

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
AUGUST 12, 2014
AGENDA**

- I. **CALL TO ORDER:** 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street
- II. **ANNOUNCEMENTS**
- III. **AD-HOC COMMITTEE UPDATES**
- IV. **CONSENT AGENDA**
A. **Approval of Minutes**
1. June 24, 2014 Study Session.
2. July 8, 2014 Regular Meeting.
3. July 22, 2014 Special Meeting.
- V. **PUBLIC FORUM**
- VI. **TYPE II PUBLIC HEARINGS**
A. **PLANNING ACTION: #2014-00710**
SUBJECT PROPERTY: 143 Nutley Street
APPLICANT: Robert Baldwin
DESCRIPTION: A request for a Conditional Use Permit (CUP) approval to exceed maximum permitted floor area (MPFA) in the Skidmore Academy Historic District for the addition to the existing 896 square foot residence on the property at 143 Nutley Street. The request is to exceed the allowed MPFA by 17.9 percent or 392 square feet.
- B. **PLANNING ACTION: #2014-00967**
SUBJECT PROPERTY: 572-582 Fair Oaks Avenue
APPLICANT: Ayala Properties, LLC
DESCRIPTION: A request for Site Review approval to construct a three-story mixed-use 10,748 square foot building at the corner of Fair Oaks Avenue and Plum Ridge Drive. The building will consist of six residential units on the upper two floors and one commercial space, with the option for interim residential use on the ground floor along with five parking spaces. COMPREHENSIVE PLAN DESIGNATION: North Mountain, Neighborhood Central Overlay; ZONING: NM-C; ASSESSOR'S MAP: 39 1E 04 AD TAX LOTS: 5900.
- VII. **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
STUDY SESSION
MINUTES
June 24, 2014

CALL TO ORDER

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

Commissioners Present:

Troy J. Brown, Jr.
Michael Dawkins
Richard Kaplan
Debbie Miller
Melanie Mindlin
Lynn Thompson

Staff Present:

Bill Molnar, Community Development Director

Absent Members:

Tracy Peddicord

Council Liaison:

Mike Morris, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar announced next Tuesday the City Council will hear the Planning Commission's report on short term home rentals. Also on the agenda is the second reading of the medical marijuana dispensary ordinance.

AD-HOC COMMITTEE UPDATES

SDC Review Committee: Commissioner Brown stated the group has completed their review of the water and sewer SDC charges but have not voted yet. Next up are the transportation SDCs.

Normal Neighborhood Plan Working Group: Commissioner Dawkins stated the group held its first meeting and discussed the scope of work. They intend to hold 5-6 meetings and the biggest issue appears to be the assumptions on density. Dawkins stated if the density does not go here, the City will need to decide where it should go. He noted the other items to be discussed include transportation connectivity, open space, and conservation easements.

PUBLIC FORUM

No one came forward to speak.

PRESENTATION

A. Presentation by the Ashland Fire Department on Amending the Wildfire Hazard Zone.

Community Development Director Bill Molnar explained much of land use planning at the city level is under the broad umbrella of the statewide planning goals, and one of those goals is to manage areas subject to natural hazards. He stated the City's comprehensive plan and zoning code are the tools used to implement state policies at the local level, and this particular goal requires cities to inventory hazardous areas, set policies, and adopt standards to protect property and citizens.

Fire Chief John Karns, Fire & Life Safety Division Chief Margueritte Hickman, and Forestry Division Chief Chris Chambers addressed the Commission and presented their proposal to expand the wildfire hazard zone in Ashland. Mr. Karns provided an overview of how the Ashland Fire Department conducted their review of the current wildfire hazard zone by using the standards set forth by the Oregon Department of Forestry, which look at weather,

typography, fuel model, and fuel concentration. He stated they came up with 16 different groups, applied the ODF standards, and determined all of Ashland qualifies as a wildfire hazard zone.

Margueritte Hickman displayed photos and provided descriptions of several fires that have occurred in Ashland in the last ten years. She commented on screening vegetation and explained certain types of vegetation directly impact the threat to structures and aid in the spreading of the fire. Ms. Hickman pointed out that the City's land use code requires screening materials be used in order to protect the privacy of neighbors, but suggested photinia be used in place of junipers and cypress plants since it is fire resistant and can grow very high. Commissioner Thompson commented that the deer like to eat photinia, which may be why it has not been widely used for screening. Ms. Hickman commented on the Oak Knoll fire and stated a leland cypress located directly against one of the homes assisted in its burning. She stated had that tree not been there, there is a good chance that house would have survived.

Chris Chambers explained their proposal to expand the wildfire hazard zone includes two other elements: 1) screening materials, and 2) hazard tree removals. He spoke to the latter and stated the current process for hazard tree removal is not easy. He explained they would like to develop a process where the Fire Department would have the authority to sign off on a plan and file it with the Community Development Department. Mr. Chambers stated there are not a lot of these situations, but when they have come up it has been a struggle to get the hazard trees removed in a fast, efficient, and low cost way for citizens.

A video of the Oak Knoll fire was played for the Commission. Mr. Karns stated this is one of those situations where you want to have those preplanned items in place including correct vegetation, no wood roofs, and a very aware citizenry that knows that the threat is there and are prepared to leave at a moment's notice. He stated they came very close to losing citizens in this fire and stated 11 homes burned within 45 minutes. He added every four minutes a home was consumed and stated the junipers, cypress, blackberries, and dry grass aided in the fast spreading nature of this fire.

Mr. Karns stated they have a long term strategy to increase the safety of the community and this is just one rung in the ladder. He noted the systems already in place, including the City's Firewise program, a mass reverse 911 notification system, the Ashland Forest Resiliency program, and the numerous emergency preparedness trainings held for staff, citizens, and businesses. He stated it is important to understand that Ashland has a significant wildfire threat throughout its boundaries and the expansion of the wildfire hazard zone will improve the overall safety for the community.

Commissioner Questions:

- *What are the implications for property owners with existing structures?*
Mr. Karns explained there will not be any retroactive regulations. He stated if a property owner puts a new roof on their home the City would require a material other than wood shingles. He stated new developments and subdivisions would be required to provide a fire control plan approved by the Fire Department, and owners who put additions onto their existing structures could be required to complete a fuels reduction process. Mr. Karns commented on insurance rates and stated classifying the entire City as wildfire hazard lands would not impact citizens' insurance rates.
- *Will this change come back before the Planning Commission?*
Mr. Molnar clarified the wildfire hazard zone is an official zone adopted by the City and any changes would require the approval of an ordinance, with public hearings before the Planning Commission and City Council.
- *Did the Fire Department consider what the wildfire threat will be when the large, flatter, grassy areas in town are eventually built out?*
Mr. Karns stated they can reevaluate certain areas when they are developed and determine the risk factor at that time.
- *Will this impact the Fire Department's staffing levels?*
Mr. Karns said No, although they will try to move the part-time Fire Adaptive Communities Coordinator to a full time position.

- *Will this impact the City's annexation process?*

Mr. Molnar clarified once annexed the area will be subject to the provisions of the Ashland municipal code.

Mr. Molnar commented on the transportation of embers and asked about county lands that are either adjacent to Ashland or within our urban growth boundary but outside the City limits. Mr. Karns stated the Fire Department has had a number of conversations with the County, however none have been very productive and stated it will be one of the bigger challenges to work out some sort of arrangement. He pointed out that the Oak Knoll fire did not start in Ashland and was started in the County where weed abatement is not required. Mr. Chambers commented that the most important thing the City can do to reduce loss of structure and life is to manage its structures and vegetation within the city limits.

ADJOURNMENT

Meeting adjourned at 8:05 p.m.

*Submitted by,
April Lucas, Administrative Supervisor*

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
REGULAR MEETING
MINUTES
July 8, 2014

CALL TO ORDER

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

Commissioners Present:

Troy J. Brown, Jr.
Michael Dawkins
Richard Kaplan
Debbie Miller
Melanie Mindlin
Tracy Peddicord
Lynn Thompson

Staff Present:

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

Absent Members:

None

Council Liaison:

Mike Morris, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar stated the City Council's goal setting session is scheduled for this weekend. He also announced the Council passed second reading of the medical marijuana dispensary ordinance and voted 3-1 to have staff prepare an ordinance on short term home rentals and take it to the Planning Commission for a public hearing.

AD-HOC COMMITTEE UPDATES

Downtown Parking Management and Circulation Ad Hoc Advisory Committee: Commissioner Kaplan stated at the July meeting the committee reviewed the consultant's draft report and the key take-a-ways were that parking is at capacity most of the time, although it is not uniform with some areas under capacity and others at or above; and that employee parking is not as severe as originally thought, with many workers parking in residential areas. Kaplan stated there are six policy options the group will be discussing, including: better signage, incentive programs for employee parking, regulations, satellite lots and trolleys, and pricing/paid parking.

SDC Review Committee: Commissioner Brown announced the group has finished their work on water sdc's and sewer and transportation are still pending. Their next meeting is scheduled for August 4, 2014.

CONSENT AGENDA

A. Approval of Minutes.

1. June 10, 2014 Regular Meeting.

Commissioners Brown/Miller m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed.
[Commissioner Thompson abstained]

PUBLIC FORUM

No one came forward to speak.

UNFINISHED BUSINESS

A. Approval of Findings for PA-2014-00307, 777 Oak Street.

Commissioner Thompson questioned if the Findings should better address the code requirement in 18.62.070.E, which states to the maximum extent feasible structures will be placed outside floodplain corridor lands.

Commissioner Peddicord noted the tree protection zone factored heavily into why the applicants could not move the home further away. Commissioner Mindlin felt this was addressed appropriately in the findings and stated the Commission's other rationale was that putting the home further from the floodplain could cause water to back up.

Thompson commented that by omitting this code section someone could argue that the Commission was not aware of this requirement. Mr. Molnar suggested adding "with respect to the standard in 18.62.070.E" to the end of the first sentence in Section 2.2 of the Findings document and the group voiced their support for this amendment.

Commissioners Dawkins/Peddicord m/s to approve the Findings for PA-2014-00307 as amended. Voice Vote: all AYES. Motion passed unanimously.

B. Approval of Findings for PA-2014-00734, 1163 Iowa Street.

Commissioners Mindlin/Dawkins m/s to approve the Findings for PA-2014-00734. Voice Vote: all AYES. Motion passed unanimously.

C. Approval of Findings for PA-2014-00737, Oak Street Right-of-Way.

Commissioners Miller/Mindlin m/s to approved the Findings for PA-2014-00737. Voice Vote: all AYES. Motion passed unanimously.

DISCUSSION ITEMS

A. Pre-Adoption Review of the Unified Land Use Code.

Planning Manager Maria Harris handed out Section 18-4 and provided a matrix with the latest recommended language changes. She clarified this is the adoption ready draft and all the comment boxes, strike-outs and highlights have been removed. She noted the Commission last reviewed this document in March and since that point staff has revised the document to ensure consistent use of terms, consistent formatting, added and verified cross references, and added new graphics and tables.

Ms. Harris provided a short review of the changes made to the Unified Land Use Code since the last draft:

- **Nonconforming Developments:** Added the text "except for non-residential nonconforming development subject to Site Design Review." Ms. Harris clarified this is an existing standard.
- **Vision Clearance Area Requirements:** Added the text "Street lights, posts or poles supporting streets signs, traffic control signs or devices, utility poles, on-street parking, and street trees exceeding 2.5 feet may be located in vision clearance areas, unless the cumulative impact of the placement results in an obstruction to vision." Ms. Harris clarified this language was taken from the state model code.
- **Porous Pavement Exemption from Lot Coverage for Residential Zones:** Ms. Harris stated the focus group brought up this issue and the Planning Commission recommended staff make this change.
- **Density Calculation for Multi-Family Residential Zones:** Ms. Harris stated staff recommends striking the fractional portion language, which makes this requirement clearer and less confusing.
- **Building Height Exemption in Commercial and Employment Zones:** New language has been added which states "Parapets may be erected up to 3 ft. above the maximum building height." Ms. Harris clarified this was recommended by the focus group and noted this is not entirely new language and similar language already applies to the Croman Mill District.
- **Allowed Uses in Croman Mill District:** Language from the state model code was included in this section to provide consistency with the other districts addressed in 18-2.2.030.
- **Development in Pedestrian Place Overlay in Residential Zone:** "Mixed-Use Buildings" was added to clarify that if a property develops in solely residential uses, the building and intensity should reflect the base residential zone requirements.

- **Single Family Dwelling Parking Requirements:** The language “Except for single family dwellings” was added to clarify current requirements.
- **Private Drive Requirements:** The language “that serves three or less lots” was added to clarify that residential units can be located on flag lots.
- **Ashland Street Corridor Standards:** Ms. Harris clarified the street tree area and sidewalk widths listed in the code were updated to ensure consistency with the existing street design standards for a boulevard.
- **Preliminary Grading and Drainage Plan:** Ms. Harris clarified the language regarding temporary and permanent erosion control measures was moved to grading plan requirements, rather than the landscape plan requirements as recommended by the focus group.
- **Preliminary Partition Plat Criteria – Exterior Unimproved Streets and Accessways and Enforcement Fee for Tree Removal Violation:** These sections were deleted because they are repetitive and are already addressed in the code requirements.
- **District, Zone, and Land Use Ordinance Definitions:** Definitions for these three terms have been added to the code.

Ms. Harris commented on the upcoming public hearing on June 22 and clarified the Commission will receive a matrix that lists all of the substantive changes, a staff report, and any written comments that are submitted. She noted staff will be sending out postcards to approximately 300 people and the newest materials have been posted to the project page on the city’s website (www.ashland.or.us/unifiedcode).

Commissioner Mindlin noted a correction to page 2-21, 4.b; the third line down should read “waive the requirement to dedicate and construct a public street...”. She also questioned if the wording in 4.h would prohibit garden fences. Ms. Harris stated she would check into this and offered to include a cross reference to the deer fencing section.

ADJOURNMENT

Meeting adjourned at 8:10 p.m.

*Submitted by, April Lucas
Administrative Supervisor*

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
REGULAR MEETING
MINUTES
July 22, 2014

CALL TO ORDER

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

Commissioners Present:

Troy J. Brown, Jr.
Michael Dawkins
Richard Kaplan
Debbie Miller
Melanie Mindlin
Tracy Peddicord
Lynn Thompson

Staff Present:

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

Absent Members:

None

Council Liaison:

Mike Morris, absent

AD-HOC COMMITTEE UPDATES

Normal Neighborhood Plan Working Group: Commissioner Kaplan stated 15-20 members of the public attended the last meeting and the group shared their preferences on where the densities, roads, and open space should be located. He stated there were some areas of agreement, but also a lot of differences. The group discussed density, affordable housing requirements, and the NN-03-C commercial zone. Areas of consensus seemed to be moving the higher densities closer to Ashland Street and away from East Main, placing the NN-02 zone in the interior of the plan area, and making the streets more grid like. There was also a request to not use the NN zoning designations and use the City's existing zones (R-1, R-2, R-3, etc.) instead.

Commissioner Kaplan was asked if the plan put forward by the Commission has been rejected and if the Council was starting over. Kaplan replied that the plan will likely be amended before it is approved by the City Council. Comment was made expressing concern that the Council is just moving the discomfort around. Additional comment was made that no member of the public indicated to them that they wanted the density placed in the center of the plan area.

Downtown Beautification Committee: Commissioner Dawkins stated this group's work is coming to an end and provided a list of identified projects, including: the walkway by Earthly Goods (lighting/artwork), Lithia/Pioneer sidewalks, historical markers, OSF/Black Swan area, and bringing furnishings onto the Plaza. Dawkins added there is still funding available to complete some of these items.

PUBLIC FORUM

Colin Swales/95 Coolidge/Commented on the ULUO process and remarked that the stated intent is to provide predictability to the planning process, but disagreed with this and stated the process is not suppose to be predictable, but fair. Mr. Swales voiced his disappointment with how the focus groups and open houses were done and stated the professionals who participated put forward a wish list of what they would like to see to maximize their investments. He stated he was also disappointed with the 2006 Siegel Report which took away citizen input and allowed more actions to be approved at the staff level. Mr. Swales asked the Commission to consider the Comprehensive Plan and goals for the City as they review the proposed changes to the land use code.

LEGISLATIVE PUBLIC HEARING

A. PLANNING ACTION: 2014-00529

DESCRIPTION: A request to modify Title 18 of the Ashland Municipal Code to combine the land use ordinance language and related development standards into one document with improved organization, wording, formatting, and graphics. Amendments are included to address outstanding items from the [2006 Land Use Ordinance Review by Siegel Planning Services LLC](#), recommendations from the planning application procedure and green development audits, inconsistencies, and ambiguous wording. The land use ordinance implement the community's vision as expressed in the Ashland Comprehensive Plan and governs the development of property within the City limits.

Staff Report

Planning Manager Maria Harris explained this action replaces Title 18 of the Ashland Municipal Code in its entirety with a revised land use ordinance that includes the Site Design & Use Standards and the Street Standards and improves the organization, formatting and graphics. The proposed document also includes amendments addressed in the 2006 Siegel land use ordinance review, recommendations from the application procedures and green development audits, and inconsistencies and ambiguous wording. Ms. Harris noted there have been approximately 30 meetings on this project over the last two years and clarified the Planning Commission is tasked with making a recommendation to the City Council, who will make the final decision.

Ms. Harris provided a presentation that covered the key proposed amendments:

- ***Building Heights in Downtown Ashland.*** Currently the maximum height is 40 ft. with the potential to go up to 55 ft. with a conditional use permit. The proposal is to keep the 40 ft. maximum, but if the structure is more than 100 ft. from a residential zone they can go up to 55 ft. There is also an exemption from the plaza space requirement for the fourth floor (large scale developments only); an exemption of the C-1 zone from the solar setback standards (except for properties that are within 100 ft of a residential zone); and an exemption for parapets.
- ***Building Street Frontage.*** For non-residential development there is currently a disconnect between the written standards and the concept plans. The proposed amendments require parking to be located either behind or on one side of the building, and for the building's façade to occupy the majority of the street frontage. Ms. Harris added more building frontage on the street will improve the pedestrian environment and be more in line with current standards. Additional changes to the design standards that apply to non-residential zones include the vision clearance exemption, building separation requirements, and the hotel/motel definitions.
- ***Cottage Housing.*** The proposed language makes it possible to do cottage housing in single family zones, and allows for two small cottages for every regular single family home.
- ***Solar Orientation.*** This amendment applies to land divisions in residential zones and requires the layout of new streets to be as close as possible to a north-south and east-west axis; to orient buildings so that the long sides face north and south; and to design habitable structures so the primary living space is located on the south side of the building.
- ***Building Separation.*** The proposed language applies the building separation standard uniformly in residential zones and requires the minimum separation between buildings to equal half the height of the tallest building, where building height is measured at the two closest exterior walls. The maximum required separation is 12 ft.
- ***Accessory Residential Units.*** The proposed change removes the conditional use requirement and makes accessory residential units a site design review application.
- ***Other Changes to the Design Standards in Residential Zones*** include the porous pavement exemption, half story setback, side and rear yard exceptions, single-family parking, and solar setback exemption for architectural projections.
- ***Procedural Amendments.*** In the Basic Site Review Zone, a public hearing would be required if the building is more than 15,000 sq.ft. (instead of current 10,000 sq.ft.) or if the proposed addition is more than 50% of the existing buildings square footage.

- **Other Changes to Procedures** include planning approval expiration and extension, affordable housing density bonus, maximum density bonus, conditional use permit approval criteria, and variance approval criteria.

Questions of Staff

Staff was asked if outdoor lighting is required. Ms. Harris clarified street lights are required along sidewalks and stated within the site light cannot spill over into residential zones. In order to meet the latter requirement, staff needs to know where the lights will be placed.

Staff was asked whether the performance standards option (PSO) would be applied throughout town. Ms. Harris clarified this was originally recommended, but it was determined that this was a bigger issue that would require more discussion. She added this could be controversial, especially as it applies to flag lots. Comment was made that this was good idea and recommending it not be abandoned. Mr. Molnar commented that the performance standards option already applies to a number of areas in town, and noted there is existing criteria that allows staff to approve a performance standards development even if it is not within a PSO overlay.

Public Testimony

Colin Swales/95 Coolidge/Recommended the code allow for variability to the solar access requirement and the manner in which subdivisions are oriented in order to deal with topography. Mr. Swales expressed concern with the vision clearance amendment for commercial zones in the downtown and stated the current requirement makes for safer and more attractive buildings. He shared his concern with the increased building height allowance and the parapet exemption. Mr. Swales stated his objection to the fourth floor plaza space exemption and the change in the hotel/motel definition. He also recommended the variance language be changed to specify that the circumstances have not been self imposed by the property owner OR the previous owner.

Discussions and Deliberations

Commissioner Thompson questioned the proposed wording regarding residential uses in commercial and employment zones in developments with more than one building on the same site. Ms. Harris clarified the language was meant to clarify what you count as residential and non residential. Mr. Molnar added this applies to developments that have multiple buildings with a standalone residence building. Thompson recommended staff make this clearer in the way it is written and received unanimous support from the Commission.

Commissioner Thompson asked about the building separation requirements and whether this is consistent with the character of the historic districts. Ms. Harris clarified that the proposed standard has been used in Performance Standards Options subdivisions throughout Ashland, including in the historic districts, for more than 20 years.

Commissioner Thompson questioned the solar orientation standards and expressed concern with the rigidity of this standard. Mr. Molnar commented that the City adopted the solar access ordinance in the early 1980s and stated if you don't consider solar orientation in the beginning stages of a development you may lose this option entirely. Several commissions voiced support retaining the solar standards. Comment was made that this is a simple way to take advantage of the environment and retain all options for the future.

Commissioner Dawkins questioned the proposed change to the vision clearance standard. Ms. Harris clarified the vision clearance standard currently applies to the C-1-D zone (not C-1 or E-1), and the proposed change would make C-1-D exempt like the other two commercial zones. Dawkins voiced his concern and stated that extra space provides the driver of a vehicle a little more room to see, rather than pulling into the sidewalk. Commissioner Peddicord commented that this may need to be a case-by-case evaluation, rather than a flat exemption. Commissioner Brown noted that large vehicles parked on the street can also impact the driver's vision clearance, and this is not something the business owner has control over. Commissioner Miller questioned if they should be evaluating this standard for other areas of town as well. Due to the various concerns expressed by the Commission, general consensus was reached to pull the vision clearance amendment in order to study the larger issue.

Commissioner Mindlin questioned the reasoning for changing the corner lot size requirements. Mr. Molnar clarified

the current lot size requirements for corner lots in the R-1-5 zone is 1,000 sq.ft. larger than interior lots and the proposed amendment would keep all lots the same with a 5,000 sq.ft. minimum. He added this was one of the Siegel Report recommendations. Mindlin stated the Commission has had applications come before them where because of a smaller lot size, applicants felt entitled to a variance approval to build the large house they want. She stated she would rather stick with the 6,000 sq.ft. minimum for corner lots and added the reasoning behind the original requirement is still sound. The Commission voiced their support with Mindlin and consensus was reached to keep corner lots in the R-1-5 zone at a 6,000 sq.ft. minimum and to not put forward this amendment.

Commissioner Mindlin voiced her concern with changing the setbacks in commercial and employment zones from abutting residential zones. She commented that the separation between commercial and residential should be at least the same as they get from residence to residence and stated she is not in favor of reducing this to five feet per story. She added she is in favor of growing up and not out, but does not support a five foot per story setback for side and rear yards. The Commission voiced their support with Mindlin and consensus was reached for the required setbacks in the C-1, C-1-D and E-1 zones from residential zones to be 10 ft. per story for rear yards, and 10 ft. for side yards.

Commissioner Mindlin questioned why the flag lot interpretation is not included in this project. Ms. Harris clarified that staff did introduce potential language earlier on in the process, but the Commission tabled this in order to have further community discussion. Staff indicated that this could be brought back for discussion at a later date. Recommendation was made for staff to add this as a discussion item at the Commission's next goal setting session.

Commissioners Miller/Kaplan m/s to extend the meeting to 10 p.m. Voice Vote: all AYES.

Deliberations and Decision

Planning Secretary April Lucas read aloud the agreed upon modifications to the proposed code:

- 1) Clarify the language regarding residential uses in commercial and employment zones in developments with more than one building on the same site (Amendment Matrix, pg. 1)
- 2) Remove the proposed vision clearance standard exemption for the C-1-D zone and study the larger issue (Amendment Matrix, pg. 10)
- 3) Retain the current 6,000 sq.ft. minimum lot size for corner lots in the R-1-5 zone (Amendment Matrix, pg. 2)
- 4) Require 10 ft. per story rear yard setbacks and 10 ft. side yard setbacks from residential zones in the C-1, C-1-D, and E-1 zones (Amendment Matrix, pg. 3)

Commissioners Mindlin/Dawkins m/s to recommend approval of the unified land use code with the modification just read. Roll Call Vote: Commissioners Brown, Miller, Dawkins, Mindlin, Thompson, Peddicord, and Kaplan, YES. Motion passed unanimously.

ADJOURNMENT

Meeting adjourned at 9:40 p.m.

*Submitted by, April Lucas
Administrative Supervisor*

**TYPE II
PUBLIC HEARING**

**PA-2014-00710
143 Nutley Street**



PLANNING ACTION: PA-2014-00710

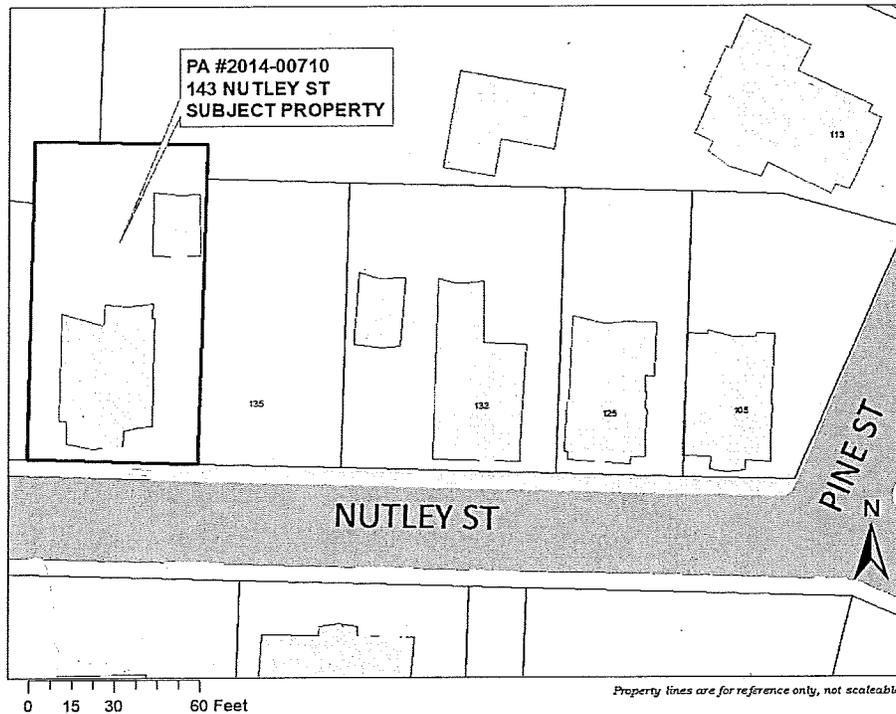
SUBJECT PROPERTY: 143 Nutley Street

OWNER/APPLICANT: Robert Baldwin

DESCRIPTION: A request for a Conditional Use Permit (CUP) approval to exceed maximum permitted floor area (MPFA) in the Skidmore Academy Historic District for the addition of 1,695 square feet on to the existing 896 square foot residence on the property at 143 Nutley Street. The request is to exceed the allowed MPFA of 2,591 square feet by 13.29 percent or 306 square feet. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 08AD **TAX LOTS:** 2300.

NOTE: The Ashland Historic Commission will also review this Planning Action on **Wednesday, August 6, 2014 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

ASHLAND PLANNING COMMISSION MEETING: August 12, 2014 at 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 Division, 541-488-5305.

CONDITIONAL USE PERMITS

18.104.050 Approval Criteria

A conditional use permit shall be granted if the approval authority finds that the proposed use conforms, or can be made to conform through the imposition of conditions, with the following approval criteria.

- A. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
- B. 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.
- C. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:
 1. Similarity in scale, bulk, and coverage.
 2. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
 3. Architectural compatibility with the impact area.
 4. Air quality, including the generation of dust, odors, or other environmental pollutants.
 5. Generation of noise, light, and glare.
 6. The development of adjacent properties as envisioned in the Comprehensive Plan.
 7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.

**ASHLAND PLANNING DIVISION
STAFF REPORT
August 12, 2014**

PLANNING ACTION: 2014-00710

APPLICANT: Robert Baldwin

LOCATION: 143 Nutley Street

ZONE DESIGNATION: R-1-7.5

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential

APPLICATION DEEMED COMPLETE: July 24, 2014

120-DAY TIME LIMIT: November 21, 2014

ORDINANCE REFERENCE:	18.20	Single Family Residential
	18.104	Conditional Use Permit
	18.108	Procedures

REQUEST: A request for a Conditional Use Permit (CUP) approval to exceed maximum permitted floor area (MPFA) in the Skidmore Academy Historic District for the addition to the existing 896 square foot residence on the property at 143 Nutley Street. The request is to exceed the allowed MPFA by 17.9 percent or 392 square feet.

I. Relevant Facts

A. Background - History of Application

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

B. Detailed Description of the Site and Proposal

The subject property is located on the north side of Nutley Street, mid-block between Scenic and Pine streets. The parcel is zoned single family residential (R-1-7.5) and is located within the Skidmore Academy Historic District. The surrounding properties are also zoned single family residential (R-1-7.5). The subject property is occupied by a single-family residence and a single vehicle garage. The property to the east is a vacant lot subject to a separate land use application that is not covered in this staff report. There are single family residences to the west and north. Across Nutley Street to the south are single-family residences and to the southwest is a three unit apartment complex.

The property is rectangular with an area of 6,360 square feet. Similar to many of the residential lots in this block, the property was created prior to current zoning regulations and is smaller than the minimum lot size of 7,500 square feet. As a result, the property is considered a legal, non-conforming lot.

There is an approximately one and one-half percent slope from east to west. At the rear of the property there is an approximately 35 percent slope to the north into a swale that is located on the properties north of the subject site. There are two small diameter trees directly behind the residence that will be removed to accommodate the addition. There are trees on the adjacent properties to the west, east and north. A tree protection and preservation plan was not submitted with the application. A condition of approval requiring that the trees on the adjacent properties be protected in accordance with the Tree Protection and Preservation ordinance has been suggested.

The existing residence on the site is identified as the Leslie and Anna Johnson House in the Historic Resources Inventory for the Skidmore Academy Historic District. The inventory notes that the structure was constructed in 1913 and is considered a fine one and one half story gable bungalow with a project gable porch. The house retains shingle siding, wide door and window trim, projecting eave brackets and other details typical of the form. The residence is considered a historic contributing resource.

The application involves adding 1,695 square feet to the existing 896 square foot residence. The proposed home requires a Conditional Use Permit (CUP) to exceed the maximum permitted floor area (MPFA) within a Historic District by 17.9 percent or 392 square feet. The proposed addition complies with the required setbacks for the zone.

The applicant's calculations on the lot area and subsequent CUP request to exceed the MPFA were inaccurate. The applicant calculated the lot area as 6,534 square feet and the resulting MPFA request was for 306 square feet or 13.29 percent. Based on the Jackson County Assessor's Data the lot is 60 by 106 resulting in a lot area of 6,360 square feet.

II. Project Impact

The request is for a CUP to exceed the MPFA in the Historic District. The requested addition is greater than ten percent of the existing floor area and is more than 300 square feet, and therefore is a Type II which requires a public hearing before the Planning Commission (Ashland Municipal Code 18.108.040.A.3.f.v).

A. Conditional Use Permit to exceed Maximum Permitted Floor Area

Residentially zoned properties located within Ashland's Historic Districts are subject to a MPFA limitation based on the lot size and number of units proposed. This limitation is intended to preserve the historic character of Ashland's historic districts by insuring that development is architecturally and historically compatible with historic development patterns and fits well into the fabric of these established historic neighborhoods. The ordinance establishing the MPFA limitations provides for applicants to exceed the MPFA by up to 25 percent when they obtain a CUP; this is a discretionary approval intended to provide for a higher level of review of proposed structures in the context of the CUP approval criteria as well as the Historic District Development Standards.

The MPFA calculation for the subject 6,360 square foot parcel allows for a 2,199 square feet residence. The proposal is to add 1,695 square feet to the existing 896 single-family residence for a total of 2,591 square feet. The proposed addition is 392 square feet or 17.9 percent over the allowed MPFA.

The applicant has proposed a two-story addition at the rear of the existing one and one half story residence. The applicant has proposed to add 881 square feet on the ground floor and create a full second story which is proposed to be 789 square feet. The ground floor includes a single vehicle garage. A rooftop deck accessed from the second story is proposed over the garage portion of the lower level. A rear yard pergola structure is proposed over the rear patio area that is between the proposed structure and the embankment.

The existing covered front porch and existing residence front façade is proposed to remain. The proposed addition is setback from the front façade of the building by more than 20-feet. The roof line is proposed to step up and away from the front of the building. The proposed addition has offsets on both the walls and various roof forms.

The applicant has proposed a shingle style concrete siding for the new addition. The existing wood shingle style siding on the front portion of the residence is proposed to be repaired and repainted. The applicant has proposed to replace the windows in the existing portion of the residence with vinyl; all new windows are proposed to be vinyl as well. A composition, shingle roof is proposed.

The property has adequate capacity for city facilities to serve the existing single-family home and the city facilities will remain adequate. There is overhead electric serving the site. The property is served by a four-inch water main; a six-inch sewer line and an 18-inch storm drain line. The existing services will continue to serve the site and the enlarged single-family home.

Nutley Street is classified as a neighborhood street and is paved with curb, gutter and partial sidewalks. The four-foot, six-inch curbside sidewalk stops at the east property line. The applicant will be required to extend the existing sidewalk along the frontage of the parcel. This sidewalk connects to the sidewalks that are in place to the east. It is possible that the sidewalk be continued to the intersection of Scenic and Nutley if the property to the west redevelops in the future.

The applicant has proposed to remove the existing driveway curbcut on the subject parcel. The adjacent property which is also going through a land use review will share a single, nine-foot wide driveway. This will reduce vehicle and pedestrian conflicts, allows for garages to be constructed at the rear of the properties which improves the streetscape by not having front loading garages on the front façade.

The street provides adequate transportation facilities to continue to serve the parcel. The generation of traffic from the proposed home is consistent with that of the target use. In addition, the proximity to the downtown, shopping and public parks may result in a reduction in vehicle trips over what might be expected for a similar residence not as centrally located.

Historic District Development Standards

For projects requiring a CUP, the authority exists in law for the Staff Advisor or Planning Commission to require modifications in design to address these standards. In these cases, the Historic Commission advises both the applicants and city decision makers. In this instance, the staff report is being prepared for distribution prior to Historic Commission review. The Historic Commission's recommendations from their August 6th meeting will be distributed for Planning Commissioner review at the August 12th Planning Commission hearing. A condition has been suggested requiring that the recommendations of the Historic Commission are incorporated into the building permit submittals where consistent with applicable standards and with final approval by the Staff Advisor and Planning Commission.

CUP review calls for consideration of whether the proposed single-family home will have adverse material effects on the impact area when compared to the target use of the zone. The target use in this case is the development of one residential unit. Specifically, "similarity in scale, bulk and coverage" and "architectural compatibility with the impact area" is included in the factors to be considered when making the comparison between the proposal and the target use.

In addition to the CUP criteria, the ordinance also requires that properties seeking an overage to the MPFA be reviewed using the Historic District Design Standards which address compatibility with historic context in terms of height, scale, massing, setbacks, roof shape and material, rhythms of openings, directional expression, sense of entry, imitation, etc.

The findings provided by the applicant note that the proposed structure is below the maximum height allowed in the historic district. The proposed second story addition is 27-feet, 10-inches to the peak, less than the maximum average height of 30-feet. The proposed addition is approximately seven feet higher than the existing peak. In staff's review of residences in the vicinity of the proposed project range in height with structures more than 30-feet tall near the intersection of Pine and Nutley to 20-feet tall across Nutley Street from the subject site.

The proposed addition is similar in scale as adjacent properties. According to the applicant's findings the properties in the immediate vicinity are similar in size to the proposed square footage. In staff's review of the properties in the immediate vicinity (both sides of Nutley Street and the adjacent parcel on Pine St), the average square footage is 2,260 square feet in area.

The existing residence massing will be consistent with the adjacent residences. The additional building massing is recessed from the front façade of the existing historic contributing residence with the new addition setback 20-feet, 4-inches from the front of the residence.

The front elevation also has a various roof forms with the street facing front porch and existing residence gables. The proposed addition is a large gable with a smaller gable on the east side of the addition. Two dormers perpendicular to the

primary gables which will face west are also proposed. The applicant has proposed to match the pitch of the proposed addition with the existing roof pitch

Additionally composition shingles are proposed, this material is consistent with other roof materials in the impact area. The applicant has proposed to replace the existing windows and install new vinyl double hung windows. The windows are consistent in size with those on the existing residence but the material choice, particularly for the replacement windows is inconsistent with the standards. The standards state that replacement windows shall match existing, in this instance the existing windows are wood. The existing reduced front yard setback of the historic contributing residence is being retained and no modifications other than cosmetic changes are proposed.

The application notes that the increased square footage allows for the project to provide a garage at the rear of the project that is not located in close proximity to the street. The findings note that this adds an aesthetic advantage that the neighborhood will enjoy and eliminates potential conflicts caused by vehicles backing into traffic and improves the human scale pedestrian experience.

The applicants' home design reflects many of the characteristics and patterns of development in the Skidmore Academy Historic District. The proposed addition is complimentary to the home and the neighboring residences. The proposed addition can be found to be a positive situation due to the preservation of the historic contributing resource. Additionally, the proposed addition is compatible with the historic contributing resource but is clearly from this time period. This is consistent with the City of Ashland Historic District Development Standards as well as the Secretary of the Interior Standards for Historic Preservation.

Staff does have concerns regarding the proximity of the relocated driveway to the two trees on the adjacent parcel to the east. The maple appears to be within the area of the driveway and the cedar tree is within approximately three feet of the proposed driveway. An arborist report was provided for the trees with the adjacent property submittal and it states that a 6.75 foot tree protection zone is required for the maple and a 16.5 foot protection zone is required for the cedar. The proposed driveway is within these zones. A condition regarding a tree protection and preservation plan as discussed earlier in the report has been suggested.

III. Procedural - Required Burden of Proof

The criteria for a Conditional Use Permit are described in AMC Chapter 18.104.050, as follows:

- A. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.

- B. 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.
- C. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:
 - 1. Similarity in scale, bulk, and coverage.
 - 2. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
 - 3. Architectural compatibility with the impact area.
 - 4. Air quality, including the generation of dust, odors, or other environmental pollutants.
 - 5. Generation of noise, light, and glare.
 - 6. The development of adjacent properties as envisioned in the Comprehensive Plan.
 - 7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.

In addition to the criteria above for Conditional Use Permit approval, the standards noted in Section IV of the Site Design and Use Standards (see pages 39-47 of the document which is available on-line at: <http://www.ashland.or.us/Files/SiteDesign-and-UseStandards.pdf>) are also to be considered when evaluating the request.

IV. Conclusions and Recommendations

Staff believes the application meets the criteria for a CUP to exceed the MPFA by 17 percent in order to increase the allowed square footage by 392 square feet.

The existing residence is a relatively small 896 square foot residence that has fallen into disrepair. The proposal is to retain the historic contributing residence and increase its size to modernize the home, provide more living area and provide a garage that is not seen from the street.

The proposed addition is consistent with the criteria for the Historic District. The historic form of the residence is being retained and the proposed additions are consistent with the pattern of development and homes in the impact area. The height is consistent with homes in the impact area and is less than the maximum allowed height of thirty-feet. The scale and massing reflect the size and architectural styles of the residential structures in the immediate area.

Staff recommends approval of the application with the following conditions attached:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified here.
- 2) That building permit submittals shall include:
 - a) That the plans submitted for the building permit shall be in substantial conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify the Conditional Use Permit approval shall be submitted and approved prior to issuance of a building permit.
 - b) That all recommendations of the Historic Commission from their August 6th, 2014 meeting, where consistent with applicable standards and with final approval by the Staff Advisor, shall be conditions of approval unless otherwise modified herein.
 - c) 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 their height(s) from the identified natural grade shall be provided with the building permit.
 - d) Lot coverage calculations including all building footprints, driveways, parking, and circulation areas shall be submitted with the building permit. The lot coverage shall be limited to no more than the 50 percent allowed in the R-1-5 zoning district.
 - e) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties. Light fixture type and placement shall be clearly identified in the building plan submittals.
- 3) That a revised tree protection and preservation plan consistent with the requirements from AMC 18.61.200 and including the arborist recommendations shall be submitted for review and approval by the staff advisor.
- 4) Prior to the issuance of the building permit and prior to any site disturbing activities and/or issuance of a building permit, the Tree Protection fencing in accordance with AMC 18.61.200 (six-foot chain link fence at the furthest extent of the dripline of the trees to not conflict with the area necessary for construction) shall be installed and inspected by the staff advisor.
- 5) That the five foot curbside sidewalk shall be extended to the west property line. The sidewalk shall be installed under permit from the Public Works Department.
- 6) That the new driveway curb cut shall be installed, under permit from the Public Works Department. The applicant shall obtain all necessary Public Works inspection approvals for work within the right-of-way prior to the issuance of a certificate of occupancy. The existing driveway curbcut shall be closed.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section Number: 7 Page: 136

Skidmore Academy Historic District, Ashland, OR

purposes along with their other holdings in the area. The exact relationship between McGowan and Thompson, if any, is unclear however Gwin S. Butler, was a long prominent and influential businessman in the Ashland area. In 1937 Minnie Barron, the widow of Homer Barron, purchased the home and lived here for many years.

The Barron House is a small hipped roof cottage with elements typical of the bungalow or "Craftsman" styles popular in the early 20th century. The house retains banks of narrow vertical windows, shingle siding, sidelighted entry door and a modest bellcast eave. The Minnie Barron House retains substantial integrity and effectively relates the period of significance.

377.0 Survey #632

ROACH, EARL J. HOUSE
135 NUTLEY ST

Other: Vernacular [Front Facing Gable]

1909

391E08AD 2200

Historic Contributing

Located just outside the area covered by Sanborn Fire Insurance Maps, this early-appearing house is dated c1909 by the County Assessor but may have been built earlier. Earl J. Roach purchased the site in 1909 from McGowan and Butler, who developed or relocated several other properties in this vicinity around that time. (JCD 73:36) Roach is shown as living at this address with his wife Elizabeth and their children in the 1910 Census. They remained here until 1913 when they sold to F. F. Whittle, owner of a longtime Ashland transfer and storage business. (JCD 98:198)

The Roach House is a single story volume with a large gable roof and recessed, full-width, front porch. Modest detailing, including plain frieze, corner boards, water table and similar reflect a late 19th or early 20th century construction date. The house retains original appearing door and window trim, including a transom panel above the main entrance. The Roach House retains substantial integrity and effectively relates the period of significance.

378.0 Survey #628

JOHNSON, LESLIE & ANNA HOUSE
143 NUTLEY ST
20th Century American: Bungalow

1913c

391E08AD 2300

Historic Contributing

This dwelling was constructed on the east half of the lot Frank Routledge purchased in 1910, prior to construction of his own dwelling at the corner of Scenic. In April 1913 Routledge sold this portion of the property to Leslie Johnson and his wife Anna, who probably built the house soon thereafter. (JCD 106"315) Anna Johnson retained ownership until 1944.

The Johnson House is a fine one and one half story gable bungalow with a projecting gable porch. The house retains shingle siding, wide door and window trim, projecting eave brackets and other details typical of the form. The Johnson House retains substantial integrity and effectively relates the period of significance.

Gary Caperna, Architect

2908 Hillcrest Road
Medford, Oregon, 97504

AIA RECEIVED

541.840.4123
JUL 23 2014

City of Ashland

Site Plan Application Written Findings and request for Conditional Use Permit

PROJECT OVERVIEW

This application is a request to modify and construct two adjacent residences located mid block on the North side of Nutley Street between Scenic Drive and Pine Street.

The proposed residence at 135 Nutley is a new two story 2,076 square foot single family residence with a detached garage placed at the rear of the lot. Until recently an 856 square foot cottage stood in extreme disrepair and structurally unsound condition. The cottage has since been demolished leaving a bare lot served by the various utilities existing in the neighborhood.

On the parcel at 143 Nutley Street there is an existing 896 square foot single family residence which is in the craftsman bungalow style and appears to have been constructed between 1910 and 1925. This application proposes to make an extensive addition to the bungalow which will result in a two story 2,591 square foot home with a garage at the rear of the lot and attached to the residence. Both of the proposed homes are based on designs that conceal the garage at the back of the lot. The limited lot areas and the existence of unbuildable sloping terrain at the rear of the lots, mandate single car garages and a shared drive way to achieve the coverage goals set forth in the Ashland Municipal Code.

CONDITIONAL USE PERMIT

This application is also requesting that the MPFA (maximum permitted floor area) for both parcels be increased under a Conditional Use Permit as allowed by the City of Ashland Municipal Code. This request seeks a 13.29% increase for 143 Nutley and a 14.5% increase for 135 Nutley. The granting of the Conditional Use Permit is important to qualify the proposed residences as viable projects. More importantly, the increased square footage allowed by the Conditional Use Permit allows the projects to consider locating the garages at the rear of the project. Locating a detached garage at the rear of the project adds considerable cost to the project, but the additional square footage gained by the CUP helps mitigate the cost of this layout type. Without the CUP the economics of the project will force the design to incorporate a more contemporary layout with the garage located in close proximity to the street. The developer believes that the aesthetic advantages that the neighborhood will enjoy from the concealed garages far outweigh any negative impacts that might be imparted by the increased floor area of the structures.

2908 Hillcrest Road
Medford, Oregon, 97504

541.840.4123

The lots are located in the historic district and this proposal intends to conform to the requirements of this district. The zoning designation for the subject parcels is R-1-7.5. The properties of the lots are as follows:

135 Nutley (39-1E-08ED-LOT 2200)

Width: 50.00'

Depth: 98.34'

Area: 4,791 square feet (.11 acres)



143 Nutley (39-1E-08ED-LOT- 2300)

Width: 60.00'

Depth: 106.00'

Area: 6,534 square feet (.15 acres)



These dimensions and areas exceed the minimum requirements described in paragraphs A, B, and C, of Section 18.20.040 of the City of Ashland Oregon Municipal Code. As stated above, the development is located within the Historic District which limits the maximum building to 30'-0". the proposed structures and additions do not exceed this maximum height.

The MPFA (maximum permitted floor area) allowed per paragraph G of Section 18.20.040 of the City of Ashland Oregon Municipal Code are calculated and adjusted, as required by Table 1, for the lots as follows:

135 Nutley (39-1E-08ED-LOT 2200)

1ST Floor area (proposed):	1231 sf
2ND Floor area (proposed):	854 sf
TOTAL SF:	2085 sf
Basic max. allowed area:	$1821 \text{ sf} = (4,791 \times 1)(.38) = 1,821 \text{ square feet.}$
Proposed area increase:	264 sf (14.5%)
Lot area:	4791 sf
Max allowed coverage:	$2156 \text{ sf} = (4,791)(.45) = 2,156 \text{ square feet.}$
Proposed coverage:	2124 sf
Max. building height:	30 feet
Proposed height:	Less than 30'

143 Nutley (39-1E-08ED-LOT- 2300)

1ST Floor area (proposed):	1777 sf
2ND Floor area (proposed):	814 sf
TOTAL SF:	2591 sf
Basic max. allowed area:	2285 sf = (6,609 X .91)(.38) = 2,285 square feet.
Proposed area increase:	306 sf (13.29%)
Lot area:	6609 sf = (6,609)(.45) = 2,974 square feet.
Max allowed coverage:	2974 sf
Proposed coverage:	2973 sf
Max. building height:	30 feet
Proposed height:	Less than 30'

Paragraph H of Section 18.20.040 of the City of Ashland Oregon Municipal Code allows a 25% maximum increase of the MPFA (maximum permitted floor area) for single family residences located within the Historic District through a Conditional Use Permit granted in accordance with the standards noted in Section IV of the Site Design and Use Standards.

18.104.050 Approval Criteria

A conditional use permit shall be granted if the approval authority finds that the proposed use conforms, or can be made to conform through the imposition of conditions, with the following approval criteria.

A. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.

The proposed single family residential, as well as the architectural style and massing is in keeping with standards and goals of the "R" zoning designation and the relevant standards that pertain in the Historic District.

B. 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.

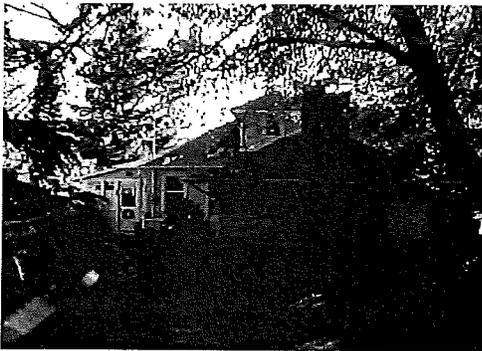
The proposed single family residential uses and the requested increase in the MPFA will have no negative impacts on the designed capacity of City infrastructure that serves the properties or the adjacent development.

The Approval Criteria continues:

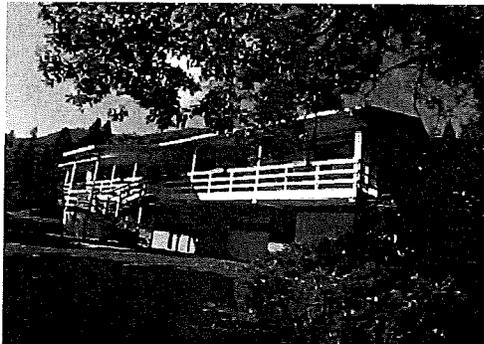
C. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:

- 1. Similarity in scale, bulk, and coverage.*

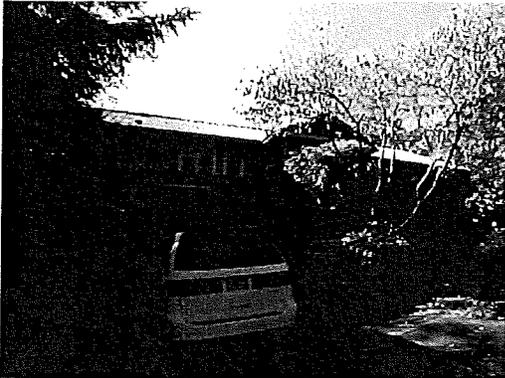
The existing single family residences adjacent to the West and immediately across the street to the South have significantly larger living areas than those being requested in this application. The existing residence located on the parcel immediately to the West at 147 Nutley Street is listed in the Jackson County Assessor's office records as having 3209 square feet of living area.



The residence across the street at the corner of Scenic Dr. and Nutley St (158 Nutley St.) is listed in the county records at 2496 square feet.



The existing residence directly across the street at 134 Nutley St. is listed at 2704 square feet.



All of these referenced properties share similar lot sizes, coverage ratios, and architectural presence as the proposed residences in this request.

2. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.

The requested increase in MPFA will have little or no effect negative effect on the character of Nutley Street, or the various forms of traffic that occur on the thoroughfare. In fact, the planning of the garages at the rear of the lot will eliminate any potential conflict cause by vehicles backing into traffic. As well, the concealed garages allow for a pedestrian experience that relates more closely to the human scale.

3. Architectural compatibility with the impact area.

As stated in items 1 and 2 above, the proposed structures are compatible with the surrounding development in term of scale, mass, and lot coverage. The architectural treatment of the proposed residences respect and compliment the underlying historic character of the neighborhood. Additionally, the de-emphasis of the garage serves to strengthen the continuity of residential streetscape.

4. Air quality, including the generation of dust, odors, or other environmental pollutants.

The proposed residences combined with the requested increase in the MPFA will not be a significant source of dust or pollution. In fact, the remodeling of the 145 Nutley St. property and the reconstruction on the 135 Nutley Street property will result in residences that more efficiently consume energy resources which will ultimately result in a reduced overall carbon footprint.

5. Generation of noise, light, and glare.

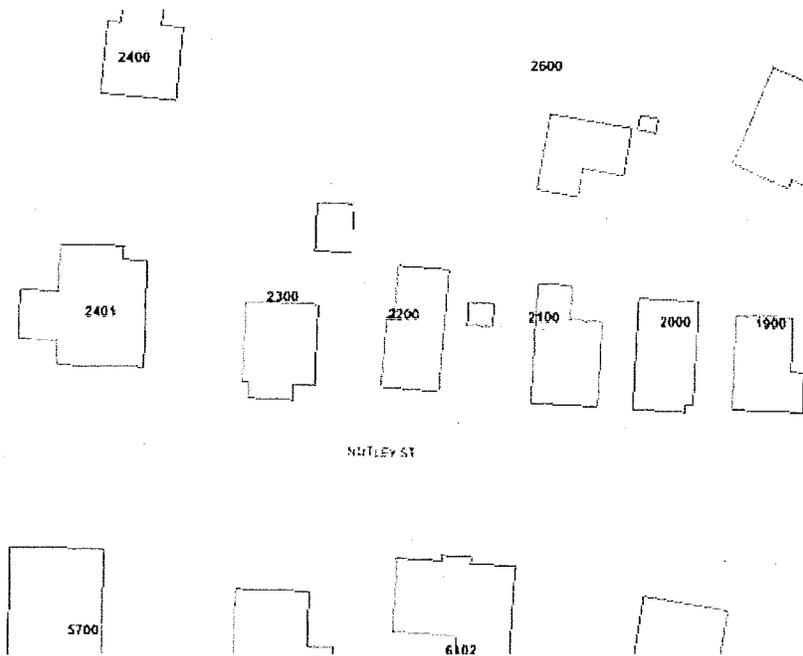
The proposed residences combined with the requested increase in the MPFA will not be a significant source of noise, light, or glare.

6. The development of adjacent properties as envisioned in the Comprehensive Plan.

The Comprehensive Plan envisions this neighborhood as a mid density residential zone with a clear historic undertone maintained by the existing historic residences complimented by an historically appropriate architectural density and massing of the new construction and the modifications of the existing. The work proposed in this application respects and maintains that vision.

7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.

The figure below (obtain from the records of the Jackson County Assessors records) shows a consistent pattern amongst the existing residences that establishes a consistent 10'-0" setback from the back of sidewalk. Note: the structure on lot 2200 (135 Nutley) has been demolished.



It appears that the back of sidewalk was assumed to be the property line. Direct measurements indicate that the property line is in fact 7'-1" from the back of the existing curb line which places the existing residence at 143 Nutley at 9'-4" from the property line. The properties on tax lots 1900, 2000, and 2100 are all set back 10'-0" (or less) from the actual property line (see image below).



Consequently, the applicant would like place the proposed residence at a distance that is consistent with the existing homes on the lot as shown on the site plan. The applicant believes that this helps reinforce the historic context.

Finally, the Hearing Authority may note and make comment on the sloping topography that exists along Nutley Street. The design of the proposed development depicted in this application has endeavored to respond to the slope in a manner that mitigates transition from parcel to parcel and maintains the character of the remaining historic development.

Determination of the required solar setback 18.70.

STEP 1 – Determine the Northern Lot Line

In that the north property line of both the subject parcels runs almost exactly east west, the existing north property lines are used without modification in the calculations below.

STEP 2 – Determine the North/South Lot Dimension

For the purposes of these calculation, the average midpoint of the east and west property lines will be used. In that the east and west property lines run almost exactly north and south, no averaging will be necessary for these calculations.

STEP 3 - Calculating Average Slope

143 Nutley

The point 150.00' to the north on the midpoint of the west property line (42d11'43.04"N, 122d43'13.75"W) is 2047' above sea level.

The point at the midpoint of the west property line (42d11'41.55"N, 122d43'13.73W) is 2042' above sea level.

The slope value for the west property line is calculated as follows:

$$\text{West } 2047 - 2042 = 5/150 = .033$$

The point 150.00' to the north on the midpoint of the east property line (42d11'43.04"N, 122d43'13.05"W) is 2037' above sea level.

The point at the midpoint of the west property line (42d11'41.57"N, 122d43'13.00W) is 2032' above sea level.

The slope value for the east property line is calculated as follows:

$$\text{East } 2039 - 2034 = 5/150 = .033$$

The average slope (S) for 135 Nutley is .033

135 Nutley

The point 150.00' to the north on the midpoint of the west property line (42d11'42.98"N, 122d43'13.00"W) is 2037' above sea level.

The point at the midpoint of the west property line (42d11'41.50"N, 122d43'12.97W) is 2032' above sea level.

The slope value for the west property line is calculated as follows:

$$\text{West } 2037 - 2032 = 5/150 = .033$$

The point 150.00' to the north on the midpoint of the east property line (42d11'42.98"N, 122d43'12.38"W) is 2029' above sea level.

The point at the midpoint of the west property line (42d11'41.50"N, 122d43'12.38W) is 2024' above sea level.

The slope value for the east property line is calculated as follows:

$$\text{East } 2029 - 2024 = 5/150 = .033$$

The average slope (S) for 135 Nutley is .033=

STEP 4 – Determine Lot Classification

Lots are classified according to the following formulas:

Formula I: $30'/.445 + S$

Formula II: $10'/.445 + S$

Lots whose N/S lot dimension exceeds that calculated by Formula I shall be required to meet Solar Setback Standard A.

Lots whose N/S lot dimension is less than that calculated by Formula I, but greater than that calculated by Formula II, shall be required to meet Solar Setback Standard B.

143 Nutley Lot Classification:

STEP 5 – Determination of Shade Producing Point

- o The angle or the pitch of the roof determines where the Height of the highest shade producing point (H) is located and has a direct effect on the length of the shadow.
- o A roof with a pitch of 5 ½ in 12 has an angle of approximately 25 degrees. If the roof pitch is less than 25 degrees the longest shade producing point will be the north wall or eave. If the roof pitch is greater than 25 degrees the shade producing point will be the roof peak.

The roof pitch is more than 5.5:12 for both homes. For the purposes of these calculations the northerly most highest point of the roof is used.

143 Nutley:

The highest shade producing point is the north end of the ridge where it meets the hip above the upstairs master bedroom. The point is 27.10' (27.83') high (measured from the average grade).

$$H = 27.83'$$

$$S = .445 + .033 = .478$$

$$27.83' - 6' = 21.83'$$

$$.445 + .033 = .478$$

$$21.83'/.478 = 45.67' \text{ setback from north property line.}$$

OK. Highest point is 51'-1" from north property line.

135 Nutley:

The highest shade producing point is the north end of the ridge where it meets the hip above the upstairs master bedroom. The point is 26.5' high (measured from the average grade).

$$H = 26.5'$$

$$S = .445 + .033 = .478$$

$$26.5' - 6' = 20.5'$$

$$.445 + .033 = .478$$

$$20.5' / .478 = 42.89' \text{ setback from north property line.}$$

OK. Highest point is 56'-1" from north property line.

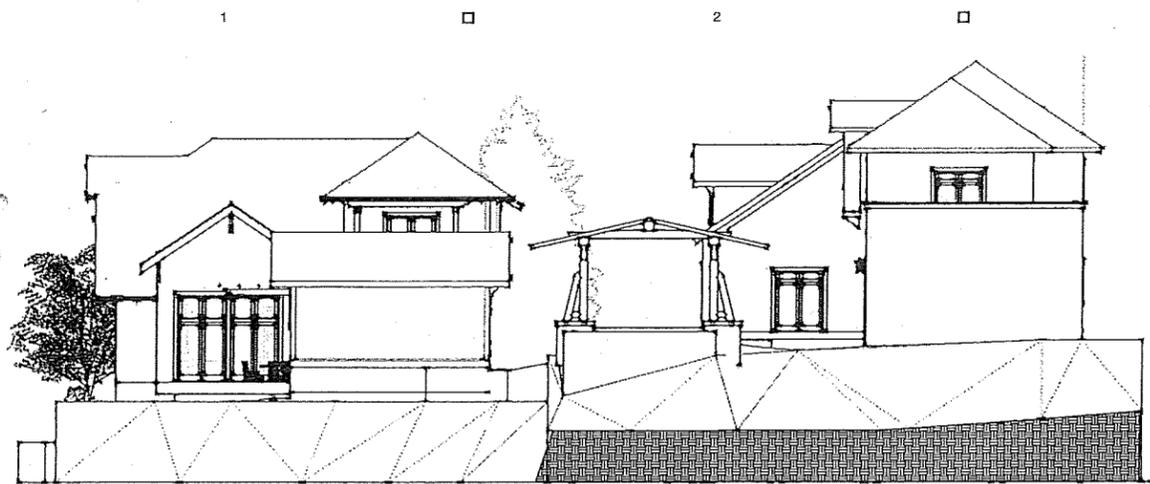
Thank you,

Gary Caperna AIA

RECEIVED

JUL 23 2014

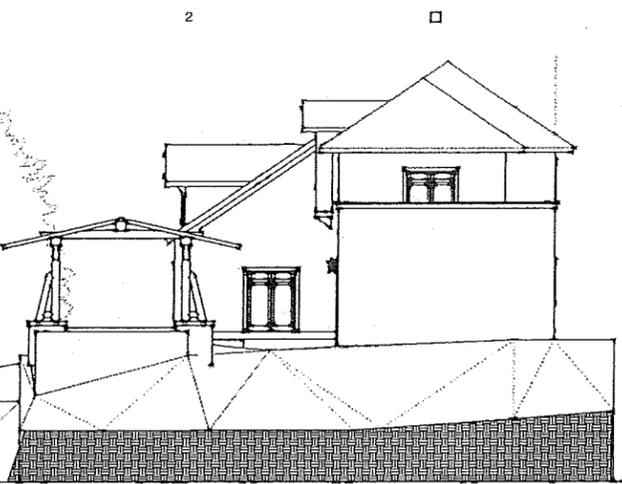
CITY OF ASHLAND



143 NORTH ELEVATION



SCALE: 1/8"=1'-0"



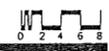
135 NORTH ELEVATION



SCALE: 1/8"=1'-0"



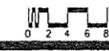
143 SOUTH ELEVATION



SCALE: 1/8"=1'-0"



135 SOUTH ELEVATION



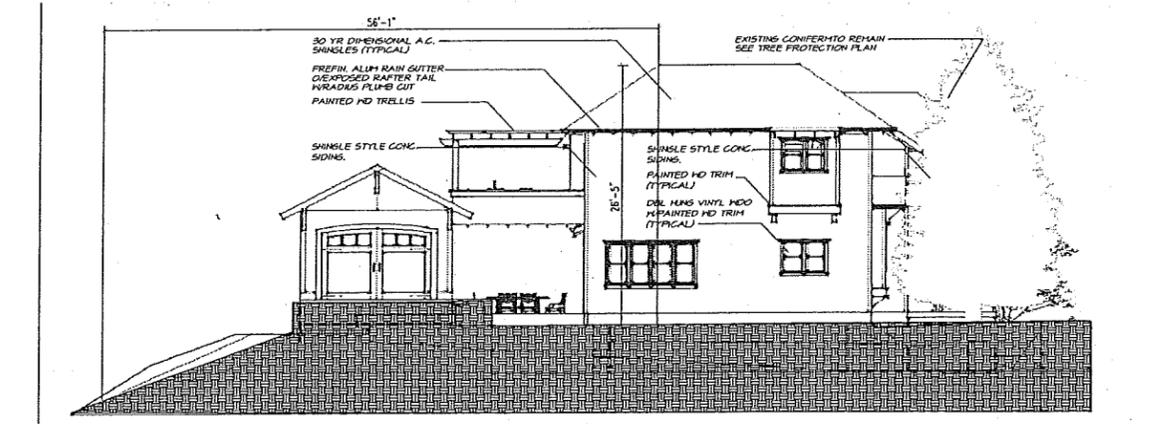
SCALE: 1/8"=1'-0"



135 EAST ELEVATION



SCALE: 1/8"=1'-0"



135 WEST ELEVATION



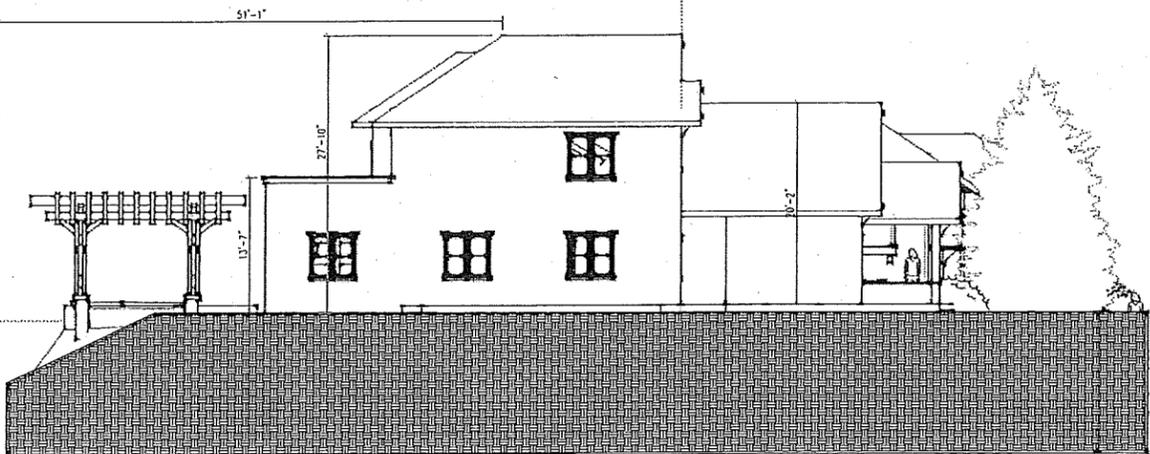
SCALE: 1/8"=1'-0"



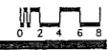
143 EAST ELEVATION



SCALE: 1/8"=1'-0"



143 WEST ELEVATION



SCALE: 1/8"=1'-0"



GARY R. CAPERNA ARCHITECT

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PROJECT: A NEW RESIDENCE AND A REMODELED RESIDENCE:
143 NUTLEY STREET
197 REBAD LOT 2205
LOT AREA: 11 ACRES 4,791 SF
ZONE: R-4.7.5
EXISTING BLDG: 856 SF
Maximum Bldg ht: 35 feet (2.5 stories)
MAX COVERAGE 45% 2155 SF
MPPA ((4791)(1)(1)(0.45)) = 8821

BUILDING DEPARTMENT APPROVAL STAMP:

MARK	DATE	DESCRIPTION

ISSUE:
PROJECT OR:
DRAWN BY:
CHECKED BY:
SHEET TITLE:

PLT DATE: 7/23/2014 9:21 AM

A1.2

6-26-14

PLT DATE: Wednesday, July 23, 2014 9:21:02 AM
C:\Users\jcaperna\Documents\143_2205\143-11.dwg

**TYPE II
PUBLIC HEARING**

**PA-2014-00967
572-582 Fair Oaks Avenue**



PLANNING ACTION: 2014-00967

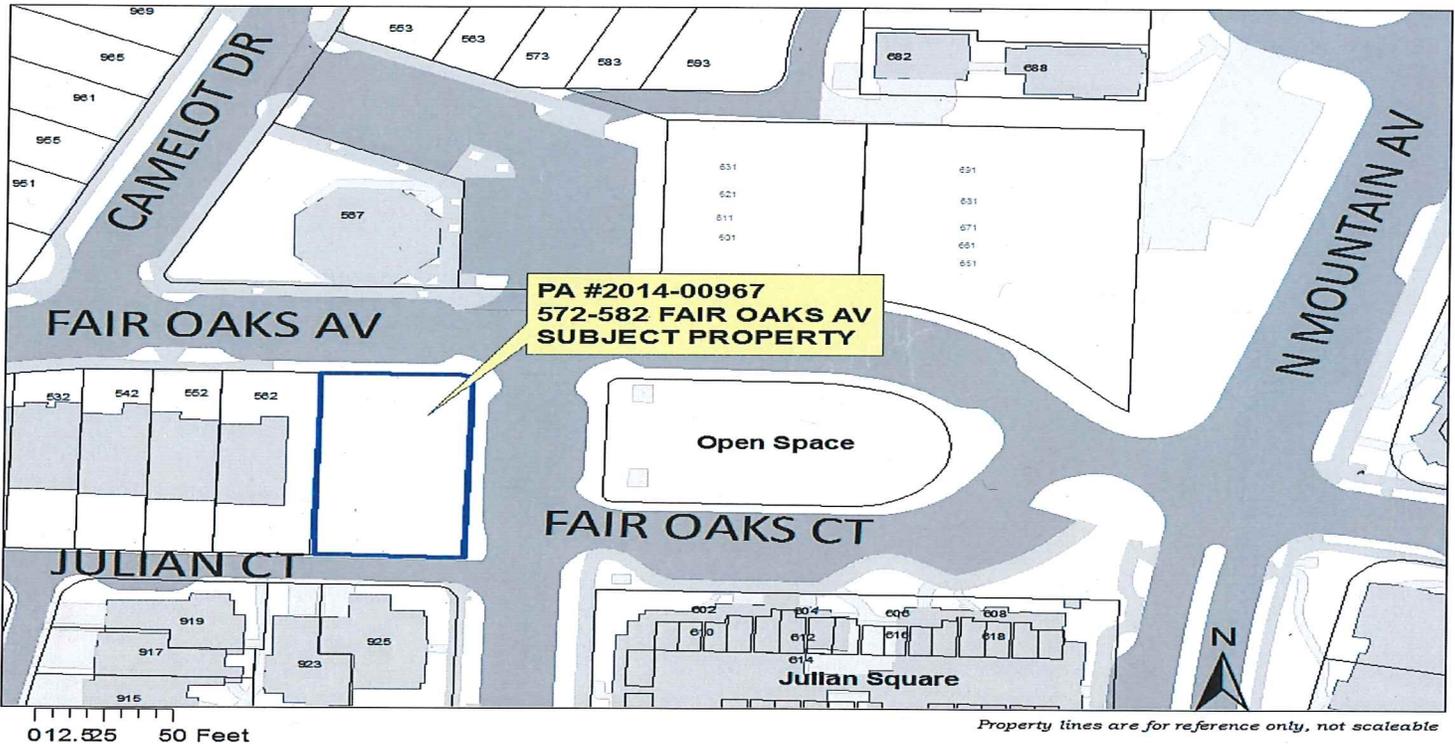
SUBJECT PROPERTY: 572-582 Fair Oaks Avenue

OWNER/APPLICANT: Ayala Properties, LLC

DESCRIPTION: A request for Site Review approval to construct a three-story mixed-use 10,748 square foot building at the corner of Fair Oaks Avenue and Plum Ridge Drive. The building will consist of six residential units on the upper two floors and one commercial space, with the option for interim residential use, on the ground floor along with five parking spaces. **COMPREHENSIVE PLAN DESIGNATION:** North Mountain, Neighborhood Central Overlay; **ZONING:** NM-C; **ASSESSOR'S MAP:** 39 1E 04 AD **TAX LOTS:** 5900.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, August 7, 2014 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room) located at 51 Winburn Way.

ASHLAND PLANNING COMMISSION MEETING: **August 12, 2014 at 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 Division, 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.

**ASHLAND PLANNING DEPARTMENT
STAFF REPORT**

August 12, 2014

PLANNING ACTION: 2014-00967

APPLICANT: Ayala Properties, L.L.C

OWNERS: Ayala Properties, L.L.C.

LOCATION: 572-576-582 Fair Oaks Avenue
Map 39 IE 04 AD Tax Lot #5900
Lot 73 of 'Meadowbrook Park II
at North Mountain' subdivision

ZONE DESIGNATION: NM — C, North Mountain
Neighborhood Central Overlay

COMP. PLAN DESIGNATION: North Mountain Neighborhood

ORDINANCE REFERENCE:

13.16	Street Trees
18.30	NM North Mountain Neighborhood
18.72	Site Design Review
18.88	Performance Standards Options
18.92	Parking, Access and Circulation
SDUS	Site Design and Use Standards
NMNP	North Mountain Neighborhood Plan (SDUS, Section VII)

APPLICATION DEEMED

COMPLETE ON: July 24, 2014

REQUEST: A request for Site Review approval to construct a three-story mixed-use 10,748 square foot building at the corner of Fair Oaks Avenue and Plum Ridge Drive. The building will consist of six residential units on the upper two floors and one commercial space, with the option for interim residential use, on the ground floor along with five parking spaces.

I. Relevant Facts

1) Background - History of Application

In May 2003, the Planning Commission granted Outline Plan approval as PA #200200151 for an 81-lot subdivision under the Performance Standards Options Chapter for the 16 acres located along the west side of North Mountain Avenue, east of the Bear Creek channel and south of the unimproved section of Nevada, including the subject parcel under consideration here.

In January of 2004, the Planning Commission granted Final Plan approval as PA #2003-00158 for an 81-lot subdivision under the Performance Standards Options, located within the North Mountain Neighborhood Plan area west of the North Mountain Avenue, east of Bear Creek channel and south of the unimproved section of Nevada, including the subject parcel under consideration here. That approval included 79 residential units within the residential zones, and an additional 13 residential units and 11 commercial spaces in the NM-C portion of the project. *(This Final Plan approval was granted two administrative one-year extensions as provided in AMC 18.108.030.A.5., one with PA #2005-00099 and the other with PA #200600264.)*

In July of 2005, the Planning Commission granted Site review approval as PA #2005-00696 for four mixed-use buildings comprised of 10 commercial and 10 residential condominium units in the "Village Center" area of the Meadowbrook Park Subdivision, which included the subject property here. Lots were created and streets dedicated with recordation of the plat for this project. The bulk of the public infrastructure for the Meadowbrook Park Estates Phase II project, including curbs, gutters, paving, some sidewalks, street trees, and utility infrastructure was constructed shortly thereafter, and some houses were constructed before the developers sold the remaining parcels as the economy declined. The central common space and public improvements along the subject properties' frontages were to be completed as the NM-C lots developed, and the applicants have recently completed the central open space area as detailed on the approved civil plans, although a previously included water feature has been replaced with a hardscape plaza area surrounded by a low seating wall.

In August of 2013, the Planning Commission granted Site Review approval to construct a three-story mixed-use building, consisting of four commercial spaces and ten parking spaces on the ground floor and ten residential units on the second and third floors, on the vacant parcel at the corner of North Mountain and Fair Oaks Avenues as Planning Action #2013-00806. The application included a Modification of the Outline and Final Plan approvals for the Meadowbrook Park II Subdivision (PA #2003-00158) in order to adjust the number of residential units allocated to the subject properties based on the permitted densities within the North Mountain zone's Neighborhood Central (NM-C) overlay. As originally approved in 2003, the Outline Plan approval included a combined total of ten residential units on the four subject properties. The modification requested was to allow a total of 40 dwelling units to be constructed between the four subject properties, and to allow interim residential use of proposed ground floor commercial spaces as envisioned in the North Mountain Neighborhood Plan.

In January of 2014, the Planning Commission approved Planning Action #2013-01506 which modified Planning Action #2013-806 by: 1) clarifying density allocations, parking management, and the number of ground floor commercial spaces between the subject properties; 2) increasing the number of upper floor residential units on Tax Lot #700 from ten to 14; and 3) modifying the proposed building design for Tax Lot #700. The current application proceeds from the allocations of density, parking and commercial space approved with this application, which were as follows:

TAX LOT	ALLOCATED RESIDENTIAL DENSITY	PLANNED ON-SITE PARKING	PARKING ALLOCATION (PLUM RIDGE COURT)
5900 Approval Requested	6	4	2

700 Approved #2013-1506	14	10	4
1500 Octagon Building	10	0	3
800 (Future Site Review)	10	8	2
TOTAL	40	22	11 (48% OF 23 AVAILABLE)

These allocations were based on the applicants being able to consider the 23 parking spaces on the private Plum Ridge Court to address the residential parking demand to accommodate the NM-C densities envisioned in the Neighborhood Plan subject to the allocations above and the stipulation that no more than 50 percent of the total residential parking requirements for the individual tax lots would be from parking located on the private street Plum Ridge Court (Tax Lot 1400).

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

2 Detailed Description of the Site & Proposal

Site

The subject property, designated as Lot 73 in the “Meadowbrook Park II at North Mountain” subdivision, is located at the southwest corner of Fair Oaks Avenue and Plum Ridge Drive, to the west across Plum Ridge Drive from the development’s central open space. The site is roughly rectangular, approximately 5,000 square feet in area, generally flat and is currently vacant. The property has 50.42 linear feet of frontage on Fair Oaks Avenue and 96.44 feet of frontage along Plum Ridge Drive. There are no trees or other significant natural features.

Proposal

The applicant is requesting Site Review approval to construct a three-story, mixed use building at the corner of Fair Oaks Avenue and Plum Ridge Drive. The building will be roughly 10,748 square feet in area, consisting of three residential units on each of the upper two floors, with one flexible (commercial, with interim residential use allowed) unit on the ground floor along with five enclosed parking spaces on the ground floor. As proposed, the application is consistent with the residential density allocated in Planning Action #2013-01506, however based on comments heard during previous Planning Commission hearings, the applicants have proposed to add a fifth on-site parking space to alleviate “real or perceived parking issues.” Only four on-site parking spaces were required with the previous approval.

II. Project Impact

Site Review approval for new buildings in excess of 10,000 square feet in gross floor area requires a decision from the Planning Commission through a public hearing as a “Type II” procedure.

Site Review

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 applicant asserts that to their knowledge, all city regulations are or will be complied with by the request, and emphasize that they are not requesting any Variances or Exceptions.

The second criterion for Site Review approval is that, “*All requirements of the Site Review Chapter have been met or will be met.*” The applicant notes that all requirements of the Site Review Chapter have been or will be complied with as part of the proposal, including that the landscaping will be irrigated and maintained and that lighting and glare will be addressed with down lighting and shrouding of fixtures as necessary.

The third criterion for approval of a Site Review permit is that, “*The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.*” The applicant contends that all of the standards noted within the Site Design Standards are or will be complied with, including the Commercial, Employment and Industrial Standards of the Site Design and Use Standards Section II-C, Street Tree Standards, Water Conserving Landscape Guidelines and Policies, and the North Mountain Neighborhood Design Standards.

In describing the design, the applicants explain that the design does not emulate a residential appearance, but has a more traditional storefront appearance sought in the design standards, with simple and flexible forms. They note that the 45-degree angular volume facing the intersection and canted entry are intended to give the building a strong architectural identity, and further explain that given the lot’s north to south orientation, having the façade face the narrower frontage on Fair Oaks Avenue is fitting of a typical storefront. They note that along the east elevation, facing the central open space across the street, the architect has elongated the building and added a vertical break near its center to give the building some balance and address the requirements of AMC 18.30.030 which calls for buildings spaces not to exceed 3,500 square feet. The vertical break is also a different material and color from the main body to help distinguish the building volumes.

The application goes on to note that several architectural design measures have been employed to give the building a sense of depth and introduce some verticality. The building includes several vertical projections and recesses to each side’s façade including projecting vertical window bays and open-air balconies. In addition, the building has a pronounced vertical off-set where the stairwell and mechanical systems will be located which helps separate the building’s volume.

The application notes that the material and color palette has been selected to add variation and attractiveness, explaining that the building will be wood-frame construction and that the exterior materials will be similar to those employed in the existing neighborhood of single-family homes, townhomes and mixed-use buildings. The exterior materials are to include a ledge-stone base similar to that used on the “Octagon Building” across the street, base boards distinguishing floor heights, and an architecturally attractive cornice cap. Each element is noted as having either a different material or color to enhance the architecture with the main body being a brown stucco texture, the bay windows having horizontal wood siding and a lighter gray color, and the cap being light beige.

The application includes a proposal for landscaping treatment of the building frontage during interim residential use which would provide a four-foot landscape buffer behind the sidewalk along the Fair Oaks Avenue and Plum Ridge Drive frontages. With the ultimate commercial occupancy of the ground floor space, this landscape buffer would be removed and the sidewalk filled in from the entry to the upstairs residential units on Plum Ridge Drive, north to Fair Oaks Avenue, and along the full Fair Oaks Avenue frontage. A four-foot wide landscaped buffer would remain along the frontage of the parking garage along Plum Ridge Drive.

The application also explains that the applicants are proposing an alternative design treatment to the parking garage screens along the sidewalk on Plum Ridge Drive. Rather than simple screened mesh or something similarly industrial, or a blank wall, the applicants propose a more artistic treatment to which would provide some visual interest to the pedestrian streetscape. The application notes that the applicants hope to bring a more finalized design for this screening treatment to the hearing on August 12th.

As the applicants recognize note, within the North Mountain neighborhood, in addition to the “Commercial, Employment and Industrial” standards found in Section II-C of the Site Design and Use Standards handbook, planning applications involving Site Review approval are required to demonstrate compliance with the applicable North Mountain Neighborhood Design Standards. These provide guidance in areas of transitional architectural designs which accommodate interim residential use of ground floor spaces while maintaining a traditional storefront streetscape character, with buildings generally built to the property line and arcades, awnings, bays or balconies used to provide a continuous covering of the sidewalk pedestrian corridor, and the encouragement of mixed-use development with bays or balconies for upper level residential units providing added visual interest to the streetscape. The underlying intent of the design standards for the neighborhood core is in creating a neighborhood scale commercial streetscape, with buildings broken into sizes, forms, massing and architectural elements which preserve a pedestrian scale typical of that seen in Ashland’s historic downtown core.

Pedestrian Streetscape Character

For staff, the key consideration with the design is in ensuring that the storefront character of the building and the pedestrian streetscape which form the backbone of the Neighborhood Central core are not lost with a building which is focused largely on residential use. In staff’s assessment, the building design effectively utilizes changes in massing and form, surface, finish, fenestration, and rhythmic divisions and associated variations in the façade to emphasize more vertical rhythms to keep the building to the pedestrian scale sought through the design standards. The Site Design & Use Standards look for buildings on corner lots are to be oriented to the higher order street or corner and the design here proposes a strong orientation to the corner which staff believes is appropriate given the unique intersection treatment installed with the subdivision infrastructure, the importance of the central open space area, and the building’s placement relative to the NM-C core. In addition, staff believes that the alternative treatment of the screens along the garage wall on Plum Ridge Drive not only benefits the pedestrian streetscape but provides a degree of visual interest which helps the building better relate to the central open space and to the gateway entry to the development at North Mountain and Fair Oaks Avenues. However, we believe that to fully address the standards, a few of the finer details of the design as they relate to the pedestrian streetscape need to be more fully addressed. These include:

- **Awnings** – The awnings shown do not provide the continuous coverage required in the standards, and would require an Exception to the Site Design and Use Standards. Staff would recommend a condition that the awning treatment be modified to provide continuous sidewalk coverage from the residential entry on Plum Ridge Drive, north around the corner entry, and along the full Fair Oaks Avenue frontage to be installed with the establishment of a ground floor commercial use.
- **Storefront Windows** – Staff would recommend a condition making it clear that the store front windows be maintained without tinting for the full ground floor commercial space in keeping with the Site Design and Use Standards requirement in II-C-2a)3 that windows must allow views into internal areas.
- **Stronger Entry & Relationship to Open Space** – In the interest of providing a sense of entry, a strong relationship to the central open space and a pedestrian friendly streetscape, staff would recommend that the Plum Ridge Drive frontage be modified to include a stronger entry for the upstairs residential units; benches, news racks, trash receptacles or other street furniture envisioned in the neighborhood design standards; enhanced landscaping to soften the expanse of the garage wall; and pedestrian scale lighting details. (*Site Design and Use Standards II-C-1a)1 and 2 speak to orientation to the street and sense of entry; VII-C speaks to pedestrian scale lighting requirements.*)
- **Parking Garage Screening Details** – We’ve also recommended a condition that final design details of the alternative screening treatments for the openings in the Plum Ridge Drive wall of the parking garage be provided with the building permit submittals.

Conditions requiring that these items be addressed in revised plans provided with the building permit submittals for the final review and approval of the Staff Advisor have been recommended below.

The final approval criterion 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.*” The application emphasizes that all key facilities are available to service the proposed building, and that all utilities to service the building were installed at the time of the subdivision and no major modifications are anticipated. The application goes on to note that the applicants have met with the various city utility departments to discuss capacity issues and have determined that adequate utilities are available to service the site.

Here, staff would clarify that as noted in Planning Action #2013-01506, utility infrastructure installed with the original subdivision was sized to accommodate a lesser number of units proposed at the time. As noted before, utilities and infrastructure available include:

- **Water** — The subject property is currently served by an eight-inch water main in the Fair Oaks Drive right-of-way. Because the water services were initially intended to serve ten residential units between the four NM-C properties where 40 are now proposed, additional connections and services will need to be provided by the applicant to serve the additional units.

- **Sanitary Sewer** — Tax Lot #5900 is currently served by an eight-inch sanitary sewer main in the Fair Oaks Drive right-of-way. As with water, because the sewer lines provided were initially intended to serve ten residential units where 40 are now proposed, additional connections and services will need to be provided by the applicant.
- **Storm Water** — Tax Lot #5900 is currently served by a 12-inch storm sewer main in Julian Court. With development, the applicant will need to provide an engineered storm drainage plan demonstrating that post-development peak flows will be less than or equal to the pre-development peak flow, and which addresses storm water quality mitigation as part of the design.
- **Electric** — As with water and sewer, electric infrastructure was originally sized and installed to accommodate only ten total residential units between four properties, where 40 units are now proposed. The applicant will need to address the additional electric capacity and conduit to provide connections to serve all of the proposed units with development.
- **Streets & Transportation** — Curbs, gutters, paving, street lights and some sidewalks and street trees were installed with the subdivision infrastructure, however frontage improvements for the four developable NM-C properties were not installed and will need to be completed in conjunction with the proposed development here.

The application includes a proposal for an alternative sidewalk and landscaping treatment of the building frontages during interim residential use which would provide a four-foot landscape buffer behind the sidewalk along the Fair Oaks Avenue and Plum Ridge Drive frontages, with the sidewalk width reduced to three to four feet between the landscape buffer plantings and the tree grates. With the ultimate commercial occupancy of the ground floor space, this landscape buffer would be removed and the sidewalk filled in from the entry to the upstairs residential units on Plum Ridge Drive, north to Fair Oaks Avenue, around the corner and along the full Fair Oaks Avenue frontage to create a 12-foot pedestrian corridor with street trees in four-foot square grates. The four-foot wide landscaped buffer would remain along the frontage of the parking garage along Plum Ridge Drive, with an eight-foot sidewalk corridor.

Sidewalk Width Exception

With the North Mountain Neighborhood Design Standards, the required street cross-section for the Neighborhood Commercial Street calls for a minimum ten-foot wide sidewalk with street trees in grates. The neighborhood design standards further require that, “*Buildings shall be built up to the front and side property lines. Along the front, exceptions will be allowed to create courtyards, seating areas for cafes or other special uses. These areas should be designed to further the activity along the streets.*” Neither the adopted Street Standards handbook nor the North Mountain Neighborhood Design Standards’ street cross-section standards include any city standard sidewalk of less than five feet in width, and staff is hesitant to support what amounts to an Exception to Street Standards of this magnitude to provide a temporary buffer for interim residential uses when it comes at the expense of the intended pedestrian streetscape character of the Neighborhood Central core. We have accordingly recommended a condition below to require that the interim sidewalk and landscape treatment be adjusted by reducing the landscape buffer width to no more than three feet to ensure that a minimum sidewalk of at least five feet in width between the landscaping and the tree grate be provided even during interim residential use.

Based on the infrastructure already in place and the modifications to the original approval proposed here, a number of recommended conditions have been included below to require that the applicants provide revised utility and storm drainage plans, and revised plans of the frontage improvements prior to the submittal of the building permits. In addition, a condition has been included to require that a revised electrical service plan with load calculations be provided for review and approval prior to permit submittal.

III. Procedural - Required Burden of Proof

The criteria for Site Review approval from the Site Design Review Chapter are detailed in AMC 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 general regulations for the North Mountain (NM) zoning districts are detailed in AMC 18.30.020 as follows:

- A. **Conformance with North Mountain Neighborhood Plan.**
Land uses, streets, alleys and pedestrian/bicycle access ways shall be located in accordance with those shown on the North Mountain Neighborhood Plan adopted by Ordinance No. 2800.

1 Major and Minor Amendments.

- a. *Major amendments are those which result in any of the following:*
 - (1) *A change in land use.*
 - (2) *A change in the street layout plan that requires a street to be eliminated or to be located in such a manner as to not be consistent with the neighborhood plan.*
 - (3) *A change in the North Mountain Neighborhood Design Standards.*
 - (4) *A change in planned residential density.*
 - (5) *A change not specifically listed under the major and minor amendment definitions.*
- b. *Minor amendments are those which result in any of the following:*
 - (1) *Changes related to street trees, street furniture, fencing, or signage.*
 - (2) *A change in the street layout that requires a local street, alley, easement, pedestrian/bicycle accessway or utility to be shifted more than 50 feet in any direction, as long as the change maintains the connectivity established by the neighborhood plan.*

2 **Major Amendment Type II Procedure.**

A major amendment to the neighborhood plan shall be processed as a Type II planning action concurrently with specific development proposals. In addition to complying with the standards of this section, findings must demonstrate that:

- a. *The proposed modification maintains the connectivity established by the neighborhood plan;*
- b. *The proposed modification furthers the design and access concepts advocated by the neighborhood plan, including but not limited to pedestrian access, bicycle access, and de-emphasis on garages as a residential design feature;*
- c. *The proposed modification will not adversely affect the purpose, objectives, or functioning of the neighborhood plan.*
- d. *The proposed modification is necessary to adjust to physical constraints evident on the property, or to protect significant natural features such as trees, rock outcroppings, wetlands, or similar natural features, or to adjust to existing property lines between project boundaries.*

3 **Minor Amendment Type I Procedure.**

A minor amendment to the neighborhood plan may be approved as a Type I planning action concurrently with specific development proposals. The request for a minor amendment shall include findings that demonstrate that the change will not adversely affect the purpose, objectives, or functioning of the neighborhood plan.

4 **Utilities shall be installed underground to the greatest extent feasible.**

Where possible, alleys shall be utilized for utility location, including transformers, pumping stations, etc...

- B. Lots With Alley Access.** If the site is served by an alley, access and egress for motor vehicles shall be to and from the alley. In such cases, curb openings along the street frontage are prohibited.
- C. Street, Alley and Pedestrian/bicycle Accessway Standards.** The standards for street, alley, and pedestrian/bicycle accessway improvements shall be as designated in the North Mountain Neighborhood Design Standards.
- D. Minimum Density.** Proposals resulting in the creation of additional parcels or greater than three units on a single parcel shall provide for residential densities between 75 to 110 percent of the base density for a given overlay, unless reductions in the total number of units is necessary to accommodate significant natural features, topography, access limitations or similar physical constraints. (Proposals involving the development of neighborhood commercial businesses and services shall be exempt from the above requirements).
- E. Density Transfer.** Density transfer within a project from one overlay to another may be approved if it can be shown that the proposed density transfer furthers the design and access concepts advocated by the neighborhood plan, and provides for a variety of residential unit sizes, types and architectural styles.
- F. Drive-Up Uses.** Drive-Up uses are not permitted within the North Mountain Neighborhood Plan area.
- G. Performance Standards Overlay.** All applications involving the creation of three or more lots shall be processed under the Performance Standards Option chapter 18.88.
- H. Fencing.** No fencing exceeding three feet in height shall be allowed in the front lot area between the structure and the street. No fencing shall be allowed in areas designated as Floodplain

Corridor.

- I. **Adjustment of Lot Lines.** As part of the approval process for specific development proposals, adjustments to proposed lot lines may be approved consistent with the density standards of the neighborhood plan zoning district.

The requirements for the Neighborhood Central (NM-C) Overlay are detailed in AMC 18.30.030 as follows:

- A. **Permitted Density.** The density shall be computed by dividing the total number of dwelling units by the acreage of the project, including land dedicated to the public. Fractional portions of the answer shall not apply towards the total density. Base density for the Neighborhood Central Overlay shall be 20 units per acre, however, units of less than 500 square feet of gross habitable area shall count as 0.75 units for the purposes of density calculations.
- B. **Off-Street Parking.** In all areas within the Neighborhood Central Overlay, all uses are not required to provide off-street parking or loading areas, except for residential uses where one space shall be provided per residential unit. All parking areas shall comply with the Off-Street Parking chapter and the Site Review chapter.
- C. **Area, Yard Requirements:** There shall be no minimum lot area, lot coverage, front yard, side yard or rear yard requirement, except as required under the Off-Street Parking Chapter or where required by the Site Review Chapter.
- D. **Solar Access:** The solar setback shall not apply in the Neighborhood Central Overlay.
- E. **Permitted Uses.** The following uses are permitted in the NM-C overlay subject to conditions limiting the hours and impact of operation;
 - 1. Residential Uses, subject to the above density requirements.
 - 2. Home Occupations.
 - 3. Parks and Open Spaces.
 - 4. Agriculture.
 - 5. Neighborhood Oriented Retail Sales and Personal Services, with each building limited to 3,500 square feet of total floor area.
 - 6. Professional Offices, with each building limited to 3,500 square feet of total floor area.
 - 7. Restaurants.
 - 8. Manufacturing or assembly of items sold in a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet.
 - 9. Basic Utility Providers, such as telephone or electric providers, with each building limited to 3,500 square feet of total floor area.
 - 10. Community Services, with each building to 3,500 square feet of total floor area.
 - 11. Churches or Similar Religious Institutions, when the same such use is not located on a contiguous property, nor more than two such uses in a given Overlay.
 - 12. Neighborhood Clinics, with each building limited to 3,500 square feet of total floor area.
- F. **Conditional Uses.**
 - 1. Temporary Uses.
 - 2. Public Parking Lots.
- G. **Lot Coverage:** Maximum lot coverage shall be seventy-five (75) percent.

The requirements for an Exception to the Site Design and Use Standards are detailed in AMC 18.72.090 as follows:

- A. There is a demonstrable difficulty in meeting the specific requirements of the Site Design and Use Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Design and Use Standards; and the exception requested is the minimum which would alleviate the difficulty; or
- B. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Design and Use Standards.

The requirements for an Exception to the Site Design and Use Standards are detailed in AMC 18.88050.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.

IV. Conclusions and Recommendations

In staff's assessment, the proposed design is effective in keeping the building to the pedestrian scale sought through the design standards with changes in massing and form, surface, finish, fenestration, and rhythmic divisions and associated variations in the façade to emphasize vertical rhythms. The building is oriented to the corner, complimenting the unique intersection treatment installed with the subdivision infrastructure and recognizing the importance of the central open space area and the building's placement relative to the NM-C core. The alternative treatment of the screens along the garage wall on Plum Ridge Drive benefits the pedestrian streetscape and provides a degree of visual interest which helps the building better relate to the central open space and to the gateway entry to the development at North Mountain and Fair Oaks Avenues.

For staff, the key consideration with the design is in ensuring that the storefront character of the building and the pedestrian streetscape which form the backbone of the Neighborhood Central core are not lost with a building which is focused largely on residential use. Staff has accordingly recommended a number of conditions relating to the finer details of the streetscape treatment which we believe are necessary to fully address the standards. These include: that continuous awning coverage of the sidewalk be provided; that the store front windows not be tinted for the full ground floor space; that in the interest of providing a sense of entry, a strong relationship to the central open space and a pedestrian friendly streetscape the final drawings be modified to include a stronger entry for the upstairs residential units, benches, news racks, trash receptacles or other street furniture envisioned in the neighborhood design standards, enhanced landscaping to soften the expanse of the garage wall, and pedestrian scale lighting details; and that the design details for the parking garage screening be provided.

With these added conditions to fine tune the streetscape treatment, staff is supportive of the application and believes it can be found to satisfy the applicable approval standards. Should the Commission concur and choose to approve the request, staff would recommend that the following conditions be attached:

- 1) That all proposals and stipulations contained within the application shall be conditions of approval unless otherwise modified herein.
- 2) That all applicable conditions of the Outline and Final Plan approvals and of Planning Actions #2013-00806 and #2013-01506 shall remain in effect unless otherwise modified herein.
- 3) That the plans submitted for the building permit shall be in substantial conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify this Site Review approval shall be submitted and approved prior to issuance of a building permit.
- 4) That the applicants shall obtain necessary Public Works permits prior to any construction within the public rights-of-way.
- 5) That prior to conversion from ground floor residential use to commercial use, the applicants shall obtain any permits necessary to approve the proposed change in occupancy; interim landscape buffers shall be removed and full sidewalk improvements installed in their place; and awnings providing full sidewalk coverage shall be installed.
- 6) That the windows of the ground floor commercial space shall not be tinted so as to prevent views from outside of the building into the interior of the building
- 7) That prior to the issuance of a building permit:
 - a) The building permit submittals shall include identification of all easements, including any public or private utility easements, mutual access easements, public pedestrian access easements, and fire apparatus access easements. As required in PA #2013-01506, an easement through Plum Ridge Court providing for public vehicular and pedestrian circulation and connectivity to the surrounding public streets shall be recorded, and evidence of recording provided prior to permit issuance.
 - b) That the applicants shall provide a revised size- and species-specific landscape and irrigation plan for the review and approval of the Staff Advisor. Revisions shall include size and species-specific landscape details including interim buffer landscape plantings selected to soften the garage wall along Plum Ridge Drive and provide a temporary buffer for interim residential use of the ground floor space, and irrigation details satisfying the requirements of the Site Design and Use Standards Water Conserving Landscaping Guidelines and Policies.
 - c) The requirements of the Building Department, including that the plans provide details addressing, but not limited to, accessible units, fire sprinklers, fire separation, ADA parking, and methods of compliance with the 3,500 square foot floor area limitation for each building, shall be satisfactorily addressed.
 - d) That the applicant shall provide revised civil drawings detailing: 1) a revised final utility plan for the parcels to include the location of connections to all public facilities including the locations of water lines and meter sizes, sanitary sewer lines, storm drain lines, electric services to serve the proposed buildings including the added residential units; 2) revised details of the frontage improvements detailing both the transitional landscaping and sidewalk treatment proposed during interim residential use

of the ground floor space, and the permanent sidewalk corridor treatment with street trees and street lights. The interim treatment design shall provide for at least a five-foot clear width of sidewalk between the landscaped area and tree grates, and with commercial use the landscape buffers adjacent to both frontage of the commercial unit shall be removed and a 12-foot sidewalk with street trees installed; 3) a storm drainage plan which demonstrates that post-development peak flow are less than or equal to the pre-development peak flow for the site as a whole, and which include any necessary storm water quality mitigation.

- e) That the applicant shall submit an electric distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment to serve the proposed development for the review and approval of the Electric, Building and Planning Departments. This plan shall clearly identify any additional services, conduit, etc. necessary to serve the additional units proposed here. All services shall be undergrounded and shall be provided from the alley where possible, and additional transformers and cabinets (if necessary) shall be located in those areas least visible to the public, while considering the access needs of the Electric Department.
- f) That the requirements of Ashland Fire & Rescue shall be adequately addressed, including that adequate fire apparatus access and firefighter access pathways, approved addressing, fire flow, fire hydrant clearance, fire department connection (FDC), fire extinguishers, and key box(es) shall be provided, and that any obstructions to fire access shall be clearly shown on the plans for review and approval by Ashland Fire and Rescue.
- g) That exterior building materials and paint colors shall be detailed in the building permit submittals, and shall be compatible with the surrounding area and consistent with the exterior building colors reviewed as part of this application.
- h) That a plan identifying construction staging areas shall be provided for review and approval by the Building, Planning and Fire Departments.
- i) That bicycle parking shall be shown in the building permit submittals. Inverted u-racks shall be used for the bicycle parking, and all bicycle parking shall be installed in accordance with the rack design, spacing and coverage standards in AMC 18.92.060.1 and J prior to the issuance of the certificate of occupancy. For bicycle parking to be provided within the garage, rack details and final interior dimensions of shall be detailed in the building permit submittals to insure adequate space is provided and that the racks proposed are consistent with the bicycle parking rack standards in AMC 18.92.
- j) Drawings detailing revised awning treatments to provide continuous sidewalk coverage from the residential entry on Plum Ridge Drive, north around the corner entry, and along the full Fair Oaks Avenue frontage shall be provided for the review and approval of the Staff Advisor. Awnings are to be installed prior to the establishment of ground floor commercial use.
- k) That final design details of the alternative screening treatments for the openings in the Plum Ridge Drive wall of the parking garage shall be provided for the review and approval of the Staff Advisor.
- l) Revised drawings addressing the Plum Ridge Drive building elevation and street frontage treatment shall be provided to include a stronger entry for the upstairs

residential units; benches, news racks, trash receptacles or other street furniture envisioned in the neighborhood design standards; size- and species-specific landscaping details with landscape materials selected to soften the expanse of the garage wall; and pedestrian scale lighting details shall be provided for the review and approval of the Staff Advisor.

- 8) That prior to the approval of the final building inspection or issuance of a certificate of occupancy:
- a) The applicants shall provide a copy of the proposed deed restriction making clear that the ground floor commercial space(s) are intended for commercial use, but may be used for residential use, for the review and approval of the Staff Advisor. These deed restrictions shall be recorded, and copies of the recorded copies provided, prior to the issuance of a final certificate of occupancy.
 - b) That all required landscaping, irrigation and hardscape surface improvements shall be installed according to the approved plans, inspected and approved by the Staff Advisor.
 - c) That all required frontage improvements including sidewalks, street trees and street lights along the full frontage of Tax Lot #5900 shall be completed according to the approved plans, inspected and approved by the Staff Advisor. Street trees shall be selected from the Recommended Street Tree List and planted according to applicable standards.
 - d) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties. Lighting specifications and shrouding details shall be included in the building permits submittals and their installation site-verified prior to occupancy.

"NORTH MOUNTAIN SQUARE"

I. PROJECT INFORMATION:

PROJECT NAME: "North Mountain Square, Lot #73"

APPLICANTS & OWNERS:

Ayala Properties, LLC
132 W. Main Street, Suite 201
Medford, Oregon 97501

ARCHITECT

Rob Saladoff
508 Clinton Street
Ashland, OR 97520

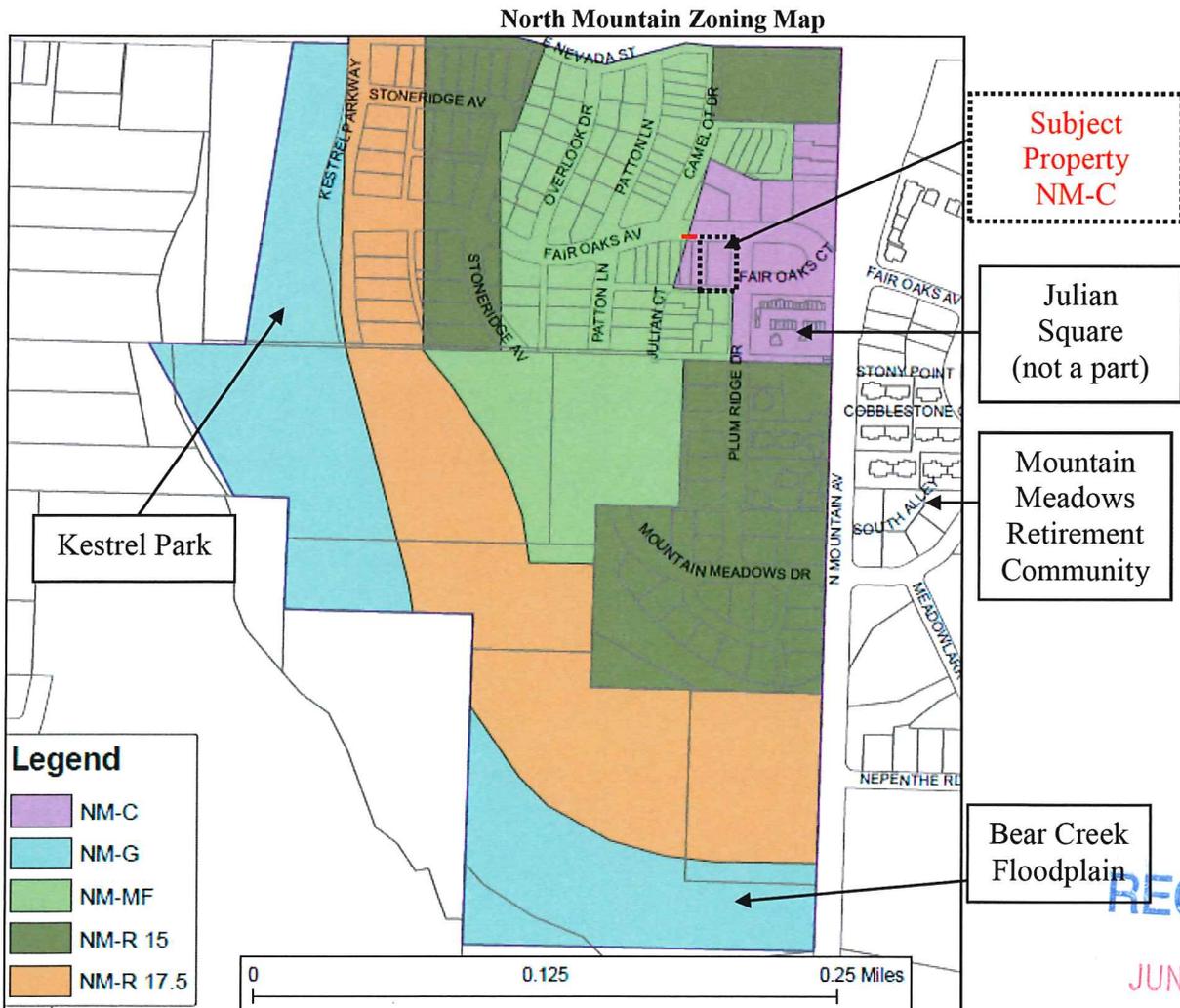
LAND USE PLANNING:

Urban Development Services, LLC
604 Fair Oaks Court
Ashland, OR 97520

ENGINEER:

Construction Engineering Consultants
P.O. Box 1724
Medford, Oregon 97501

ADDRESS & LEGAL DESCRIPTION: Corner of Fair Oaks Avenue & Plum Ridge Drive;
Map & Tax Lots: 391E 04AD 5900



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PROJECT ZONING: As illustrated in the inserted Zoning Map (below), the property is zoned North Mountain (NM) with a Neighborhood Central Overlay (NM-C). The subject property is regulated by Chapter 18.30.30 of the Ashland Municipal Code as well as Section VII of the Site Design & Use Standards, the North Mountain Neighborhood Design Standards.

PROJECT HISTORY: Beginning in 1995, the City of Ashland held a number of neighborhood meetings, including a multi-day design charrette, between property owners and neighbors of the North Mountain area which included City staff and Professional Land Use Consultants, including multiple Architects, Landscape Architects and a Civil Engineer. The effort eventually culminated in a master plan called the North Mountain Neighborhood Plan which was adopted in 1996 (Ord #2800) and included amendments to the City's Comprehensive Plan, Zoning Map, Land Use Code and Site Design and Use Standards to guide the eventual development. The expected build-out period at that time was estimated at 20 to 25 years with all participants understanding the plan was to be a guide for future development and would need to be tweaked as individual owners began developing their properties in relation to the site's physical constraints, street patterns and housing market conditions.

In 2004, a large portion of the North Mountain Neighborhood, approximately 13.7 acres, was approved for an 81-lot subdivision by a development company called Camelot Homes (PA-2003-158) who developed a majority of the subdivision's road and a few homes, but later sold the property due to the poor economy. The remaining areas of the North Mountain Neighborhood are either pending eventual development or were developed since 2005 by other property owners, including the Julian Square Mixed-Use Development, Great Oaks Subdivision, Plumb Ridge Subdivision and the Mountain Meadows Retirement Center directly across North Mountain Street from the subject property.

In 2005, soon after the subdivision approval, Camelot Homes, Inc. submitted individual Site Review Permit applications for various phases of the subdivision which included a Commercial Site Review Permit (PA-2005-696) for the approval of four mixed-use buildings commercial and residential condominium buildings. At the present time, only one of the commercial building has been erected, the octagon-shaped building on Tax Lot 1500. The remaining three lots commercial lots, one of which is the subject of this application, have remained vacant.

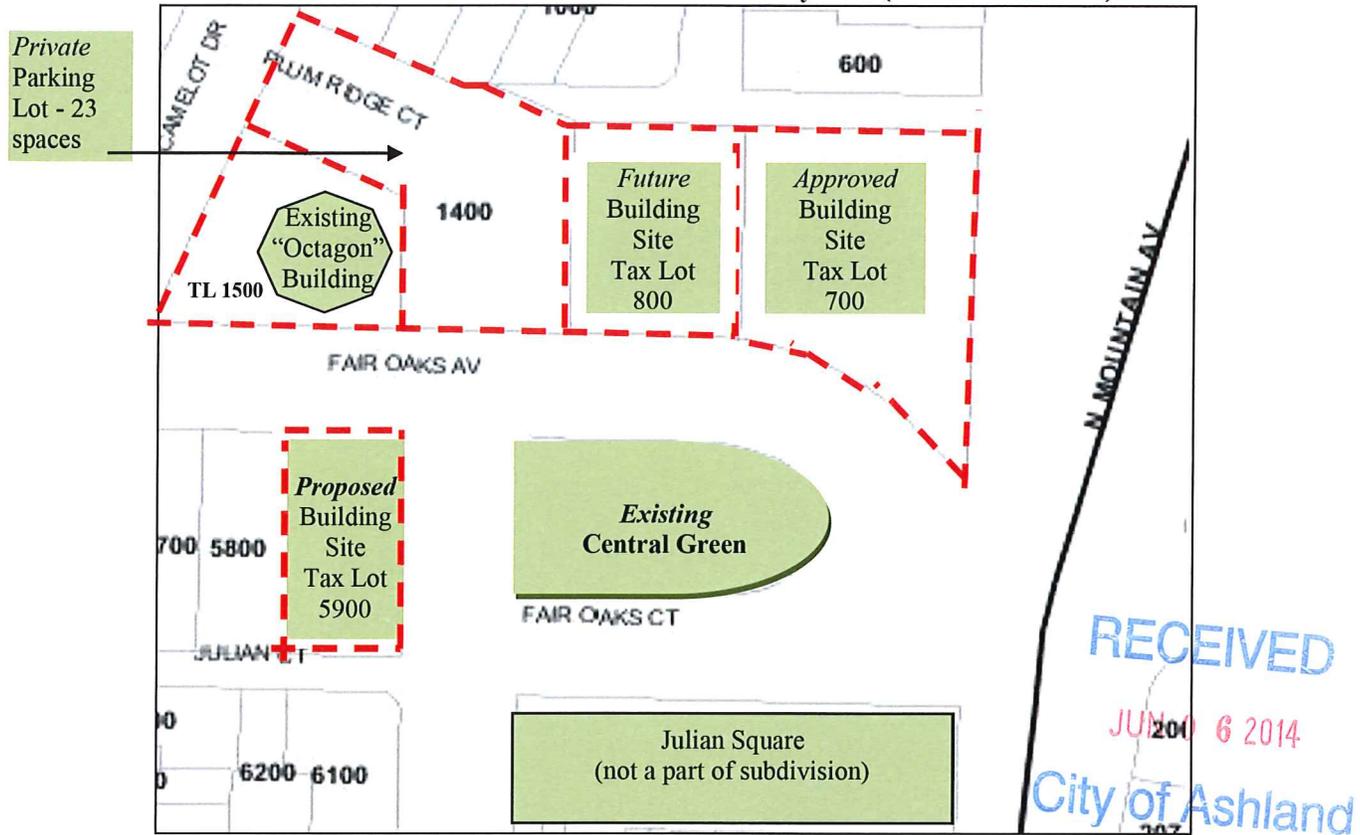
In January of 2014, the Planning Commission approved a Type II Land Use Action in accordance with AMC 18.108.050 (Planning Action #2013-01506) allowing for the construction of a 3-story mixed-use building on Tax Lot #700 and a modification of the original Meadowbrook Park II Subdivision approval that allocated a total of 40 residential dwelling units between four commercial lots, including the subject lot, allowing some flexibility among the ground floor spaces and approving a parking management strategy. At that time, Conditions of Approval were added (specifically noted in Condition #7) that required future applications apply for a Site Review Permit where parking, density and land use issues could be verified. *Note:* At the present time, the applicants remain committed to building the recently approved 3-story mixed-use building on Tax Lot #700 (Lot #70), but after considerable thought, the applicant believes it would be prudent with such a significant investment to begin construction with the building on Tax Lot 5900 (Lot #73) with the intention to build on Tax Lot #700 within the next 18 months and utilize the vacant tax lot (Lot #71) as staging for both buildings.

PROJECT PROPOSAL: The applicant is requesting a Site Review Permit to construct a three-story mixed-use building on the corner of Fair Oaks Avenue and Plum Ridge Drive (see insert below). The building will be roughly 10,748 square feet in area, consisting of six residential units on the upper two floors, one flex residential / commercial unit and five enclosed parking spaces on the ground floor.

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North Mountain Central Overlay Area (Commercial Center)



Density: The project’s density is based upon a Density & Parking Allocation Table (see below) approved by the Planning Commission with Planning Application #2013-01506 where Lot # 73 (Tax Lot #5900) was approved for six residential units and one flexible commercial / residential space. As proposed, the application complies with the Commission’s approval and shows three residential units on each of the second and third floors and a ground floor space that is intended to be an “interim” residential space, but will eventually be converted to commercial space depending on market demand.

Parking: The parking allocation for Lot #73 (Tax Lot #5900) shows six parking spaces allocated based on four on-site spaces within the building’s footprint and two parking spaces within the commonly owned private parking lot (Plum Ridge Drive - Tax Lot #1400). The interim residential / commercial space is allocated from the surrounding street system as within the NM-C zone, on-site commercial parking is not required and purposefully intended to be absorbed within the public right-of-way. However, based on comments heard or received during the previous Planning Commission hearings, the applicants have added a “fifth” on-site parking space to alleviate real or perceived parking issues. In doing so, the approved Density and Parking Allocation Table has been updated as follows:

Density & Parking Allocation Table (approved)

Tax Lot (Lot #)	Allocated Residential Density	Planned On-Site Parking	Parking Allocation (23 Plum Ridge Court Spaces)
700 (Lot #70) approved	14	10	4
800 (Lot #71) future	10	8	2
1500 (Lot #72) constructed	10	0	3
5900 (Lot #73) proposed	6	4 (5)	2
Total	40	22 (23)	11 (48% of 23 available)

In addition to the Density & Parking Allocation Table above, the Planning Commission clarified the usage of the areas available parking spaces within Condition #7 of Planning Application #2013-01506 which is as follows:

7) That the number of residential units allowed, including interim/temporary residential units in the ground floor commercial spaces, shall not exceed the number of off-street parking spaces provided. Plum Ridge Court (Tax Lot #I400) is a private street under the applicant's ownership but is also an integral part of the broader street network associated with Meadowbrook Park Estates II subdivision approval and North Mountain Neighborhood Plan. The Planning Commission supports consideration of the 23 Plum Ridge Court parking spaces to address the residential parking demand to accommodate the NM-C density envisioned in the North Mountain Neighborhood Plan for the current Site Review proposal for Tax Lot #700, however the use of these parking spaces may not be restricted, assigned or otherwise treated as a private parking lot, as private parking lots are not a permitted use within the zone. Parking for the remaining lots will be considered with each Site Review proposal.

As stipulated in the above Condition #7, during each lot's Site Review application, parking is to be considered. In the case of Lot #73, parking is essentially the same as originally planned and adopted, but with the addition of one additional space to address concerns heard by the neighborhood and Commissioners.

The resident's bike parking spaces will be located within the garage area, mounted on the wall with each unit having its own mounting system. Each mounting system will be able to accommodate and secure two bikes. The interim residential / commercial bike parking is to be located on the exterior of the building's east side, within the vertical inset as described below and covered by the built-in steel canopy.

Architecture: The project's Architect has designed the building in accordance with the North Mountain Design Standards which state:

*"The architectural character of the commercial buildings should reflect their importance as a focus of the North Mountain Neighborhood. Rather than taking on a residential appearance, these buildings should **emulate a traditional storefront appearance**. Ashland has many storefront buildings which should be looked at for reference but not duplication. These buildings have a **simple and flexible form**; yet have a **strong architectural identity**" (emphasis added).*

Overall, the design does not emulate a residential appearance, but more a traditional storefront appearance with simple and flexible forms. The building's 45 degree angular volume facing the intersection and canted entry is intended to give the building a strong architectural identity. Considering the lot's north to south orientation, the building's facade facing Fair Oaks Avenue narrow and fitting of a typical storefront. However, along the east elevation, the building is elongated and the Project Architect has specifically added a vertical break near its center to give the building some balance and address the requirements of AMC 18.30.030 where building spaces are not to exceed 3,500 sq. ft. The vertical break is also a different material and color from the main body to help distinguish the building volumes.

Several architectural design measures are employed to give the building a sense of depth and introduce verticality where appropriate. The building includes several vertical projections and recesses to each side's facade including projecting vertical window bays and open-air balconies. In addition, the building has a pronounced vertical off-set where the stairwell and mechanical systems will be located which helps

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separate building's volume. Further, the Project's Architect has employed a material and color palette for added variation and attractiveness.

The building will be wood-frame construction and exterior materials will be similar to those employed in the existing neighborhood of single family homes, townhomes, and mixed-use buildings. The exterior materials will include a ledge-stone base similar to that used on the Octagon Building across the street, base boards distinguishing floor heights and an architecturally attractive cornice cap. Each element generally has either a different material or color to enhance the architecture with the main body being a brown stucco texture, the bay windows being horizontal wood siding and a lighter gray color and the cap being a light beige (please refer to Sheet A5.1).

Interim Residential Space (Ground Floor): Both the building's structural and landscaping components have taken into consideration the ground floor space is likely to be an interim residential space until the market dictates the demand for commercial use in this area. This was a scenario envisioned in the original North Mountain Master Plan and is employed by other municipalities in order to discourage the negative perception of storefront vacancies until the necessary growth occurs warranting commercial space (Note: In the nearby Julian Square development across the street, two ground floor spaces have remained vacant for over seven years since original construction and will likely remain that way for the foreseeable future if retained as commercial space).

With this application, the project's design team has stepped the subject building back 4' from the front property line(s) in order to provide an "interim" landscape buffer from the adjacent sidewalk's edge so that the residents can have some level of privacy, but that when converted to commercial space, the landscape buffer could in-filled with concrete to match the adjacent sidewalk creating a wider hardscape surface that is typical of storefront commercial buildings and could then accommodate sidewalk dining, sidewalk window shopping and sidewalk social encounters. Further, the buildings internal systems will be designed to meet "commercial" occupancy codes where applicable such as ADA door widths, ADA access, etc., but in the interim as residential use, the space will also include residential window coverings, a residential front door (limited glazing), and residential fixtures and furnishings.

Landscape / Sidewalk Plan: As noted, included in the packet are two landscape plans identifying an interim landscape design and a commercial landscape design with the intention to illustrate how easily and inexpensively conversion of the ground floor space from residential to commercial could occur. The Landscape Plan (Sheet L-101) identifies a 4' landscape buffer next to the building's edge, standard street trees and a sidewalk system that matches the NM-C's sidewalk and street tree types (4' tree well / 4' clear sidewalk). When converted, the sidewalk would be a total of 12' including the 4' tree wells. The site's landscaping and street trees will be installed prior to issuance of the building's occupancy permit and any conversion would occur prior to issuance of a City Business License with all improvements in accordance with the adopted plans. Overall, the applicants believe the NM-C's flexible zoning provisions are not only consistent with the original master plan, but the neighborhood and occupant of the space will benefit with the planned forethought.

Parking Garage Screens: Based on a very good suggestion by the Planning staff, the applicants are considering an alternative design pattern to the parking garage's screens fronting the sidewalk along Plum Ridge Drive. Instead of a standard or more industrial grid screen mesh appearance, the intent is to provide a screening system that retains a consistent vertical and horizontal rhythmic pattern, but is also artistic and beneficial to not only the building's architecture, but also the pedestrian along the sidewalk. Sheet A4.1 best shows the intent, but it should be noted at the time of this writing, the design has yet to be determined. The applicants intend to bring to the hearings a design that more closely resembles the final design.

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II. 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 requirements and procedures outlined in the Ashland Municipal Code (AMC) pertaining to the Site Review requirements in Chapter 18.72.

*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 Site Review Permit

Section 18.72.070 Site Review Approval Criteria:

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

To the applicant's knowledge all City regulations are or will be complied with. The applicants are not requesting any exceptions or variances.

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

As noted below, all requirements listed in the Site Review Chapter (18.72) have or will be complied with. Specifically, the landscaping will be irrigated and maintained, and light and glare concerns will be addressed with down lighting and screening where necessary.

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

The applicants contend all of the standards noted within the Site Design Standards are or will be complied with, including the Basic Site Review Standards, Street Tree Standards, Water Conserving Landscape Guidelines and Policies, and the North Mountain Neighborhood Design Standards.

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 key facilities are available to service the proposed building. All utilities to service the building were installed at the time of the subdivision and no major modifications are expected. The applicants have met with all of the utility departments to verify if there were any capacity issues. The results of the meeting were that adequate City facilities are available to the subject site.

Section 18.30.100 C NM Supplemental Approval Criteria:

1. That a statement has been provided indicating how the proposed application conforms with the general design requirements of the North Mountain Neighborhood Plan, including density, transportation, building design, and building orientation.

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The narrative included herein is intended to provide the evidence necessary to express how the proposal conforms with the general design requirements of the North Mountain Neighborhood Plan, including density, transportation, building design, and building orientation. Overall, the applicant and design team believe criterion and design standards have been incorporated into the application or could be easily incorporated by condition.

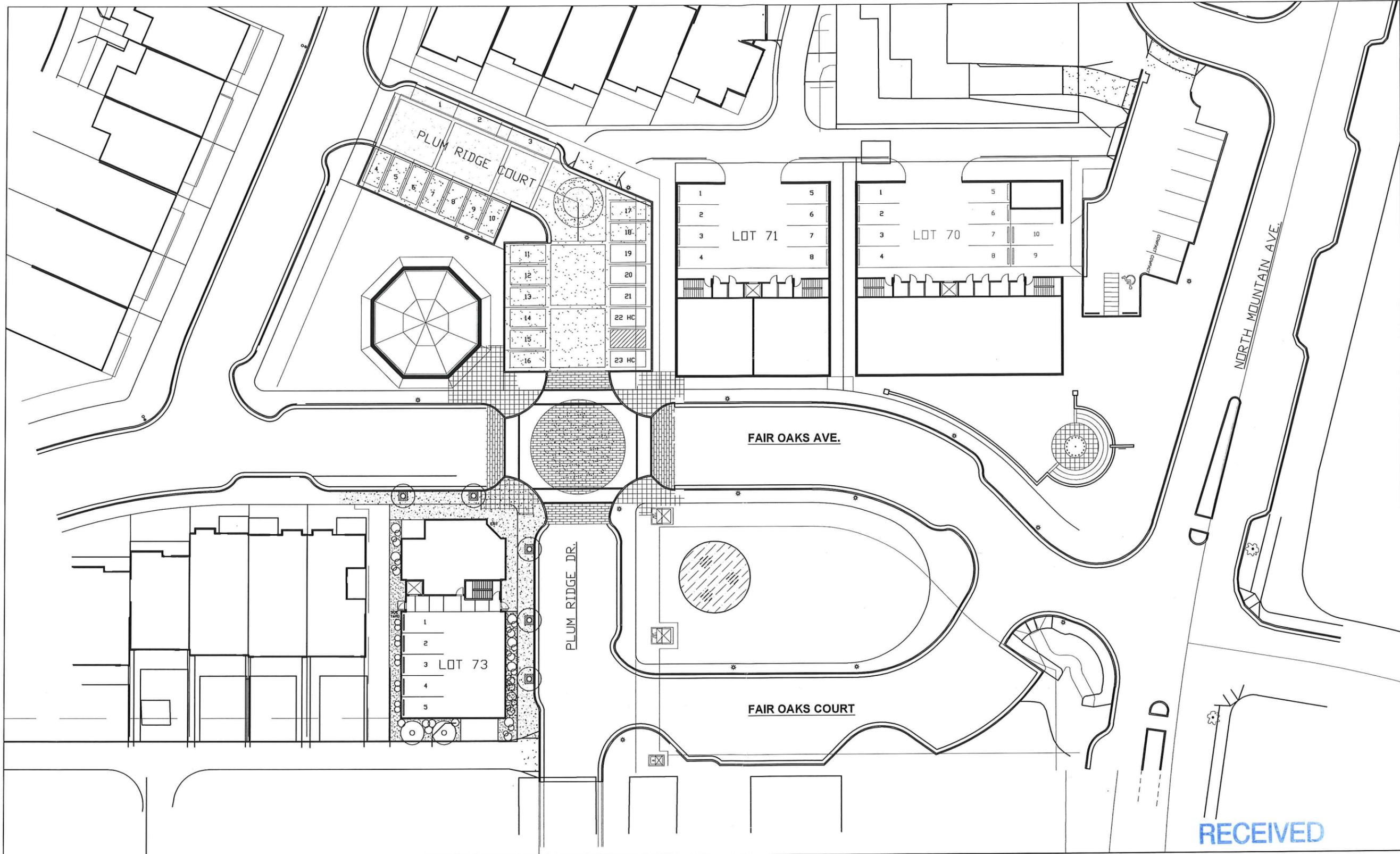
2. That the proposed application complies with the specific design requirements as provided in the North Mountain Neighborhood Design Standards.

To the applicant's knowledge all specific design requirements as provided in the North Mountain Neighborhood Design Standards will be complied with. The applicants are not requesting any exceptions or variances.

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ROBERT SALADOFF
ARCHITECT
 508 CLINTON STREET, ASHLAND, OREGON 97520
 rob@salarch.com 541-482-3772 (office) 541-601-9031 (cell)

PHASE/DATE ISSUED
 PLANNING: 06.23.14
 DEMOLITION:
 SD:
 DD:
 CD:
 AS BUILTS:

MEADOWBROOK - LOT 73
FAIR OAKS AVENUE
ASHLAND, OR 97520

DRAWINGS:
 VICINITY PLAN

VICINITY PLAN

SCALE: 1" = 40'-0"

NORTH



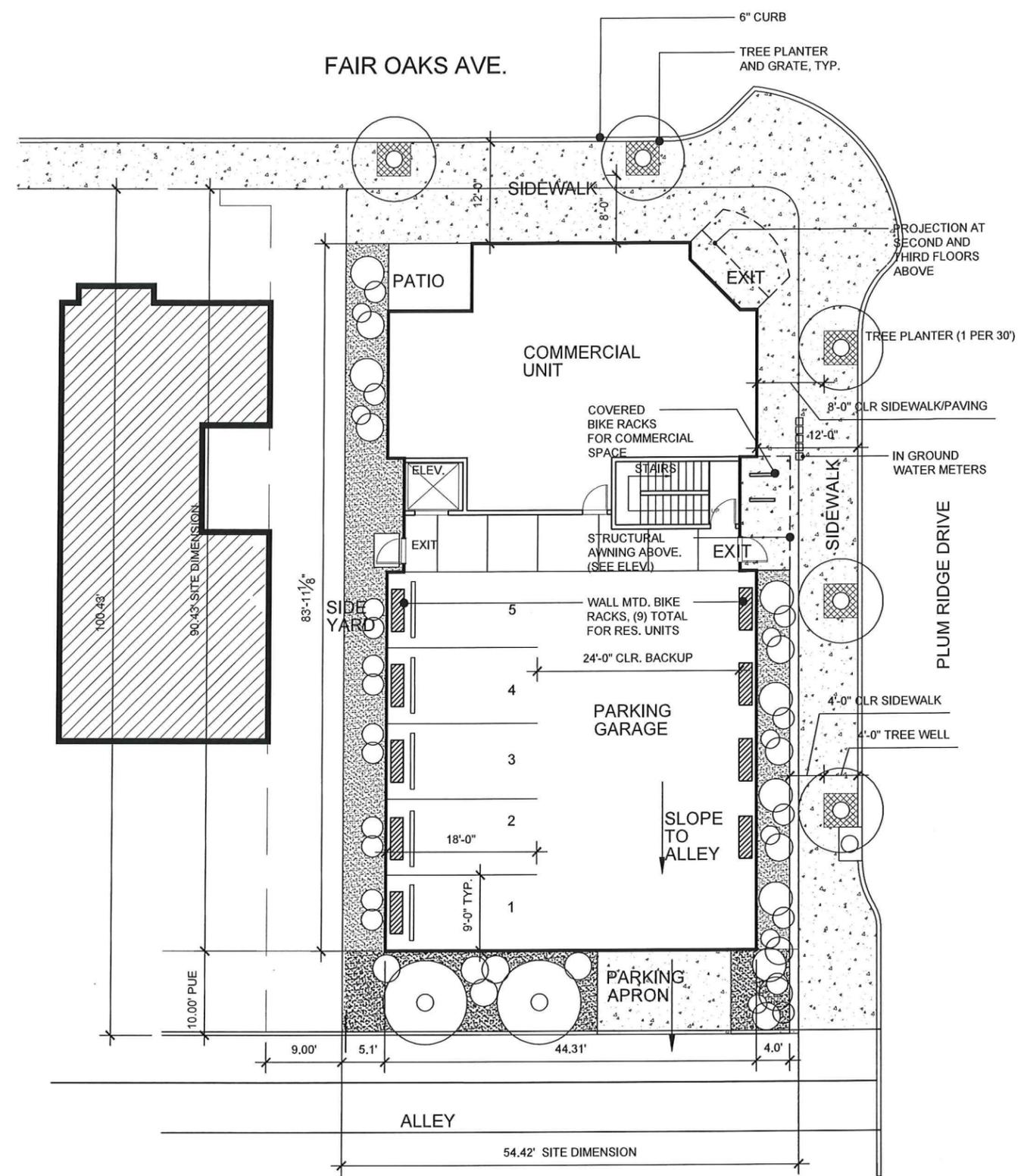
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City of Ashland

SHEET NO.

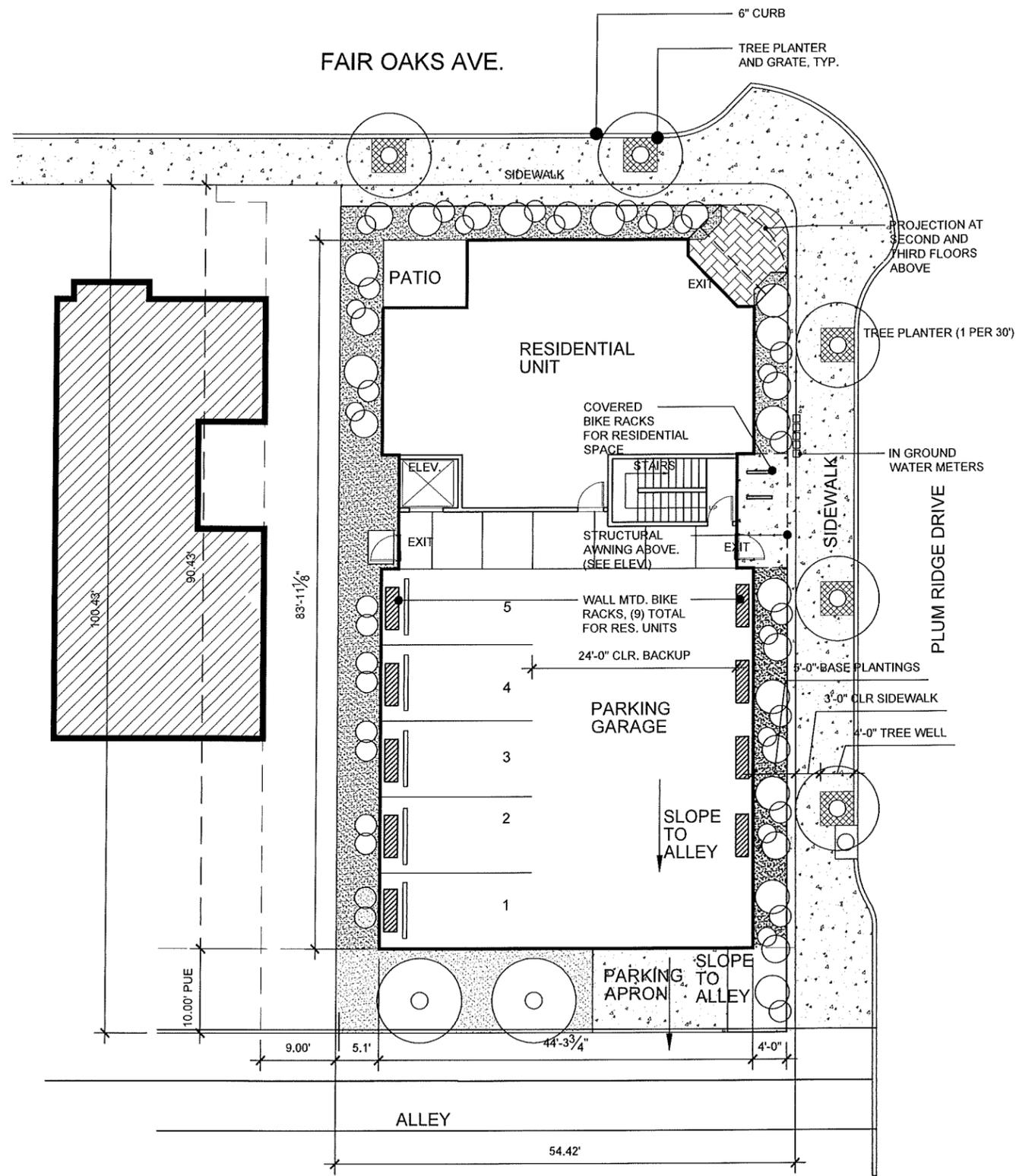
A1.1



BUILDING DATA	
FLOOR AREA:	10,748 S.F.
GROUND FLOOR	3,648 S.F.
- COMMERCIAL SPACE	1,151 S.F.
- VERTICAL CIRCULATION AREAS	192 S.F.
- COMMON AREAS/HALL/MECH	252 S.F.
- PARKING	2,053 S.F.
SECOND FLOOR	3,550 S.F.
- RES. UNIT 1	1,211 S.F.
- RES. UNIT 2	1,028 S.F.
- RES. UNIT 3	1,087 S.F.
- COMMON AREAS/HALL	224 S.F.
THIRD FLOOR	3,550 S.F.
- RES. UNIT 4	1,211 S.F.
- RES. UNIT 5	1,028 S.F.
- RES. UNIT 6	1,087 S.F.
- COMMON AREAS/HALL	224 S.F.

SITE PLAN (FIRST FLOOR COMMERCIAL OCCUPANCY) :
 MEADOWBROOK MIXED USE - LOT 73
 SCALE: 1/16" = 1'-0"

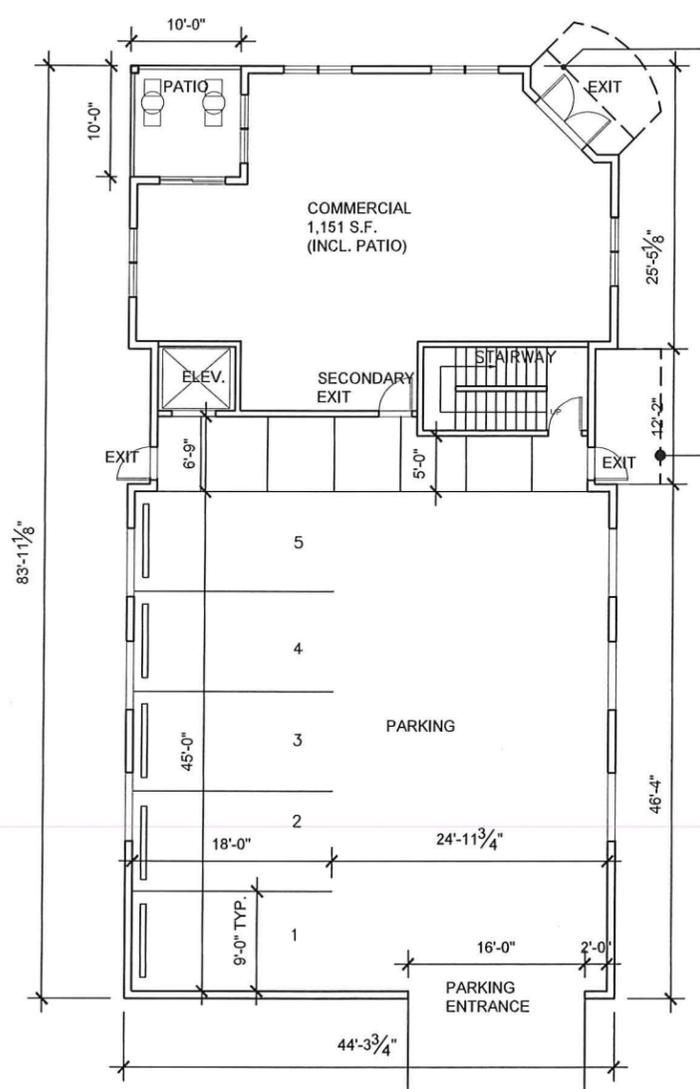
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BUILDING DATA	
FLOOR AREA:	10,748 S.F.
GROUND FLOOR	3,648 S.F.
- RESIDENTIAL SPACE	1,151 S.F.
- VERTICAL CIRCULATION AREAS	192 S.F.
- COMMON AREAS/HALL/MECH	252 S.F.
- PARKING	2,053 S.F.
SECOND FLOOR	3,550 S.F.
- RES. UNIT 1	1,211 S.F.
- RES. UNIT 2	1,028 S.F.
- RES. UNIT 3	1,087 S.F.
- COMMON AREAS/HALL	224 S.F.
THIRD FLOOR	3,550 S.F.
- RES. UNIT 4	1,211 S.F.
- RES. UNIT 5	1,028 S.F.
- RES. UNIT 6	1,087 S.F.
- COMMON AREAS/HALL	224 S.F.

SITE PLAN (FIRST FLOOR RESIDENTIAL OCCUPANCY)
 MEADOWBROOK MIXED USE - LOT 73

SCALE: 1/16" = 1'-0"

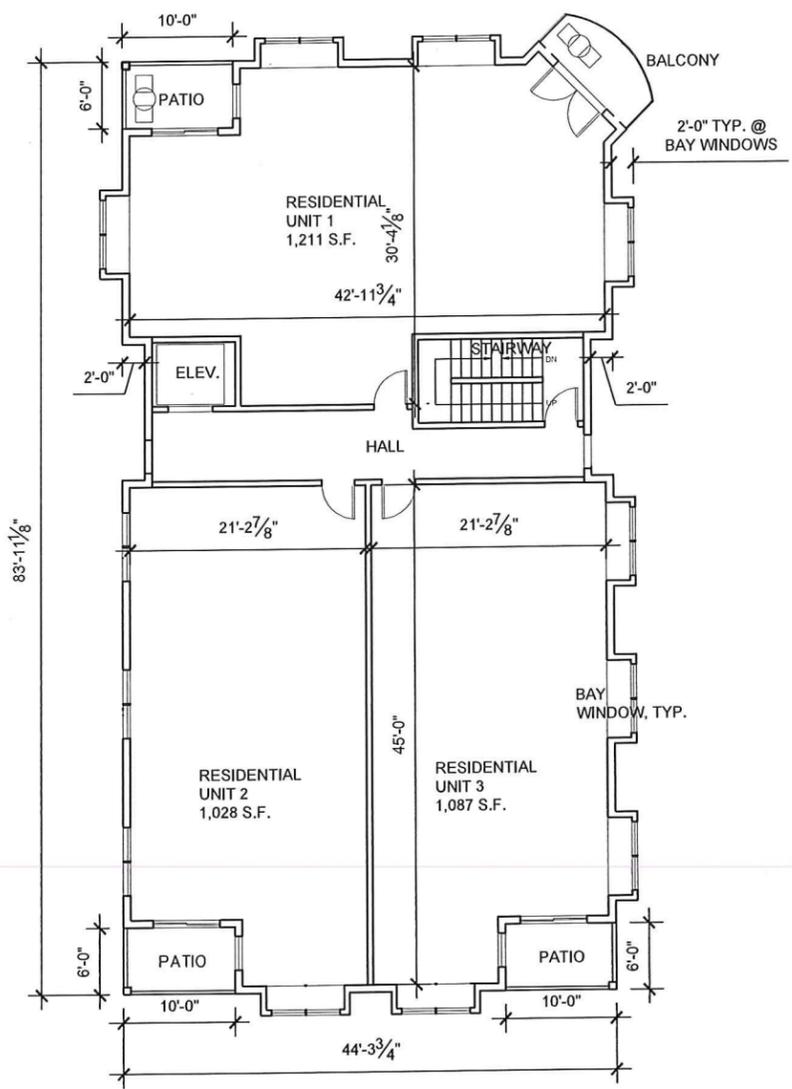


PROJECTION AT SECOND AND THIRD FLOORS ABOVE

STRUCTURAL AWNING ABOVE. (SEE ELEV.)

FIRST FLOOR PLAN

SCALE: 1/16" = 1'-0"



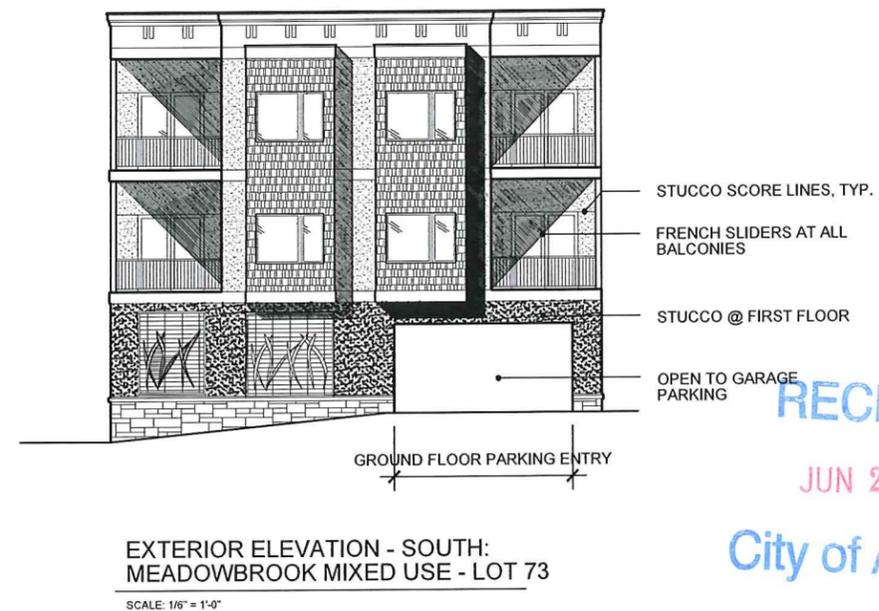
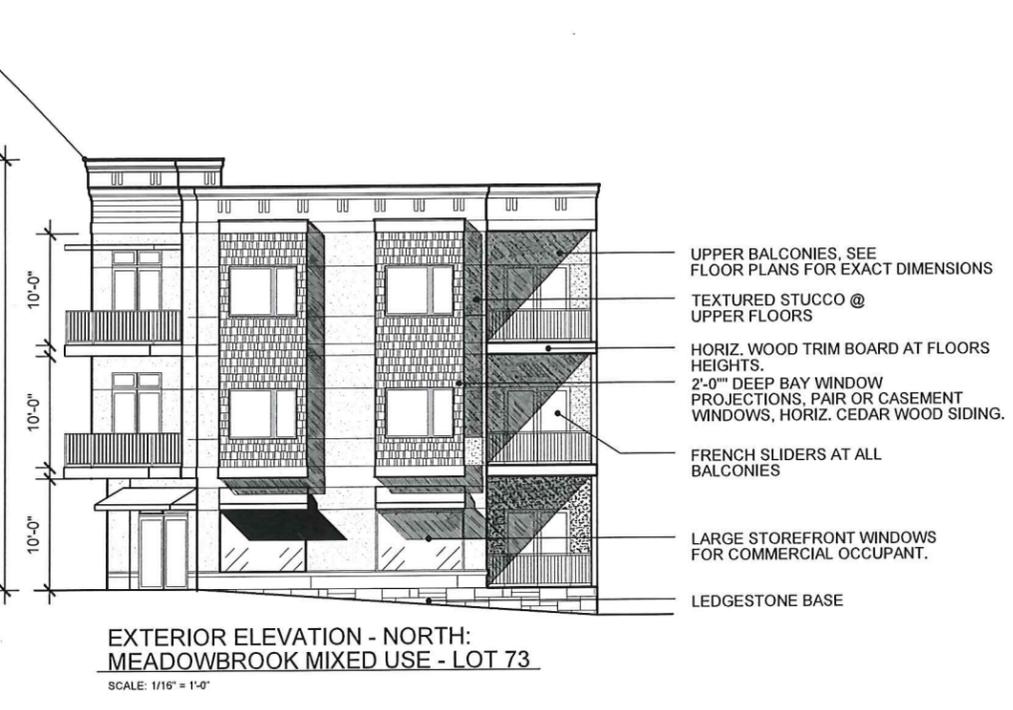
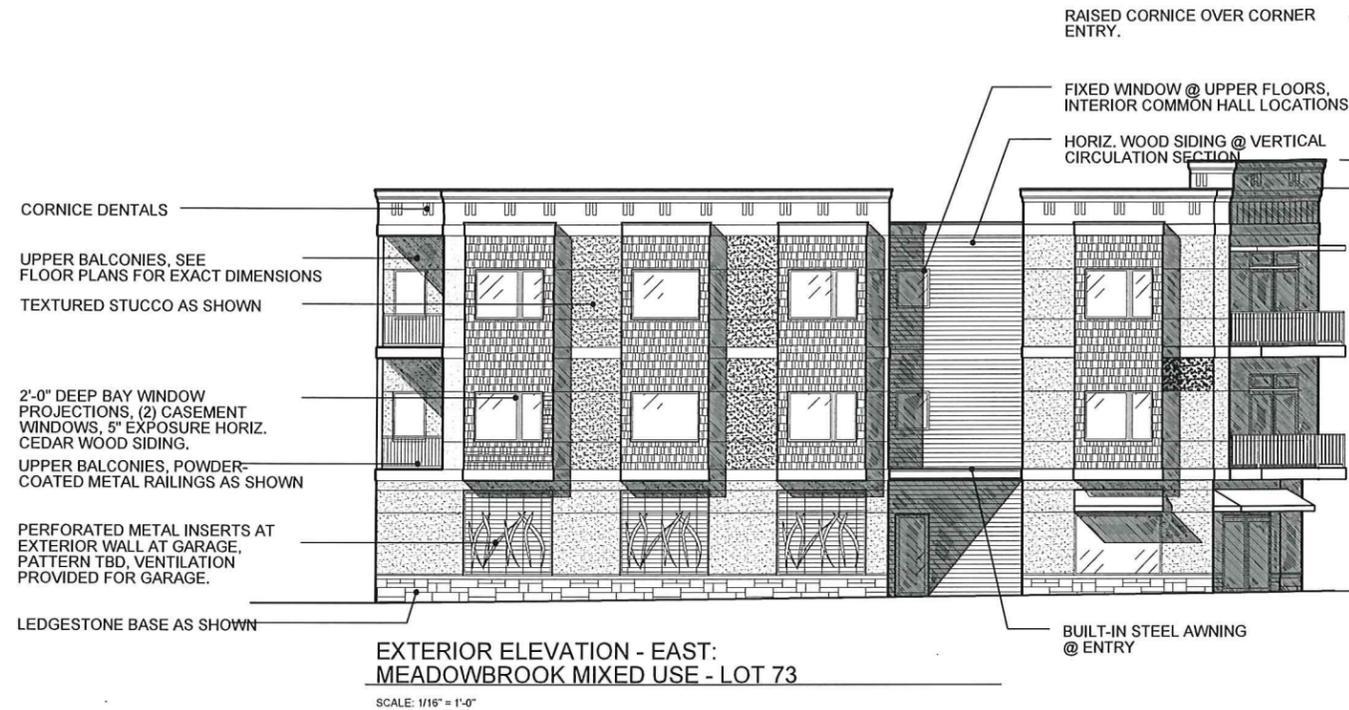
SECOND / THIRD FLOOR PLANS

SCALE: 1/6" = 1'-0"

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WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



ROBERT SALADOFF
ARCHITECT
 508 CLINTON STREET, ASHLAND, OREGON 97520
 rob@ssalarch.com 541-482-3772 (office) 541-601-9031 (cell)

PHASE/DATE ISSUED
 PLANNING: 06.05.14
 DEMOLITION:
 SD:
 DD:
 CD:
 AS BUILTS:

MEADOWBROOK - LOT 73
 FAIR OAKS AVENUE
 ASHLAND, OR 97520

DRAWINGS:
 COLOR
 ELEVATIONS

SHEET NO.

A4.2

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 City of Ashland



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PHASE/DATE ISSUED
PLANNING: 06.05.14
DEMOLITION:
SD:
DD:
CD:
AS BUILTS:

MEADOWBROOK - LOT 73
FAIR OAKS AVENUE
ASHLAND, OR 97520

DRAWINGS:
MATERIAL
DETAILS

SHEET NO.
A4.3

ADHERE ACTUAL PAINT SAMPLE HERE...
Printed colors are inaccurate.

WOOD CORNICE
PAINT SHERWIN-WILLIAMS 7538 "Tamarind"

PANELED VERTICAL SIDING @ CORNER PARAPET
PAINT SHERWIN-WILLIAMS 6089 "Grounded"

TRANSOM WINDOWS AS OCCURS
MFCTR. TBD

FRENCH SLIDERS @ BALCONIES
MFCTR. TBD

FABRICATED METAL RAILINGS
MATCH SHERWIN-WILLIAMS 7020 "Black Fox"

ADHERE ACTUAL PAINT SAMPLE HERE...
Printed colors are inaccurate.

TEXTURED STUCCO
MATCH SHERWIN-WILLIAMS 6089 "Grounded"

ADHERE ACTUAL PAINT SAMPLE HERE...
Printed colors are inaccurate.

CANVAS AWNING @ STOREFRONT WINDOWS
SIMILAR TO SHERWIN-WILLIAMS 6083 "Sable"

ADHERE ACTUAL PAINT SAMPLE HERE...
Printed colors are inaccurate.

BORAL DRYSTACK LEDGESTONE
"Chardonnay"

SHAKE SIDING @ 2'-0" PROJECTED BAY
PAINT SHERWIN-WILLIAMS 6102 "Portabello"

ADHERE ACTUAL PAINT SAMPLE HERE...
Printed colors are inaccurate.

HZTL. WOOD TRIM BOARD @ FLOOR HEIGHTS
PAINT SHERWIN-WILLIAMS 7538 "Tamarind"

FLUSH HORIZONTAL SIDING
MATCH SHERWIN-WILLIAMS 6083 "Sable"

ADHERE ACTUAL PAINT SAMPLE HERE...
Printed colors are inaccurate.

FABRICATED STEEL & GLASS AWNING

FIXED GLASS STOREFRONT WINDOW
MFCTR. TBD

STUCCO WATERTABLE @ SILL HT.



TYPICAL MATERIALS & COLORS

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JUL 29 2014
City of Ashland



NE PERSPECTIVE

REGISTERED ARCHITECT
ROBERT SALADOFF
ASHLAND, OREGON
4116
STATE OF OREGON

ROBERT SALADOFF
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PHASE/DATE ISSUED
PLANNING: 06.05.14
DEMOLITION:
SD:
DD:
CD:
AS BUILTS:

MEADOWBROOK - LOT 73
FAIR OAKS AVENUE
ASHLAND, OR 97520

DRAWINGS:
NE
PERSPECTIVE

SHEET NO.
A4.4

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EAST PERSPECTIVE



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PHASE/DATE ISSUED
 PLANNING: 06.05.14
 DEMOLITION:
 SD:
 DD:
 CD:
 AS BUILTS:

MEADOWBROOK - LOT 73
FAIR OAKS AVENUE
ASHLAND, OR 97520

DRAWINGS:
 SE
 PERSPECTIVE

SHEET NO.
A4.5

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 City of Ashland



SE PERSPECTIVE



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PHASE/DATE ISSUED
 PLANNING: 06.05.14
 DEMOLITION:
 SD:
 DD:
 CD:
 AS BUILTS:

MEADOWBROOK - LOT 73
FAIR OAKS AVENUE
ASHLAND, OR 97520

DRAWINGS:
 SE
 PERSPECTIVE

SHEET NO.
A4.6

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City of Ashland