

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
MAY 12, 2009
AGENDA**

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

- II. **ANNOUNCEMENTS**

- III. **CONSENT AGENDA**
 - A. **Approval of Minutes**
 - 1. April 14, 2009 Planning Commission Meeting

 - B. **Approval of Findings for PA #2009-00314, 500 Strawberry Lane**

- IV. **PUBLIC FORUM**

- V. **OTHER BUSINESS**
 - A. **Planning Commission Annual Retreat**
 - Set Date
 - Agenda Discussion

 - B. **Croman Mill Redevelopment Plan**
 - Follow-up discussion to Site Visit

- VI. **ADJOURNMENT**

**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).

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
REGULAR MEETING
MINUTES
APRIL 14, 2009

CALL TO ORDER

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

Commissioners Present:

Michael Dawkins, Chair
Larry Blake
Tom Dimitre
Dave Dotterer
Pam Marsh
Melanie Mindlin
Mike Morris

Staff Present:

Bill Molnar, Community Development Director
Maria Harris, Planning Manager
Derek Severson, Associate Planner
Richard Appicello, City Attorney
April Lucas, Administrative Assistant

Absent Members:

Debbie Miller

Council Liaison:

Eric Navickas

ANNOUNCEMENTS

Community Development Director Bill Molnar noted the vacancy on the Planning Commission and encouraged interested candidates to submit an application to the City Recorder's Office.

CONSENT AGENDA

- A. Approval of Minutes
1. March 10, 2009 Planning Commission Meeting
 2. March 31, 2009 Planning Commission Meeting

Commissioners Marsh/Dimitre m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed.

PUBLIC FORUM

No one came forward to speak.

PUBLIC HEARINGS

- A. PLANNING ACTION: 2009-00314
SUBJECT PROPERTY: 500 Strawberry Lane
APPLICANT: Robert & Laura McLellan
DESCRIPTION: A request for Final Plan approval for a size-lot, five-unit Performance Standards Subdivision for the property located at 500 Strawberry Lane. The application also includes a request to modify the phasing and conditions of approval of Planning Action #2008-00182 which granted Outline Plan approval, a Physical and Environmental Constraints Review Permit, Tree Removal Permits, and an Exception to Street Standards.
COMPREHENSIVE PLAN DESIGNATION: Rural Residential; ZONING: RR-.5-P; ASSESSOR'S MAP: #391E 08AC;
TAX LOT: #201.

Ex Parte Contact

Commissioners Blake and Dotterer declared site visits; no ex parte contact was reported by any of the commissioners.

Staff Report

Associate Planner Derek Severson presented the staff report. He explained the application before the Commission is for Final Plan approval of a six-lot, five-unit subdivision at 500 Strawberry Lane. He noted typically Final Plan approval does not come before the Commission, however in this case the Applicant's have requested modifications to the conditions imposed by the Commission when Outline Plan was approved.

Mr. Severson provided an overview of the application. He stated the property is located at the intersection of Strawberry Lane and Hitt Road, it is 4.62 acres in size, and contains an existing house. With the proposed development, the Applicant's were approved to create six lots, five of which would contain homes and the sixth would be preserved as open space. Mr. Severson noted that during the public hearing a number of neighbors expressed concerns with the additional driveways and the impact this would have on the parking demand in the neighborhood (largely caused by hikers using trails in the vicinity). In order to mitigate this, conditions were applied at Outline Plan approval requiring the Applicant's to provide three parking spaces for each of the lots that contain homes, and to provide on-street parking in two separate parking bays (two spaces each).

Mr. Severson reviewed the modifications requested by the Applicant for Final Plan approval. He stated staff has no specific concerns with phasing the development into two stages or relocating the placement of the parking bays; however, they do have concerns with the following changes requested by the Applicant's: 1) delaying the installation of the required sidewalk improvements, 2) reducing the number of parking spaces on Lot 1 from three to two, and 3) delaying the installation of the parking bays until the second phase of the development. Mr. Severson explained staff's recommendations are to have the sidewalks installed during Phase 1, for the third parking space on Lot 1 to be retained, and for at least one of the parking bays to be installed during Phase 1.

Applicant's Presentation

Mark Knox/485 W Nevada St/Applicant's Representative, Robert McLellan/500 Strawberry Lane/Applicant, and Mark Kamarath/Project Engineer addressed the Commission. Mr. Knox stated a significant amount of effort has been put into this proposal and explained the modifications have been requested due to the recent changes in the economy and to address the neighbor's concerns regarding views. He stated even though they did ask for deferral of the improvements to Phase 2, the conditions proposed by staff are acceptable to the Applicants, except they would like some consideration for the improvements along the flag driveway for Lot 3. He explained that driveway serves the existing house and this will not change until Phase 2 when that driveway is severed. He added they are just asking to defer this improvement until the actual impact is there. Mr. Knox commented on the third parking space on Lot 1 and explained the adjacent neighbor, Ms. Dimino, felt strongly that this space should not be added, however this was not part of their agreement. He also commented on the parking bays along Hitt Road and stated this was an unexpected condition added to the application and stated the Applicant attempted to mitigate this by adding a third parking space on the lots. He added the Applicant is not going to argue this condition, but clarified this was an additional cost that they did not expect.

Mr. Knox clarified when Lot 3 is created, the driveway will be in the same location as it is now.

Public Testimony

Scott Dixon/838 Blackberry Lane/Voiced his support for the proposed placement of the parking bays at the bottom of Hitt Road and requested the fuels reduction for Lot 6 be included in Phase 1.

Lou Dimino/423 Strawberry Lane/Stated Lot 1 is a flag drive, but not a flag lot and therefore the additional requirement for parking does not apply. Mr. Dimino stated the parking concerns raised at the public hearing were primarily focused on Hitt Road. He stated there are no parking issues on Strawberry Lane and the third parking space for Lot 1 should be eliminated. Mr. Dimino disagreed with staff's argument for the need of the extra space and requested the application be approved with the request to remove the third parking space from Lot 1. He also requested the original placement of the parking bays be retained.

Rebuttal by the Applicant

Mark Knox/Commented on the relocation of the parking bays. He stated the discussion on parking bays happened after the public hearing was closed and the Applicant was not given the opportunity to respond. Mr. Knox explained the Applicant's engineering efforts since the hearing have shown the original placement of the bays is problematic. He stated the Planning

Commission wanted to provide additional public parking along the street and they feel they are still providing the intent of what the Commission wanted by installing four additional parking spaces along Hitt Road. Mr. Knox stated the only real change they are asking for is the deferral of the sidewalk improvement along Lot 3.

Mr. Knox clarified most of the fuel reductions have already been done. He stated Mr. Dixon referred to the entire lot, however this is not a requirement of the City and is not part of the fuels reduction plan they submitted. He stated the fuel reductions proposed in the plan are close to being completed.

Advice from Legal Counsel and Staff

Mr. Severson explained the definition of driveways touches on the requirement for the third parking space. He read the definition aloud and stated rather than the parking space requirement be determined at the building permit stage, the Applicant offered this condition and the Commission approved. Mr. Molnar added if a driveway exceeds 50 feet, the third parking space is not discretionary and is a requirement.

Regarding the fuels reduction, Fire Marshal Margueritte Hickman indicated she would verify the Applicant's fire prevention and control plan had been reviewed by the Fire Department, and noted Condition 9a addresses this issue and requires the fire prevention and control plan to be implemented prior to the issuance of a certificate of occupancy.

Mr. Severson displayed photos from the presentation that displayed the sidewalk pattern in the area.

Mr. Molnar stated the street width of Strawberry Lane is 22 feet, and noted the standard that allows the City to prohibit on-street parking in hillside areas in order to provide a 20 ft wide emergency vehicle access. He stated at this time there is no signage that restricts parking on either side of the street, but if parking became a persistent issue that created a problem for emergency vehicles, the Fire Department could restrict the on-street parking.

Commissioner Dawkins closed the public hearing at 7:55 p.m.

Deliberations & Decision

Dawkins noted the three main issues and asked the Commission to share their opinions. Regarding the timing of the sidewalk improvements, support was voiced for deferring this to Phase 2. Varying opinions were shared regarding the third parking space on Lot 1. Commissioners Dimitre and Morris agreed with staff's recommendation for the three parking spaces. Commissioner Dotterrer suggested the Applicant comply with the third space requirement if the driveway is over 50 feet, and Blake voiced his support for this suggestion. Marsh agreed with keeping three parking spaces on Lot 1 and stated there is no criteria for dropping the previous requirement. In regards to the installation of parking bays, Dimitre voiced his preference for these to be done in Phase 1. Morris was fine with deferring these to Phase 2. Marsh stated staff's recommendation, which is for the Applicant to install one now and one later, is a good compromise and voiced her support. Dotterrer and Blake agreed.

Commissioner Dotterrer/Marsh m/s to approve PA 2009-00314 with staff's recommendations, with the exception to defer the sidewalk improvements in front of Lot 3 to Phase 2. DISCUSSION: It was clarified this motion would require the Applicant to install one of the parking bays during Phase I and includes the three parking spaces for Lot 1. **Roll Call Vote: Commissioners Blake, Dawkins, Dotterrer, Marsh and Morris, YES. Commissioner Dimitre, NO. Motion passed 5-1.**

OTHER BUSINESS

A. Update on Timeline for Croman Mill Site Redevelopment Plan Phase II: Implementation Package

Planning Manager Maria Harris submitted the Phase II Timeline to the Commission and provided an explanation of the spreadsheet. She stated they are looking at a 10-month process to refine the draft plan into what the community is looking for and then take it through the public hearing process. She noted staff has already started looking at review of the land use framework and clarified the Joint Study Sessions listed in the timeline will be with the City Council

Commissioner Marsh commented on the public component and noted there is no public participation scheduled until October when the whole package is together. Mr. Molnar stated the Commission does have some discretion as to how the Study Sessions are designed. Suggestion was made for the Commission to take 15-20 minutes of public testimony at each Study Session and for the public to be apart of this process well before it gets to implementation.

Mr. Molnar noted the next Study Session on April 28, 2009 will be a site visit to the Croman Mills property and will likely start earlier than the normal 7:00 pm meeting time.

ADJOURNMENT

Meeting adjourned at 8:25 p.m.

*Respectfully submitted,
April Lucas, Administrative Assistant*

BEFORE THE PLANNING COMMISSION
May 12, 2009

IN THE MATTER OF PLANNING ACTION #2009-00314, A REQUEST FOR)
FINAL PLAN APPROVAL UNDER THE PERFORMANCE STANDARDS)
OPTIONS CHAPTER (AMC 18.88) FOR A SIX-LOT, FIVE-UNIT SUBDIVISION)
FOR THE PROPERTY LOCATED AT 500 STRAWBERRY LANE.) **FINDINGS,**
ALSO INCLUDED IS A REQUEST TO MODIFY THE PHASING AND) **CONCLUSIONS**
CONDITIONS OF APPROVAL OF PLANNING ACTION #2008-00182 WHICH) **AND ORDERS**
GRANTED OUTLINE PLAN APPROVAL, A PHYSICAL AND ENVIRONMENTAL)
CONSTRAINTS REVIEW PERMIT, TREE REMOVAL PERMITS, AND AN)
EXCEPTION TO STREET STANDARDS.)
)

APPLICANT: McLellan, Robert & Laura

RECITALS:

- 1) Tax lot 201 of Map 39 1E 08 AC is located at 500 Strawberry Lane and is zoned RR-.5-P Rural Residential.
- 2) The applicants are requesting Final Plan approval for a six-lot, five-unit Performance Standards Subdivision for the property located at 500 Strawberry Lane. The application also includes a request to modify the phasing and conditions of approval for Planning Action #2008-00182 as they relate to the Outline Plan approval and the associated Exception to Street Standards. Site improvements are outlined on the plans on file at the Department of Community Development.
- 3) The criteria for Final Plan approval under the Performance Standards Options are described in Chapter 18.88 as follows:
 - a. *The number of dwelling units vary no more than ten (10%) percent of those shown on the approved outline plan, but in no case shall the number of units exceed those permitted in the outline plan.*
 - b. *The yard depths and distances between main buildings vary no more than ten (10%) percent of those shown on the approved outline plan, but in no case shall these distances be reduced below the minimum established within this Title.*
 - c. *The open spaces vary no more than ten (10%) percent of that provided on the outline plan.*
 - d. *The building size does not exceed the building size shown on the outline plan by more than ten (10%) percent.*
 - e. *The building elevations and exterior materials are in conformance with the purpose and intent of this Title and the approved outline plan.*
 - f. *That the additional standards which resulted in the awarding of bonus points in the*

outline plan approval have been included in the final plan with substantial detail to ensure that the performance level committed to in the outline plan will be achieved.

g. The development complies with the Street Standards.

4) The criteria for Outline Plan approval under the Performance Standards Options are described in Chapter 18.88 as follows:

a) That the development meets all applicable ordinance requirements of the City of Ashland.

b) That adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.

c) That the existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas.

d) That the development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.

e) That there are adequate provisions for the maintenance of open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.

f) That the proposed density meets the base and bonus density standards established under this Chapter.

5) The criteria for an Exception to Street Standards are described in 18.88.050.F 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 Planning Commission, following proper public notice, held a public hearing on April 14, 2009 at which times testimony was received and exhibits were presented. The Planning Commission approved the application 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 proposal to develop a six-lot, five-unit subdivision, and to modify the conditions of approval and associated phasing of the prior planning approval (PA #2008-00182) as they relate to the approved Outline Plan and associated Exception to Street Standards, meets all applicable criteria for Outline and Final Plan approvals and for an Exception to Street Standards as described in Chapter 18.88.

2.3 The Planning Commission finds that the number of dwelling units; lot configurations, dimensions and sizes; and open space areas have not changed by more than ten percent. The Commission further finds that no density bonus was requested with the Outline Plan approval, and as such there are no additional density bonus-related standards to be addressed here with the Final Plan.

2.4 The Planning Commission finds that with regard to the proposed modifications to the approved phasing and conditions of approvals of Planning Action #2008-00182 as they relate to the Outline Plan approval and the associated Exception to Street Standards, that the four on-street parking spaces to be provided in bays on Hitt Road are necessary to ensure adequate fire access in the wildfire interface by ensuring that a 20-foot clear travel lane is maintained as required in Hillside Lands under the Ashland City Street Standards Handbook, and to off-set increased resident and visitor parking that could otherwise have been accommodated on-street if Hitt Road were extended to the boundary of the proposed subdivision as would have been required without an Exception to Street Standards. The Commission further finds that at least two of the four on-street spaces need to be provided with the applicants' proposed first phase as this phase does

create new lots and a new driveway, with associated resident and visitor parking impacts, on Hitt Road, and that the remaining on-street parking spaces need to be provided with the applicants' proposed second phase.

2.5 The Planning Commission finds that by the definition contained in AMC 18.08.195, single dwelling or parcel accesses greater than 50-feet in length are considered to be flag drives, and are subject to all of the development requirements thereof. The development requirements for flag drives include dimensional requirements, paving requirements, and requirements that a third parking space (aka "a visitor parking space") be provided. The Planning Commission further finds that given these development requirements, the concerns expressed during the Outline Plan public hearings over already heavy on-street parking, and the fact that visitors to the applicants' proposed Lot 1 are likely to be discouraged from utilizing the proposed parking to be provided in bays along Hitt Road by the combination of the distance between these bays and the Strawberry Lane driveway for Lot 1 and by the steep roadside slopes along this lot's Hitt Road frontage, that the request to not provide the required third "visitor" parking space for Lot 1 is not merited by the evidence contained in the record and that the required third space must be provided.

2.6 The Planning Commission finds that adequate key City facilities can be provided to serve the project including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection and adequate transportation; and that the development will not cause a City facility to operate beyond capacity as was demonstrated in the previous Outline Plan application. Water, sanitary sewer, storm water, and electric services are available from the Strawberry Lane and Hitt Road rights-of-way and will connect through the individual lot driveways. Storm drain facilities will include private detention systems to be installed with development of the individual lots. Paved access is available from both Strawberry Lane and Hitt Road.

The Planning Commission finds that development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan. The parcels to the north, east and west are similarly zoned and have recently been subdivided for development as part of the Strawberry Meadows subdivision. The undeveloped properties to the south are zoned WR Woodland Residential, and their further development is already severely constrained by the presence of slopes over 35 percent.

The Planning Commission finds the density meets the base density standards established under the Performance Standards Options for the Rural Residential (RR-.5-P) zone. The site has a base density of five units (4.62 acres x 1.2 dwelling units per acre = 5.544 units), including the existing single family home already in place on the proposed Lot 4.

The Planning Commission finds that the significant natural features of the property are the existing trees and the steeply-sloped, heavily-wooded slopes on the southern end of the site. The Commission further finds that the proposed lot layout, common area and building envelope

placements, and driveway locations have been selected in order to protect these natural features. 59 of the 72 trees on the site over six-inches in diameter at breast height are to be preserved, driveways are to be located in response to the site topography to minimize site and slope disturbances, and the applicants also propose to protect the most steeply sloped southern portion of the site in a commonly owned open space.

The Planning Commission finds that the development meets all applicable ordinance requirements of the City of Ashland with the attached conditions of approval. The Site Plan provided delineates the proposed building envelopes, setbacks, and driveway locations. The setbacks on the perimeter of the subdivision and for the front yards are required to meet the standard setback requirements of the Rural Residential zoning district, and the proposal meets or exceeds this requirement.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the proposal for Final Plan approval to develop a six-lot, five-unit subdivision, and for modifications to the phasing and conditions of approval of Planning Action #2008-00182 as they relate to the Outline Plan approval and the associated Exception to Street Standards, is supported by evidence contained within the record.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve Planning Action #2009-00314. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2009-00314 is denied. The following are the conditions and they are attached to the approval:

- 1) That all proposals of the applicant are conditions of approval unless otherwise modified herein, including the modifications to the building envelopes which were proposed by the applicants at the Outline Plan public hearing before the Planning Commission and which are reflected on Sheet L-1 received with the application submittal on March 12, 2009.
- 2) All conditions of the geotechnical report prepared by Amrhein Associates, Inc. and dated October 12, 2007, including but not limited to the inspection schedule, shall be conditions of approval unless otherwise modified herein.
- 3) That all measures installed for the purposes of long-term erosion control, including but not limited to vegetative cover, rock walls, retaining walls and landscaping shall be maintained in perpetuity on all areas in accordance with 18.62.089.B.7.
- 4) That the installation of sidewalks, curbing and driveway approaches shall be completed according to city standards under permit from the Public Works/Engineering Department and any necessary inspections approved.
- 5) That prior to the issuance of an excavation permit:
 - a) Final civil engineering for the utility plan including but not limited to the water, sewer, storm drainage, electric and transportation facilities shall be submitted for the review and

approval of the Planning, Building, and Engineering Departments. 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, fire hydrants, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins, and locations of all primary and secondary electric services including line locations, transformers (to scale), cabinets, meters and all other necessary equipment. Transformers and cabinets shall be located in areas least visible from streets, while considering the access needs of the Electric Department. Any required private or public utility easements shall be delineated on the utility plan.

- b) A preconstruction conference to review the requirements of the Physical Constraints Review Permit shall be held prior to site work, storage of materials, or the issuance of an excavation permit. The conference shall include the Ashland Planning Department, Ashland Building Department, the project engineer, project geotechnical experts, landscape professional, arborist, and contractor. The applicants or applicants' representative shall contact the Ashland Planning Department to schedule the preconstruction conference.
 - c) That a Verification Permit in accordance with 18.61.042.B shall be applied for and approved by the Ashland Planning Division prior to site work, storage of materials and/or the issuance of an excavation or building permit. The Verification Permit is to inspect the trees to be removed and the installation of tree protection fencing. The tree protection for the trees to be preserved shall be installed according to the approved Tree Protection Plan prior to site work or storage of materials. Tree protection fencing shall be chain link fencing a minimum of six feet tall and installed in accordance with 18.61.200.B.
 - d) That the temporary erosion control measures (i.e. fabric sediment fencing, straw bales, crushed rock pads, straw erosion control matting or plastic sheeting) shall be installed and maintained according to the approved plan prior to any site work, storage of materials, or issuance of an excavation permit. These measures shall be inspected and approved by the Staff Advisor prior to site work, storage of materials, or the issuance of an excavation permit.
 - e) The applicants shall provide a performance bond, letter of credit or other financial guarantee in an amount equal to 120 percent of the value of the erosion control measures necessary to stabilize the site.
- 6) That prior to the signature of the final survey plat for Phase One:
- a) All easements for sewer, water, drainage, electric, streets or public pedestrian access shall be indicated on the final survey plat as required by the City of Ashland.
 - b) Street trees, located one per 30 feet of street frontage, shall be installed along the Strawberry Lane street frontage as part of the subdivision infrastructure improvements. Street trees shall be chosen from the Recommended Street Tree List and shall be installed in accordance with the specifications noted in the Recommended Street Tree List. The street trees shall be irrigated.
 - c) Phase One subdivision infrastructure improvements, including but not limited to utilities;

driveway approaches and any associated erosion control measures; a two-space parking bay to be located north of the driveway of Lot 2; and sidewalks and street trees on Lot 1's Strawberry Lane frontage shall be installed according to approved plans prior to the signature of the final survey plat for Phase One. On-street parking space bays shall be installed so as to maintain a 20-foot wide clear travel lane as required in the Street Standards Handbook.

- d) Electric services shall be installed underground to serve Lots 1, 2 and 4. At the discretion of the Staff Advisor, a bond may be posted for the full amount of underground service installation (with necessary permits and connection fees paid) as an alternative to installation of service prior to signature of the final survey plat. In either case, the electric service plan shall be reviewed and approved by the Ashland Electric Department and Ashland Engineering Division prior to installation.
- e) That the sanitary sewer laterals and water services including connection with meters at the street shall be installed for Lots 1, 2 and 4.
- f) That Amrhein Associates, Inc. shall inspect the site according to the inspection schedule of the engineering geology report dated October 12, 2007 provided with the application. Prior to signature of the final survey plat, Amrhein Associates, Inc. shall provide a final report indicating that the approved grading, drainage and erosion control measures were installed as per the approved plans, and that all scheduled inspections were conducted by the project geotechnical expert periodically throughout the project.
- g) The landscaping and irrigation for re-vegetation of cut/fill slopes and erosion control shall be installed in accordance with the approved plan prior to signature of the final survey plat. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.
- h) The applicants shall sign an agreement to participate in the future cost of street improvements for Hitt Road, including but not limited to sidewalks, curbs, gutters, paving, and storm drains, to be recorded on the deeds of the newly created lots concurrently with the final plat.
- i) The recommendations from the April 9, 2009 meeting of the Ashland Tree Commission, where consistent with applicable standards, shall be incorporated into revised Landscaping, Irrigation, and Tree Protection and Removal Plans for the review and approval of the Staff Advisor.
- j) A final copy of the CC&R's and the applicants' proposed Deed Restrictions shall be provided for the review and approval of the Staff Advisor and Legal Department. The CC&R's shall describe responsibility for the maintenance of all commonly-owned open space including but not limited to the implementation and maintenance of the approved fire prevention and control plan, and perpetual maintenance of required long term erosion control measures. The CC&R's shall note that any deviation from the approved Tree Removal and Protection Plan must receive written approval from the City of Ashland Planning Department. The "Building Height Plan" exhibit to be attached to the CC&R's shall be revised to reflect the building envelope modifications proposed by the applicants during the Outline Plan hearings as illustrated on Sheet L-1 submitted with the application on March 12, 2009, and shall also correct the sight line elevation depicted for

Lot 5, which is currently shown as being 17 feet below the finished floor elevation of the floor elevation of the first floor. The CC&R's and Deed Restrictions shall be recorded concurrently with the final plat.

- 7) That prior to the signature of the final survey plat for Phase Two:
- a) All easements for sewer, water, drainage, electric, streets or public pedestrian access shall be indicated on the final survey plat as required by the City of Ashland.
 - b) Phase Two subdivision infrastructure improvements, including but not limited to utilities; driveway approaches and any associated erosion control measures; a two-space parking bay to be located north of the driveway of Lot 4; sidewalks and street trees along Lot 3's Strawberry Lane frontage; any necessary street or sidewalk improvements on Hitt Road between the end of the existing improvements and the driveway for Lot 5 shall be installed according to approved plans prior to the signature of the final survey plat for Phase Two. On-street parking space bays shall be installed so as to maintain a 20-foot wide clear travel lane as required in the Street Standards Handbook.
 - c) Electric services shall be installed underground to serve Lots 3 and 5. At the discretion of the Staff Advisor, a bond may be posted for the full amount of underground service installation (with necessary permits and connection fees paid) as an alternative to installation of service prior to signature of the final survey plat. In either case, the electric service plan shall be reviewed and approved by the Ashland Electric Department and Ashland Engineering Division prior to installation.
 - d) That the sanitary sewer laterals and water services including connection with meters at the street shall be installed for Lots 3 and 5.
 - e) That the applicants shall complete the relocation of the gate at the end of the improvements on Hitt Road to the southern extent of the street improvements. The relocation of the gate will be coordinated with the City of Ashland Water Department.
 - f) The applicants shall sign an agreement to participate in the future cost of street improvements for Hitt Road, including but not limited to sidewalks, curbs, gutters, paving, and storm drains, to be recorded on the deeds of the newly created lots concurrently with the final plat.
 - g) That Amrhein Associates, Inc. shall inspect the site according to the inspection schedule of the engineering geology report dated October 12, 2007 provided with the application. Prior to signature of the final survey plat, Amrhein Associates, Inc. shall provide a final report indicating that the approved grading, drainage and erosion control measures were installed as per the approved plans, and that all scheduled inspections were conducted by the project geotechnical expert periodically throughout the project.
 - h) The landscaping and irrigation for re-vegetation of cut/fill slopes and erosion control shall be installed in accordance with the approved plan prior to signature of the final survey plat. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.

- 8) That prior to the issuance of a building permit:
- a) Individual lot coverage calculations including all impervious surfaces shall be submitted with each building permit to demonstrate compliance with the lot coverage allocated to each lot. Lots 1 and 2 are each allocated 26 percent coverage, Lot 3 is allocated 28 percent coverage, and Lots 4 and 5 are allocated each 20 percent coverage. Lot 6 is open space and no coverage has been allocated. Building footprints, walkways, driveways including the flag drive for Lot 3, parking areas, and any impervious surfaces shall be counted for the purpose of lot coverage calculations.
 - b) The setback requirements of 18.88.070 shall be met and identified on the building permit submittals including but not limited to the required width between buildings as described in 18.88.070.D.
 - c) Building permit submittals shall clearly demonstrate compliance with the applicants' proposed "Elevation Height Limits" by providing cross-sections or elevation drawings with building heights and elevations above sea level clearly labeled.
 - d) That a Physical and Environmental Constraints Permit for Hillside Development shall be applied for and approved in accordance with 18.62.040 for the development of Lot 5 prior to submission or issuance of a building permit.
 - e) Storm drainage plans shall be provided with the building permit submittal for each lot, and shall be consistent with the private stormwater detention system described in the approved civil improvements plans. The private lot stormwater detentions systems were proposed in the Outline Plan both to address stormwater drainage and to minimize impacts to the Oak Trees on site, which are highly susceptible to moisture-related fungus. Any modifications to the individual lots' stormwater detention systems will be required to demonstrate that they adequately address the civil engineering, geotechnical and arboricultural design assumptions.
 - f) That all proposed lots shall be subject to Solar Access Standard A with the exception of Lot 5, which has a negative north slope in excess of 15 percent which renders it subject to Solar Access Standard B. Solar setback calculations shall be submitted with each building permit to demonstrate compliance with the applicable standards, and shall include identification of the required solar setbacks with supporting formula calculations and elevation or cross-section drawings clearly labeling the height of the solar producing point(s) from the identified natural grade.
- 9) That prior to the issuance of a certificate of occupancy:
- a) That the requirements of the Fire Department, including that approved addressing shall be installed prior to combustible construction; that a fire prevention and control plan shall be implemented and maintained; and that fire apparatus access, fire sprinklers as proposed by the applicants, and a fire hydrant shall be installed, shall be addressed.
 - b) All exterior lighting shall be directed on the property and shall not illuminate adjacent properties.
 - c) For Lot #3, the applicants shall provide mitigation for the removal of Tree #31 through

on-site replanting, off site replanting, or payment in lieu of planting as provided for in AMC 18.61.084.

- d) Driveways greater than 50 feet in length, which are considered by definition to be flag drives and thus subject to all development requirements for flag drives, shall be constructed according to flag drive requirements that a 12-foot paved width and 15-foot clear width be maintained, and that parking spaces be configured so that vehicles can turn and exit to the street in a forward manner.
- e) Three off-street parking spaces shall be provided on each of the individual lots as proposed by the applicants in the Outline Plan approval.

Planning Commission Approval

Date