is to inspect the identification of trees to be removed and the installation of tree protection fencing for the trees to be retained and protected on and adjacent to the site. The tree protection shall be chain link fencing six feet tall, installed and maintained in accordance with the requirements of AMC 18.61.200.B.
 - c) That silt fencing shall be installed along the top of bank to limit erosion and delineate the boundaries of permitted site disturbance. Silt fencing placement shall be indicated on the revised landscaping plan. This fencing shall be inspected and approved by the Staff Advisor prior to site work, storage of materials, or permit issuance and shall be maintained in place

until completion of the project.

- 5) That prior to the issuance of a certificate of occupancy or signature of the condominium survey plat:
- a) That street trees, one per 30 feet of street frontage, shall be installed on the Siskiyou Boulevard and Bellview Avenue frontages prior to the issuance of the first 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.
 - b) That all landscaping, the irrigation system, and the gazebo shall be installed according to the approved plan, inspected, and approved by the Staff Advisor prior to signature of the condominium survey plat.
 - c) A copy of the proposed CC&R's shall be provided for the review and approval of the Staff Advisor prior to signature of the condominium survey plat. CC&R's shall describe responsibility for the maintenance of all common use-improvements including landscaping, gazebo, driveways, planting strips and street trees. The approved Tree Protection Plan and accompanying standards for compliance shall be noted in the CC&R's. The CC&R's must state that deviations from the plan shall be considered a violation of the Planning Application approval and therefore subject to penalties described in the Ashland Municipal Code.
 - d) All easements including public and private utility easements; TID easements; a pedestrian access easements providing for a creek crossing from the adjacent park property; and reciprocal utility, access or maintenance easements shall be identified on the condominium survey plat as required by the Engineering Division.
 - e) All service and equipment installations shall be completed according to Electric, Engineering, Planning, and Building Departments' specifications prior to certificate of occupancy.
 - f) The screening for the trash and recycling enclosure shall be installed in accordance with the Site Design and Use Standards prior to certificate of occupancy or signature of the condominium survey plat. An opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure in accordance with 18.72.115.B.
 - g) The requirements of the Ashland Fire Department including approved addressing and fire apparatus access shall be satisfied prior to issuance of a certificate of occupancy.
 - h) The applicant shall provide tree removal mitigation through replanting on site, replanting off site, or payment in lieu of planting for the 38 trees to be removed prior signature of the condominium survey plat, as required by ordinance. Mitigation trees to be replanted on site shall be identified on the revised landscaping plan to be provided with building permit submittals.
 - i) All public improvements including but not limited to the curbs, gutters, sidewalks, street trees, and street lighting shall be installed to City of Ashland standards under permit from the

Public Works Department and Oregon Department of Transportation (ODOT) and in accordance with the approved plan prior to signature of the condominium survey.

- j) All hardscape improvements including parking, driveways and on site walkways shall be installed prior to issuance of the first certificate of occupancy or signature of the condominium survey plat. Parking installed shall include one disabled person parking space as required in AMC 18.92. No parking signage or pavement striping shall be installed in the back-up area behind the garages for the four-plex building.

Planning Commission Approval

Date



PLANNING ACTION: #2008-01517

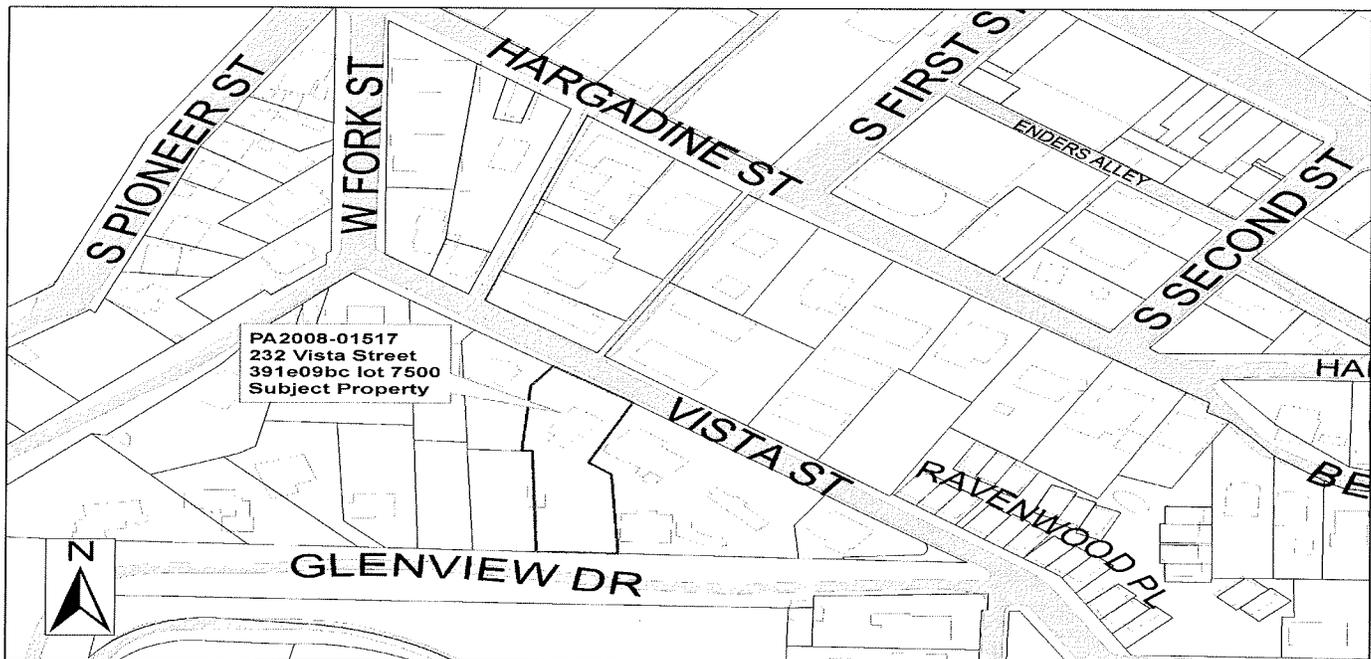
SUBJECT PROPERTY: 232 Vista

OWNER/APPLICANT: Kerry KenCairn

DESCRIPTION: A request for a Minor Land Partition, a Type II Variance to permit a new lot on an unpaved street with less than 20' of width and a Physical and Environmental Constraints Permit for development and tree removal on Hillside Lands. COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; ZONING: R-1-7.5; ASSESSOR'S MAP #: 39 1E 09BC; TAX LOT: 7500.

NOTE: The Ashland Tree Commission will also review this Planning Action on **November 6, 2008 at 6:00 p.m.** in the Community Development and Engineering Services building (Siskiyou Room) located at 51 Winburn Way.

ASHLAND PLANNING COMMISSION MEETING: November 12, 7:00 PM, Ashland Civic Center



Notice is hereby given that a PUBLIC HEARING on the following request with respect to the ASHLAND LAND USE ORDINANCE will be held before the ASHLAND PLANNING COMMISSION on meeting date shown above. The meeting will be at the ASHLAND CIVIC CENTER, 1175 East Main Street, Ashland, Oregon.

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

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. A copy of the Staff Report will be available for inspection seven days prior to the hearing and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Department, Community Development and Engineering Services, 51 Winburn Way, Ashland, Oregon 97520.

During the Public Hearing, the Chair shall allow testimony from the applicant and those in attendance concerning this request. The Chair shall have the right to limit the length of testimony and require that comments be restricted to the applicable criteria. Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting. (28 CFR 35.102.-35.104 ADA Title I).

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

MINOR LAND PARTITION CRITERIA

Section 18.76.050 Preliminary Approval

An application for a preliminary partition shall be approved when the following conditions exist:

- A. The future use for urban purposes of the remainder of the tract will not be impeded.
- B. The development of the remainder of any adjoining land or access thereto will not be impeded.
- C. The tract of land has not been partitioned for 12 months.
- D. The partitioning is not in conflict with any law, ordinance or resolution applicable to the land.
- E. The partitioning is in accordance with the design and street standards contained in the Chapter 18.88, Performance Standards Options. (ORD 2836, 1999)
- F. When there exists adequate public facilities, or proof that such facilities can be provided, as determined by the Public Works Director and specified by City documents, for water, sanitary sewers, storm sewer, and electricity.
- G. When there exists a 20-foot wide access along the entire street frontage of the parcel to the nearest fully improved collector or arterial street, as designated in the Comprehensive Plan. Such access shall be improved with an asphaltic concrete pavement designed for the use of the proposed street. The minimum width of the street shall be 20-feet with all work done under permit of the Public Works Department.
 1. The Public Works Director may allow an unpaved street for access for a minor land partition when all of the following conditions exist:
 - a. The unpaved street is at least 20-feet wide to the nearest fully improved collector or arterial street.
 - b. The centerline grade on any portion of the unpaved street does not exceed ten percent.
 2. Should the partition be on an unpaved street and paving is not required, the applicant shall agree to participate in the costs and to waive the rights of the owner of the subject property to remonstrate both with respect to the owners agreeing to participate in the cost of full street improvements and to not remonstrate to the formation of a local improvement district to cover such improvements and costs thereof. Full street improvements shall include paving, curb, gutter, sidewalks and the undergrounding of utilities. This requirement shall be precedent to the signing of the final survey plat, and if the owner declines to so agree, then the application shall be denied.
- H. Where an alley exists adjacent to the partition, access may be required to be provided from the alley and prohibited from the street. (ORD 2951, 2008)

VARIANCE

18.100.020 Application

The owner or his agent may make application with the Staff Advisor. Such application shall be accompanied by a legal description of the property and plans and elevations necessary to show the proposed development. Also to be included with such application shall be a statement and evidence showing that all of the following circumstances exist:

- A. That there are unique or unusual circumstances which apply to this site which do not typically apply elsewhere.
- B. That 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. (ORD 2425, 1987).
- C. That the circumstances or conditions have not been willfully or purposely self-imposed. (ORD 2775, 1996)

PHYSICAL & ENVIRONMENTAL CONSTRAINTS

18.62.040.I Criteria for Approval

A Physical Constraints Review Permit shall be issued by the Staff Advisor when the Applicant demonstrates the following:

1. 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.
2. 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.
3. 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 permitted development permitted by the Land Use Ordinance.

(ORD 2808, 1997; ORD 2834, 1998; ORD 2951, 2008)

**ASHLAND PLANNING DEPARTMENT
STAFF REPORT
November 12, 2008**

PLANNING ACTION: #2008-01517

APPLICANT: Kerry KenCairn

LOCATION: 232 Vista Street

ZONE DESIGNATION: R-1-7.5

COMPREHENSIVE PLAN DESIGNATION: Single-Family Residential

APPLICATION DEEMED COMPLETE: November 5, 2008

120-DAY TIME LIMIT: March 5, 2008

ORDINANCE REFERENCE:

- 18.20 R1 Single-Family Residential District
- 18.62 Physical & Environmental Constraints
- 18.70 Solar Access
- 18.76 Partitions
- 18.100 Variances

REQUEST: A request for a Minor Land Partition, a Type II Variance to permit a new lot that does not have access onto a paved street and does not meet the criteria for access off of an unpaved street, and a Physical and Environmental Constraints Permit for development and tree removal on Hillside Lands.

I. Relevant Facts

A. Background - History of Application

In May of 2007, an application for a boundary line adjustment between 232 Vista and 212 Vista was approved administratively.

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

B. Detailed Description of the Site and Proposal

The property is located between Vista Street and Glenview Drive, with the existing home fronting on Vista. The parcel is currently approximately 18,600 square feet in size. There are a number of mature trees on the property and in the adjacent right-of-way. The

applicant is proposing to remove three trees to accommodate the footprint of the future home on the new lot.

The property is zoned R-1-7.5. Surrounding properties to the east and west are also zoned R-1-7.5. Properties to the north on the other side of Vista Street are zoned R-2, multi-family residential, and properties to the south on the other side of Glenview Drive are zoned RR-.5, Rural Residential. The property is located within the Hargadine Historic District. Currently there is a single home on the lot.

1. Minor Land Partition

The application is for a Land Partition to create two single-family lots from the existing parcel located at 232 Vista Street. The parent parcel has an area of approximately 18,600 square feet. The proposed Lot #1, which contains the existing house, would have an area of about 9,500 square feet, and the proposed Lot #2 would have an area of about 9,097 square feet. The new lot would be accessed from Glenview Drive. There is currently no structure being proposed for the lot, though a building footprint has been defined. The applicants are planning to improve an existing, graded access to serve as the driveway to the new lot. The proposed drive is more than 50 feet long and is therefore required by the Ordinance to meet flag drive requirements for width and fire access.

2. Physical and Environmental Constraints Permit

The lot is located in the Hillside Lands Overlay and is subject to Physical and Environmental Constraints Requirement for slopes over 25 percent. It contains slopes ranging between under 15 percent to over 35 percent. Those areas over 35percent are designated Severe Constraints Lands by the Ordinance, and a portion of the proposed drive encroaches into these Severe Constraints slopes.

3. Variance

The request is for a Variance to the Partition criteria to create a lot that does not meet the requirements for access off an unpaved street. Glenview Drive is narrower than the required 20 feet and steeper than the maximum 10 percent grade required by Section 18.76.050 of the Ordinance. This requires a Type II Variance with a public hearing.

II. Project Impact

The project requires a Minor Land Partition. A Type II Variance to access requirements is needed to create a lot that does not have access onto a paved street and does not meet the criteria for access off of an unpaved street. The project requires Physical and Environmental Constraints Permit because it involves a partition and construction of the

driveway in an area with slopes greater than 25 percent. The lot is subject to Severe Constraints requirements because portions of the property are over 35 percent slope.

A. Minor Land Partition

1. Future Use of the Parcel and Development of Adjacent Parcels

With the partition, the lot would be fully developed in conformance with the R-1 zoning standards, thus the partition does not impede the future use of the parcel

2. Requirements of the R-1-7.5 Zoning District

Both lots meet the minimum size and the dimensional requirements of the R-1-7.5 Zoning District. The existing home and the proposed building footprint will both conform to setback, lot coverage, and maximum permitted floor area requirements.

3. Adequacy of Public Facilities

Adequate public utility facilities, including water, sewer, storm drainage, and electric service, exist in the Vista Street right of way to serve the proposed parcels, and these services, including new underground electric, will be extended to serve each of the newly created parcels. Vista Street is paved, with curbside sidewalks. Glenview Drive is unpaved, and this issue is addressed below in the discussion of the requested Variance.

B. Physical and Environmental Constraints Permit

The applicant has provided a Geotechnical Engineering Report by Amrhein Associates addressing the suitability of the site for the proposal and making recommendations on site preparation, foundation construction, soil retention, and erosion control, as required for any property proposing development on slopes over 35%. The report states that "The proposed building area is feasible with respect to the subsurface conditions at the site." A condition is attached requiring evidence to be submitted with the building permit application demonstrating that the geotechnical expert finds the building permit plans (e.g. grading, retaining walls, drainage and erosion control) consistent with the recommendations of the geotechnical reports. The proposal does include the removal of three significant trees in order to accommodate the building footprint of the new house. The application states that they are trying to minimize the address impact by minimizing tree removal and lot coverage, building in the area of least slope, and making use of the existing graded driveway for access.

C. Variance

The application requires a Variance to create a lot that does not have access onto a paved street and does not meet the criteria for access off of an unpaved street. The street is not the required 20 feet in width, but varies in width from 11 to 15 feet. The road also exceeds the 10 percent maximum grade at centerline required for an unpaved access to a new lot. The grade varies between 9.4 percent and 16 percent, with the steepest portion being at the intersection of Glenview and Vista and the remainder being between under 11.6 percent.

The applicant has submitted a letter from the project engineer stating that widening the road is not feasible. The letter states that on the downhill side, there are utility pedestals and an existing driveway for 234 Vista that make constructing a retaining wall and filling to widen the road in this direction difficult. The letter also addresses widening on the uphill side, stating that the cut slope on this side is very steep and close to the right of way and additional cutting would increase slope instability, creating a situation where soil from the hillside could slide onto the street. The letter states that widening the road would have a negative impact on slope stability and that the width of the road was created many years ago and is thus pre-existing. Thus, the findings assert that the addition of one lot on the road in its existing condition would have less negative impact than improving the road to meet the standards.

Staff is recommending that the applicants improve the first 70 feet of the existing right-of-way through paving, without widening the street, as this portion of the road is in very poor condition, with potholes and gravel spilling out onto the intersection. This is also the steepest portion of the road. Improving this portion of the road would not negatively impact the slopes on either side of the street, and would help offset the impact of the additional traffic on the narrow, unpaved street. Recommended Conditions 3 and 8a address this issue.

III. Procedural - Required Burden of Proof

The criteria for a Minor Land Partition are described in 18.76 as follows:

- A. The future use for urban purposes of the remainder of the tract will not be impeded.
- B. The development of the remainder of any adjoining land or access thereto will not be impeded.
- C. The tract of land has not been partitioned for 12 months.
- D. The partitioning is not in conflict with any law, ordinance or resolution applicable to the land.
- E. The partitioning is in accordance with the design and street standards contained in the Chapter 18.88, Performance Standards Options. (Ord 2836 S8, 1999)
- F. When there exists adequate public facilities, or proof that such facilities can be provided, as determined by the Public Works Director and specified by City documents, for water, sanitary sewers, storm sewer, and electricity.

- G. When there exists a 20-foot wide access along the entire street frontage of the parcel to the nearest fully improved collector or arterial street, as designated in the Comprehensive Plan. Such access shall be improved with an asphaltic concrete pavement designed for the use of the proposed street. The minimum width of the street shall be 20-feet with all work done under permit of the Public Works Department.
1. The Public Works Director may allow an unpaved street for access for a minor land partition when all of the following conditions exist:
 - a. The unpaved street is at least 20-feet wide to the nearest fully improved collector or arterial street.
 - b. The centerline grade on any portion of the unpaved street does not exceed ten percent.
 2. Should the partition be on an unpaved street and paving is not required, the applicant shall agree to participate in the costs and to waive the rights of the owner of the subject property to remonstrate both with respect to the owners agreeing to participate in the cost of full street improvements and to not remonstrate to the formation of a local improvement district to cover such improvements and costs thereof. Full street improvements shall include paving, curb, gutter, sidewalks and the under grounding of utilities. This requirement shall be precedent to the signing of the final survey plat, and if the owner declines to so agree, then the application shall be denied.
- H. Where an alley exists adjacent to the partition, access may be required to be provided from the alley and prohibited from the street. (amended Ord. 2757, 1995).

The criteria for Physical & Environmental Constraints approval are described in 18.62.040, as follows:

1. 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.
2. 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.
3. 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 permitted development permitted by the Land Use Ordinance. (Ord 2834 S1, 1998) (Ord. 2834, Amended, 11/03/1998, Section 18.62.040 J "deleted"; Ord 2808, Added, 12/02/1997)

The criteria for a Variance are described in 18.100.020 as follows:

- A. That there are unique or unusual circumstances which apply to this site which do not typically apply elsewhere.

- B. That 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. (Ord.2425 S1, 1987).
- C. That the circumstances or conditions have not been willfully or purposely self-imposed.

IV. Conclusions and Recommendations

In order to approve the application, the Planning Commission must find that the circumstances in this application are unique and do not typically apply elsewhere, that the condition is not self-imposed, and also make the findings that the benefits outweigh the negative impacts. In this case, the benefit of allowing a new lot on the unpaved street that does not meet ordinance requirements needs to outweigh the negative impacts of requiring the widening and grading of Glenview Drive.

Should the Commission believe adequate information and facts are provided to approve the project, Staff recommends that the following conditions be conditions of the approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified here.
- 2) That a final survey plat shall be submitted to the City within 18 months of this approval. All easements for public and private utilities, public pedestrian access, and reciprocal utility, maintenance, and access easements shall be indicated on the final survey plat as required by the Ashland Engineering Division
- 3) That the first approximately 70-ft of Glenview Street, to the first existing decorative black fence post on the north-side of the street, be paved, including curb and gutter where feasible as determined by the City of Ashland Engineering Division.
- 4) That all recommendations of the Subsurface Investigation and Geotechnical Engineering Report, dated September 9, 2008, by Amrhein & Associates shall be instituted in the development of the property, and that the erosion control measures shall be installed as identified in the Amrhein & Associates Report prior to any site work, storage of materials, issuance of an excavation permit, or issuance of a building permit.
- 5) That the recommendations of the Ashland Tree Commission, with final approval by the Staff Advisor, shall be incorporated into the Tree Protection Plan.
- 6) Tree protection measures shall be installed according to the approved plan, inspected, and approved by the Staff Advisor. No site work including tree removal or any storage of materials shall occur on any of the newly created parcels prior to completion of a Tree Protection Verification Permit inspection.
- 7) Applicant shall obtain an excavation permit for installation of utilities to the new lot and installation of driveway improvements. Required permits from the

Ashland Public Works Department shall be obtained for any portion of the driveway improvements encroaching into the Glenview Drive right-of-way.

- 8) That prior to the signature of the final survey plat:
 - a) That an engineered street improvement and storm drainage plan for Glenview Drive improvements shall be submitted for review and approval of the Ashland Engineering Division, and that these improvements shall be installed to City of Ashland standards under permit from the Public Works Department and in accordance with the approved plan prior to signature of the final survey plat.
 - b) 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 Glenview Drive prior to signature of the final survey plat. The agreement shall be signed and recorded concurrently with the final survey plat.
 - c) A final utility plan for the parcels shall be submitted for review and approval by the Engineering Division and Building Divisions. The utility plan shall include the location of connections to all public facilities including the locations of water lines and meter sizes, fire hydrants, sanitary sewer lines, storm drain lines and electric services.
 - d) A storm drainage plan that shows compliance with 18.62.080.C and is designed by a geotechnical expert shall be submitted.
 - e) Electric service shall be installed underground to service both newly created parcels as required by the Ashland Electric Department prior to the signature of the final plat. An electric service plan shall be reviewed and approved by the Ashland Electric Department prior to installation.
 - f) Sanitary sewer laterals and water services including connection with meters at the street shall be installed for both parcels prior to the signature of final survey plat.
 - g) Reciprocal utility, maintenance, and access agreements shall be granted for the shared use of the common driveway, and any necessary easements indicated on the final survey plat.
- 9) That prior to issuance of a building permit for construction on the newly created parcel:
 - a) That construction of the new home on Parcel 2 will require a separate Physical and Environmental Constraints permit addressing compliance of the house and associated grading and fill with AMC 18.62.
 - b) Building Permit submittals shall include 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) Building Permit submittals shall include Verification that the new home on Parcel 2 complies with the Maximum Permitted Floor Area requirements of AMC 18.24.040.I.
- d) Requirements of the Ashland Fire Department shall be met, including that all addressing shall be approved prior to being installed, that fire apparatus access be provided, and that a fuel break is required.
- e) A 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 submitted with the building permit.

RECEIVED

OCT 17 2008

City of Ashland
Community Development



October 17, 2008
AAI Project No. DB95-02.02

Kerry KenCairn
KenCairn Landscape Architecture, LLC
545 A Street, Suite 3
Ashland, OR 97520

Re: Driveway Widening Restrictions
232 Vista Street
Ashland, Oregon

Dear Kerry:

Amrhein Associates, Inc. (AAI) has reviewed the topographic and geologic information regarding the potential widening of Glenview Drive to meet the City of Ashland's 20-foot, road width requirement for the proposed lot partition of 232 Vista Drive. Terra Survey, Inc. produced a topographic map of the area and we have prepared a geotechnical engineering report for the lot partition dated, September 9, 2008.

Glenview Drive is located above the proposed lot partition traversing a steep slope to access the properties in the area from the rear. The existing road has been cut deeply into the hill with some fill placed on the downhill side to create the existing, unimproved road width, which ranges from 12 to 16 feet wide. On the downhill side of the existing road are utility pedestals and an existing concrete driveway serving 234 Vista Drive. Therefore widening the road on the downhill side by constructing a retaining wall or increasing the fill slope height is not feasible without cutting off the existing driveway access or increasing the already over-steepened fill slope.

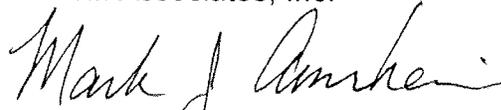
On the uphill side, the cut slope is exposed decomposed granite, and although it's dense, is very erosive especially from steep, exposed cut slopes. The cut slope was on the order of 1H:1V (horizontal:vertical) and was found to be steeper (0.9H:1V) in one cross-section prepared by Terra Survey. The top of this cut slope is very near the right-of-way (ROW) line. This over-steepened slope is considered unstable due to erosion and will never really develop a stable topsoil and vegetative cover. In order to increase the access road width upslope, additional cutting would be required. There is no horizontal space for moving the slope back within the ROW and increasing the slope angle would only increase the slope's erosive instability and also create a scenario whereas large blocks of granite soil may drop from the slope onto the road below.

As an alternative, a tall, retaining wall (10 to 12 feet) would have to be constructed to support the slope. The City of Ashland Hillside Standards does not allow for such a height of retaining wall and a series of walls would have to be terraced with no wall more than 5 feet in height. Each tier would have to be steeped back at least 3 feet (AAI typically recommends at least 4 feet) before the next 5 foot height wall could be constructed. Three terraces of walls would be necessary to support the slope and there is not the horizontal space to accommodate such terracing.

Therefore in AAI's opinion, widening the access road is not feasible considering the unique circumstances of this specific site. Widening the road would negatively impact the stability of the existing cut slope and any additional cutting would only increase the slope's instability. The existing cut slope and ROW width has likely existed since original lot development in the area many years ago and is a limitation not created by the proposed lot partition.

AAI's review and professional opinions expressed in this letter have been prepared in conformance with generally accepted geotechnical engineering principles and practices. No other warranty, either expressed or implied, is made or intended. This letter has been prepared for the exclusive use of the KenCairn Landscape Architecture, LLC, Sid and Karen DeBoer, and their agents, for specific application to subject property.

Sincerely,
Amrhein Associates, Inc.



Mark J. Amrhein, PE, GE
President / Senior Engineer



RENEWAL DATE: 12/31/09

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OCT 17 2008

City of Ashland
Community Development

Addenda to page 7 - 18.62.080 B 3

The information below replaces that which was previously submitted in the findings.

3. Retention in natural state. On all projects on Hillside Lands involving partitions and subdivisions, and existing lots with an area greater than one-half acre, an area equal to 25% of the total project area, plus the percentage figure of the average slope of the total project area, shall be retained in a natural state. Lands to be retained in a natural state shall be protected from damage through the use of temporary construction fencing or the functional equivalent.

For example, on a 25,000 sq. ft. lot with an average slope of 29%, 25%+29%=54% of the total lot area shall be retained in a natural state.

The retention in a natural state of areas greater than the minimum percentage required here is encouraged.

The existing lot that we are applying to partition is a total of 18,596 square feet with an average slope of 29.02%. Therefore, when looked at as one continuous lot, the area to left in a natural state would be

$$\begin{array}{r} .25 \times 18,596 = 4,649 \\ + \\ .29.02 \times 18,596 = 5396.6 \end{array}$$

Total area to be left in natural state is 10,045.6

The current lot coverage (non-natural state) is 2,956 square feet, plus the proposed lot coverage (of parcel # 2) when the property is split 3,846 = 6,802 square feet. This leaves 11,794 square feet of land in its natural state, 1,748 square feet more than what is required.

When parcel #2 is looked at through this requirement the outcome is:

Parcel #2 has an average slope of 30.76%. The square footage of Parcel #2 is 9,016.

$$\begin{array}{r} .25 \times 9,016 = 2,254 \\ + \\ .30.76 \times 9,016 = 2,774 \end{array}$$

Total area to be left in natural state = 5,208

The proposed development of Parcel #2 is 3,486.

The total allowable area to be developed is 3,808

Total parcel 9,016

-

Area to be retained = 5,208

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SEP 26 2008

City of Ashland
Community Development

**DEBOER PARTITION
232 VISTA STREET
APPLICATION AND FINDINGS FOR:
18.20 R-1 Single-Family Residential District
18.61 Tree Preservation & Protection
18.62 Physical & Environmental Constraints
18.70 Solar Access
18.76 Partitions
18.92 Off Street Parking
18.100 Variances**

ZONING: R-1-7.5

LOCATION: 232 VISTA STREET
ASHLAND, OREGON

**LEGAL
DESCRIPTION:** 39 1E 09 BC 7500

**APPLICANT
PLANNER:** Kerry KenCairn – 488-3194
KenCairn Landscape Architecture
545 A Street, Ashland, OR 97520

OWNER: Sid and Karen DeBoer – 482-0915
234 Vista Street, Ashland, OR 97520

SURVEYOR: Richard Alspach – 482-6474
Terrasurvey
274 4th St., Ashland, OR 97520

**GEOTECHNICAL
ENGINEER:** Mark Amrhein – 482-6680
Amrhein and Associates
234 Vista Street, Ashland, OR 97520

ARBORIST: Michael Oliver – no longer in business
Pro Arbor

ARBORIST: Tom Myers – 482-3667
Upper Limb-It
P.O. Box 881, Ashland, OR 97520

RECEIVED

SEP 12 2008

City of Ashland

PROJECT DESCRIPTION:

This proposal involves the creation of a new lot that fronts on Glenview Drive; the lot is being created by splitting the lot at 232 Vista Street along its East/West midpoint. This project is located within the Historic Zone, and the new back lot has slopes steep enough to require it to be reviewed under the Physical and Environmental constraints Ordinance. Both lots fall within the Wildfire Zone, there is an existing home on Vista Street that will become part of parcel #1. There is no new building associated with this proposal at this time, this is a proposal for lot creation only. When application is made to put a home on the new lot (parcel #2), it will be an application for a Physical and Environmental Constraints Permit. This proposal involves a request for a variance to the 'Land Partition Criteria 18.76.050 - G' which will be dealt with later in this application.

18.20 R-1 Single-Family Residential District

18.20.020 Permitted Uses

The following uses and their accessory uses are permitted outright:

A. Single family dwelling, utilizing at least two of the following design features to provide visual relief along the front of the residence:

This proposal is to create a partition allowing for the creation of a new single family R-1.75 lot. The parent lot for this project contains an existing home that is proposed to remain on parcel #1. The new lot is proposed as parcel #2, and at this time the applicant is only showing a potential building envelope for a future home, at this time there is no home designed or proposed for parcel #2.

18.20.030 Conditional uses

Not Applicable.

18.20.040 General regulations

A. Minimum lot area: Basic minimum lot area in the R-1 zone shall be five thousand (5,000) square feet, except six thousand (6,000) square feet for corner lots. R-1 areas may be designed for seventy-five hundred (7,500) or ten thousand (10,000) square foot minimum lot sizes where slopes or other conditions make larger sizes necessary. Permitted lot sizes shall be indicated by a number following the R-1 notation which represents allowable minimum square footage in thousands of square feet, as follows:

Criteria Met:

Parcel # 1 is proposed to be 9,499 square feet

Parcel #2 is proposed to be 9,097 square feet

B. Minimum lot width:

All R-1-7.5 lots 65 feet

Criteria Met:

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Parcel # 1 is proposed to be 112 feet wide at vista Street tapering to 62.52 feet at the back of the lot. Calculating by square footage, 6% of the lot is less than 65' wide, 94% of the lot is over 65' wide, therefore the average is over 65'.

Parcel #2 is proposed to be 71.59 feet wide throughout.

C. Lot Depth: All lots shall have a minimum depth of eighty (80) feet and a maximum depth of one hundred fifty (150) feet unless lot configuration prevents further development of the back of the lot. Maximum lot depth requirements shall not apply to lots created by a minor land partition. No lot shall have a width greater than its depth, and no lot shall exceed one hundred fifty (150) feet in width. (Ord. 2052, 1979; Ord. 2425 S3, 1988)

Criteria Met:

Parcel # 1 is 143 feet deep at its longest point, and the average of both eastern and western property lines is 129.18 feet

Parcel #2 is 128 feet deep at the middle and majority of the depth of the lot. At minimum it is 113 feet deep.

D. Standard Yard Requirements: Front yards shall be a minimum of, 15 feet excluding garages. Unenclosed porches shall be permitted with a minimum setback of eight feet or the width of any existing public utility easement, whichever is greater, from the front property line. All garages accessed from the front shall have a minimum setback of 20' from the front property line; side yards, six feet; the side yard of a corner lot abutting a public street shall have a ten foot setback; rear yard, ten feet plus ten feet for each story in excess of one story. In addition, the setbacks must comply with Chapter 18.70 which provides for Solar Access. (Ord. 2097 S5, 1980; Ord. 2121 Se, 1981, Ord. 2752, 1995)

Criteria Met:

Existing home is in compliance on Parcel 1; the future home on proposed parcel 2 will have to meet requirements when it is designed.

E. Maximum Building Height: No structure shall be over thirty-five (35) feet or two and one-half (2 1/2) stories in height, whichever is less. Structures within the Historic District shall not exceed a height of 30 feet.

Criteria Met:

Existing home is in compliance on Parcel 1; the future home on proposed parcel 2 will have to meet requirements when it is designed.

F. Maximum Coverage: Maximum lot coverage shall be fifty (50%) percent in an R-1-5 District, forty-five (45%) percent in an R-1-7.5 District, and forty (40%) percent in an R-1-10 District.

Criteria Met:

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Allowable lot coverage on proposed parcel #1 is 45% of 9,499 = 4274 square feet. Actual existing coverage of proposed parcel is 2,956 or 31%

Allowable lot coverage for proposed Parcel 2 is 45% of 9,097 = 4094 square feet.

The driveway as shown is 1,894 square feet and the building envelope is 1,592 square feet. A total of 3,486 square feet or 38%

G. Maximum Permitted Floor Area for dwellings within the Historic District. The maximum permitted floor area for primary dwellings within the Historic District shall be determined by the following:

Proposed parcel #1 is 9,499 square feet. Maximum permitted floor area is

$$9,499 \times 0.75 = 7185 \times 0.38 = 2,707.2 \text{ MPFA}$$

The actual existing home with the garage is 2,680.3 square feet

Proposed Parcel #2 is 9,097 square feet. Maximum permitted floor area is

$$9,097 \times 0.75 = 6,822.75 \times 0.38 = 2,592.6 \text{ MPFA.}$$

The new lot will include a restriction limiting the new home to a MPFA of 2,592.6

18.61 Tree Preservation & Protection

This proposal does not require the removal of trees at this time, there will be no construction associated with this application it is for a partition only. When there is a Physical and Environmental Constraints Permit application for the new lot (parcel #2) there will be tree removal required as part of that application. The trees that will need removal to allow for a house to be built in the prescribed building envelope are identified as trees 13, 18, 19 and 21 (see sheet PE-2). The building envelope was designed to preserve as many trees as possible and make use of the existing driveway access.

This application proposes to take storm and sanitary sewer to vista Street through an easement along the East property line of parcel #1. This will require boring under the roots of the large Cedar tree in this location. Attached to this application are the recommendations of the project arborist on how to achieve this boring.

B. Tree Removal Verification Permit

When there is a development proposal for Parcel #2, the applicant will have to follow up with a verification permit.

18.61.050 Plans Required

There is a tree survey and protection plan submitted with this application. All the trees have been tagged with numbers that relate to the graphic survey plan.

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18.61.200 Tree Protection

A tree survey and protection plan has been submitted with this application. (See sheet PE-2)

18.62 Physical & Environmental Constraints

18.62.040 Approval and Permit Required

A Physical Constraints Review Permit is required for the following activities:

A. Development, as defined in 18.62.030.D, in areas identified as Flood plain Corridor Land, Riparian Preserve, Hillside Land, or Severe Constraint land.

This proposal is for a partition in the Hillside Lands category.

1. 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.

The applicant is making use of the existing driveway grade. The building envelope is located in relationship to this existing driveway grade. The placement of the building envelope is in the flattest part of the site and is located to produce the minimum amount of tree removal.

2. 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.

This application looks at issues of erosion control, vegetation health and minimizing grading. The project does not contain any terraces for landscape; this application assumes that there will be no level ground created other than what is required to build the home. There will be some fill required to build the parking are, and this is in an area that has already been altered and is adjacent to the proposed building envelope.

3. 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 permitted development permitted by the Land Use Ordinance. (Ord 2834 S1, 1998)

This application makes use of the existing grade where possible, while minimizing tree removal and lot coverage. The applicant is trying to have as little impact on the lot as possible.

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18.62.050 Land Classifications

The following factors shall be used to determine the classifications of various lands and their constraints to building and development on them:

This project falls under the hillside lands category. It is also classified as severe constraints property, much of the slope with proposed parcel # 2 is over 35%. The areas we are proposing for the both the building envelope and the driveway are under 35%.

18.62.080 Development Standards for Hillside Lands

It is the purpose of the Development Standards for Hillside Lands to provide supplementary development regulations to underlying zones to ensure that development occurs in such a manner as to protect the natural and topographic character and identity of these areas, environmental resources, the aesthetic qualities and restorative value of lands, and the public health, safety, and general welfare by insuring that development does not create soil erosion, sedimentation of lower slopes, slide damage, flooding problems, and severe cutting or scarring. It is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the natural and visual character of the city.

A. General Requirements. The following general requirements shall apply in Hillside Lands:

1. All development shall occur on lands defined as having buildable area. Slopes greater than 35% shall be considered unbuildable except as allowed below. Variances may be granted to this requirement only as provided in section 18.62.080.H.

The proposed building envelope and driveways approach makes use of lands that have already been manipulated. The driveway grade is pre-existing, and will require minimum enhancement when a building is proposed. There are terraced areas within the building envelope area that are over 35%, but when looked at in context with the surrounding grade it can easily be seen that they are created steep section to allow the remainder of the area to be flatter. When the terraces are removed, the overall slope of this area is less than 35% (see sheet PE-1)

2. All newly created lots either by subdivision or partition shall contain a building envelope with a slope of 35% or less.

The proposed building envelope is in the area of the lot that is under 35%.

3. New streets, flag drives, and driveways shall be constructed on lands of less than or equal to 35% slope with the following exceptions:

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b. The portion of the street, flag drive, or driveway on land greater than 35% slope does not exceed a length of 100 feet.

The portion of the drive/parking area that exceeds 35% is 24 feet in width by 9 feet in length.

4. Geotechnical Studies. For all applications on Hillside Lands involving subdivisions or partitions, the following additional information is required:

A geotechnical report has been provided.

B. Hillside Grading and Erosion Control. All development on lands classified as hillside shall provide plans conforming with the following items:

1. All grading, retaining wall design, drainage, and erosion control plans for development on Hillside Lands shall be designed by a geotechnical expert. All cuts, grading or fills shall conform to the International Building Code and be consistent with the provisions of this Title. Erosion control measures on the development site shall be required to minimize the solids in runoff from disturbed area.

The plans provided have been designed and approved by a geotechnical engineer.

2. For development other than single family homes on individual lots, all grading, drainage improvements, or other land disturbances shall only occur from May 1 to October 31.

This application is for a partition for a single family lot. There are no plans for development at this time. Schematic plans have been submitted to prove that the lot is buildable, and to establish a building envelope for the lot.

3. Retention in natural state. On all projects on Hillside Lands involving partitions and subdivisions, and existing lots with an area greater than one-half acre, an area equal to 25% of the total project area, plus the percentage figure of the average slope of the total project area, shall be retained in a natural state. Lands to be retained in a natural state shall be protected from damage through the use of temporary construction fencing or the functional equivalent.

Not Applicable, the existing lot is less than ½ acre (21,780 sf.); the existing lot is 18,597 sf.

4. Grading - cuts. On all cut slopes on areas classified as Hillside lands, the following standards shall apply:

There are no cut slopes proposed at this time. The building envelope and driveway are shown as an example and limitation for further development. When an actual home is designed for this lot it will be necessary for the applicant to reapply for a Physical and Environmental Constraints Permit that addresses the issues specific to that home. The proposed building envelope could contain a home without any additional terracing.

5. Grading - fills. On all fill slopes on lands classified as Hillside Lands, the following standards shall apply:

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There are no fill slopes proposed at this time. The building envelope and driveway are shown as an example and limitation for further development. When an actual home is designed for this lot it will be necessary for the applicant to reapply for a Physical and Environmental Constraints Permit that addresses the issues specific to that home. The proposed building envelope could contain a home without any additional terracing.

6. Revegetation requirements. Where required by this chapter, all required revegetation of cut and fill slopes shall be installed prior to the issuance of a certificate of occupancy, signature of a required survey plat, or other time as determined by the hearing authority. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.

There is no site disturbance associated with this application. The building envelope and driveway are shown as an example and limitation for further development. When an actual home is designed for this lot it will be necessary for the applicant to reapply for a Physical and Environmental Constraints Permit that addresses the issues specific to that home. The proposed building envelope could contain a home without any additional terracing, therefore limiting the site disturbance.

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

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

There is no site disturbance associated with this application. The building envelope and driveway are shown as an example and limitation for further development. There is no graded yard space associated with this proposal. When an actual home is designed for this lot it will be necessary for the applicant to reapply for a Physical and Environmental Constraints Permit that addresses the issues specific to that home. This proposal attempts to leave the total lot in its existing state except for the building envelope which is proposed as the actual extent of the building.

9. Inspections and Final Report. Prior to the acceptance of a subdivision by the City, signature of the final survey plat on partitions, or issuance of a certificate of occupancy for individual structures, the project 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, as per 18.62.080.A.4.j were conducted by the project geotechnical expert periodically throughout the project.

Not applicable at this time, there is no construction or particular home being proposed at this time.

D. Tree Conservation, Protection and Removal. All development on Hillside Lands shall conform to the following requirements:

1. Inventory of Existing Trees. A tree survey at the same scale as the project site plan shall be prepared, which locates all trees greater than six inches d.b.h., identified by d.b.h., species, approximate extent of tree canopy. In addition, for areas proposed to be disturbed, existing tree

base elevations shall be provided. Dead or diseased trees shall be identified. Groups of trees in close proximity (i.e. those within five feet of each other) may be designated as a clump of trees, with the predominant species, estimated number and average diameter indicated. All tree surveys shall have an accuracy of plus or minus two feet. The name, signature, and address of the site surveyor responsible for the accuracy of the survey shall be provided on the tree survey. See the project tree inventory, removal and protection plan, (see sheet PE-2)

2. Evaluation of Suitability for Conservation. All trees indicated on the inventory of existing trees shall also be identified as to their suitability for conservation. When required by the hearing authority, the evaluation shall be conducted by a landscape professional. Factors included in this determination shall include:

See the project tree inventory, removal and protection plan, (see sheet PE-2)

3. Tree Conservation in Project Design. Significant trees (2' d.b.h. or greater conifers and 1' d.b.h. or greater broadleaf) shall be protected and incorporated into the project design whenever possible.

a. Streets, driveways, buildings, utilities, parking areas, and other site disturbances shall be located such that the maximum number of existing trees on the site are preserved, while recognizing and following the standards for fuel reduction if the development is located in Wildfire Lands.

The driveway shown on this site already exists; the building envelope is situated to preserve trees and stays away from the larger trees on the site.

b. Building envelopes shall be located and sized to preserve the maximum number of trees on site while recognizing and following the standards for fuel reduction if the development is located in Wildfire Lands.

The driveway shown on this site already exists; the building envelope is situated to preserve trees and stays away from the larger trees on the site.

c. Layout of the project site utility and grading plan shall avoid disturbance of tree protection areas.

The plan includes a utility easement that travels along the East property line of Parcel #1. This application includes a report and recommendations from the project arborist to detail how the future utilities must be run under the roots of the existing 36" Cedar. The utility easement is within the protection zone of this tree.

4. Tree Protection. On all properties where trees are required to be preserved during the course of development, the developer shall follow the following tree protection standards:

All of the tree protection requirements are included on the tree protection plans that have been submitted with this application.

5. Tree Removal. Development shall be designed to preserve the maximum number of trees on a site. The development shall follow the standards for fuel reduction if the development is located

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in Wildfire Lands. When justified by findings of fact, the hearing authority may approve the removal of trees for one or more of the following conditions: (Ord 2834 S3, 1998)

a. The tree is located within the building envelope.

All the trees proposed for removal are in the proposed building envelope. No trees would be removed as part of this application, the trees would be removed when a new P and E is done for a specific home.

6. Tree Replacement. Trees approved for removal, with the exception of trees removed because they were determined to be diseased, dead, or a hazard, shall be replaced in compliance with the following standards:

There are no trees being proposed for removal at this time. The future applicant will be required to replace trees that must be removed in order to create a building envelope.

E. Building Location and Design Standards. All buildings and buildable areas proposed for Hillside Lands shall be designed and constructed in compliance with the following standards:

1. Building Envelopes. All newly created lots, either by subdivision or partition, shall contain building envelopes conforming to the following standards:

a. The building envelope shall contain a buildable area with a slope of 35% or less.

The building envelope is shown in the area of the property where the slope is 35% or less based on the removal of short (under two feet) terrace walls that allow for garden beds. The slope analysis shows this area with the walls removed.

b. Building envelopes and lot design shall address the retention of a percentage of the lot in a natural state as required in 18.62.080.B.3.

Not Applicable, the existing lot is less than ½ acre (21,780 sf.); the existing lot is 18,597 sf.

c. Building envelopes shall be designed and located to maximize tree conservation as required in 18.62.080.D.3. while recognizing and following the standards for fuel reduction if the development is located in Wildfire Lands

The building envelope has been located to preserve as many trees as possible. Fuel reduction shall be accomplished through the removal of small stature trees and the disconnection of canopies.

d. It is recommended that building envelope locations should be located to avoid ridgeline exposures, and designed such that the roofline of a building within the envelope does not project above the ridgeline.

The proposed building envelope is below the ridgeline.

2. Building Design. To reduce hillside disturbance through the use of slope responsive design techniques, buildings on Hillside Lands, excepting those lands within the designated Historic

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District, shall incorporate the following into the building design and indicate features on required building permits:

a. Hillside Building Height. The height of all structures shall be measured vertically from the natural grade to the uppermost point of the roof edge or peak, wall, parapet, mansard, or other feature perpendicular to that grade. Maximum Hillside Building Height shall be 35 feet. (graphics available on original ordinance)

Not applicable at this time, there is no construction or particular home being proposed at this time.

b. Cut buildings into hillsides to reduce effective visual bulk.

Not applicable at this time, there is no construction or particular home being proposed at this time.

c. A building setback shall be required on all downhill building walls greater than 20 feet in height, as measured above natural grade. Setbacks shall be a minimum of six feet. No vertical walls on the downhill elevations of new buildings shall exceed a maximum height of 20 feet above natural grade. (see graphic file attached)

Not applicable at this time, there is no construction or particular home being proposed at this time.

d. Continuous horizontal building planes shall not exceed a maximum length of 36 feet. Planes longer than 36 feet shall include a minimum offset of six feet. (graphic available on original ordinance)

Not applicable at this time, there is no construction or particular home being proposed at this time.

e. It is recommended that roof forms and roof lines for new structures be broken into a series of smaller building components to reflect the irregular forms of the surrounding hillside. Long, linear unbroken roof lines are discouraged. Large gable ends on downhill elevations should be avoided, however smaller gables may be permitted. (graphic available on original ordinance)

Not applicable at this time, there is no construction or particular home being proposed at this time.

f. It is recommended that roofs of lower floor levels be used to provide deck or outdoor space for upper floor levels. The use of overhanging decks with vertical supports in excess of 12 feet on downhill elevations should be avoided.

Not applicable at this time, there is no construction or particular home being proposed at this time.

g. It is recommended that color selection for new structures be coordinated with the predominant colors of the surrounding landscape to minimize contrast between the structure and the natural environment.

Not applicable at this time, there is no construction or particular home being proposed at this time.

F. All structures on Hillside Lands shall have foundations which have been designed by an engineer or architect with demonstrable geotechnical design experience. A designer, as defined, shall not complete working drawings without having foundations designed by an engineer.

Not applicable at this time, there is no construction or particular home being proposed at this time.

G. All newly created lots or lots modified by a lot line adjustment must include a building envelope on all lots that contains a buildable area less than 35% slope of sufficient size to accommodate the uses permitted in the underlying zone, unless the division or lot line adjustment is for open space or conservation purposes.

The proposed building envelope can facilitate a home and garage.

H. Administrative Variance From Development Standards for Hillside Lands - 18.62.080. A variance under this section is not subject to the variance requirements of section 18.100 and may be granted with respect to the development standards for Hillside Lands if all of the following circumstances are found to exist:

Not Applicable.

18.62.090 Development Standards for Wildfire Lands

A. Requirements for Subdivisions, Performance Standards Developments, or Partitions.

1. A Fire Prevention and Control Plan shall be required with the submission of any application for an outline plan approval of a Performance Standards Development, preliminary plat of a subdivision, or application to partition land which contained areas designated Wildfire Hazard areas.

This is a proposal for a partition in Wildfire Lands.

2. The Staff Advisor shall forward the Fire Prevention and Control Plan to the Fire Chief within 3 days of the receipt of a completed application. The Fire Chief shall review the Fire Prevention and Control Plan, and submit a written report to the Staff Advisor no less than 7 days before the scheduled hearing. The Fire Chief's report shall be a part of the record of the Planning Action.

3. The Fire Prevention and Control Plan, prepared at the same scale as the development plans, shall include the following items:

The entire area of Parcel #2 and the steep portions of Parcel #1 are potential wildfire areas based on steep slopes that wick fire up to the ridgelines. The proposed Parcel #2 also contains area of dry grass and shrubby native vegetation and small understory trees making it more prone to wildfire.

The Fire Prevention Control Map shows the areas to be cleared of dead, dying and diseased vegetation, as well as identifying the smaller trees to be removed to reduce ladder fuels and those trees that will be pruned to disconnect canopies. The tree protection plan identifies all trees to be preserved on the site.

All of parcel #2 will become a Primary fuel break as the property lines are within thirty feet to each side of the proposed building envelope and within 27 feet to the North side and 42 feet to the South

side. The driveway will be enhanced to easily facilitate emergency vehicles; the future home will have to be sprinkled. See sheet F-1 for the Fire Prevention control Plan

B. Requirements for construction of all structures.

Not applicable at this time, there is no construction or particular home being proposed at this time.

18.62.100 Development Standards for Severe Constraint Lands

This proposed lot does contain severe constraints lands but the building envelope and proposed future area of development is not within these areas. The geotechnical report that has been provided addresses the issues associated with severe constraints lands

C. Development on lands greater than 35% slope shall meet all requirements of section 18.62.080 in addition to the requirements of this section.

This proposed lot does contain severe constraints lands but the building envelope and proposed future area of development is not within these areas. Regardless, the geotechnical report includes the required information for severe constraints lands.

18.70 Solar Access

There is no building being proposed at this time. Along with the building envelope, the applicant has provided a solar envelope that defines the height and shape of the potential future home.

The proposed partition complies with the Solar Access chapter for the creation of a new lot. The calculations below substantiate compliance and are based on an average slope (s) of a negative 21.8 percent (determined by project surveyor).

Chapter 18.70.050.A allows for the use of formula II when creating lots that have a North facing (negative) slope equal to or greater than 15%. The proposed new lot has a negative 21.8 percent slope; therefore the following calculations are used:

21' (assumed bldg height) – 16' (solar shadow at north property line)

0.445 (slope factor) + (-) 0.218 (average slope)

The above calculation equals $0.5/227 = 22$ feet minimum setback from the property line. The site plan shows a 27.5 foot setback from the north property line to the proposed building envelope, which exceeds the minimum requirement of 22 feet.

Further, the applicant's site plan shows a proposed North/South lot dimension of approximately 127 feet. Fifty percent of 127 feet is 63.5 feet which is greater than the 22 foot minimum setback from the north property line.

18.76 Partitions

18.76.020 Preliminary Step

The applicant shall submit to the Planning Department a preliminary map of the proposed partition.

The preliminary map has been submitted as part of this application.

18.76.030 Preliminary Map Requirements

A preliminary map has been provided by Terra Survey.

18.76.050 Preliminary Approval by the Planning Commission

An application for a preliminary partition shall be approved when the following conditions exist:

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

This partition would constitute the final build out of this property. Its creation will not impede future development but allow for infill to this area.

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

This partition would constitute the final build out of this property. Its creation will not impede future development but allow for infill to this area.

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

This property has not been involved in any planning activity for over 1 year.

D. The partitioning is not in conflict with any law, ordinance or resolution applicable to the land.

The proposed partition is legal.

E. The partitioning is in accordance with the design and street standards contained in the Chapter 18.88, Performance Standards Options. (Ord 2836 S8, 1999)

This partition is requesting a variance to street standards which is explained in detail within the variance portion of this application.

F. When there exists adequate public facilities, or proof that such facilities can be provided, as determined by the Public Works Director and specified by City documents, for water, sanitary sewers, storm sewer, and electricity.

This proposed parcel is adjacent to all existing services. All utilities are available from Glenview Drive.

G. When there exists a 20-foot wide access along the entire street frontage of the parcel to the nearest fully improved collector or arterial street, as designated in the Comprehensive Plan. Such access shall be improved with an asphaltic concrete pavement designed for the use of the proposed street. The minimum width of the street shall be 20-feet with all work done under permit of the Public Works Department.

This partition is requesting a variance to this standard. Please see sheet V-1 and The variance request at the end of this document.

1. The Public Works Director may allow an unpaved street for access for a minor land partition when all of the following conditions exist:

a. The unpaved street is at least 20-feet wide to the nearest fully improved collector or arterial street.

This partition is requesting a variance to this standard. The unpaved street varies in width. Adjacent to the lot frontage it is a minimum of 15' (feet) wide; to the East it narrows to a pinch point of 13.5' (feet). Where the road has existing paving it narrows further to minimum of 11' (feet) feet with an average of 12.5 feet.

b. The centerline grade on any portion of the unpaved street does not exceed ten percent.

This partition is requesting a variance to this standard. The road varies in its slope along the center line. In the paved portion the road varies from 10% to 11.6% except for a ten foot long section at the transition from Hillcrest Street that is 16%. In the unpaved portion of the road the slope varies from 8.9% to 10%.

2. Should the partition be on an unpaved street and paving is not required, the applicant shall agree to participate in the costs and to waive the rights of the owner of the subject property to remonstrate both with respect to the owners agreeing to participate in the cost of full street improvements and to not remonstrate to the formation of a local improvement district to cover such improvements and costs thereof. Full street improvements shall include paving, curb, gutter, sidewalks and the undergrounding of utilities. This requirement shall be precedent to the signing of the final survey plat, and if the owner declines to so agree, then the application shall be denied.

The owner is willing to participate in the costs and to waive the rights of the owner of the subject property to remonstrate both with respect to the owners agreeing to participate in the cost of full street improvements and to not remonstrate to the formation of a local improvement district to cover such improvements and costs thereof. Full street improvements shall include paving, curb, gutter, sidewalks and the undergrounding of utilities.

18.76.060 Preliminary Approval of Flag Partitions

Partitions involving the creation of flag lots shall be approved by the Planning Commission if the following conditions are satisfied:

This proposal includes a flag drive. The most appropriate location for the building envelope is 90feet along an existing driveway cut. Using this driveway will create the least disturbance of the site when it is developed.

A. Conditions of the previous section have been met.

B. Except as provided in subsection 18.76.060.K, the flag drive for one flag lot shall have a minimum width of 15 feet, and a 12 foot paved driving surface.

This proposal is for the service of one lot. The paved surface shall be 12' wide and drive shall be 15 feet clear. The applicant would like to wait to create the flag drive until a development plan as proposed.

Flag drives shall be constructed so as to prevent surface drainage from flowing over sidewalks or other public ways. Flag drives shall be in the same ownership as the flag lots served. Where two or more lots are served by the same flag drive, the flag drive shall be owned by one of the lots and an easement for access shall be granted to the other lot or lots. There shall be no parking 10 feet on either side of the flag drive entrance.

This is a flag drive by length definition only; the drive is totally within the proposed partition.

Flag drive grades shall not exceed a maximum grade of 15%. Variances may be granted for flag drives for grades in excess of 15% but no greater than 18% for no more than 200'. Such variances shall be required to meet all of the criteria for approval as found in 18.100.

The proposed drive is less than 15% slope for the duration of the drive.

Flag drives serving structures greater than 24 feet in height, as defined in 18.08.290, shall provide a Fire Work Area of 20 feet by 40 feet within 50 feet of the structure. The Fire Work Area requirement shall be waived if the structure served by the drive has an approved automatic sprinkler system installed.

When a structure is proposed for this parcel it will be required to have an approved sprinkler system.

C. Each flag lot has at least three parking spaces situated in such a manner as to eliminate the necessity for backing out.

There are two spaces shown in the garage area and one in front and to the side of the garage.

D. Curb cuts have been minimized, where possible, through the use of common driveways. There is only one curb cut.

E. Both sides of the flag drive have been screened with a site-obscuring fence, wall or evergreen hedge to a height of from four to six feet, except in the front yard setback area where, starting five feet from the property line, the height shall be from 30 to 42 inches in the remaining setback area. Such fence or landscaping shall be placed at the extreme outside of the flag drive in order to ensure adequate fire access.

Not Applicable this is a flag drive through length only.

F. The applicant has executed and filed with the Planning Department an agreement between applicant and the city for paving and screening of the flag drive. Such an agreement shall specify the period within which the applicant, or agent for applicant, or contractor shall complete the paving to standards as specified by the Director of Public Works and screening as required by this section, and providing that if applicant should fail to complete such work within such period, the City may complete the same and recover the full cost and expense thereof from the applicant. An agreement shall also provide for the maintenance of the paving and screening to standards as indicated in this section and the assurance that such maintenance shall be continued.

The applicant will do so.

G. A site plan has been approved by the Planning Commission. The site plan shall be approved provided the regulations of the zoning and subdivision titles are satisfied. Such a site plan shall contain the map requirements listed in Section 18.76.050 and the following information:

Not Applicable this is a flag drive through length only.

H. No more than two lots are served by the flag drive.

Not Applicable this is a flag drive through length only.

I. For the purpose of meeting the minimum lot area requirement, the lot area, exclusive of the flag drive area, must meet the minimum square footage requirements of the zoning district.

Not Applicable this is a flag drive through length only.

J. Flag lots shall be required to provide a useable yard area that has a minimal dimension of 20 feet wide by 20 feet deep. As used in this chapter, the term "useable yard area" means a private yard area which is unobstructed by a structure or automobile from the ground upward.

This lot is all yard, and though this is a flag drive it is not a flag lot.

18.92 Off-Street Parking

18.92.020 Automobile Parking Spaces Required

Uses and standards are as follows:

A. Residential Uses. For residential uses the following automobile parking spaces are required.

1. Single family dwellings. Two spaces for the primary dwelling unit and the following for accessory residential units:

This proposal is for a single family lot on a flag drive. It is required to have three parking spaces so that it is not required to back out of the drive to get to the main road. This application has two garaged parking spaces and one space adjacent to the garage. The driveway is configured to allow for a three point turn to head out of the driveway in a positive direction.

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18.92.025 Credit for On-street Automobile Parking

Not Applicable, there is no request for on street parking credit.

18.92.030 Disabled Person Parking Places

Not Applicable

18.92.040 Bicycle Parking

Not Applicable

18.100 Variances

18.100.010 Variances - Purpose

Where practical difficulties, unnecessary hardships, and results inconsistent with the general purpose of this Title may result from the strict application of certain provisions thereof, variance may be granted as provided in this Chapter. This Chapter may not be used to allow a use that is not in conformity with the uses specified by this Title for the district in which the land is located. In granting a variance, the City may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the City as a whole.

The applicant is requesting a variance to the following sections of the Partition Ordinance because of the steep terrain on each side of the existing graded roadway. Widening of the roadway would require extraordinary measures, wall in excess of five feet on the downhill side, and the removal of a large number of native trees on the uphill side of the road. The photographs show the existing conditions along Glenview, this road is not in conformance with regular City standards, and it traverses steep terrain and accesses homes with a more rural character, further connecting to the network of dirt roads that wind around the hills surrounding Lithia Park. The engineering required to design and develop this road is not proportionate to the creation of one lot. The burden of this improvement is too great for the development of one lot, and should be carried by an LID, when and if the City decides it is time to develop this road. The applicant is happy to sign in favor of and participate in an LID when the time comes.

“18.76.050 Preliminary Approval by the Planning Commission

G. When there exists a 20-foot wide access along the entire street frontage of the parcel to the nearest fully improved collector or arterial street, as designated in the Comprehensive Plan. Such access shall be improved with an asphaltic concrete pavement designed for the use of the proposed street. The minimum width of the street shall be 20-feet with all work done under permit of the Public Works Department.”

1. The Public Works Director may allow an unpaved street for access for a minor land partition when all of the following conditions exist:

a. The unpaved street is at least 20-feet wide to the nearest fully improved collector or arterial street.

This partition is requesting a variance to this standard. The unpaved street varies in width. Adjacent to the lot frontage it is a minimum of 15' (feet) wide; to the East it narrows to a pinch point of 13.5' (feet). Where the road has existing paving it narrows further to minimum of 11' (feet) feet with an average of 12.5 feet.

b. The centerline grade on any portion of the unpaved street does not exceed ten percent.

This partition is requesting a variance to this standard. The road varies in its slope along the center line. In the paved portion the road varies from 10% to 11.6% except for a ten foot long section at the transition from Hillcrest Street that is 16%. In the unpaved portion of the road the slope varies from 8.9% to 10%.

18.100.020 Application

The owner or his agent may make application with the Staff Advisor. Such application shall be accompanied by a legal description of the property and plans and elevations necessary to show the proposed development. Also to be included with such application shall be a statement and evidence showing that all of the following circumstances exist:

A. That there are unique or unusual circumstances which apply to this site which do not typically apply elsewhere.

This road

B. That 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. (Ord.2425 S1, 1987).

The partition to create this lot finalizes the infill possible within this area. The proposed lot requires minimal grading as the driveway in already exists. The applicant is proposing a very small building envelope, without the need for terracing or further development of the lot. The widening and regarding of the road could present numerous negative impacts to the existing situation. Leaving the road as is, with the addition of one lot, will have minimal impact.

C. That the circumstances or conditions have not been willfully or purposely self-imposed. (Ord. 2775, 1996)

The condition along Glenview are pre-existing. The applicant is dealing with a situation in which they would be happy to participate in changing when and if the neighbors and the city promote that change.

The subject property is on the unpaved portion of Glenview Drive. From the intersection of Hillcrest and Vista, Glenview has degraded pavement for 128 lineal feet, for this section the slopes along the center line range from 10% to 11.6% with the exception of the first ten feet of the drive which is 16%. For the most part, this varies from the allowable 10% by less than two percent. There is an additional 181 lineal feet of length of roadway prior to reaching the

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Right of Way at its adjacency to the subject property, through this stretch, the slopes of Glenview range from 8.9% to 10%, this slope is in compliance with the ordinance request. The minimum width of the paved section of Glenview Drive is 11'; the minimum width of the unpaved section of Glenview is 13.5'. It is the extreme difficulty in increasing the width of the graded portion of the road that is at issue here. The portions of the road that are over 10% are also linked to other more extreme issues having to do with the relationship of the existing roads systems to the grades.



UPHILL SIDE OF ROAD, NOTE EXITING GARAGE AND RETAINAING WALL

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CORNER OF THE INTERSECTION OF HILLCREST, GLENVIEW AND VISTA. THIS TRANSITION BETWEEN THESE THREE ROADS IS WHERE GLENVIEW IS 16%. THE WALL ON THE RIGHT IS AT THE RIGHT OF WAY. THE RIGHT OF WAY TO THE DOWNHILL SIDE IS OVER 25%.



AT THE END OF THE WALL (BEYOND THE GARAGE) THE RIGHT OF WAY GOES UP THE HILL THROUGH THE TREES. THE FENCE ON THE RIGHT DEFINES AN EDGE TO A SLOPE THAT DROPS OFF AT AN EXCESS 25%.



WHERE THE ROAD IS "DIRT" THE GRADE IS A LITTLE MORE GENTLE, BUT THE WIDTH IS STILL OUT OF COMPLIANCE WITH THE REQUIRED 20'.

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THIS IS THE EXISTING DRIVEWAY INTO THE PROPOSED LOT. THE GATE IS LOCATED TO CREATE CONTINUOUS DEER PROTECTION TO THE LOT BELOW AND TO THE EAST.

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SUBSURFACE INVESTIGATION AND GEOTECHNICAL ENGINEERING REPORT

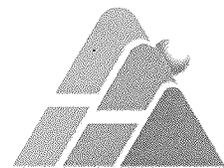
**LOT PARTITION
232 VISTA STREET
ASHLAND, OREGON**

September 9, 2008
Project No. DB95-02.02

Prepared for:

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Ashland, OR 97520-3702
Ph: (541) 482-6680



**AMRHEIN
ASSOCIATES, Inc.**

Environmental & Geotechnical Engineering

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SUBSURFACE INVESTIGATION AND
GEOTECHNICAL ENGINEERING REPORT

LOT PARTITION
232 VISTA STREET
ASHLAND, OREGON

The engineering material and data contained in this Geotechnical Engineering Report were prepared under the supervision and direction of the undersigned, whose seal as a registered professional engineer is affixed below. The conclusions and recommendations presented in this report have been prepared in conformance with generally accepted geotechnical engineering principles and practices. No other warranty, either expressed or implied, is made or intended.

Amrhein Associates, Inc.



Mark J. Amrhein, PE, GE
President / Senior Engineer



RENEWAL DATE: 12/31/09

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Figure 1 – Vicinity Map

Figure 2 – Site and Exploration Plan

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Appendix A – Subsurface Exploration Procedures and Logs

1.0 SUMMARY

The proposed lot partition is located at 232 Vista Street in Ashland, Oregon. We understand the project consists of the partition of the lot and the preliminary design of a single-family residence. The proposed building area is located in an area of moderate slopes with some very small, intermediate, landscaping benches. The proposed building area is feasible with respect to the subsurface conditions at the site. A brief summary of the project's geotechnical considerations is presented below.

The subsurface conditions generally consisted of a typical profile of weathered, decomposed, granite soils. Our test hole revealed a topsoil layer to a depth of 2.0 feet. Below the topsoil, we observed medium dense, native, weathered, decomposed granite to a depth of 3.2 feet underlain by dense, decomposed granite. The test hole was terminated at a depth of 5.1 feet due to practical refusal by hand drilling in very dense decomposed granite.

We recommend the house be supported on shallow spread footings designed with a maximum allowable bearing pressure of 1,500 pounds per square foot (psf) for footings founded on the medium dense, native, decomposed granite soil. If a higher bearing pressure is necessary, such as for retaining walls, footings founded on the dense, decomposed granite may be designed with a bearing pressure of 2,500 psf. If any over-excavation under the footings is necessary to reach the appropriate subgrade, the over-excavation should be backfilled with crushed rock compacted as structural fill.

Retaining walls supporting the site slopes should be designed for a lateral equivalent fluid pressure of 40 pounds per cubic foot (pcf) for flexible walls and 55 pcf for a wall that is fixed top and bottom at the time of backfilling. These pressures assume that the wall backfill is clean, granular, free-draining material. An allowable passive earth resistance of 250 pcf may be assumed for each foot of penetration below the ground surface, neglecting the first foot, and an allowable wall base friction value of 0.40.

As the silty site soils are moisture sensitive, site work in the presence of water or during wet weather would disturb the bearing strata. The contractor should avoid disturbance of these soils and limit traffic across the foundation areas during wet weather.

This summary is presented for introductory purposes only and should be used in conjunction with the full text of this report. The project description, site conditions and detailed design recommendations are presented in the text of this report. The scope of work was completed within the constraints of the site and in accordance with our proposal. This report has been prepared for the exclusive use of the Sid and Karen DeBoer, and their agents, for specific application for this project in accordance with generally accepted geotechnical engineering practices.

2.0 PROJECT DESCRIPTION

The proposed lot partition is located at 232 Vista Street (Map 39-1E-09BC, TL 7500) in Ashland, Oregon. The general location of the site is shown on the Vicinity Map, Figure 1. We understand the project consists of the partition of the lot and the preliminary design of a single-family residence.

In the event of any changes in the nature, loading, or location of the proposed building area, the conclusions and recommendations contained in this report should be reviewed and modified, if necessary, to reflect those changes.

3.0 SITE CONDITIONS

The site conditions were evaluated on September 8, 2008. The subsurface conditions were determined by the hand drilling of one test hole in order to observe soil material types and consistency. The surface and subsurface conditions are described below. The location of the test hole is indicated on the Site and Exploration Plan, Figure 2. A description of the test hole drilling and detailed interpretive log is provided in Appendix A.

3.1 Surface Conditions

The house site was located in an area of moderate slopes surrounded by moderately steep and steep slopes. It appeared some minor grading and terracing had been done in the building area for landscaping purposes and a roughed-in driveway cut had previously been made above the building area. The slope was covered with a mix of native vegetation and trees, and imported landscaping vegetation.

Any surface water draining from the site drains down to the existing houses below and eventually to Vista Street.

3.2 Subsurface Conditions

The subsurface conditions generally consisted of a typical profile of weathered, decomposed, granite soils. Our test hole revealed a loose, topsoil layer to a depth of 2.0 feet. Below the topsoil, we observed medium dense, weathered, decomposed granite to a depth of 3.2 feet classified as tan, silty, fine to medium sand. The weathered zone was underlain by dense, decomposed granite consisting of gray, silty, fine to coarse sand. The test hole was terminated at a depth of 5.1 feet due to practical refusal by hand drilling in very dense decomposed granite at about 5.0 feet.

Based upon our experience and reviewing the geologic maps of the area, the decomposed granite of the Ashland pluton is an intrusive unit composed primarily of diorite and granodiorite, commonly referred to as granite or bedrock. The parent rock decomposes very slowly creating three general zones: weathered granitic soil, decomposed granite, and granodiorite bedrock. The upper, weathered soil horizon is generally reddish-brown or tan, silty, fine to medium or fine to coarse sand and can extend to a depth of up to approximately 10 feet below ground surface (bgs). The underlying, decomposed granite typically appears to be fresh bedrock, but can be ripped by heavy equipment and breaks down to a medium to coarse sandy soil with trace to some silt. The color varies from slightly reddish-brown to light gray at depth. Weathered granite typically extends to depths of up to 100 feet below ground surface. Large, hard, granite boulders are sometimes encountered in the weathered granite zone that cannot be broken by conventional earth moving equipment. The granodiorite bedrock is very hard and typically characterized by its inability to be ripped by conventional, earth-moving equipment and requires chiseling or blasting to be excavated.

No expression of groundwater or subsurface seepage was seen in the test pits at the site during our evaluation in September 2008. However, some perched zones with limited volumes of water may be encountered randomly in the upper soil strata, especially a top the denser, decomposed granite, during the winter and spring months. Later into the summer, these perched zones may become less frequent or dry up all together. It should be noted that the level of groundwater may fluctuate due to variations in rainfall, season, site utilization and other factors.

The subsurface conditions should be confirmed during construction by the geotechnical engineer in accordance with the construction inspection schedule described in Section 5.0.

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 Site Preparation

The building footings, concrete slab-on-grade floor, retaining wall footings, stacked block wall footings or areas to receive structural fill should be stripped of all vegetation and loose, topsoil and fill to the tan, medium dense, decomposed granite. The bearing stratum is expected to be at a depth of approximately 2.0 feet below ground surface. If some areas of deeper loose or organic soil are encountered during the stripping process, they should be over-excavated. Any area requiring over-excavation should be backfilled with crushed rock "structural fill" as described subsequently.

The site soils are silty and are considered moisture sensitive. They can be easily disturbed during wet weather. Grading with the site soils during the winter months will be more difficult, if not impossible during wet weather. The site soils can best be

graded during the summer months when the moisture content of the soils can be controlled.

During wet weather, the contractor should minimize traffic on prepared soil subgrade areas. If the building site subgrade is exposed during wet site conditions, imported crushed rock may need to be placed across the building subgrade to serve as a working surface and avoid disturbance to the soils while forming the footings and rebar placement during construction.

We recommend that the subgrade excavations be observed by the geotechnical engineer prior to the placement of any backfill for the building footings or beneath the concrete slab.

4.2 Structural Fill

All fill placed under the or building or retaining wall footings, concrete floor slabs, and the backfill behind stacked block walls or structural retaining walls should be placed in accordance with the recommendations for structural fill. All surfaces to receive fill should be prepared as previously recommended.

The decomposed granite soils can be used for general site grading landscape purposes however, we recommend that all structural fill placed under the footings or floor slabs, and the backfill behind retaining walls consist of imported crushed rock. In all cases, site soils or soil imported to the site to be used for structural fill should have a maximum particle size on the order of 8 inches and be free of organics and other deleterious material.

Structural fill should be placed in loose lifts not exceeding 12 inches in thickness. Individual lifts should be compacted to a firm and non-yielding condition. Typically, structural fill is compacted to a density of at least 90 percent of the modified Proctor maximum dry density (ASTM:D 1557 or AASHTO T 180). However, if large crushed rock is used (e.g. 4-inch minus) the density of the fill will be difficult, if not impossible, to measure by means of a nuclear moisture/density gauge. Therefore, we recommend that the fill be spread, watered to an appropriate moisture content, and compacted with at least 3 passes of a heavy, vibratory compaction roller. The compacted fill should be a firm and non-yielding surface able to withstand proof-rolling with a loaded dump truck without significant deflection.

We recommend that a representative of the geotechnical engineer be present during placement of structural fill to observe the work and, if possible, perform a representative number of in-place density tests. In this way, the adequacy of the earthwork may be evaluated as grading progresses.

The suitability of soils used for structural fill depends primarily on the soil particle size gradation and moisture content of the soil when it is placed. As the amount of fines

(that portion passing the U.S. No. 200 sieve) increases, the soil becomes increasingly sensitive to small changes in moisture content and adequate compaction becomes more difficult, if not impossible, to achieve. Soil containing more than about 5 percent fines by weight, when measured against the minus No. 4 sieve fraction, cannot be compacted to a firm and non-yielding condition when the moisture content is about 2 percent above optimum.

In all cases, site soils or soil imported to the site to be used for structural fill should have a maximum particle size on the order of 8 inches and be free of organics and other deleterious material.

If inclement weather occurs during grading, the upper wetted portion of the subgrade may need to be scarified and dried prior to further earthwork. If it is not practical to dry the wet, silty soils, it may be more expedient to remove the wet materials and replace them with dry soil.

4.3 Footing Recommendations

The proposed house may be supported by conventional shallow spread footings and continuous wall footings, founded on undisturbed, at least medium dense, decomposed granite. The footings should not be set in or above loose or organic soil or any uncontrolled fill. If over-excavation of the loose soils is required, the over-excavations should be backfilled with compacted crushed rock.

Based upon these conditions, we recommend that the footings be designed with a maximum allowable bearing pressure of 1,500 pounds per square foot (psf). If a higher bearing pressure is necessary, such as for retaining walls, footings founded on the dense, decomposed granite may be designed with a bearing pressure of 2,500 psf. The allowable loads may be increased by up to one-third to accommodate seismic or transient loads. The base of exterior footings should be located at least 16 inches below the lowest adjacent ground surface or top of floor slab, for frost protection. Interior footings may penetrate 6 inches below the lowest surrounding grade or slab surface. All footings should have a minimum width of 12 inches.

As the site soils are silty and therefore are moisture sensitive, site work in the presence of water or during wet weather would disturb the bearing strata. The contractor should avoid disturbance of these soils and limit traffic across the building pad and foundation areas during wet weather.

Assuming the foundation elements are founded on the prescribed bearing strata, we anticipate that the total settlements should be less than $\frac{3}{4}$ inch with differential settlements on the order of two-thirds of that total. Most of the settlement should occur during the construction of the structure. If any disturbed or loose materials are left within the footing areas prior to concrete placement, settlements may be increased. For that reason, the condition of the footing subgrades should be observed prior to concrete

placement, to confirm the condition of the bearing soils are consistent with those assumed during design.

4.4 Concrete Floor Slabs

All concrete floor slab subgrades should be prepared in accordance with Section 4.1, Site Preparation. The concrete floor slabs should be founded on undisturbed native soil or crushed rock structural fill (Section 4.2). We recommend that the floor slabs also be underlain by a minimum of a 6-inch thickness of clean, crushed rock or washed rock to serve as a capillary break and working surface. An outlet for the drainage layer should be provided through or under the concrete footings to allow for any water that may build up under the slabs to drain.

A vapor barrier membrane should also be placed beneath the concrete floor slabs. This vapor barrier should be at least 10 mils thick and comply with ASTM:E 1745, Class C vapor barrier.

4.5 Backfilled Retaining Walls

Backfilled retaining walls are categorized by the condition of restraint at the top of the wall at the time of backfilling. Retaining walls where the top of the walls are free to move laterally or rotate to at least 0.1 percent of the wall height during backfilling may be designed for an equivalent fluid unit weight of 40 pounds per cubic foot (pcf). If the walls are structurally restrained for lateral movements at the top of the wall at the time of backfilling, we recommend that they be designed for an equivalent fluid unit weight of 55 pcf. These values assume that the walls are supporting the slope above the proposed house and no buildup of hydrostatic water pressure behind the walls.

A value for the allowable passive earth resistance of 250 pcf may be assumed for each foot of penetration below the ground surface, neglecting the first foot. An allowable wall base friction value of 0.40 is recommended. This assumes that the concrete makes intimate contact with the soil. Any space in front of the retaining wall footing created in front of the retaining wall footing due to excavation or forming must be backfilled with compacted crushed rock or sand/cement slurry.

All backfill placed behind the walls or around foundation units should be placed in accordance with our recommendations for structural fill. The above lateral earth pressures, are based upon granular backfill and no buildup of hydrostatic pressure behind the wall. To minimize lateral earth pressure and prevent the buildup of hydrostatic pressures, the wall backfill should consist of free-draining, granular material with drainage provisions as discussed in the Drainage Considerations section presented below. Ideally all backfill behind the retaining walls should be free-draining, granular soil, however at a minimum; the thickness of the granular drainage should be at least 12-inches against the wall.

The backfill should be compacted to between 88 to 90 percent of the laboratory maximum dry density (ASTM:D 1557 or AASHTO T 180). Additional compaction adjacent to the wall will increase the lateral pressure while lesser degree of compaction could permit post construction settlements. If silty soils are used as backfill behind the wall, far greater lateral pressures can be expected to act on the wall. It is difficult to evaluate what lateral earth pressures will actually be imposed on the retaining wall due to the lower permeability silty backfill. The density of the soils, as well as the moisture content plays a significant role. If much of the soil material is loose, the soil will readily absorb and become a saturated mass, even further increasing wall pressures. Also, the fines can plug the footing drain itself that may allow full hydrostatic pressures to develop. The soil pressure and water pressure are additive and can approximately triple the total lateral pressure against the wall.

4.6 Stacked Block Walls

Stacked block walls may be used as landscaping walls to face stable cut slopes. Stacked block walls should be constructed no greater than 4 feet in height for blocks weighing at least 100 pounds per square foot of wall facing, including gravel infill. For lighter blocks that weigh on the order of 60 pounds per square foot, the maximum wall height should be 3 feet. If more than one wall is to be used for greater heights, each wall must be set back at least 4 feet horizontally from the top of the lower wall. Total combined wall height may not exceed 15 feet.

The bottom course of each block wall should be founded on at least medium dense native soil or structural fill and set into an 8-inch deep "key". In addition, the wall should be set upon a 6-inch minimum thickness of compacted, $\frac{3}{4}$ "-minus crushed rock. The wall should be constructed with a batter no steeper than 6V:1H or each course of block is set back $\frac{3}{4}$ -inch (pin setting or tail of block will determine this). A minimum 4-inch diameter perforated pipe should be installed behind the first block course and be fully embedded in washed rock or pea gravel. The drain line should discharge into the storm drainage system or other suitable discharge point. As additional block courses are being placed, free-draining rock (washed or crushed) should be placed behind the wall to provide for drainage and prevent soil migration through the wall. The top 12- to 18-inches of the wall may be backfilled with native or topsoil for vegetation and prevent direct communication of surface water on the terrace into the rock backfill.

Stacked block walls may be constructed to face fill slopes where reinforcing grid is installed as part of wall construction and structural fill placement. The reinforcing grid must be attached to the wall facing as an integral part of the wall. The grid must extend into the structural fill being placed behind the wall. Reinforcing grid length and vertical spacing should be designed by an engineer for the particular wall system to be used and the specific conditions at the wall's location.

4.7 Permanent Cut and Fill Slopes

We recommend that permanent cut and fill slopes be designed for a maximum inclination of 2H:1V, however some localized areas of 1-1/2H:1V slopes may be used provided their location and size are reviewed and approved by the geotechnical engineer. Any slope steeper than 3H:1V must be covered with topsoil and erosion control matting installed in accordance with the manufacturer's recommendations. The maximum fill slope length should not exceed 20 feet in vertical height. The maximum cut slope should not exceed 15 feet in vertical height.

Permanent fill slopes should be constructed in accordance with our recommendations for structural fill. The surface of the fill slope should be compacted to the same 90 percent density (ASTM:D 1557) as the body of the fill. This may be accomplished by overbuilding the embankment and then cutting it back to its compacted core or compacting the surface of the fill as it is constructed.

Fill placed on slopes should be keyed and benched in as it is being placed. This can be accomplished by starting at the bottom of the slope cutting material horizontally from the slope to create a level bench. The material can be most effectively compacted on the level bench. As additional material is placed on the bench, the equipment should cut out the next bench into the slope, stair-stepping up the slope. The bottom key should be a horizontal cut at least 6 feet in width. Each horizontal bench should be cut at least 6 feet into the native granitic soil.

The top of all slopes greater than 12 feet in vertical height should be protected from runoff by diversion berms or swales. The surface of the slopes should be covered with topsoil and seeded.

4.8 Building Drainage Considerations

During periods of high precipitation, seepage zones may develop randomly in the cut faces. Any seepage should be routed away from the construction area as much as possible.

We recommend that the house be provided with a permanent footing drain system to collect any available water. The footing drain should consist of at least 4-inch diameter perforated pipe surrounded by at least 4 inches of washed rock or pea gravel on all sides. The drain pipe should lead away from the house via gravity to the storm water system or other suitable discharge. Site grades should be planned to slope away from the house. Roof and surface runoff should not discharge into the footing drain system; instead a separate tight line drain system should be installed or splash blocks should be used.

If at all possible during the winter months, we recommend the roof gutters be installed on the house as soon as the roof has been installed. This will prevent water from the

roof saturating the soil immediately around the house and will control the greater quantity of water coming from the new roof.

4.9 Erosion Control Measures

Erosion control measures should be implemented to limit and control the erosion as a result of the proposed development. The erosion and sedimentation process is a natural process whereby particles of soil are loosened from the soil and vegetation matrix and carried down by water. Construction and land disturbance can increase the rate of erosion above natural background levels by several hundred percent. Good erosion control practices during construction can significantly reduce the erosion process during and after construction.

However, even with the best erosion control practices, disturbed areas will produce more sediment than naturally vegetated, undisturbed areas. Typically, the rate of erosion is highest during construction and improves significantly after the permanent erosion control measures are installed and vegetation becomes established. Over time with the establishment and maturing of vegetation and proper maintenance of the erosion control features, the rate of erosion can stabilize to near natural conditions.

4.9.1 Temporary Erosion Control Measures

The following measures should be implemented during construction in order to best limit the rate of erosion from the site. Any surface water draining from the site will drain across the properties below and onto Vista Street.

- T-1) Minimize the disturbed area. The natural topsoil and root mat offer the best protection from erosion.
- T-2) Install fabric sediment fences downslope of the disturbed areas to slow the velocity of water runoff and contain sediment. The sediment fences should traverse the slope along a line of equal elevation. Additional support can be provided to the sediment fences with straw bales at each fence post. The fences should allow for the slow release of water through the fabric.
- T-3) Vehicle access onto unprotected soil areas should be limited to inhibit the tracking of soil onto the City street.
- T-5) Shield the exposed soil stockpiles and slopes from rainfall impact and hold soil particles in place. This should be done by protecting exposed or disturbed soils prior to rain by means of a complete layer of straw, erosion control matting, or plastic sheeting.

4.9.2 Permanent Erosion Control Measures

The following permanent erosion control measures should be implemented and maintained at the site.

- P-1) Surface water concentrations should be controlled by directing the flow to appropriate paths and structures. If surface water routes are not designed, water will create its own path sometimes across or into undesirable areas.
- P-2) Maintain the soil's capacity to absorb water. Topsoil should be placed over the native soil after construction has been completed. Ground cover vegetation or bark/wood mulch should be used over new topsoil areas.
- P-3) Implement a thorough maintenance and follow-up program. Maintenance of the erosion control measures is critical over the long term. The major reason for failure of erosion control measures is poor maintenance.

5.0 INSPECTION SCHEDULE

The integrity of the site development, site grading, foundation support, retaining wall support and stacked block wall construction depends on proper site preparation and construction procedures. It is recommended that a representative of the geotechnical engineer observe the construction at key times to determine the adequacy of construction as it progresses. It also allows the engineer to observe variations in the site and subsurface conditions, and provide additional geotechnical recommendations to minimize delays as the project develops.

The geotechnical engineer will be required by the City to verify that these items were observed and completed in general conformance with the plans and specifications. It should be made the contractor's responsibility to notify the engineer with at least 24 hours notice that each of the following items is ready to be observed. The key items are as follows:

- **Temporary Erosion Control Measures** – Prior to the start of site preparation and other earthwork, erosion control measures must be installed and observed by the engineer.
- **Subgrade Preparation** - When the loose soil and uncontrolled fill has been removed and the excavation to approximate subgrade has been reached.
- **Structural Fill Placement** - During placement of structural fill, a representative number of in-place density tests should be performed to verify the density and adequacy of the structural fill.

- **Footing Subgrades** - Footing subgrades should be observed prior to form work construction and preferably when the backhoe is still on site to allow for the removal of any unsuitable soils recommended by the engineer.
- **Retaining Wall Backfilling** - Prior to beginning of retaining wall backfill so that the drainage system can be verified. The acceptability of the drainage material should also be verified. A representative number of density tests should also be conducted during the backfill placement.
- **Stacked Block Walls** – The subgrade for the bottom course of blocks should be observed. In addition, the placement of the drainage material behind the walls should also be observed.
- **Floor Slab Subgrade** – The subgrade(s) should be observed during final compaction of any concrete floor slab subgrade. Placement of the vapor barrier should also be verified.

FIGURES

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City of Ashland



Aerial photo obtained from Google Earth



**AMRHEIN
ASSOCIATES, Inc.**

DATE 09/09/08
 DWN MJA
 DES _____
 Project No.
 DB95-02.02

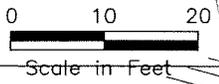
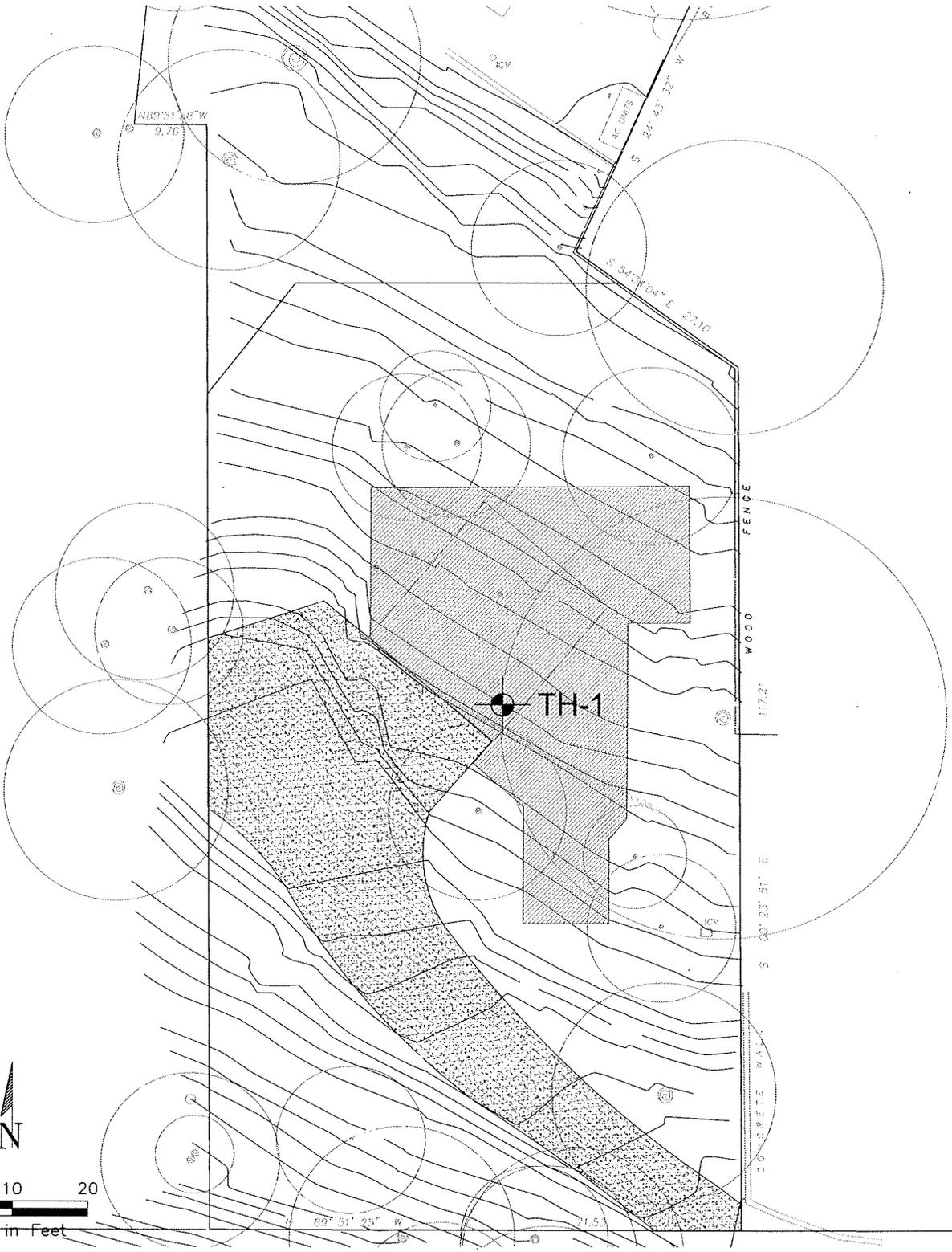
Sid and Karen DeBoer
 232 Vista Street
 Ashland, Oregon

VICINITY MAP

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 1
 SEP 12 2008

FIGURE

City of Ashlan



Legend


 TH-1 Test hole number and approximate location

Site Plan provided by KenCgim Landscape Architecture

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City of Ashland

FIGURE
2



AMRHEIN ASSOCIATES, Inc.

DATE 09/09/08
 DWN MJA
 DES _____
 Project No. DB95-02.02

Sid and Karen DeBoer
 232 Vista Street
 Ashland, Oregon
 SITE & EXPLORATION PLAN

APPENDIX A
SUBSURFACE EXPLORATION PROCEDURES
AND LOGS

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City of Ashland

APPENDIX A SUBSURFACE EXPLORATION PROCEDURES AND LOGS

SUBSURFACE EXPLORATION

The field exploration program conducted for this study consisted of one test hole. The approximate exploration location is shown on Figure 2, Site and Exploration Plan. The location of the exploration was obtained in the field by measuring from the existing trees shown on the topographic plan.

TEST HOLE

The test hole was drilled and the soils logged by Mark Amrhein, PE, Geotechnical Engineer on September 8, 2008. The drilling was accomplished by hand using a 2-inch diameter, bucket-type auger. Disturbed soil samples were obtained from the bucket auger continuously throughout the drilling process. The test hole log presented in this appendix is based upon the field log and inspection of the soils recovered. The relative soil densities indicated on the log is interpretive descriptions based on the drilling action and conditions observed. Visual classification of the soils was done in general accordance with the Unified Soil Classification System (USCS). A legend of the terms used for the soil descriptions is provided at the end of the exploration log.

Test Hole TH-1

DEPTH (feet)	SOILS DESCRIPTION
0.0 – 0.5	ROOT MAT
0.5 – 2.0	Loose, damp, medium brown, silty, fine SAND (SM) with trace organics – <i>Topsoil</i>
2.0 – 3.2	Medium dense, damp, tan, silty, fine to medium SAND (SM) – <i>Weathered, decomposed granite</i>
3.2 – 5.1	Dense, damp, gray, silty, fine to coarse SAND (SM) – <i>Decomposed granite</i> – Turning very dense at 5.0 feet – Practical refusal to hand drilling at 5.1 feet
	No seepage No caving

UNIFIED SOIL CLASSIFICATION SYSTEM (USCS) LEGEND

PRIMARY DIVISIONS	USCS SYMBOL	GENERAL SOIL DESCRIPTIONS
GRAVEL fine #4 - 3/4" coarse 3/4" - 3"	GW	Well graded GRAVEL or sandy GRAVEL mixtures with less than 5% silt or clay
	GP	Poorly graded GRAVEL or sandy GRAVEL mixtures with less than 5% silt or clay
	GW-GM	Well graded GRAVEL or sandy GRAVEL mixtures with 5% to 15% silt
	GW-GC	Well graded GRAVEL or sandy GRAVEL mixtures with 5% to 15% clay
	GP-GM	Poorly graded GRAVEL or sandy GRAVEL mixtures with 5% to 15% silt
	GP-GC	Poorly graded GRAVEL or sandy GRAVEL mixtures with 5% to 15% clay
	GM	Silty GRAVEL or silty, sandy GRAVEL mixtures with greater than 15% silt
	GC	Clayey GRAVEL or clayey, sandy GRAVEL with greater than 15% clay
SAND fine #200 - #40 medium #40 - #10 coarse #10 - #4	SW	Well graded SAND or gravelly SAND mixtures with less than 5% silt or clay
	SP	Poorly graded SAND or gravelly SAND mixtures with less than 5% silt or clay
	SW-SM	Well graded SAND or gravelly SAND mixtures with 5% to 15% silt
	SW-SC	Well graded SAND or gravelly SAND mixtures with 5% to 15% clay
	SP-SM	Poorly graded SAND or gravelly SAND mixtures with 5% to 15% silt
	SP-SC	Poorly graded SAND or gravelly SAND mixtures with 5% to 15% clay
	SM	Silty SAND or silty, gravelly SAND mixtures with greater than 15% silt
	SC	Clayey SAND or clayey, gravelly SAND mixtures with greater than 15% clay
SILT	ML	Silt with no to low plasticity
	MH	Silt with medium to high plasticity
CLAY	CL	Clay with low plasticity
	CH	Clay with medium to high plasticity
ORGANIC	OL	Organic silt with low plasticity
	OH	Organic clay with high plasticity
	PT	Peat or predominantly organic material

Oversize Material: Cobbles are 3" to 12" diameter, Boulders are +12" diameter

Description Modifiers: Major modifiers: clayey, silty, sandy, gravelly – greater than 15% listed lower to higher percentages
 Minor modifiers: with some clay, silt, sand, or gravel – 5% to 15%
 with trace clay, silt, sand, or gravel – less than 5%

SAND & GRAVEL DENSITY		SILT & CLAY CONSISTENCY		
Term	SPT N-value blows/foot	Term	SPT N-value blows/foot	Pocket Penetrometer (tons/sq. ft.)
Very loose	0 - 4	Very soft	<2	0 - 0.25
Loose	4 - 10	Soft	2 - 4	0.25 - 0.5
Medium dense	10 - 30	Medium stiff	4 - 8	0.5 - 1
Dense	30 - 50	Stiff	8 - 15	1 - 2
Very dense	>50	Very Stiff	15 - 30	2 - 4
		Hard	>30	>4

MOISTURE CONTENT		PLASITICITY	
Dry:	No discernable water present, dusty, dry to the touch	Non-Plastic	A thread cannot be rolled at any moisture content
Damp:	Enough moisture to darken appearance, no moisture adheres to hand	Low	A thread can be barely rolled
Moist:	"Optimum" water content, sample squeezes tight and maintains shape	Medium	The easily rolled thread cannot be re-rolled after reaching the plastic limit
Wet:	Visible free water, could not be recompacted as structural fill	High	Much time is needed to reach the plastic limit and the thread can be re-rolled several times

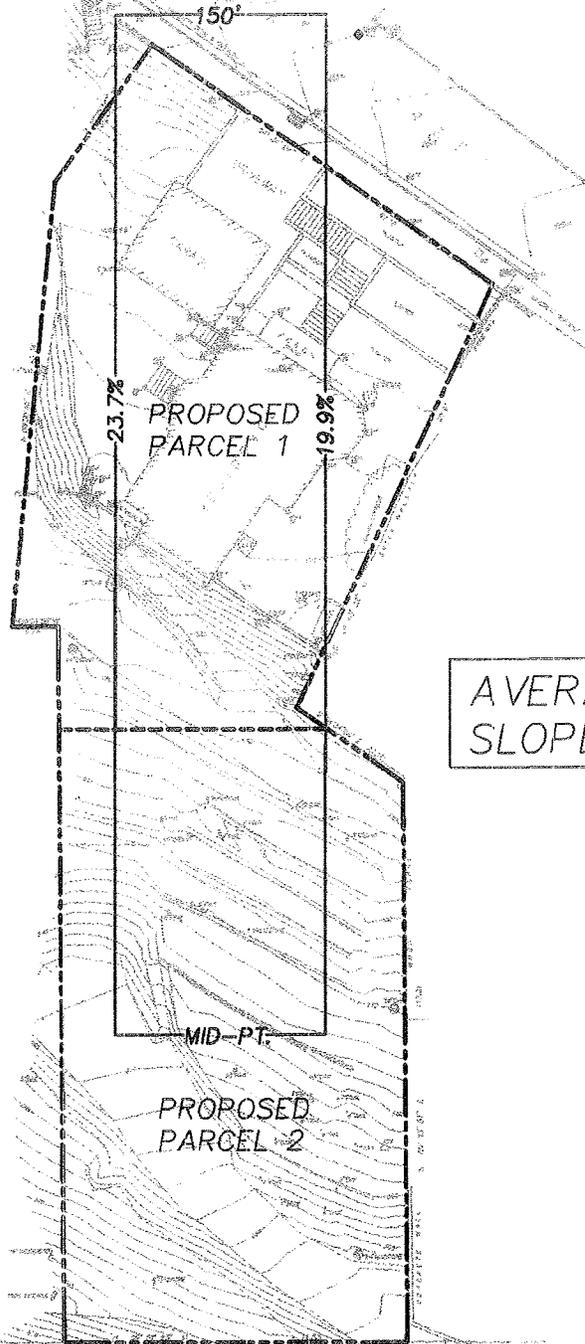
SLOPE FOR SOLAR CALCULATIONS

232 VISTA STREET
ASHLAND, OREGON

FOR
SID & KAREN DEBOER
234 VISTA STREET
ASHLAND, OREGON



DATE: 9-08-2008
SCALE: 1" = 10'
CONTOUR INTERVAL: 1'



AVERAGE SOLAR
SLOPE: 21.8%

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Richard F. Alspach
OREGON
JULY 19, 1984
RICHARD F. ALSPACH
No. 2653

Expires 12-31-2009

TERRASURVEY, INC.

PROFESSIONAL LAND SURVEYORS

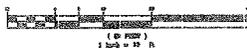
274 FOURTH STREET
ASHLAND, OREGON 97520

(541) 482-6474

terrain@bisp.net

JOB NO. 245-04

GRAPHIC SCALE



City of Ashland



Upper Limb-it Tree Service

PO Box 881
Ashland, OR 97520
Phone: 541-482-3667

Attn: Kerry KenCairn
545 A Street
Ashland, OR 97520

9/9/2008

Tree Preservation recommendations for 232 Vista

If all of the specifications for tree protection are followed for the proposed lot split for 232 Vista, there should be no problem for any of the existing trees. The only area of concern that I see is that the trench for sewer and storm water lines must pass through the tree protection zone of the 24 inch Incense Cedar. (Tree # 34). This tree is in good health now and precautions must be taken to insure its health during the building process.

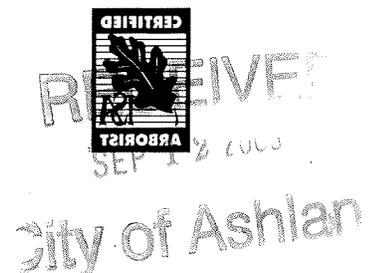
The proposed utility trench for the 232 Vista lot division must go through the tree protection zone of the 24 inch Incense Cedar. In order to do this without damaging the trees root system, it will be necessary to bore under the root zone with appropriate equipment. The boring should start at the vista street end and proceed until the bore can connect to the trench on the other side of the trees protection zone. The bore should be at least 24 inches deep. The boring equipment must be large enough to accommodate two 6 inch pipes. It would be wise to have the consulting arborist on site during this process to insure that all tree protection measures are followed.

It may be necessary to trench on the edge of other tree protection zones. If the trench must enter the edge of a tree protection zone I suggest that any excavation needed within a tree protection zone be done with an Air Spade. An Air Spade can dig a trench without doing mechanical injury to the roots. Here again it will be necessary to have an arborist present.

The utility trench should not cause any problems for the health of the trees if due prudence is taken. By following the tree protection specifications and consulting with a certified arborist, this project should be able to proceed without any damage to the existing trees. If you have any further questions, please call me at 482-3667.

Tom Myers, Certified Arborist

DBA Upper Limb-it



AVERAGE SLOPE ANALYSIS
PHYSICAL & ENVIRONMENTAL CONSTRAINTS
PER ASHLAND MUNICIPAL CODE
CHAPTER 18.62, SECTION 1862.030 B

232 VISTA STREET
ASHLAND, OREGON

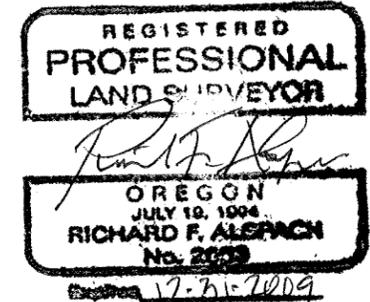
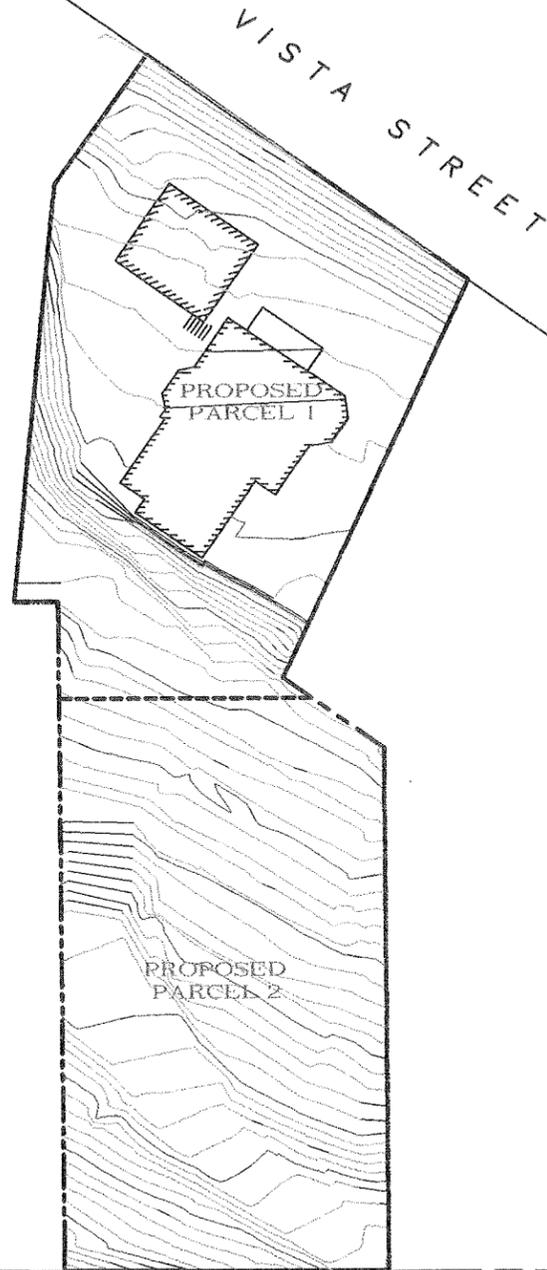
FOR
SID & KAREN DEBOER
234 VISTA STREET
ASHLAND, OREGON

TOTAL EXISTING PARCEL

(L) TOTAL LINEAL FEET OF CONTOURS = 5,409LF
(I) CONTOUR INTERVAL = 1FT
(A) AREA = 18,597SF/43,560SF = 0.4269 ACRES
S= 0.00229 (1) (5,409)/0.4269 = 29.02%

PROPOSED PARCEL 2 (UNDEVELOPED)

(L) TOTAL LINEAL FEET OF CONTOURS = 2,805LF
(I) CONTOUR INTERVAL = 1FT
(A) AREA = 9,097SF/43,560SF = 0.2088 ACRES
S= 0.00229 (1) (2,805)/0.2088 = 30.76%



GLENVIEW DRIVE

RECEIVED

SEP 26 2008

City of Ashland
Community Development

TERRASURVEY, INC.
PROFESSIONAL LAND SURVEYORS
274 FOURTH STREET
ASHLAND, OREGON 97520
(541) 482-6474
terrain@bisp.net
JOB NO. 668-08

TOPOGRAPHIC SURVEY

PORTION OF
GLENVIEW DRIVE
ASHLAND, OREGON

FOR
SID & KAREN DEBOER
234 VISTA STREET
ASHLAND, OREGON



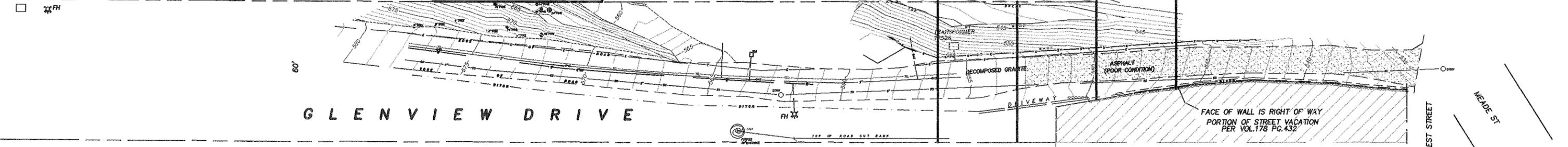
DATE: 9-04-2008
SCALE: 1" = 40'
CONTOUR INTERVAL: 1'
X-SECTIONS 9-23-08

REGISTERED
**PROFESSIONAL
LAND SURVEYOR**
Richard F. Alspach
OREGON
JULY 19, 1994
RICHARD F. ALSPACH
No. 2653
Expires 12-31-2009

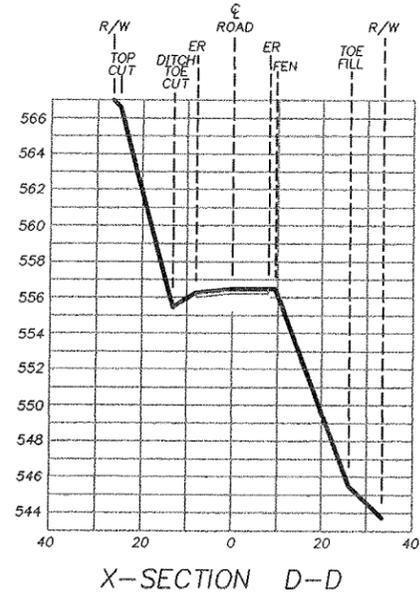
PROPOSED
PARCEL 2

THIS PORTION OF TOPOGRAPHY
(NORTH OF FENCE) FROM
TOPOGRAPHIC SURVEY BY THIS
OFFICE DATED 10/14/2005

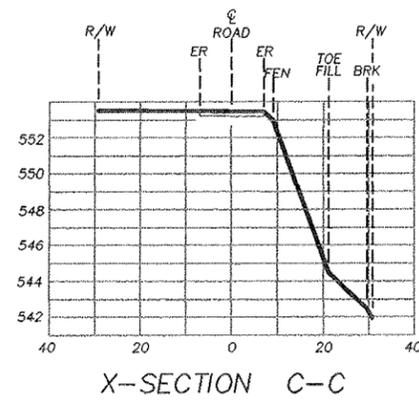
TRANSFORMER
T2552



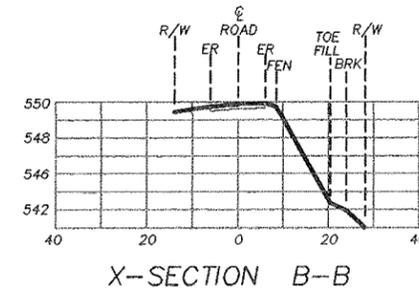
PLAN
HORIZ: 1" = 40'



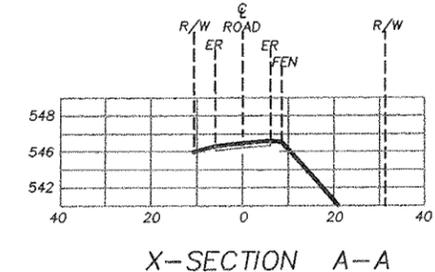
X-SECTION D-D



X-SECTION C-C



X-SECTION B-B



X-SECTION A-A

BASIS OF BEARINGS
FOUND MONUMENTS ON THE SOUTHERLY LINE OF DLC NO. 40 AS N 89°51'25" W
PER FILED SURVEY NO. 14665

X-SECTIONS
HORIZ: 1" = 40'
VERT: 1" = 10'

- ER EDGE OF ROADWAY
- R/W RIGHT OF WAY
- BRK GRADE BREAK
- FEN FENCE

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274 FOURTH STREET
ASHLAND, OREGON 97520
(541) 482-6474
terrain@bisp.net
JOB NO. 668-08

AVERAGE SLOPE ANALYSIS
 PHYSICAL & ENVIRONMENTAL CONSTRAINTS
 PER ASHLAND MUNICIPAL CODE
 CHAPTER 18.62, SECTION 1862.030 B

232 VISTA STREET
 ASHLAND, OREGON

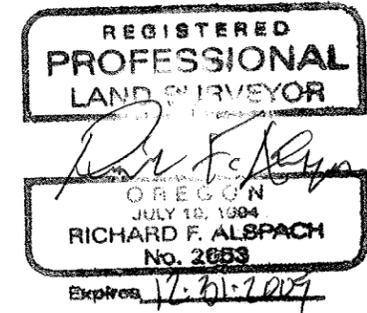
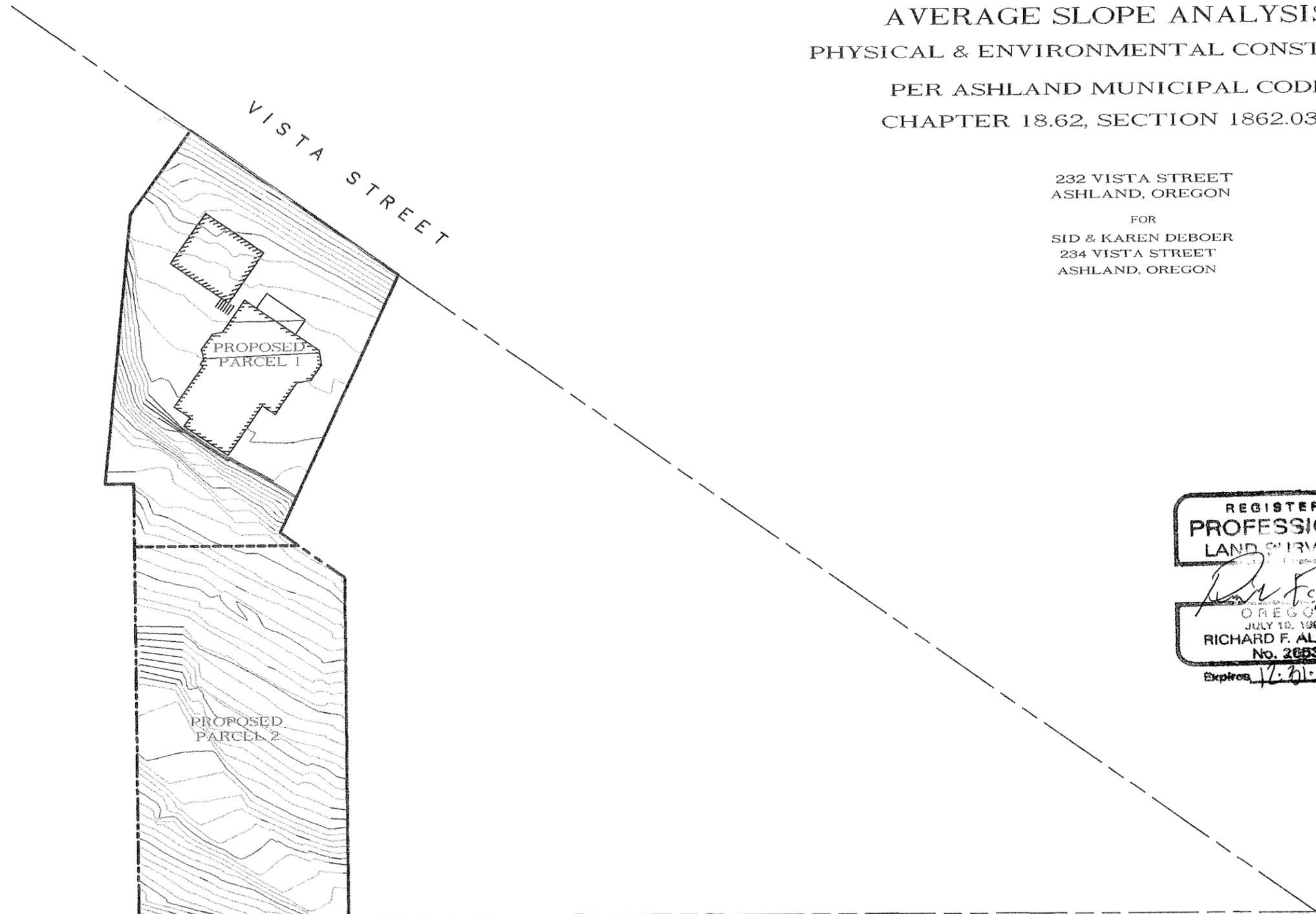
FOR
 SID & KAREN DEBOER
 234 VISTA STREET
 ASHLAND, OREGON

TOTAL EXISTING PARCEL

(L) TOTAL LINEAL FEET OF CONTOURS = 5,409LF
 (I) CONTOUR INTERVAL = 1FT
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 S= 0.00229 (1) (5,409)/0.4269 = 29.02%

PROPOSED PARCEL 2 (UNDEVELOPED)

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 (A) AREA = 9,097SF/43,560SF = 0.2088 ACRES
 S= 0.00229 (1) (2,805)/0.2088 = 30.76%



GLENVIEW DRIVE

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 Community Development

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 274 FOURTH STREET
 ASHLAND, OREGON 97520
 (541) 482-6474
 terrain@bisp.net
 JOB NO. 668-08

SHEET INDEX

COVER
S-1
PE-1
PE-2
PE-3
PE-4
V-1
F-1

COVER SHEET
SITE PLAN
SLOPE ANALYSIS PLAN
TREE PROTECTION PLAN
GRADING, DRAINAGE AND UTILITY PLAN
EROSION CONTROL PLAN
VARIANCE INFORMATION
FIRE PREVENTION CONTROL
TOPOGRAPHIC SURVEY
PROPOSED PARTITION
SURVEYORS SLOPE ANALYSIS

PROJECT INFO

ZONING: R-1-7.5
LEGAL DESCRIPTION: 39 1E 09 BC 7500

PROJECT TEAM

OWNER: Sid and Karen DeBoer
234 Vista Street
Ashland, Oregon 97520
Phone: 541.482.0915

PLANNER: Kerry KenCairn
KenCairn Landscape Architecture
545 'A' Street
Ashland, Oregon 97520
Phone: 541.488.3194

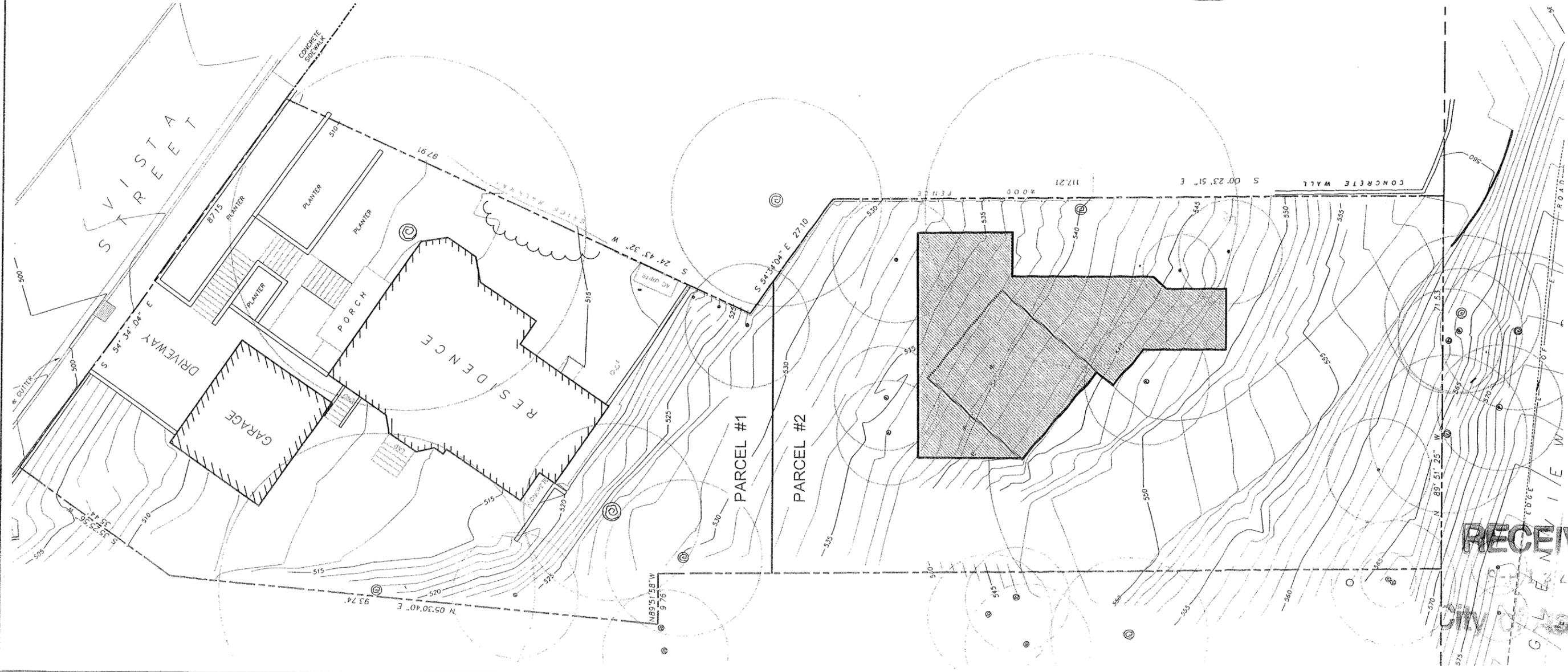
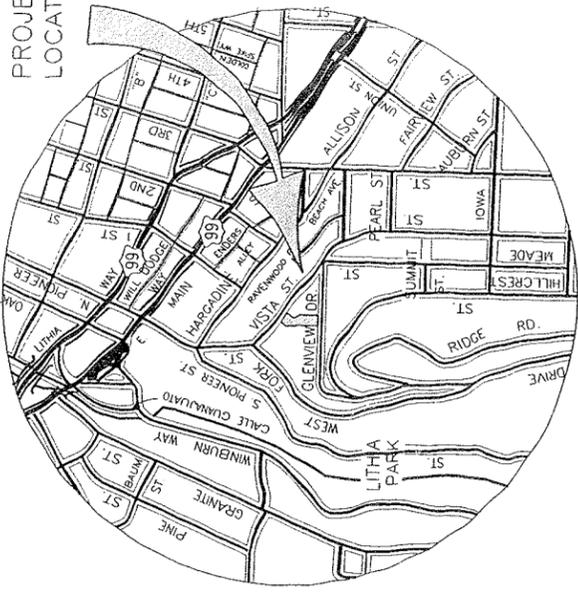
SURVEYOR: Richard Alspach
Terra Survey
274 4th street
Ashland, Oregon 97520
Phone: 541.482.6474

GEOTECHNICAL ENGINEER: Mark Amrhein
Amrhein and Associates
234 Vista Street
Ashland, Oregon 97520
Phone: 541.482.6680

ARBORIST: Michael Oliver
Pro Arbor
(no longer in business)

ARBORIST: Tom Myers
Upper Limb-It
P.o. Box 881
Ashland, Oregon 97520
Phone: 482-3667

PROJECT LOCATION



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CITY OF ASHLAND
SEP 12 2008

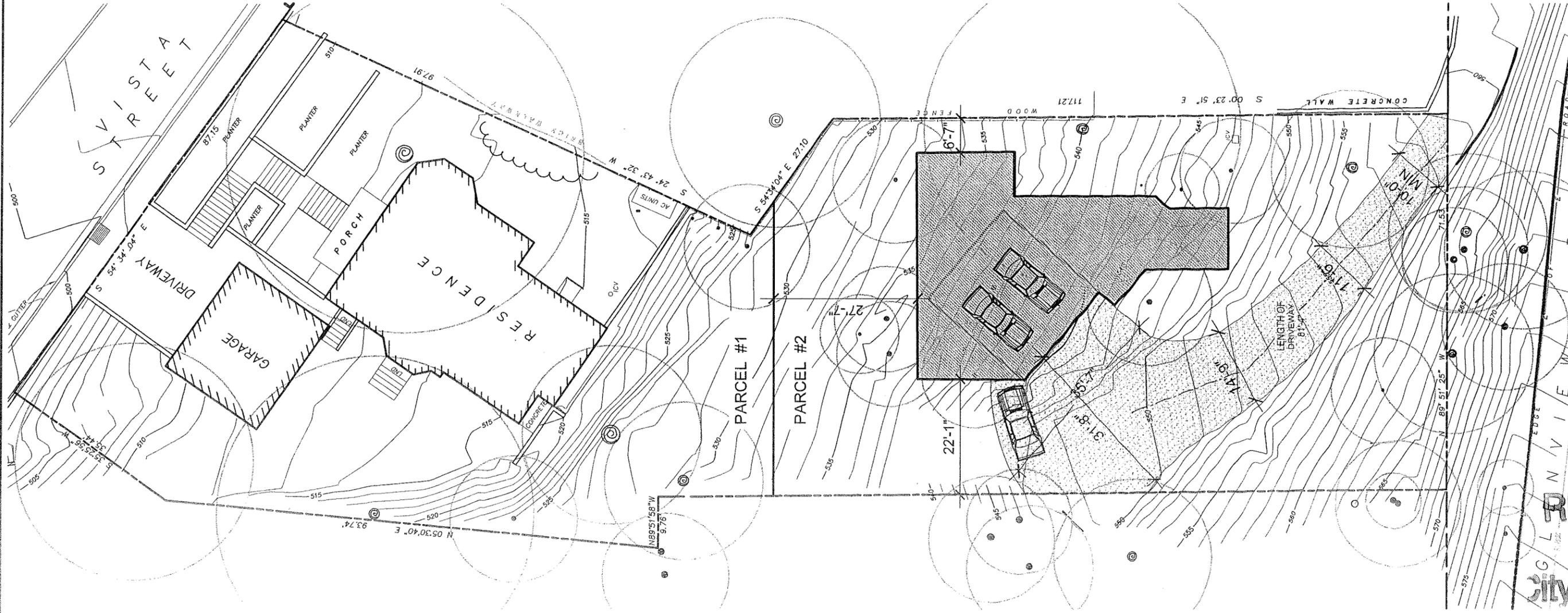
DEBOER PARTITION
232 VISTA STREET
ASHLAND, OREGON

September 12, 2008
COVER

Revision Date:
Drawn By: AM / KK
Scale: 1" = 20'



Tel: 541.488.3194 545 A Street
Fax: 541.552.9512 Ashland, OR 97520
Cell: 541.601.5559 <kerry@kencairnlandscape.com>



PROJECT DATA

ZONING: R-1-7.5
LEGAL DESCRIPTION: 39 1E 09 BC 7500

CURRENT LOT: 18,596 s.f.
LOT SIZE: 39 1E 09 BC 7500
TOWNSHIP AND RANGE: R-1-7.5

PROPOSED PARCEL #1
LOT SIZE: 9,580
LOT COVERAGE: 2,956 (31%)
MPFA: ALLOWED 2,702
FLOOR AREA: 2,680

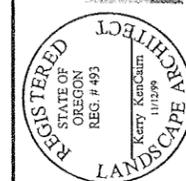
PROPOSED PARCEL #2
LOT SIZE: 9,016
LOT COVERAGE DRIVE: 1,894
LOT COVER BLDG: 1,592
TOTAL COVER PROPOSED: 3,486 (38%)
MPFA: ALLOWED 2,592.6
BUILDING ENVELOPE: 1,568

CITY OF ASHLAND
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SEP 12 2008
SITE PLAN

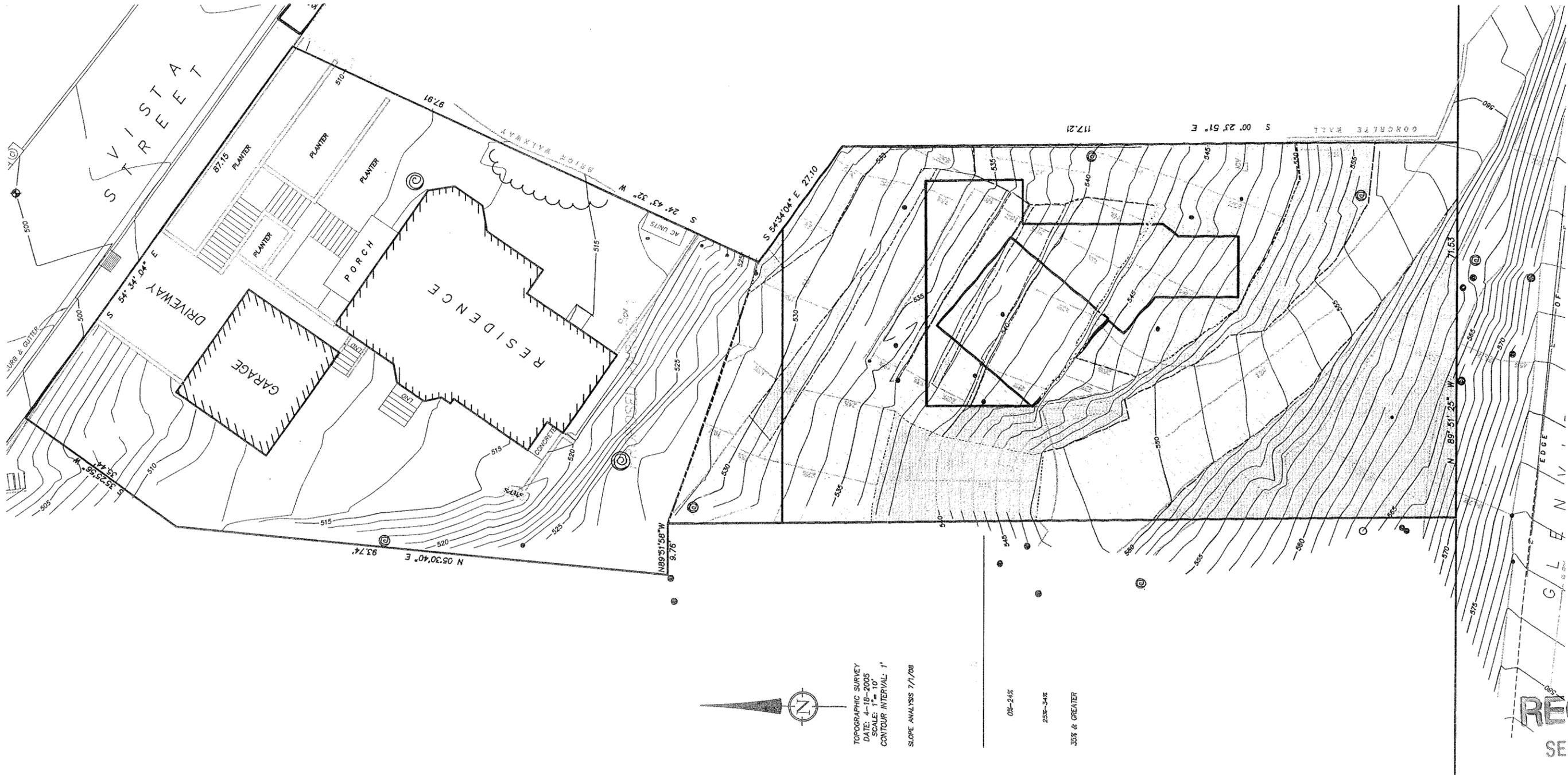
DEBOER PARTITION
232 VISTA STREET
ASHLAND, OREGON

September 12, 2008
 2008
City of Ashland

Revision Date:
 Drawn By: AM / KK
 Scale: 1" = 20'



Tel: 541.488.3194 545 A Street
 Fax: 541.562.9512 Ashland, OR 97520
 Cell: 541.601.5559 kery@kencaimlandscape.com



TOPOGRAPHIC SURVEY
 DATE: 4-18-2005
 SCALE: 1" = 10'
 CONTOUR INTERVAL: 1'

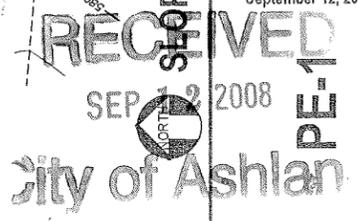
SLOPE ANALYSIS 7/1/08

- 0% - 2%
- 2.5% - 3.4%
- 3.5% & GREATER

SLOPE ANALYSIS PLAN

DEBOER PARTITION
232 VISTA STREET
ASHLAND, OREGON

September 12, 2008



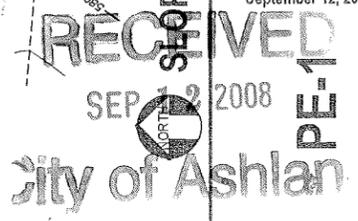
Revision Date:

Drawn By: AM / KK

Scale: 1" = 20'

DEBOER PARTITION
232 VISTA STREET
ASHLAND, OREGON

September 12, 2008



Revision Date:

Drawn By: AM / KK

Scale: 1" = 20'

DEBOER PARTITION
232 VISTA STREET
ASHLAND, OREGON

September 12, 2008



KenCaim
 Landscape Architecture

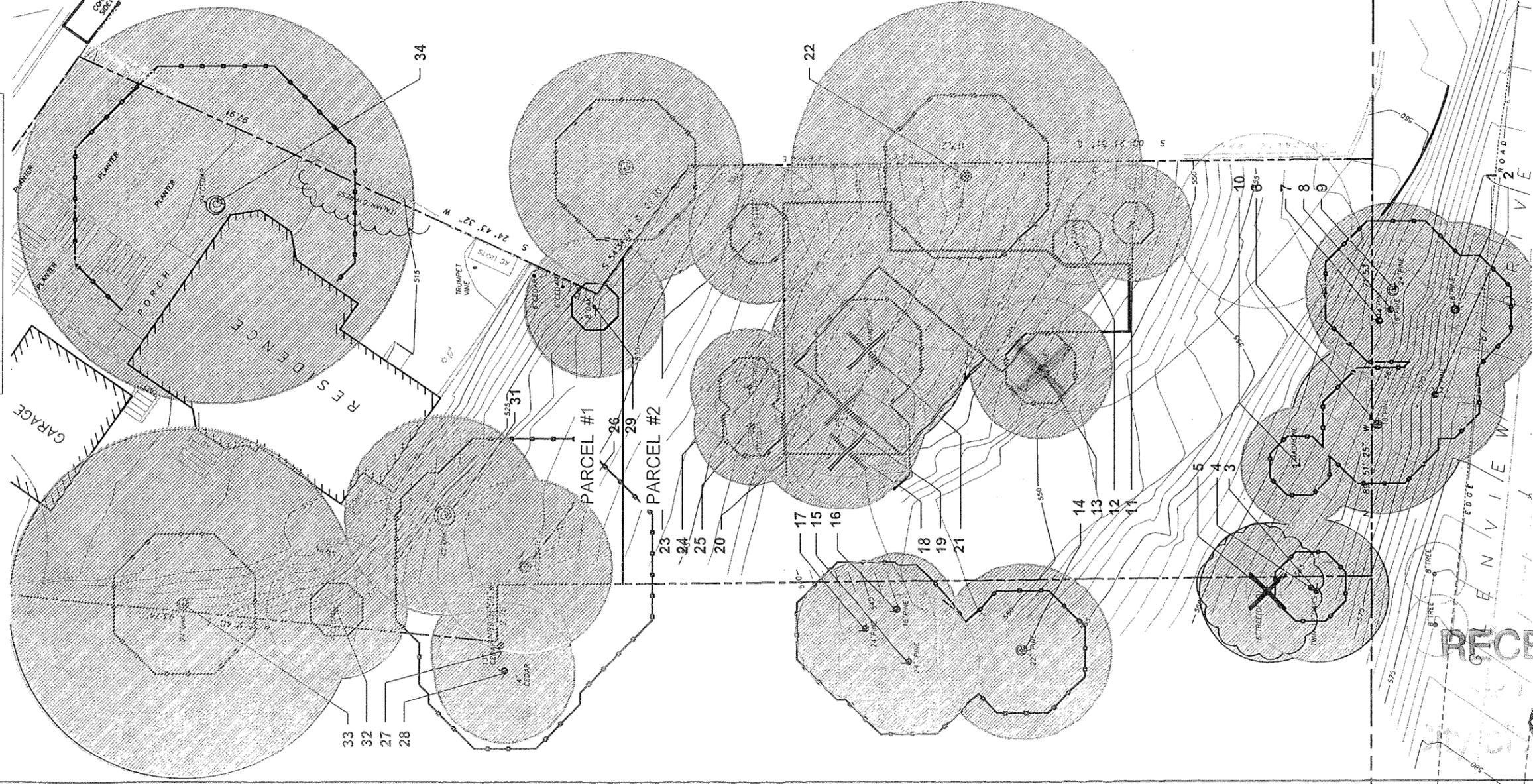
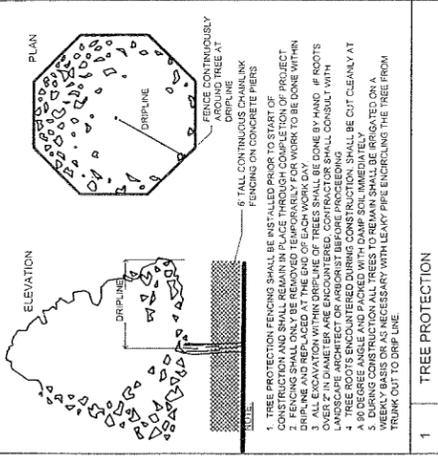


www.KenCaimLandscape.com

Tel: 541.488.3194 545 A Street
 Fax: 541.552.9512 Ashland, OR 97520
 Cell: 541.601.5559 kerry@kencaimlandscape.com

TREE PROTECTION LEGEND

- Tree to be Removed
- Tree Canopy
- Tree Protection Fencing



Tree Tracing Project-DeBoer Property between Vista Street and Glenview Drive, within fence-line around property. 1" = denote within 15' of fence.
 Performed 06/18/08 by Michael Oliver

Tree Tag#	Species	DBH (inches)	Height (feet)	Crown radius (feet)	Protect zone radius (ft.)	Relative const. tolerance	Condition	Remarks
1+	PIPO	20	75	15	10	Good	Good	
2+	PIPO	16	35	12	8	Good	Good	
3+	QUKE	12	35	12	6	Good	Good	Chlorophyll
4+	QUKE	11	35	12	6	Good	Good	Chlorophyll
5+	PSME	17	65	18	10	Good	Good	Chlorophyll
6	PIPO	21	70	15	10	Good	Good	Chlorophyll
7	PIPO	14	35	10	8	Good	Good	Chlorophyll
8	PIPO	16	80	12	8	Good	Good	Chlorophyll
9	PIPO	24	85	15	12	Good	Good	Chlorophyll
10	ARME	7.7	25	10	5	Poor	Excellent	Chlorophyll
11	QUKE	7.1	25	10	3.5	Good	Good	Chlorophyll
12	PIPO	9	35	12	4	Good	Good	Chlorophyll
13	PIPO	9	35	12	4	Good	Good	Chlorophyll
14+	PIPO	22	70	15	10.5	Good	Excellent	Chlorophyll
15+	PIPO	24	90	12	12	Good	Good	Chlorophyll
16+	PIPO	16	60	10	8	Good	Good	Chlorophyll
17+	PIPO	24	70	12	10	Good	Good	Chlorophyll
18	PIPO	11	65	10	10.5	Good	Good	Chlorophyll
19	PSME	9.6	55	15	5	Moderate	Excellent	Chlorophyll
20	PIPO	9.6	60	12	5	Good	Good	Chlorophyll
21	ARME	9.5	30	17	9	Poor	Excellent	Chlorophyll
22	QUKE	28	95	10	14	Good	Good	Chlorophyll
23	CADE	10	40	10	5	Good	Good	Chlorophyll
24	PIPO	10	40	10	9	Good	Good	Chlorophyll
25	CADE	9.2	40	10	9	Good	Good	Chlorophyll
26	CADE	23	75	15	22	Good	Good	Chlorophyll
27+	CADE	14	50	12	14	Poor	Excellent	Chlorophyll
28+	CADE	13	45	12	13	Poor	Excellent	Chlorophyll
29	QUKE	8.1	25	12	4	Good	Good	Chlorophyll
30+	PIPO	10	80	20	12	Good	Good	Chlorophyll
31	QUKE	12	35	12	12	Good	Good	Chlorophyll
32	CADE	9.5	30	12	4.5	Good	Good	Chlorophyll
33	QUKE	24	40	10	12	Poor	Excellent	Chlorophyll
34	CHLA	24	40	10	24	Poor	Good	Chlorophyll

Tree species encountered in order of appearance from Glenview down to Vista, light to low

Pinus ponderosa	Ponderosa Pine
Quercus kelloggii	California Black Oak
Pseudotsuga mucronata	Douglas Fir
Abies balsamea	Pacific Madrone
Thuja occidentalis	Western Red Cedar
Chamaecyparis lawsoniana	Port Orford Cedar

Specifications for Tree Preservation During Construction

- Before beginning work, the contractor is required to meet with the consultant at the site to review all work procedures, access routes, storage areas, and tree protection measures.
- Fences must be erected to protect trees to be preserved. Fences define a protective zone for each tree or group of trees. Fences are to remain until all site work has been completed. Trees within the protective zone or removal without the written permission of the consultant.
- Construction trailers and traffic and storage areas must remain outside fenced areas at all times.
- All underground utilities and drain or irrigation lines shall be marked outside the tree protection zone. If lines must traverse the protection area, they shall be flagged or bared under the fence.
- No materials, equipment, spoil, or waste or washwater may be deposited, stored, or placed within the tree protection zone (fenced area).
- Additional tree pruning required for clearance during construction must be performed by a qualified arborist and not by construction personnel.
- Any herbicides placed under paving materials must be safe for use around trees and labeled for that use. Any pesticides used on site must be tree-safe and not easily transported by water.
- If any soil should be removed for any reason during construction, the tree consultant should evaluate it as soon as possible so that appropriate treatments can be applied.
- The consulting arborist must monitor any grading, construction, demolition, or other work that is expected to encounter tree roots.
- All trees shall be irrigated on a schedule to be determined by the consultant. Irrigation shall be on the soil within the tree protection zone to a depth of 30 inches.
- Root collar devices such as soil facing debris, boards, and water diversion structures, shall be installed to prevent station and/or erosion within the tree protection zone.
- Before grading and preparation, or excavation for foundations, footings, walls, or trucking, any trees within the specific construction zone shall be marked 1 foot outside the tree protection zone by cutting all roots cleanly 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 tree-pruning equipment.
- Any roots damaged during grading or construction shall be exposed to avoid rot, and cut cleanly with a saw.
- If temporary haul or access roads must pass over or the root area of trees to be retained, a roadbed of 6 inches of mulch or gravel shall be erected to protect the soil. The roadbed material shall be replenished as necessary to maintain a 6-inch depth.
- Spill from trenches, basements, or other excavations shall not be placed within the tree protection zone, either temporarily or permanently.
- No burn piles or debris pits shall be placed within the tree protection zone. No piles, debris, or garbage that will be dumped or burned within the tree protection zone.
- Mainstem fire-safe areas around fenced areas. Also, no heat sources, flames, gamma sources, or smoking is allowed near mulch or trees.

Specifications for Demolition and Site Clearing

- The demolition contractor is required to meet with the consultant at the site prior to beginning work. Review all work procedures, access and haul routes, and tree protection measures.
- The limits of all tree protection zones shall be marked on the field.
- Trees to be removed that have branches extending into the canopy of trees to remain must be removed by a qualified arborist and not by demolition or construction workers. The qualified arborist shall remove the tree in a manner that causes no damage to the trees and under strict supervision.
- Any brush clearing required within the tree protection zone shall be accomplished with hand-operated equipment.
- Trees to be removed shall be felled so as to fall away from tree protection zones and to avoid hitting or breaking of roots of trees to remain. If roots are exposed, the consultant may require that we remove the minor woody root mass before extracting the trees. This may be accomplished by cutting through the roots with a vibrating knife, rock saw, narrow trencher with sharp blades, or other approved tree-pruning equipment.
- Trees to be removed from within the tree protection zone shall be removed by a qualified arborist. The trees shall be cut near ground level and the stump ground out.
- All damaged brush and trees shall be removed from the tree protection zone either by hand or with equipment using outside the tree protection zone. If a stump puller is used, the material shall be skid-steered across the ground.
- Brush shall be chipped and placed in the tree protection zone to a depth of 6 inches.
- Structures and underground features to be removed within the tree protection zone shall be marked with the consultant. Structures to be removed shall be marked with the consultant. Structures to be removed shall be marked with the consultant.
- All trees shall be pruned in accordance with the provided Pruning Specifications.
- A six-foot chain link fence with posts sunk into the ground shall be erected to enclose the tree protection zone.
- Any damage to trees due to demolition activities shall be reported to the consulting arborist within 24 hours so that remedial action can be taken. The fence is critical to tree health.
- If temporary haul or access roads must pass over or the root area of trees to be retained, a roadbed of 6 inches of mulch or gravel shall be erected to protect the soil. The roadbed material shall be replenished as necessary to maintain a 6-inch depth.

Specifications for Tree Pruning

- All trees within the project area shall be pruned to:
 - Clear the crown of dead, diseased, or broken wood and dead wood to a minimum size of 1.2 inches diameter.
 - Provide 14 feet of vertical clearance over streets and 8 feet over sidewalks.
 - Remove stubs, cutting outside the windward edge of the branch that has formed around the branch.
 - Reduce end weight on heavy, horizontal branches by selecting to remove small diameter branches, no greater than 2 to 3 inches near the ends of the scaffold.
 - Remove any masticle.
- Where temporary clearance is needed for access, branches shall be tied back to hold them out of the clearance zone.
- Pruning shall not be performed during periods of flight of adult bees because insects become flushed and attract pests. Pruning shall be performed only when the danger of infestation is past.
- All pruning shall be performed by a qualified arborist.
 - All pruning shall be in accordance with the *Tree Pruning Guidelines* (International Society of Arboriculture) under the ANSI A300 Pruning Standard (American National Standard for Tree Care Operations) and adhere to the most recent edition of ANSI Z39.1.
 - Interior branches shall not be stripped out.
 - Pruning cuts larger than 4 inches in diameter, except for dead wood, shall be worked.
 - Pruning cuts that expose hollows shall be avoided whenever possible.
 - No more than 20 percent of live foliage shall be removed within the trees.
 - While on the tree, the arborist shall perform an aerial inspection to identify defects that require treatment. Any additional work needed shall be reported to the consultant.
 - Branches shall be chipped and chips shall be spread underneath trees within the tree protection zone to a maximum depth of six inches leaving the trunk clear of mulch.

TREE INVENTORY AND PROTECTION PLAN

DEBOER PARTITION
 232 VISTA STREET
 ASHLAND, OREGON

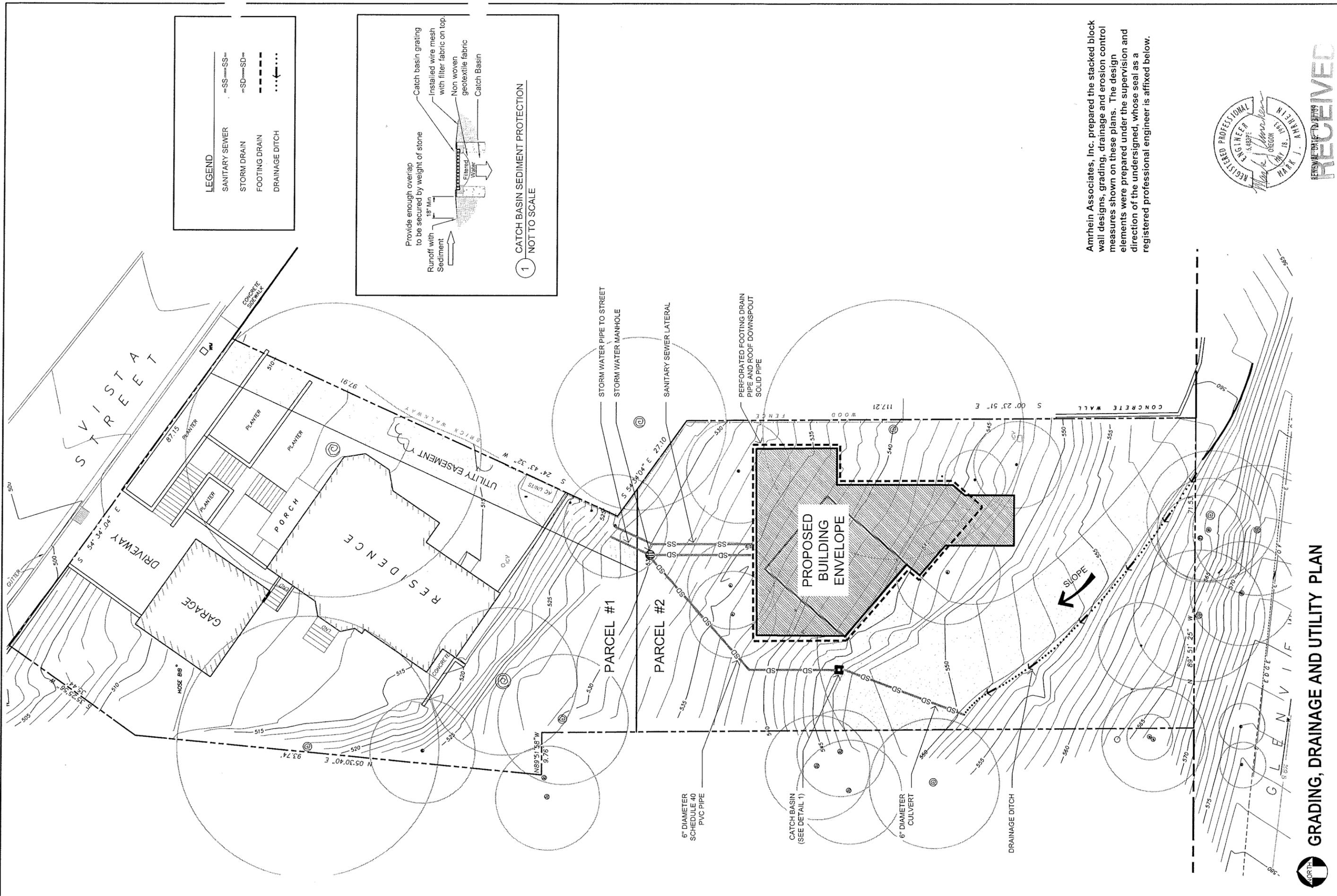


Revision Date:
 Drawn By: AM / KK
 Scale: 1" = 20'

September 12, 2008

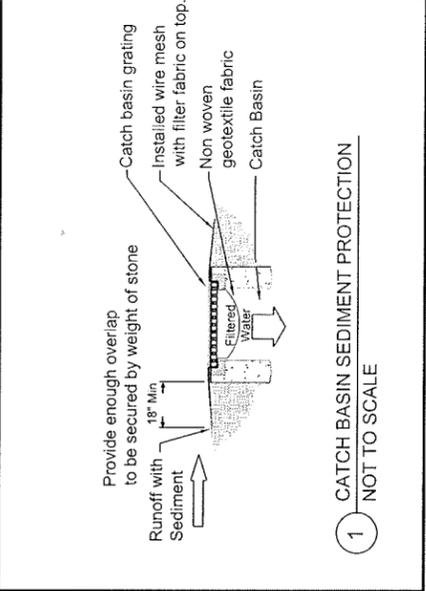
PE-2

KenCairn
 Landscape Architecture
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 Fax: 541.552.9512 451land, CR 97520
 Cell: 541.601.5559 kerry@kencairnlandscape.com



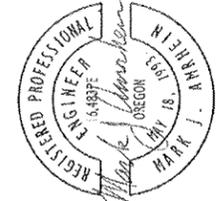
LEGEND

SANITARY SEWER	SS
STORM DRAIN	SD
FOOTING DRAIN	FD
DRAINAGE DITCH	DD



1 CATCH BASIN SEDIMENT PROTECTION
NOT TO SCALE

Amrhein Associates, Inc. prepared the stacked block wall designs, grading, drainage and erosion control measures shown on these plans. The design elements were prepared under the supervision and direction of the undersigned, whose seal as a registered professional engineer is affixed below.



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KenCaim
Landscape Architecture
www.KenCaimLandscape.com

City of Ashland
Tel: 541.488.3194
Fax: 541.552.9512
Cell: 541.601.5559

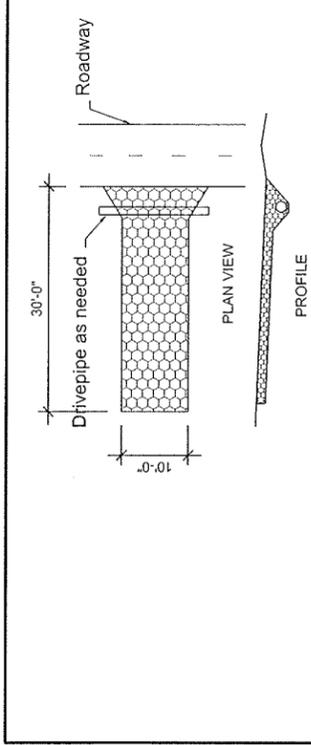
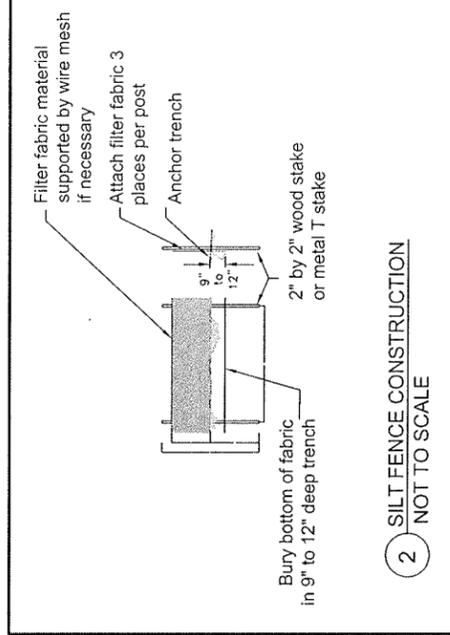
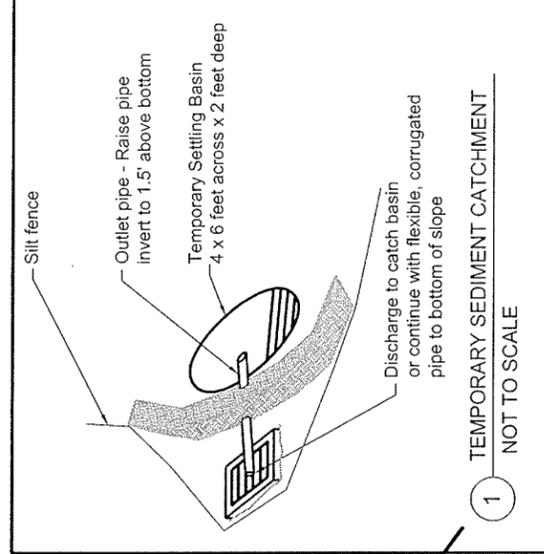
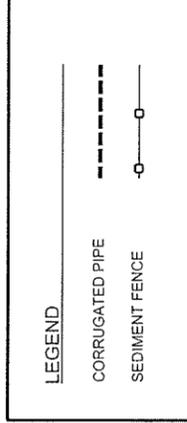
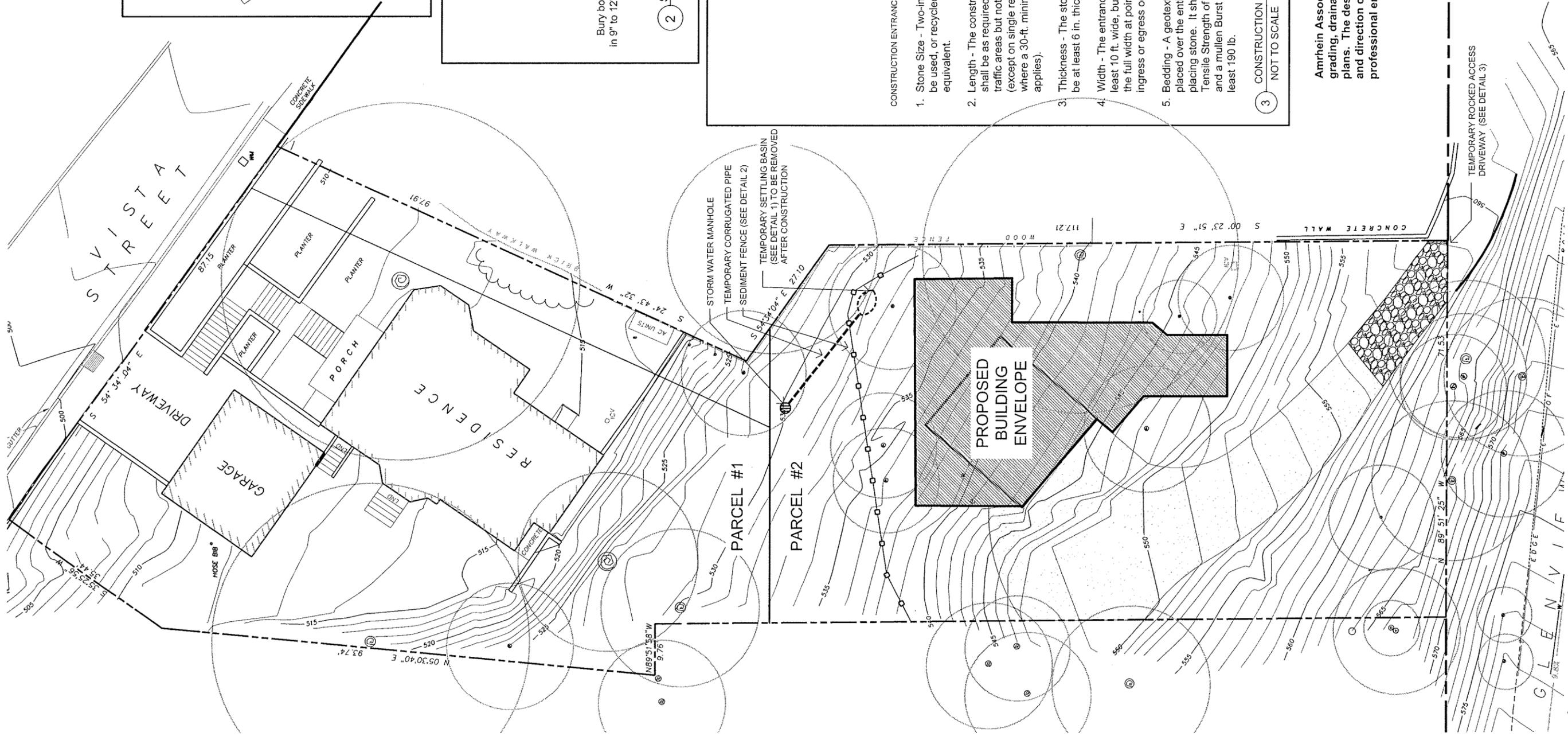
Revision Date:
September 15, 2008
Drawn By: AM / KK
Scale: 1" = 20'

DEBOER PARTITION
232 VISTA STREET
ASHLAND, OREGON

September 12, 2008

PE-3

GRADING, DRAINAGE AND UTILITY PLAN

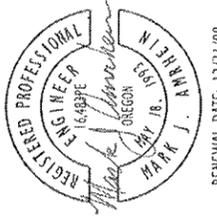


CONSTRUCTION ENTRANCE SPECIFICATIONS

1. Stone Size - Two-inch stone shall be used, or recycled concrete equivalent.
2. Length - The construction entrance shall be as required to stabilize high traffic areas but not less than 50 ft. (except on single residence for where a 30-ft. minimum length applies).
3. Thickness - The stone layer shall be at least 6 in. thick.
4. Width - The entrance shall be at least 10 ft. wide, but not less than the full width at points where ingress or egress occurs.
5. Bedding - A geotextile shall be placed over the entire area prior to placing stone. It shall have a Grab Tensile Strength of at least 200 lb. and a mullen Burst Strength of at least 190 lb.
6. Culvert - A pipe or culvert shall be constructed under the entrance if needed to prevent surface water flowing across the entrance from being directed out onto paved surfaces.
7. Maintenance - Top dressing of additional stone shall be applied as conditions demand. Mud spilled, dropped, washed or tracked onto public roads, or any surface where runoff is not checked by sediment controls shall be removed immediately. Removal shall be accomplished by scraping or sweeping.
8. Construction Entrances shall not be relied upon to remove mud from vehicles and prevent off-site tracking. Vehicles that enter and leave the construction site shall be restricted from muddy areas.



Amrhein Associates, Inc. prepared the stacked block wall designs, grading, drainage and erosion control measures shown on these plans. The design elements were prepared under the supervision and direction of the undersigned, whose seal as a registered professional engineer is affixed below.



RENEWAL DATE: 12/31/09

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EROSION CONTROL PLAN

DEBOER PARTITION
232 VISTA STREET
ASHLAND, OREGON

September 12, 2008

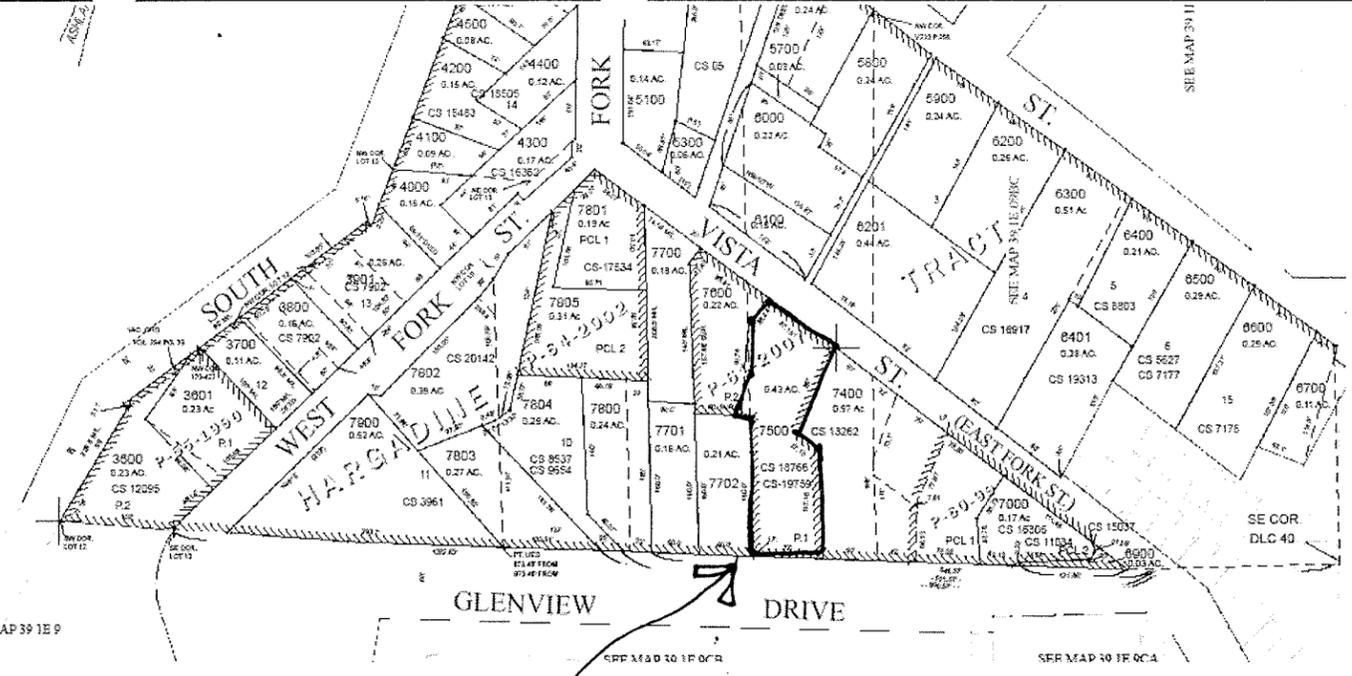
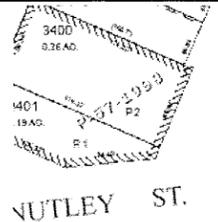
PE-4



Revision Date:
September 15, 2008
Drawn By: AM / KK
Scale: 1" = 20'

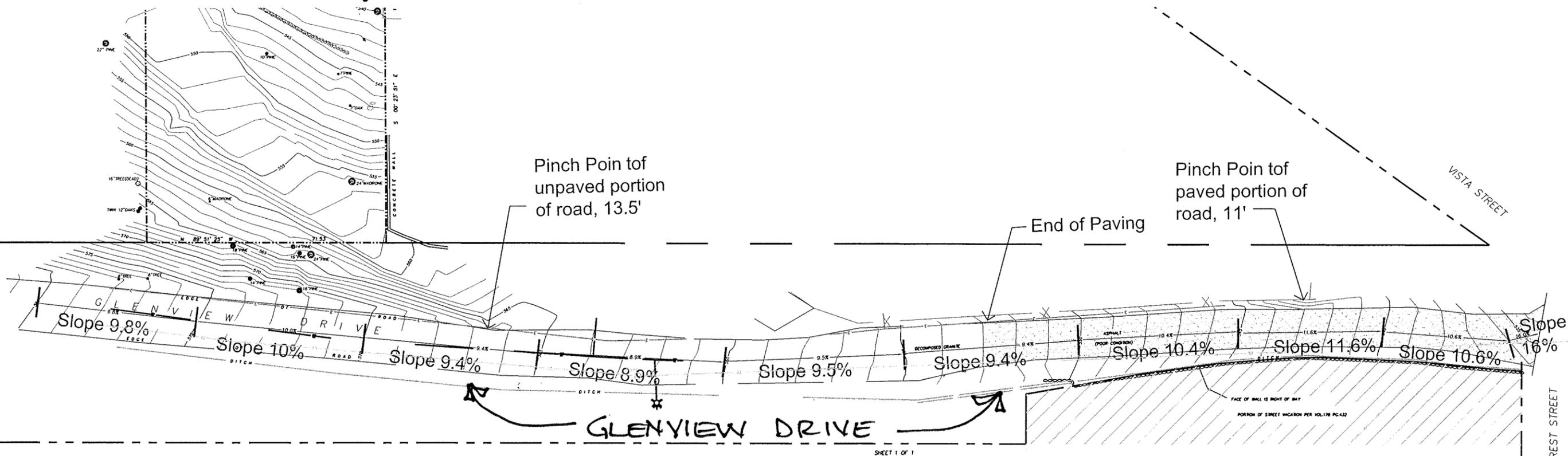
City of Ashlan
Tel: 541.488.3194 545 A Street
Fax: 541.552.9512 Ashland, OR 97520
Cell: 541.601.5559 kery@kercainlandscape.com

KenCain
Landscape Architecture



The subject property is on the unpaved portion of Glenview Drive. From the intersection of Hillcrest and Vista, Glenview is paved for 128 lineal feet, for this paved section the slopes along the center line range from 10% to 11.6% with the exception of the first ten feet of the drive which is 16%. There is an additional 181 feet of length of road prior to reaching the Right of Way at its adjacency to the subject property, through this stretch, the slopes of Glenview range from 8.9% to 10%. The minimum width of the paved section of Glenview Drive is 11'; the minimum width of the unpaved section of Glenview is 13.5'.

SUBJECT PROPERTY



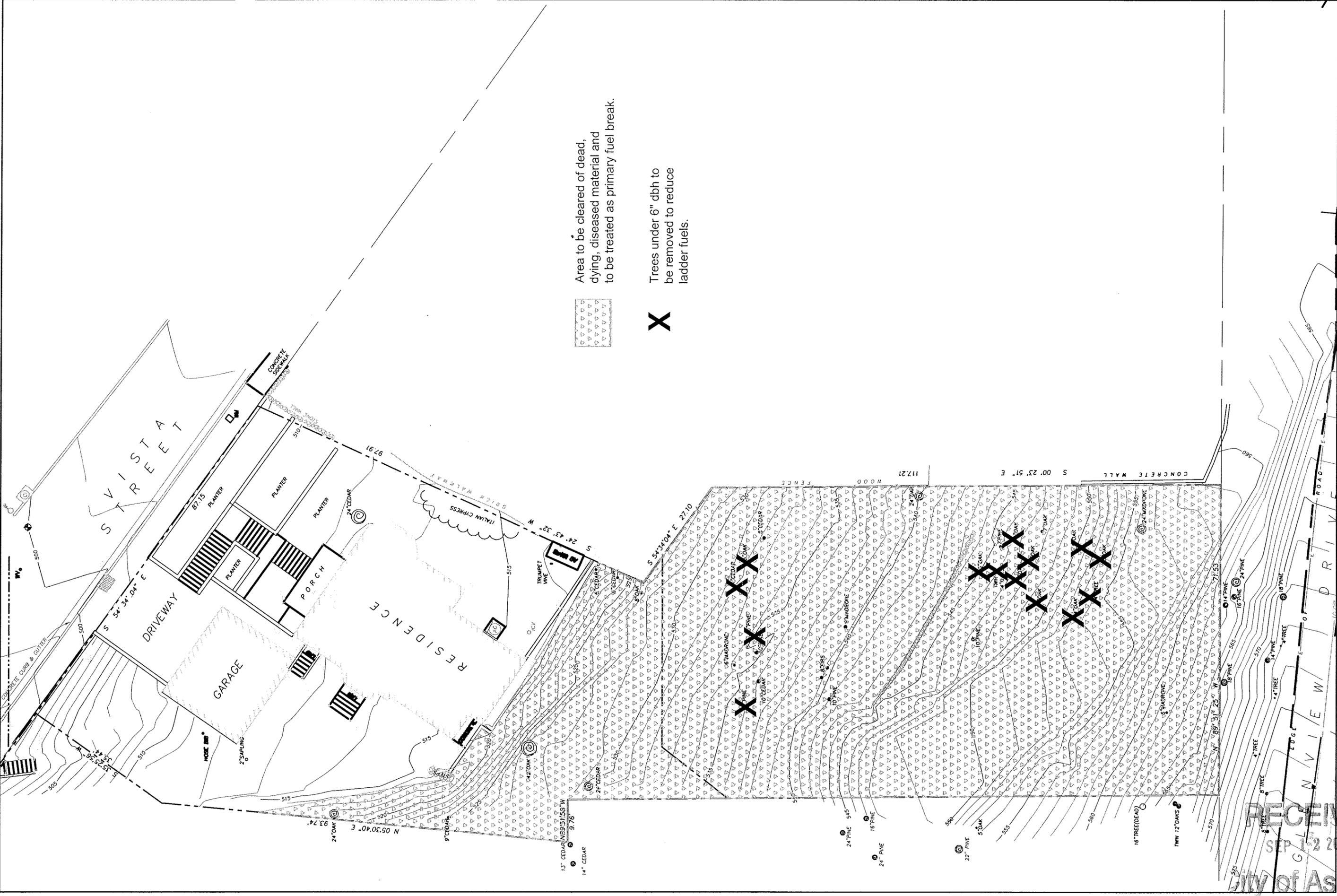
Tel: 541.488.3194 545 A Street
 Fax: 541.552.9512 Ashland, OR 97520
 Cell: 541.601.5559 kerry@kencaimlandscapes.com



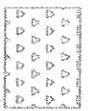
Revision Date:
 Drawn By: KK
 NOT TO SCALE

DEBOER PARTITION
 232 VISTA STREET
 ASHLAND, OREGON

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 City of Ashland
 V-1



Area to be cleared of dead, dying, diseased material and to be treated as primary fuel break.



Trees under 6" dbh to be removed to reduce ladder fuels.



DEBOER PARTITION
 232 VISTA STREET
 ASHLAND, OREGON

September 12, 2008

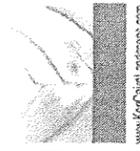
Scale: 1" = 20'

Drawn By: AM / KK

Revision Date:



KenCairn
 Landscape Architecture



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 Fax: 541.552.9512 Ashland, OR 97150
 Cell: 541.601.5559 kerry@kencairnlandscape.com

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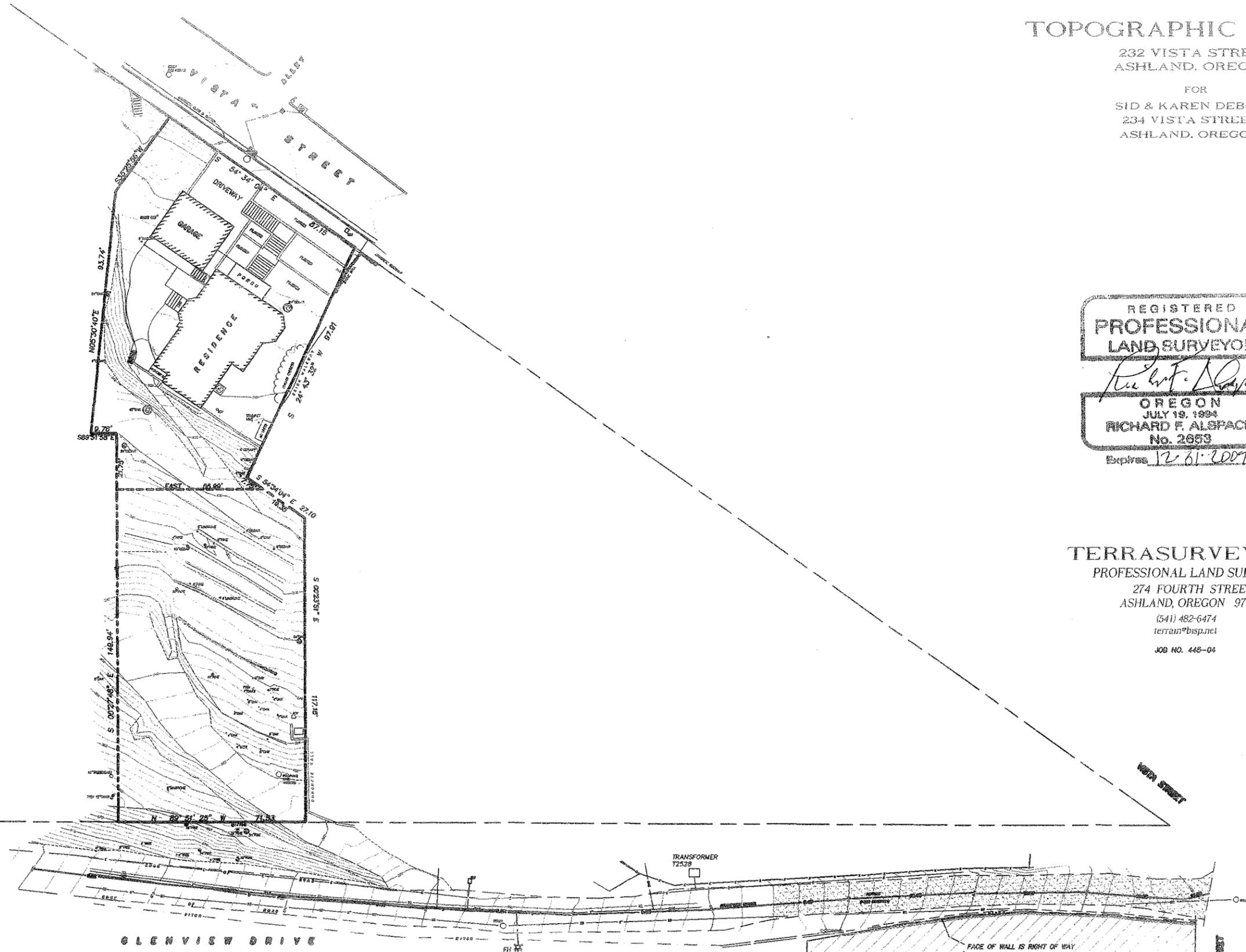
F-1



DATE: 9-04-2008
 SCALE: 1" = 20'
 CONTOUR INTERVAL: 1'

LEGEND

- — — — — PROPERTY LINE
- GAS — GAS LINE
- TEL — UNDERGROUND TELEPHONE
- E — UNDERGROUND ELECTRIC
- SS — SANITARY SEWER
- SD — STORM DRAIN
- — — — — EDGE OF PAVEMENT
- — — — — TOP OF GRADE BREAK
- — — — — TOE OF GRADE BREAK
- — — — — CONTOUR LINE
- — — — — FENCE
- — — — — ROCK WALL
- WM □ WATER METER
- WV ○ WATER VALVE
- SSCO SANITARY SEWER CLEANOUT
- GS GROUND SHOT ELEVATION
- EP EDGE OF PAVEMENT
- SW SIDEWALK
- TFC TOP FACE OF CURB
- TFW TOP FACE OF WALL
- CI CURB INLET
- PVT PAVEMENT
- GV GAS VALVE
- GM GAS METER
- EM □ ELECTRIC METER
- LND LANDING
- SPOT ELEVATION
- ⊕ PROJECT BENCHMARK:
TOP OF PK NAIL & SHINER
ELEV.=500.00 (ASSUMED DATUM)



TOPOGRAPHIC SURVEY

232 VISTA STREET
 ASHLAND, OREGON

FOR
 SID & KAREN DEBOER
 234 VISTA STREET
 ASHLAND, OREGON

REGISTERED
**PROFESSIONAL
 LAND SURVEYOR**
Richard F. Alspach
 OREGON
 JULY 19, 1994
 RICHARD F. ALSPACH
 No. 2653
 Expires 12-31-2009

TERRASURVEY, INC.

PROFESSIONAL LAND SURVEYORS
 274 FOURTH STREET
 ASHLAND, OREGON 97520
 (541) 482-6474
 terrasurvey@isp.net
 JOB NO. 445-04

TRANSFORMER
 T2522

TRANSFORMER
 T2528

BASIS OF BEARINGS
 FOUND MONUMENTS ON THE SOUTHERLY LINE OF DLC NO. 40 AS N 89°51'25" W
 PER FILED SURVEY NO. 14885

FACE OF WALL IS RIGHT OF WAY
 PORTION OF STREET VACATION
 PER VOL.178 PG.432

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City of Ashland

TOPOGRAPHIC SURVEY

PORTION OF
GLENVIEW DRIVE
ASHLAND, OREGON

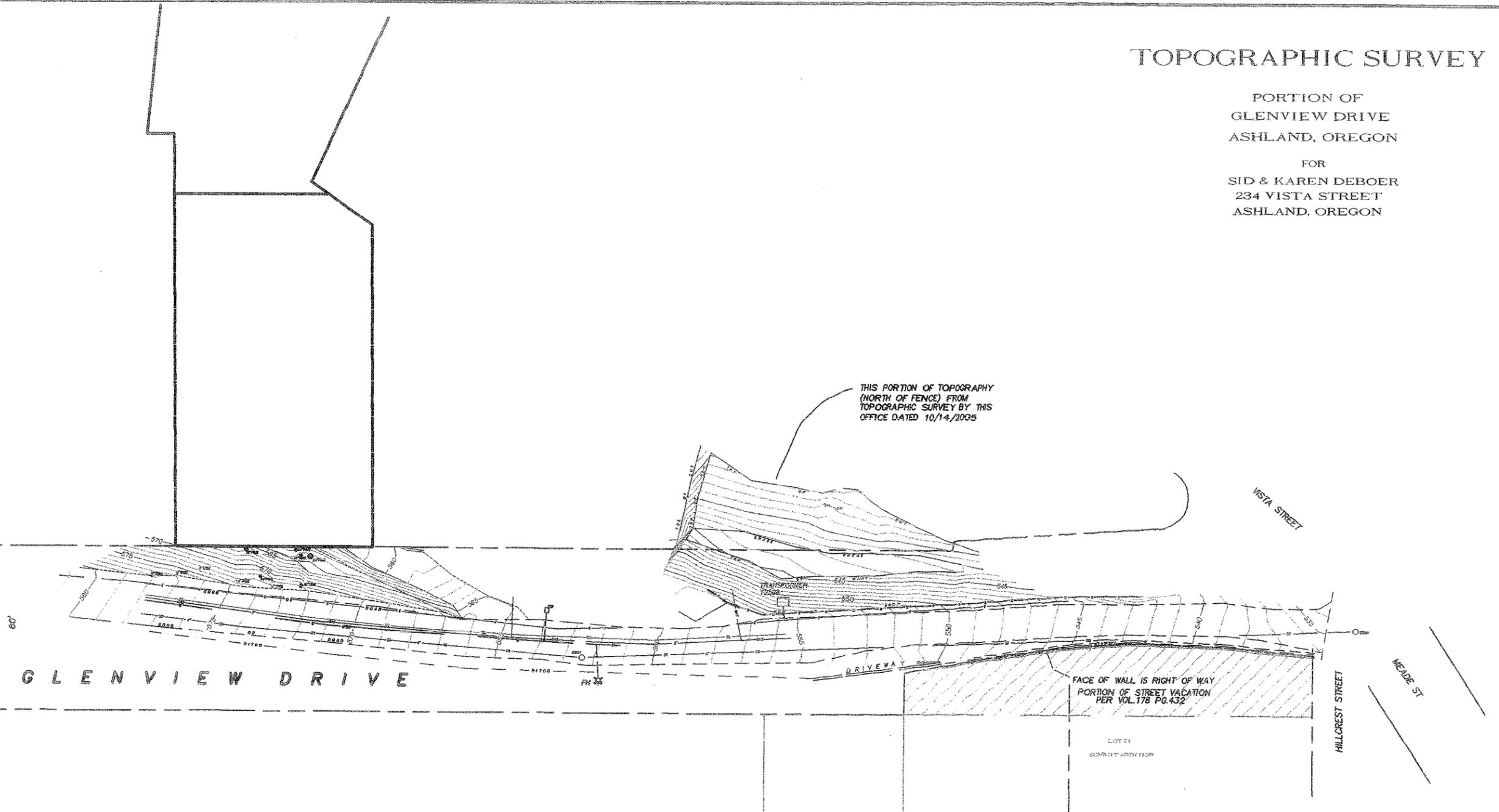
FOR
SID & KAREN DEBOER
234 VISTA STREET
ASHLAND, OREGON



DATE: 9-04-2008
SCALE: 1" = 20'
CONTOUR INTERVAL: 1'

THIS PORTION OF TOPOGRAPHY
(NORTH OF FENCE) FROM
TOPOGRAPHIC SURVEY BY THIS
OFFICE DATED 10/14/2005

TRANSFORMER
T2552



GLENVIEW DRIVE

VISTA STREET

HILLCREST STREET

MEADE ST

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 19, 1894
RICHARD F. ALSPACH
No. 2953

Expires 12/31/2009

BASIS OF BEARINGS
FOUND MONUMENTS ON THE SOUTHERLY LINE OF DLC NO. 40 AS W 89°51'25" W
PER FILED SURVEY NO. 14865

32-12-0880, PL 7500

TERRASURVEY, INC.
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274 FOURTH STREET
ASHLAND, OREGON 97520
(541) 482-4774
terrain@tbsp.net

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City of Ashland SHEET 1 OF 1

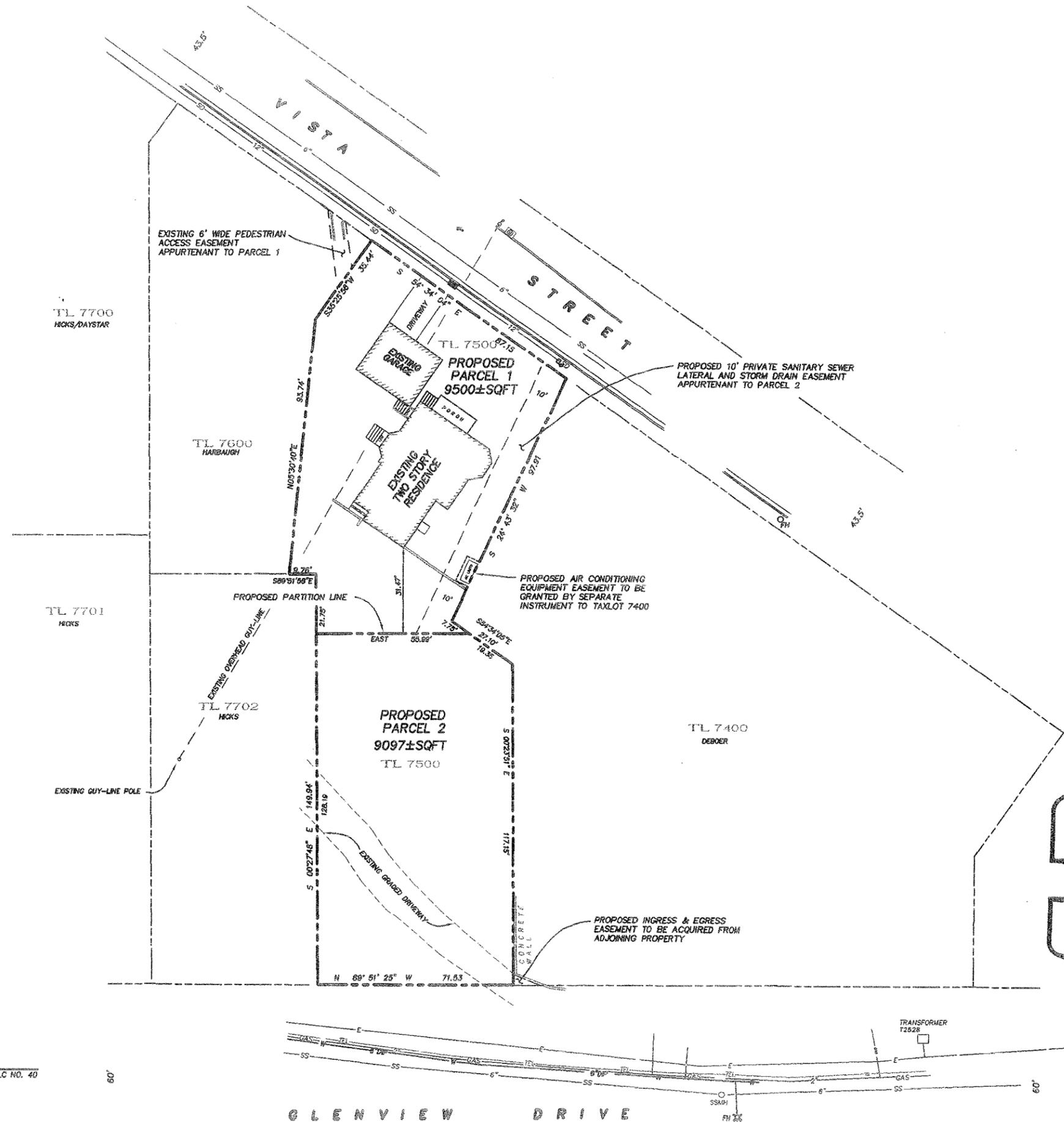


DATE: 9-08-2008
SCALE: 1" = 20'

PROPOSED PARTITION

TAX LOT 7500
232 VISTA STREET
ASHLAND, OREGON

FOR
SID & KAREN DEBOER
234 VISTA STREET
ASHLAND, OREGON



PROPERTY OWNERS
TAX LOT 7500 SID & KAREN DEBOER OH 04-63683 234 VISTA LANE ASHLAND OR 97520 PHONE NO.482-0185

AGENT/APPLICANT
KERRY KENCAIRN
KENCAIRN LANDSCAPE ARCHITECTURE
545 A STREET
ASHLAND, OR 97520
(541) 488-3184

LAND SURVEYOR
RICHARD F. ALSPACH, PLS 2653
TERRASURVEY, INC.
274 FOURTH STREET
ASHLAND OR 97520
(541) 482-6474

ZONING: R-1-7.5

UTILITIES NOTES

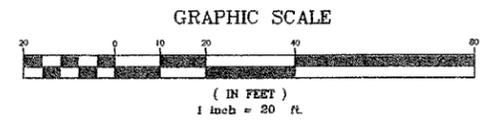
THE EXISTING RESIDENCE LOCATED ON THE PROPOSED PARCEL 1 IS SERVICED BY PUBLIC UTILITIES ALONG VISTA AVENUE. PROPOSED PARCEL 2 PLANS TO UTILIZE THE EXISTING ELECTRIC, WATER, GAS, TELEPHONE AND SANITARY SEWER UTILITIES WHICH ARE AVAILABLE ON GLENVIEW AVENUE. A 10' WIDE STORM DRAIN AND SANITARY SEWER EASEMENT ACROSS PARCEL 1 IS PROPOSED TO HANDLE THE STORM DRAINAGE AND GRAVITY FLOW SANITARY SEWER LINE FROM PARCEL 2.

THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN WERE OBTAINED FROM "LOCATE" MARKINGS AND THE CITY OF ASHLAND AND AVISTA UTILITY MAPS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Richard F. Alspach

OREGON
JULY 19, 1994
RICHARD F. ALSPACH
No. 2653
Expires 12-31-2009



TRANSFORMER
T2552
PH XX

TRANSFORMER
T252E
PH XX

TRANSFORMER
T252E
PH XX

BAIS OF BEARINGS
FOUND MONUMENTS ON THE SOUTHERLY LINE OF DLC NO. 40
AS N 83°51'25" W PER FILED SURVEY NO. 14685

TERRASURVEY,
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terrain@tbsp.net

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City of Ashland

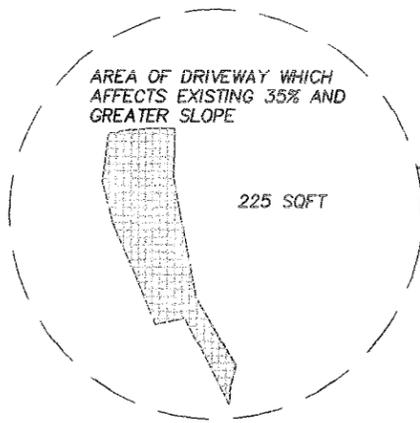


SLOPE ANALYSIS 8/29/08
 SCALE: 1" = 10'
 CONTOUR INTERVAL: 1'

TOPOGRAPHIC SURVEY
 DATE: 4-18-2005
 REVISED 8-28-2008

SLOPE LEGEND

0%-24%	
25%-34%	
35% & GREATER	



PROPOSED PARCEL 1

SLOPE ANALYSIS

PROPOSED PARCEL 2

232 VISTA STREET
 ASHLAND, OREGON
 FOR
 SID & KAREN DEBOER
 234 VISTA STREET
 ASHLAND, OREGON

SLOPE ANALYSIS NOTES

1. IN CONSTRUCTING THE SLOPE ARROWS AND ASSOCIATED PERCENTAGE OF SLOPE WITHIN THE BUILDING ENVELOPE AREA ALL ATTEMPTS WERE MADE TO REPRESENT THE HISTORICAL CONDITION OF THE SLOPE OF THE ORIGINAL GROUND PRIOR TO THE EXISTING TERRACING. THAT IS TO SAY THAT EXISTING TERRACING WAS IGNORED AND THE SLOPE WAS CONFIGURED FROM ORIGINAL GROUND AS BEST AS CAN BE DETERMINED. ALL OTHER SLOPE AREAS SHOWN OUTSIDE OF THE BUILDING ENVELOPE REPRESENT THE ACTUAL EXISTING SLOPE.

BUILDING ENVELOPE

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

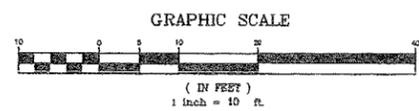
Richard F. Alspach
 OREGON
 JULY 19, 1994
 RICHARD F. ALSPACH
 No. 2653

Expires 12-31-2009

TERRASURVEY, INC.
 PROFESSIONAL LAND SURVEYORS

274 FOURTH STREET
 ASHLAND, OREGON 97520
 (541) 482-6474
 terrain@tisp.net

JOB NO. 003-08



BASIS OF BEARINGS
 FOUND MONUMENTS ON THE SOUTHERLY LINE OF DLC NO. 40 AS N 69°51'25" W
 PER FILED SURVEY NO. 14585

39-1E-09BC, TL 7500

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SHEET 1 OF 1
 SEP 12 2008

City of Ashland

ASHLAND TREE COMMISSION
PLANNING APPLICATION REVIEW
November 6, 2008

PLANNING ACTION: 2008-01517
SUBJECT PROPERTY: 232 Vista Street
APPLICANT: Kerry KenCairn
DESCRIPTION: A request for a Minor Land Partition, a Type II to Variance to the requirement that the new lot have a paved 20-foot wide access or an unpaved 20-foot wide access with less than 10 percent slope, and a Physical and Environmental Constraints Permit for development and tree removal on Hillside Lands.
COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP #:** 39 1E 09BC; **TAX LOT:** 7500

Recommendation:

- 1) That tree removal for the future construction for the residence shall not be completed until the building permit for the new single family residence is obtained. That the four trees removed shall be mitigated for with a tree species which will achieve similar size and stature at maturity as those removed prior to the issuance of a certificate of occupancy for the single family residence.
- 2) That the recommendations of the project arborist shall be implemented on site and the project arborist shall be retained throughout the duration of the project.

From: "Colin Swales" <colinswales@gmail.com>
To: "Bill Molnar" <bill@ashland.or.us>
CC: "April Lucas" <lucasa@ashland.or.us>, "Angela Barry" <barrya@ashland.or.us>
Date: 11/12/2008 2:23 PM
Subject: PA 2008 - 01517 232 Vista.

Bill,
cc Angela, April.

PLEASE READ INTO THE RECORD - PA 2008-01517
232 Vista.

Planning Commissioners,

When the City passed its "Hillside Protection Ordinance" in 1997, such was the opposition from the development community that the Rogue Valley Association of Realtors appealed it all the way to the Oregon Supreme Court.

Luckily, the City prevailed.

Here we have another attempt to possibly build an additional home on this extremely sensitive, severely constrained land within this wildfire interface zone immediately above our city. (Meanwhile, another 2 adjacent residential lots on Glenview are currently being marketed.)

As you wrestle with your decision it would be good to think of how this proposal would affect the emergency evacuation of the residential neighborhood above Lithia Park in the event of a wildfire as well as for emergency vehicle access such as Fire Engines, ambulances etc. Also please carefully consider how the proposed development would affect the stability of the highly erosion-prone and unstable soils of this precipitous hillside that is to a large extent currently held in place by tree roots.

It is also worth noting that the "pinch points" mentioned on Glenview Drive (below the subject property) are due to the considerable, un-permitted encroachment by the same property owner (landscaping and metal fencing recently installed) into the public right-of-way alongside two other of his other properties that back onto Glenview. Could this narrowing be self-imposed?

In the event that you might chose to approve the partition and Variances, could a condition be added that it be subject to the future widening of Glenview at these pinch points by the applicant's client to ensure there is adequate room for subsequent necessary street improvements to better the emergency access that is currently so very steep and narrow.

Thank you for your consideration of the above points.

Colin Swales
461 Allison Street.