

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
NOVEMBER 8, 2016
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. October 11, 2016 Regular Meeting.
- V. **PUBLIC FORUM**
- VI. **TYPE II PUBLIC HEARINGS**
A. **PLANNING ACTION: PA-2016-01504**
SUBJECT PROPERTY: 1098 B Street
OWNER/APPLICANT: RNN Properties, LLC
DESCRIPTION: The Planning Commission will consider an appeal of staff's approval of a request for Site Design Review to allow the re-construction of a second dwelling located on the property at 1098 B Street. The approved application also includes requests for Exception to Street Standards to not install city standard sidewalks, to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes, and for a Tree Removal Permit to remove a 15½ -inch Ash tree. The appeal request focuses on the Exception to Street Standards to not install city standard sidewalks, asserting that the additional square footage proposed should trigger sidewalk improvements. **COMPREHENSIVE PLAN DESIGNATION: High Density Multi-Family Residential; ZONING: R-3; ASSESSOR'S MAP: 39 1E 09AD; TAX LOT #:100.**
- B. **PLANNING ACTION: PA-2016-01896**
SUBJECT PROPERTY: 601-691 Fair Oaks Avenue
OWNER/APPLICANT: Ayala Properties, L.L.C./KDA Homes, L.L.C.
DESCRIPTION: A request for Site Design Review approval to construct a new 15,456 square foot three-story, mixed-use building to be located on Lot #71 of the Meadowbrook Park II Planned Unit Development (Tax Lot #800) located at 601-631 Fair Oaks Avenue within the North Mountain Neighborhood Plan area. The application also includes a request for Modification of the approved Site Design Review (PA #2016-00617) for a three-story, mixed-use building to be constructed on the adjacent Lot #70 (Tax Lot #700), located at 651-691 Fair Oaks Avenue, in order to modify the building's exterior design. *No changes are proposed to the previously-approved density or parking allocations.* **COMPREHENSIVE PLAN DESIGNATION: North Mountain, Neighborhood Central Overlay; ZONING: NM-C; ASSESSOR'S MAP: 39 1E 04AD TAX LOTS: 700 & 800.**
- 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
REGULAR MEETING
MINUTES
OCTOBER 11, 2016

CALL TO ORDER

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

Commissioners Present:

Michael Dawkins
Debbie Miller
Melanie Mindlin
Haywood Norton
Roger Pearce

Staff Present:

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

Absent Members:

Troy J. Brown, Jr.
Lynn Thompson

Council Liaison:

Greg Lemhouse

ANNOUNCEMENTS/AD HOC COMMITTEE UPDATES

Community Development Director Bill Molnar announced the upcoming meetings: 1) a presentation on the business retention and expansion survey will be Thursday, October 13 at 12:30 p.m. 2) a discussion on options for city hall will be held at the October 17 City Council Study Session, and 3) the Planning Commission's October 25 meeting will be a joint study session with the Housing & Human Services Commission.

Commissioner Dawkins announced that he and Commissioner Norton attended the Oregon Planning Network meetings. He stated he found it very informative and was pleased to learn that Ashland is already doing a lot of the things being discussed and is ahead of the curve. Commissioner Mindlin announced she attended an event at the OSU Extension on the future of agriculture in the Rogue Valley.

CONSENT AGENDA

A. Approval of Minutes.

1. September 13, 2016 Regular Meeting.

Commissioners Dawkins/Pearce m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed 5-0. Commissioner Mindlin abstained.

PUBLIC FORUM

Huelz Gutcheon/2253 Highway 99/Commented on the city's Conservation Division and the 10x20 ordinance, and voiced concern with fossil fuels and adding more houses/buildings to Ashland.

DISCUSSION ITEMS

A. Ashland Transit Triangle – Infill Strategies Project.

Community Development Director Bill Molnar provided background information on the Transit Triangle target area. He explained Ashland Street was constructed as a state highway in the 1970s and inherited a certain type of character. Over the last 30+ years the city has taken a number of actions to improve the appearance, including: adopting new design standards, revising the site design and use standards which focused on widening sidewalks, street tree installations, and pedestrian friendly lighting, and the city received a significant grant to install medians and bike lanes. Mr. Molnar noted the more recent

pedestrian places overlay and commented on the city's desire to increase the walkability of the area and encourage higher residential densities and a mix of land uses.

Planning Manager Maria Harris explained there has been very limited development and redevelopment in this area and it has primarily attracted single story, single use, low intensity uses, many of which are national chains. She stated there are a lot of opportunities in this area which has 32 acres of vacant and redevelopable land, much of which is already zoned for mixed use. Additionally, the area is served by a bus line and it is close to services. Ms. Harris stated the City Council has identified infill strategies as a high priority project and stated the purpose of this project is to evaluate and explore new policies, programs, and actions that create an incentive for business and housing development to accommodate projected growth while supporting transit service and establishing a vibrant and walkable area.

John Fregonese and Scott Fregonese of Fregonese Assoc. addressed the commission. J. Fregonese explained this project focuses on the corridor and noted the city already has a number of tools in place, including detail site review and pedestrian places. He stated during phase one of this project they looked at the market and what you could build under the zoning, evaluated commonly built buildings over the last 20 years, talked with developers, reviewed the demographics, and tested some buildings to see how they would work. They have come to some conclusions and are now before the Planning Commission to hone in on a solution that fits well for Ashland.

J. Fregonese provided a presentation that covered: city demographics, income levels, housing availability, housing demand, details on what impacts development performance, the development feasibility analysis, and how the Envision Tomorrow software operates. He provided several examples of develop types and reviewed possible changes to the city's current zoning to enable mixed use apartment/retail buildings, mid-rise apartments, garden apartments, and townhomes to be market feasible while keeping rental costs in line with Ashland's income levels. (See Attachment 1, *Ashland Transit Triangle presentation*)

J. Fregonese commented if the city pursues this project he would like to know any concerns or comments the commission has so they can to ensure this is compatible with the surrounding area. He added this phase of the project will include study sessions with the Planning Commission and City Council, additional interviews with local developers, a buildable land analysis, model refinements, return on investment refinements, prototype development, comprehensive estimate of infill success, strategies, and visualizations. J. Fregonese listed the council goals that apply to this project and stated the next commission work session has been scheduled for Tuesday, November 22 and a work session with the City Council will be held on December 19.

Commissioner Comments and Questions

- Commissioner Norton questioned whether increasing the density would impact the city's infrastructure and stated citizens need to be informed what the implications will be. J. Fregonese commented that the study will look at what the additional load to the city's sewer and water systems would be and ensure it is within the parameters. He added if this is successful they are expecting a couple hundred units, not thousands.
- Commissioner Mindlin asked for clarification regarding the city's affordable housing requirements. Mr. Molnar stated this applies for developments of 10 units or more. Mindlin commented that this will increase the price of a project and needs to be considered. She also stated she has questions about affordability and who this project is targeting. J. Fregonese commented that the target residential rent price range has been identified as \$1.75-\$190 per square foot, and a sale price range of \$250,000-\$300,000. He added they could not find a way to get new units lower than this without a subsidy.
- Commissioner Miller commented that the concepts shown tonight fit better in an urban setting or large city. She questioned what happens if present demographics don't continue and stated they need to plan for the future. She voiced concern with less landscaping and more density and stated children need space to run and play. J. Fregonese commented that the current trend will last for a long time and he does not see this changing. He stated there is a broad group of people in Ashland and not everyone wants the same thing. He stated some people prefer smaller units and the city could provide an option for those residents who don't have kids or need/want a lawn.
- Commissioner Pearce voiced support for talking with the development community and looking at what types of buildings might actually get built. He noted they are discussing a half a block on each side of a busy street and stated a reduced landscaping requirement makes sense. Pearce suggested instead of a fixed square footage for landscaping to have a "green factor" that provides more credit for trees than shrubs and lawn. He stated this winds

up looking nicer and provides more shade and habitats for birds. Pearce also recommended they consider a Floor Area Ratio (FAR) instead of a unit count.

- Commissioner Dawkins stated he has been interested in this topic for a long time and believes there are a lot of opportunities here. He commented that Ashland Street screams for redevelopment and stated the current height limitations are unreasonable for an area like this. He stated the lot across from Wendy's was perfect for a development like this and he was disappointed to learn a bank will be going there. He stated they need to have the zoning and other tools in place so something like that doesn't happen again.
- Commissioner Mindlin stated affordability is a major issue for her and they need to make sure they are doing something valuable in this regard. She added impact on adjoining neighborhoods and green outdoor use are other issues she is concerned with. Mindlin stated it is a basic human right to have outdoor personal space in their home, and balconies or internal off-street shared green spaces are ways to accomplish this.
- Council Liaison Greg Lemhouse stated affordable housing is a hot topic throughout the community and they need to find creative ways to address this problem. He stated he is looking forward to seeing the results on this project and stated this triangle has a lot of potential but has been ignored.

John Fields/Stated that projects are expensive and there is nothing you can build in Ashland without asking for exceptions to the land use ordinance. Mr. Fields stated developers take a risk when pursuing a project that could get stopped at any point and takes many months to get through the approval process. He stated the city has developed complex ordinance requirements and it takes time to work through them, and stated the Croman Mill and Normal Neighborhood plans are so complicated that the plans pushed development further away from happening instead of encouraging it. Mr. Fields stated this area in particular has opportunities but added he would be taking a risk by building something like this and is not sure how many people desire these types of units.

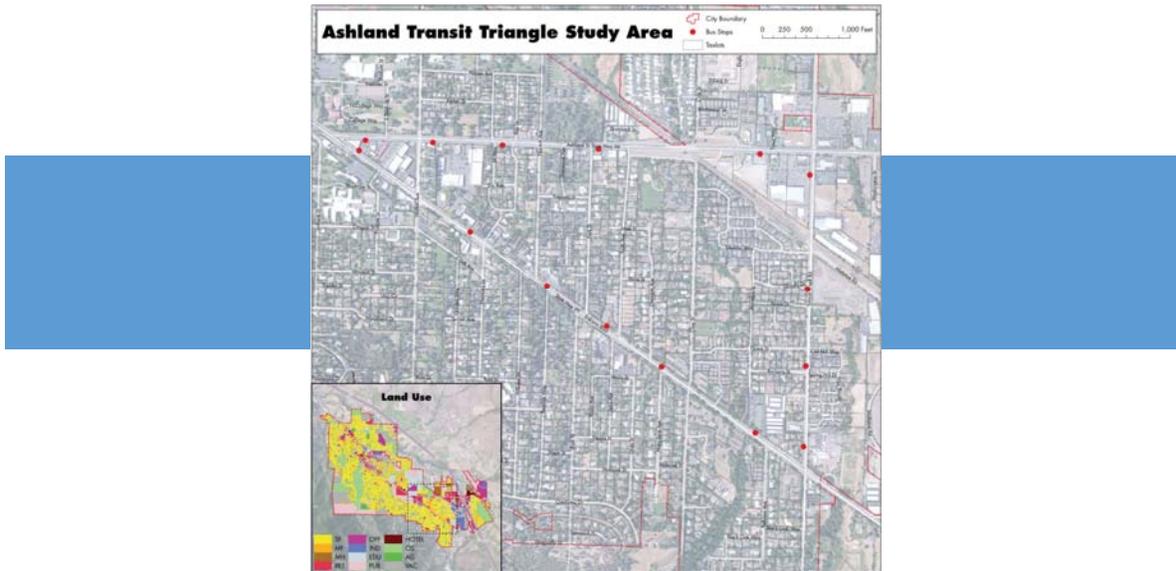
J. Fregonese thanked the commission and audience member for their input and stated they will be taking all their comments into consideration. He added this topic will come back again for commission discussion on Tuesday, November 22.

ADJOURNMENT

Meeting adjourned at 8:45 p.m.

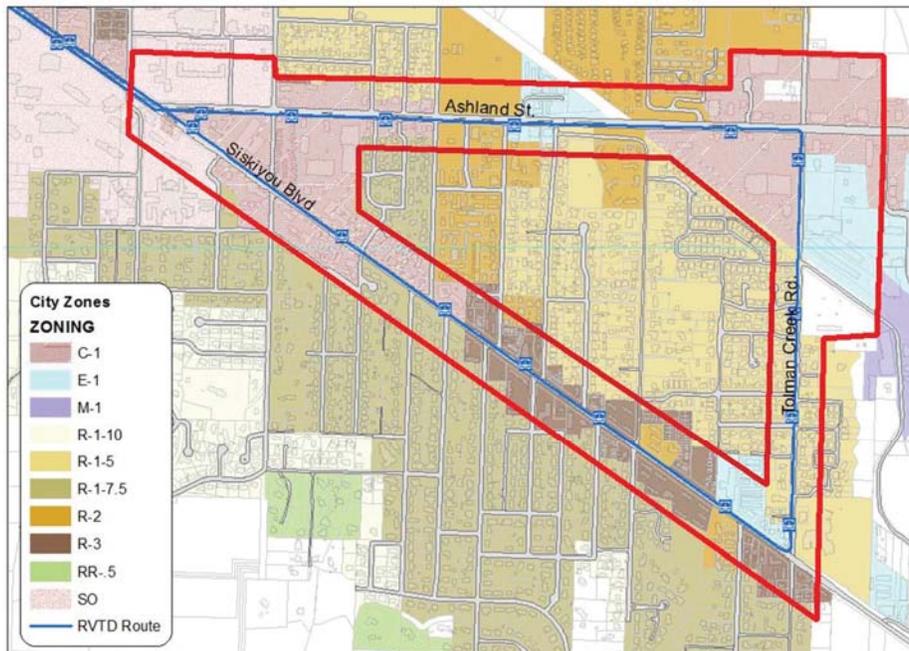
*Submitted by,
April Lucas, Administrative Supervisor*

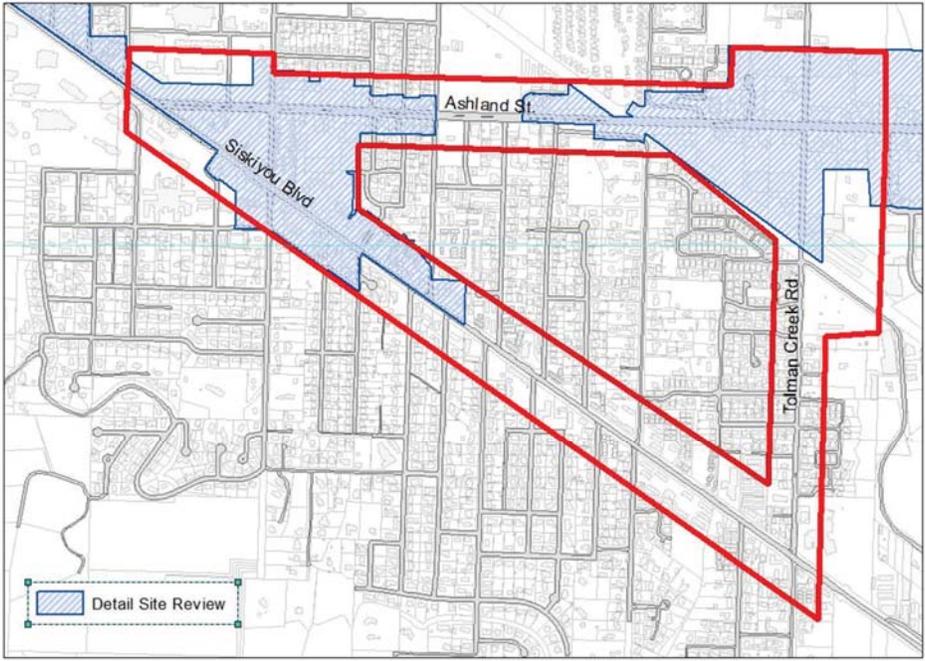
Ashland Transit Triangle: Redevelopment Analysis and Prototype Sensitivity Testing



Fregonese Associates Inc.

10/11/16





Phase I of the Transit Triangle Study Conducted in the Fall of 2015

Tasks Completed:

- Market analysis
- Initial developer interviews
- Demographic analysis
- Analysis of current zoning
- Pro forma testing conducted
- Detailed site-level analysis conducted at 3 sites across the study area

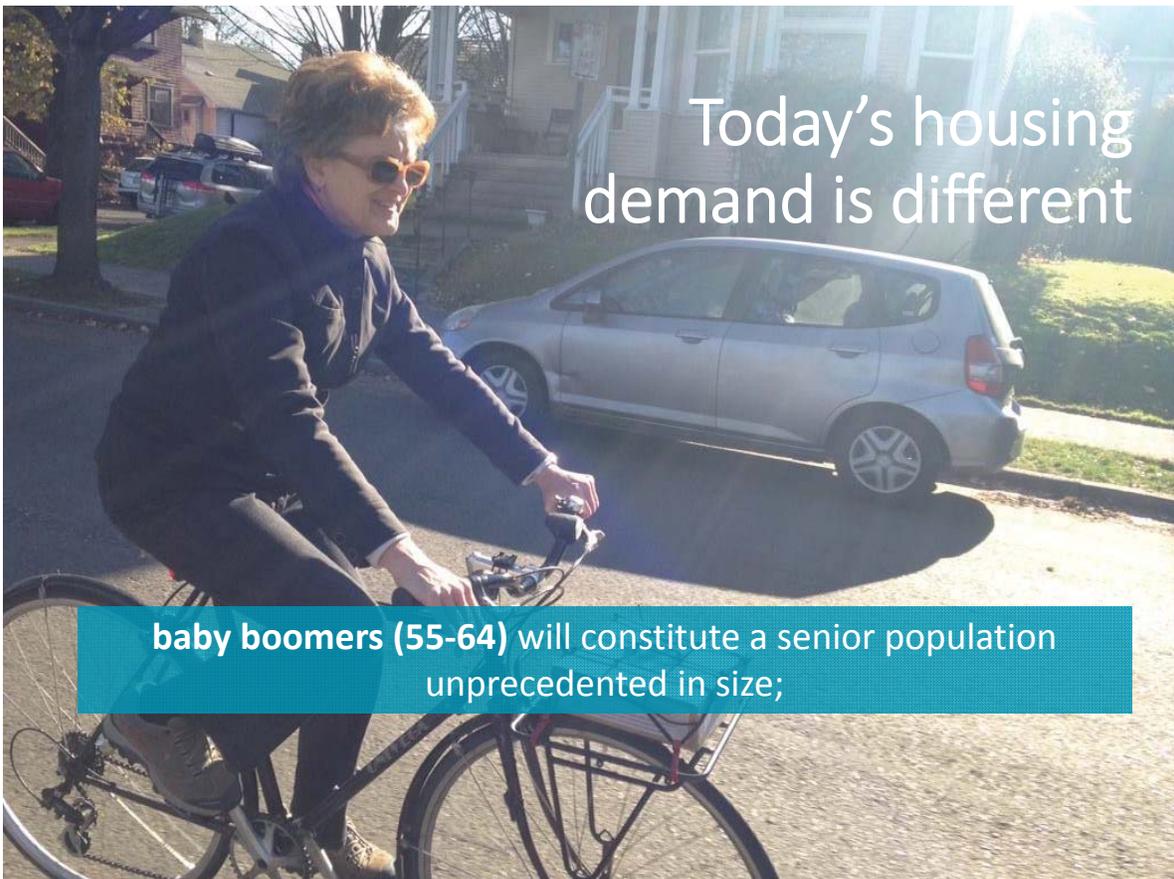
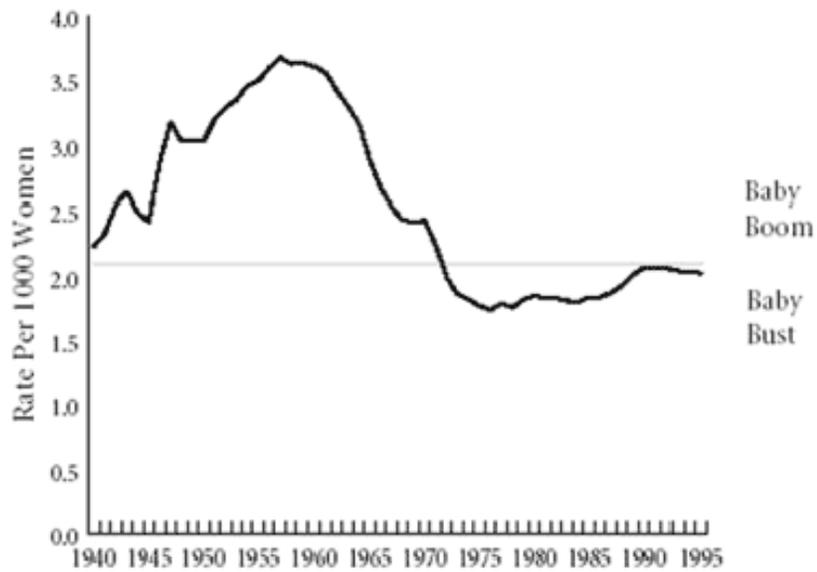
Demographics

Market Segmentation: ESRI Tapestry

Housing from Envision Balanced Housing Model, Jackson Co. 2014

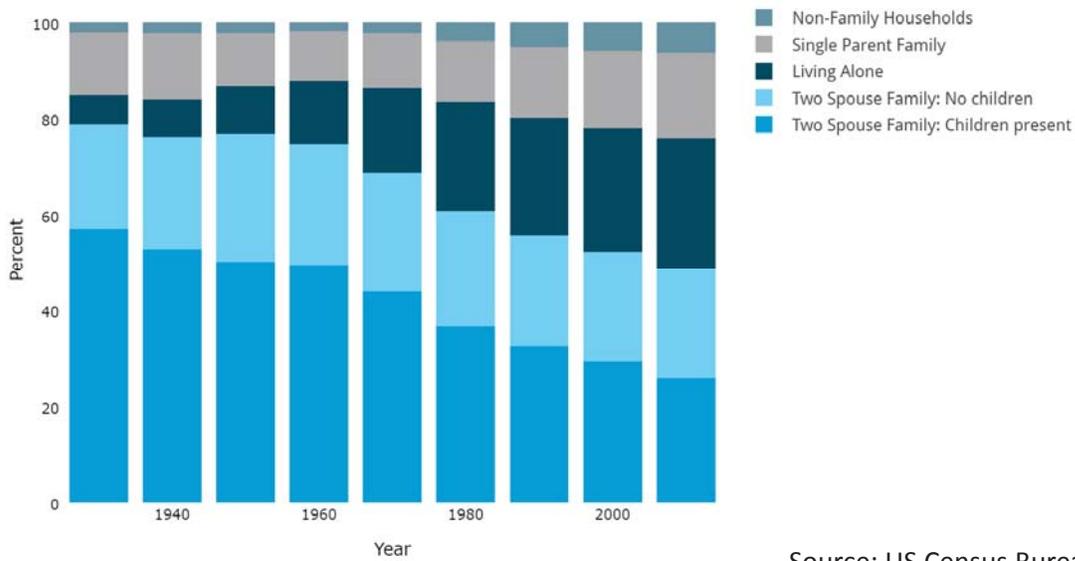
Influence of the 1950's

Total Fertility Rates, 1940–1995



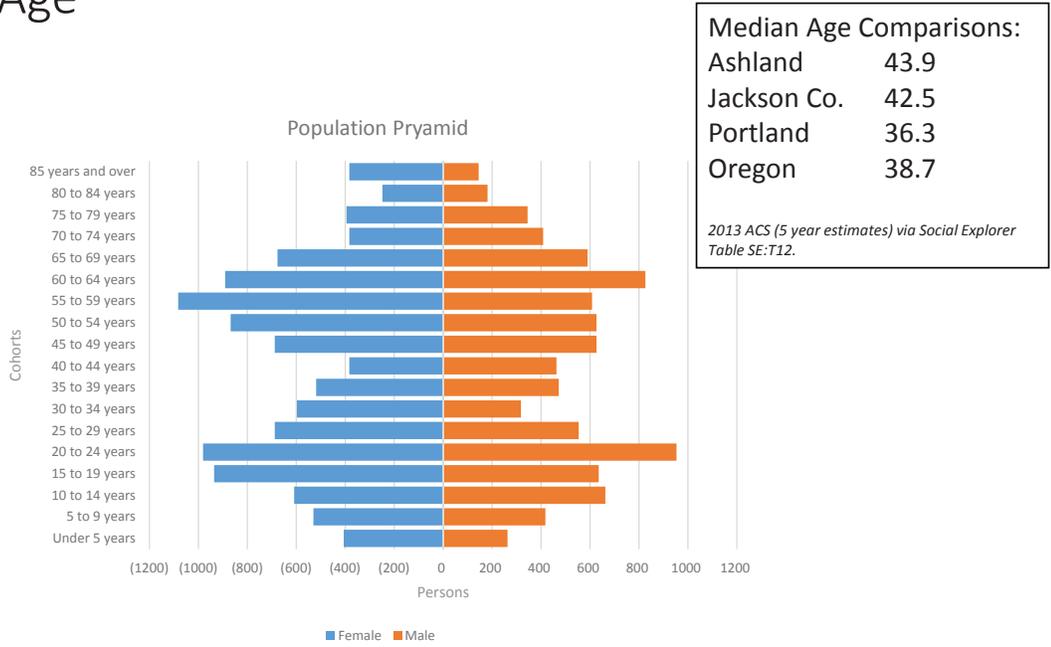


There is no standard household



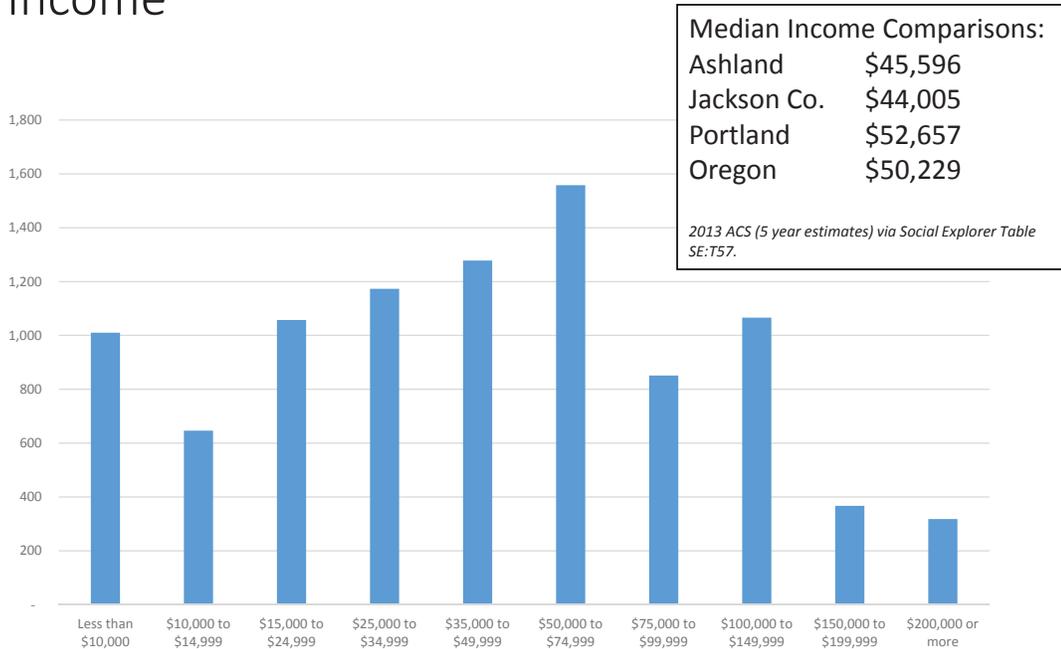
Source: US Census Bureau

Age



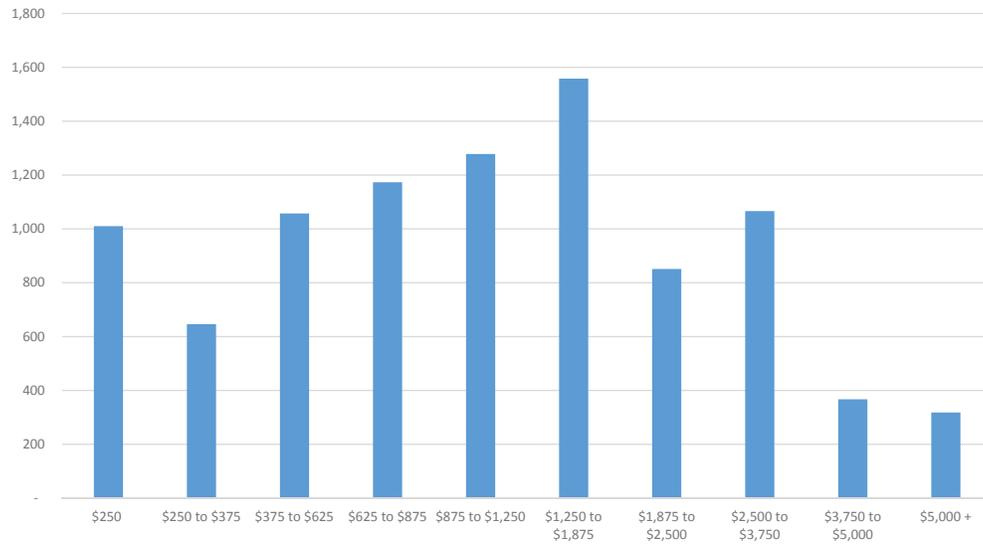
Source: Census, ACS Table B01001
Geography: City of Ashland

Income



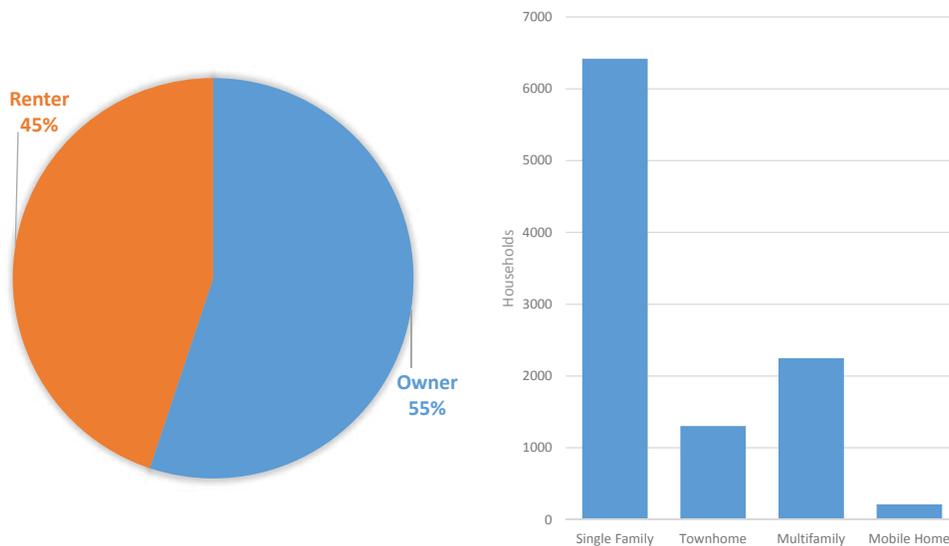
Source: Census, ACS, B19001
Geography: City of Ashland

Incomes Converted to Affordable Rents (30%)



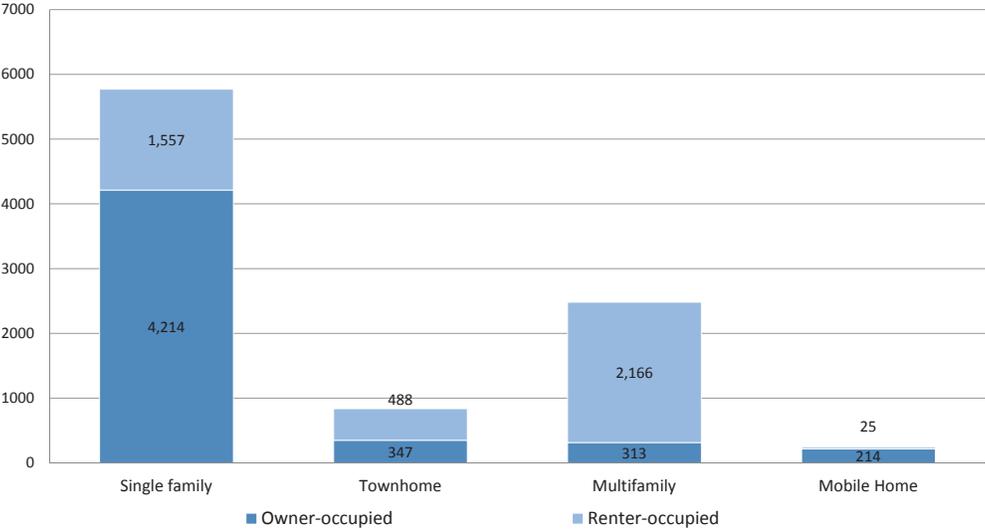
Source: Census, ACS, B19001
Geography: City of Ashland

Housing



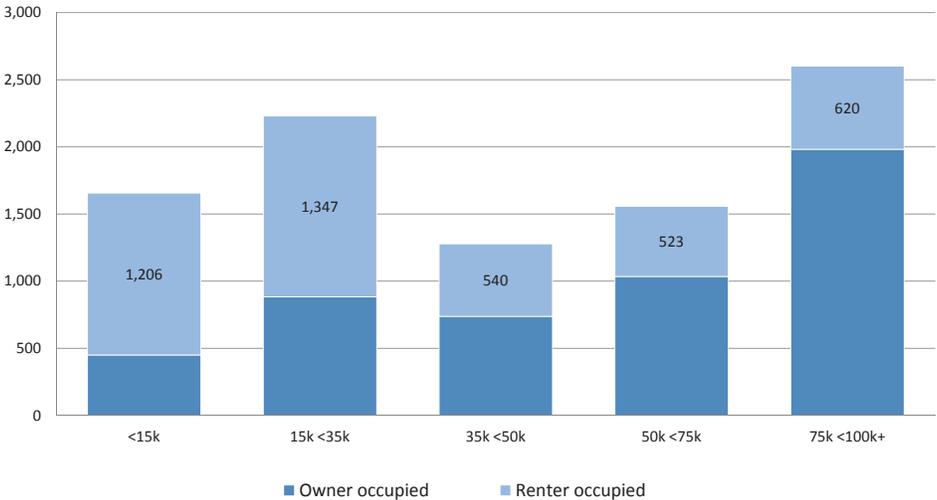
Source: Census, ACS
Geography: City of Ashland

Housing Type By Tenure



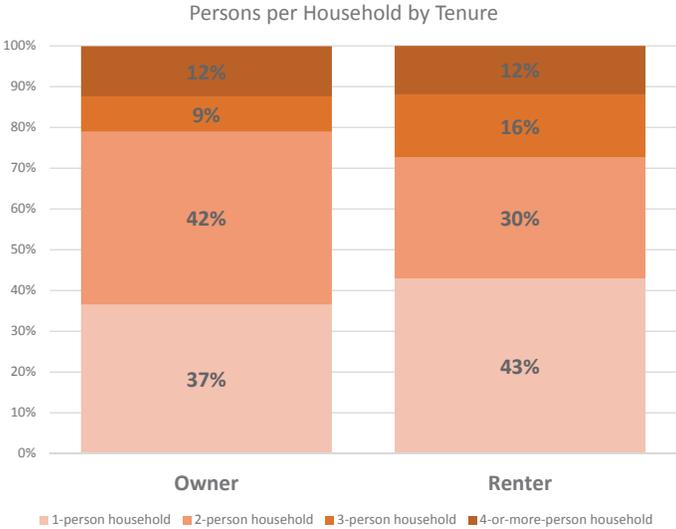
Source: Census, ACS
 Geography: City of Ashland

Tenure by Household Income

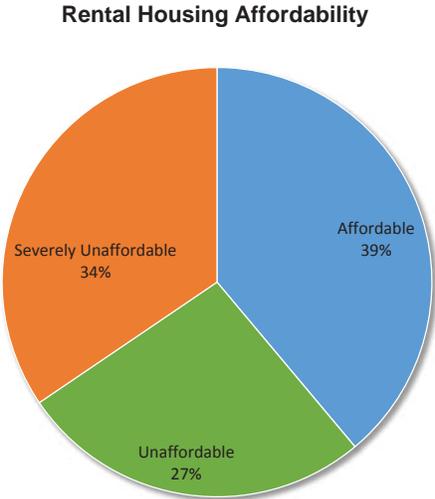


Source: Census, ACS
 Geography: City of Ashland

Persons per Household



Rental Housing Affordability



Source: Census, ACS
 Geography: City of Ashland

What impacts development performance?

- Land cost
- Market demand
- Zoning standards



Cities can influence these

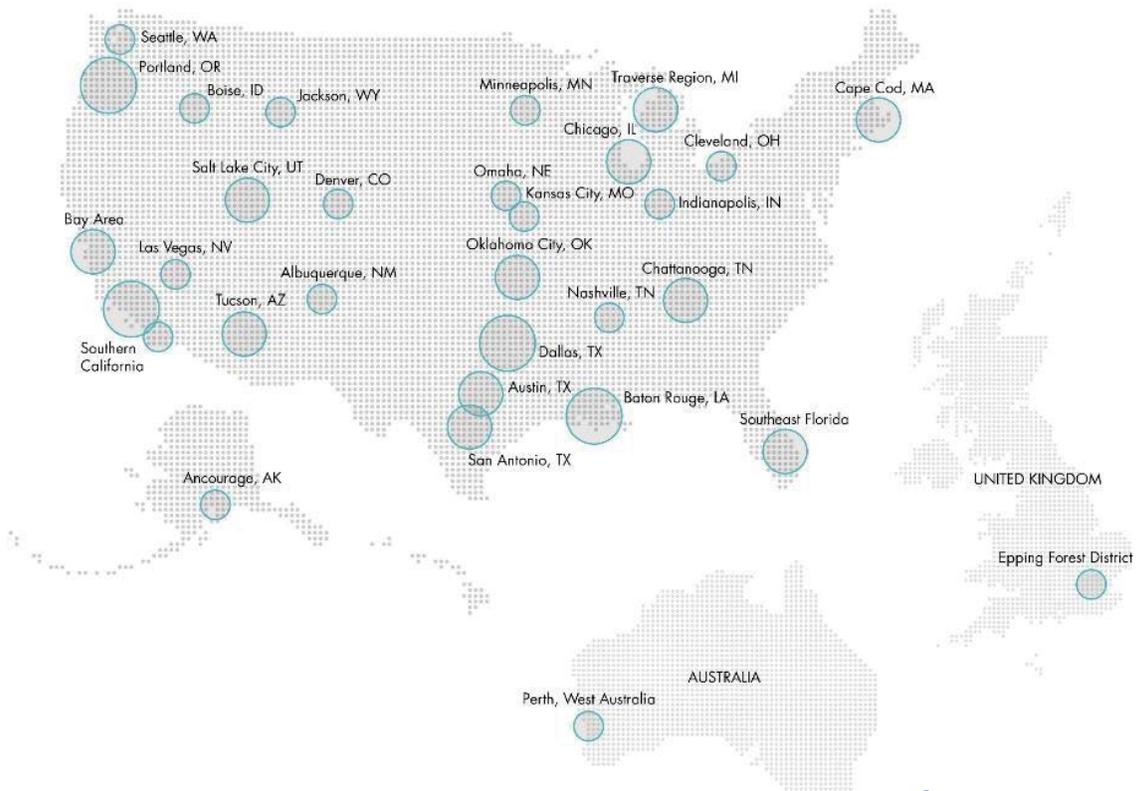
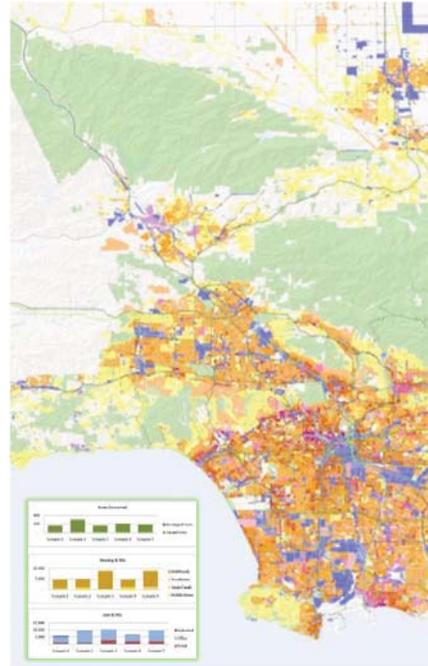
- New zoning & incentives
- Streetscapes, parks and amenities



Building-Level
Development Feasibility Analysis

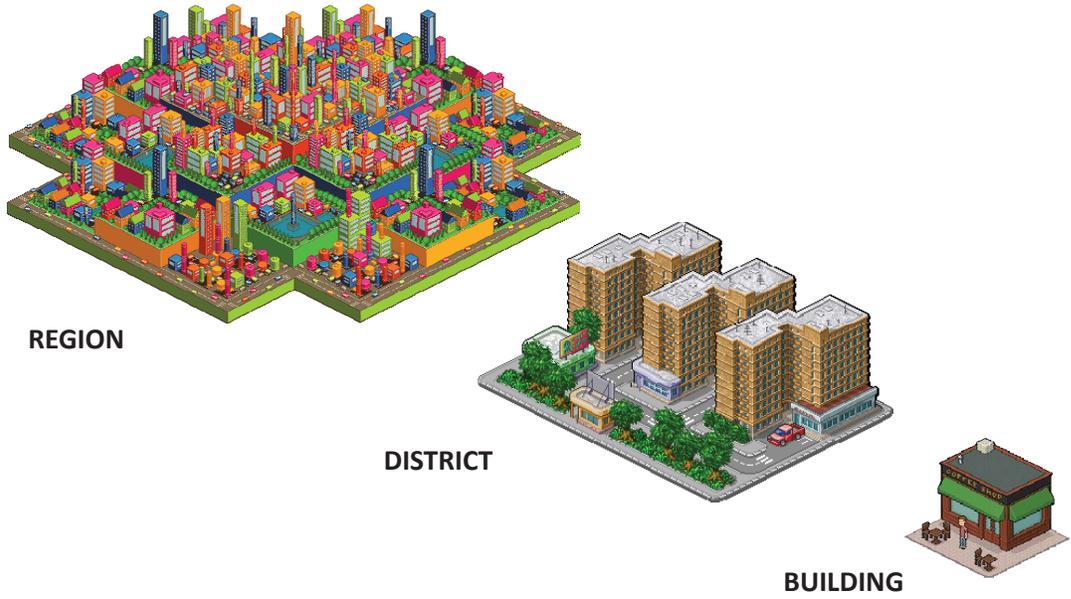
What is Envision Tomorrow?

- Suite of open source planning tools:
 - Prototype Builder
 - Return on Investment (ROI) model
 - Scenario Builder
 - Extension for ArcGIS
 - 20+ modules or “apps” funded by HUD Sustainable Communities Grants



Almost 400 Projects – Dozens of users

Tool For All Planning Scales

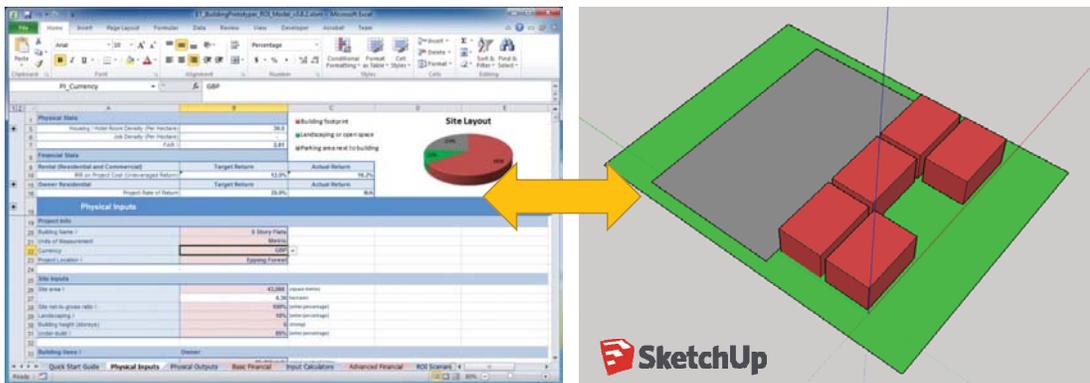


Envision Tomorrow for Zoning Diagnostics



envision
tomorrow[™]
a suite of urban and regional planning tools

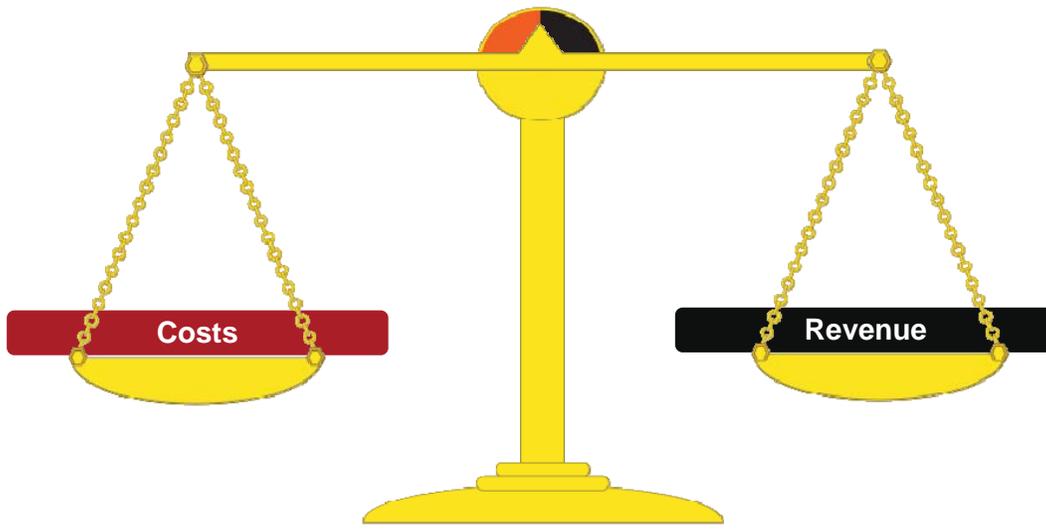
Testing Physical Parameters



Testing Financial Performance



Tipping Point

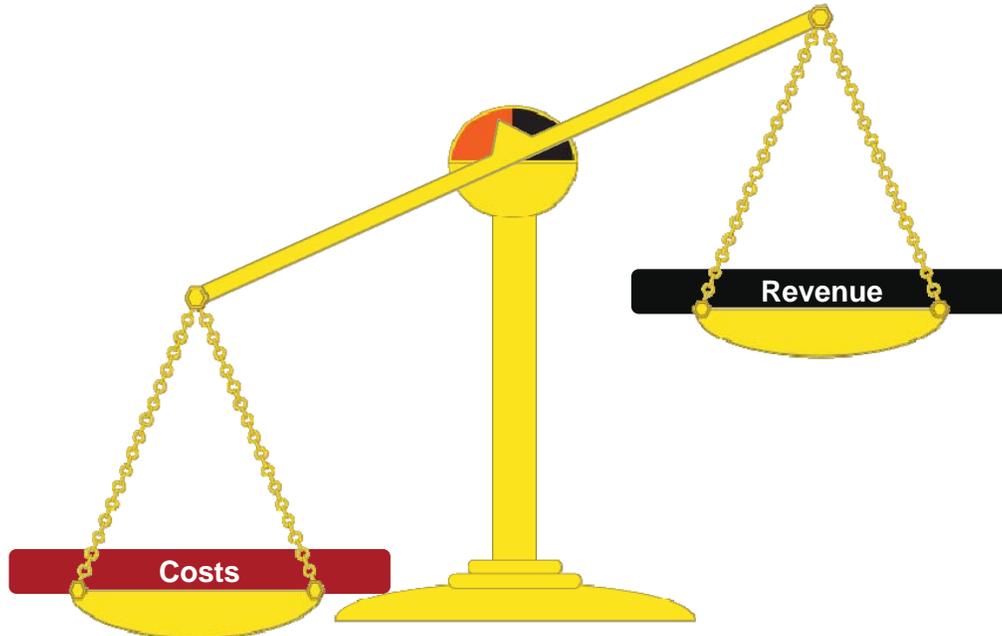


adjustable settings and tools



27

Tipping Point

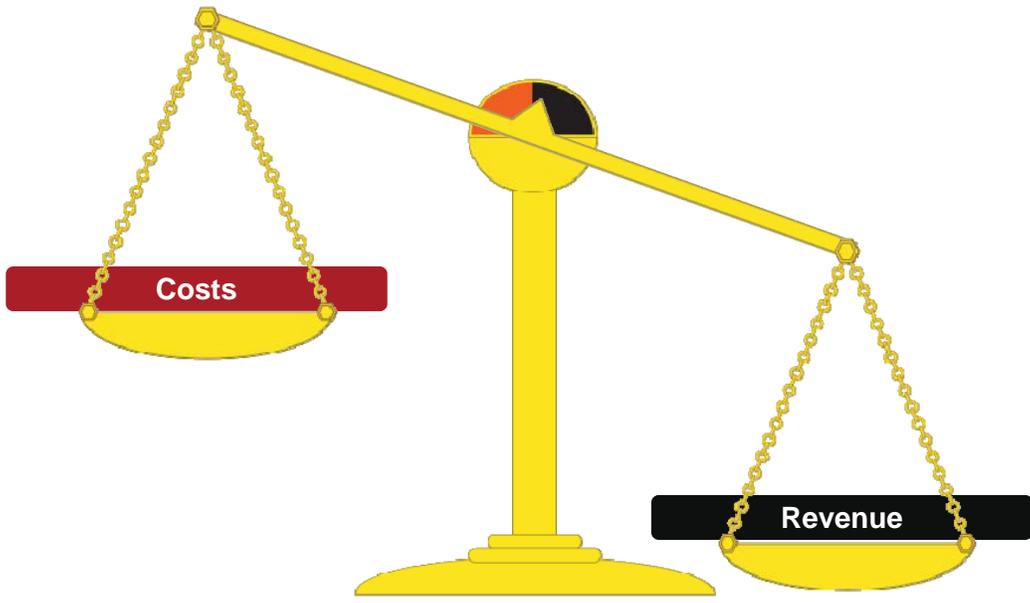


adjustable settings and tools



28

Tipping Point



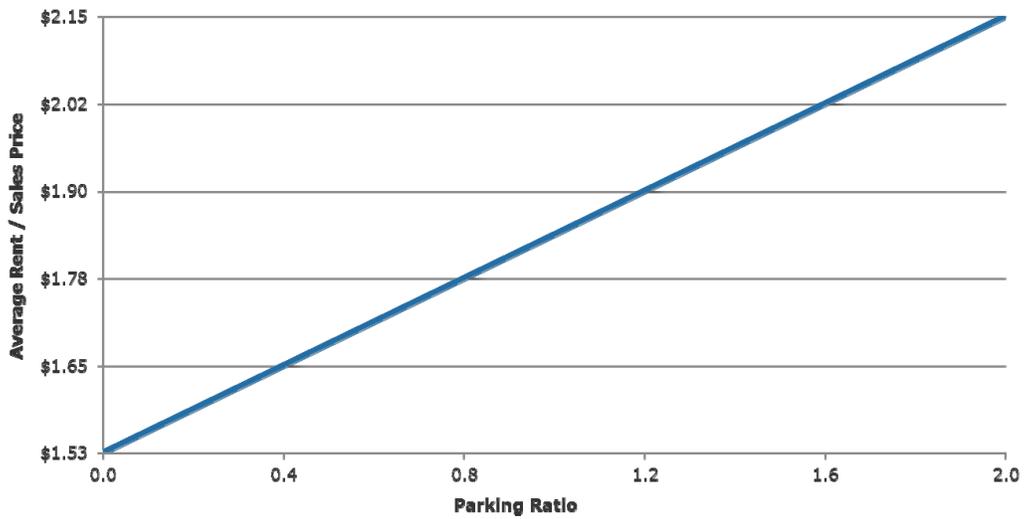
adjustable settings and tools



The control panel is organized into three columns under a central gear icon:

- Building form:**
 - Height: Knob with an upward-pointing arrow.
 - Set back: Knob with an upward-pointing arrow.
 - Landscaping: Knob with a downward-pointing arrow.
 - Parking Ratios: Knob with a leftward-pointing arrow.
- Costs:**
 - Hard: Knob with an upward-pointing arrow, value \$\$\$\$.
 - Soft: Knob with a downward-pointing arrow, value \$.
 - Taxes: Knob with a leftward-pointing arrow, value \$\$\$\$.
 - Fees: Knob with an upward-pointing arrow, value \$\$.
- Revenues:**
 - Rent 1: Knob with an upward-pointing arrow, value \$\$\$\$.
 - Rent 2: Knob with a downward-pointing arrow, value \$.
 - Rent 3: Knob with a leftward-pointing arrow, value \$\$\$\$.
 - Parking: Knob with an upward-pointing arrow, value \$\$. Includes a sub-control for 'Parking' with a 'tuck under' arrow pointing to 'structured' and 'surface' options.

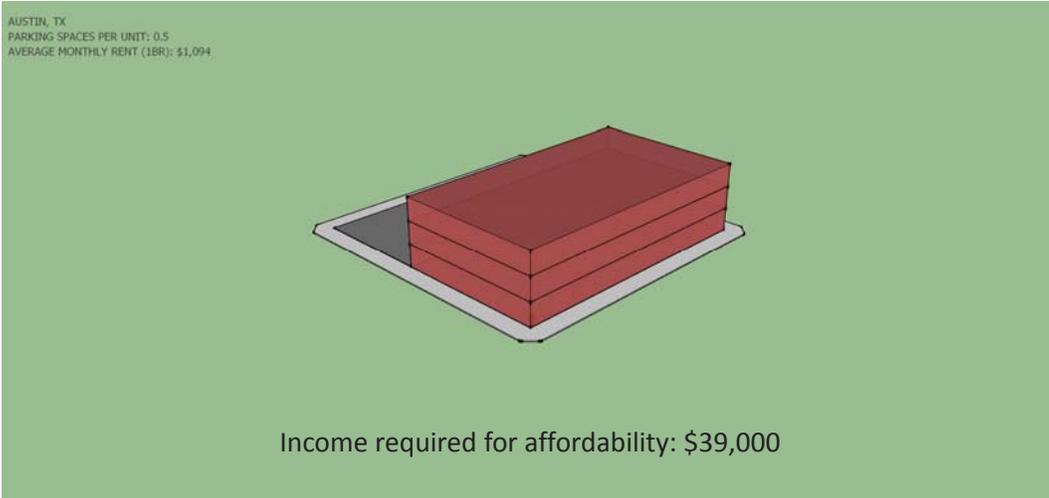
Relationship Between Rents and Parking



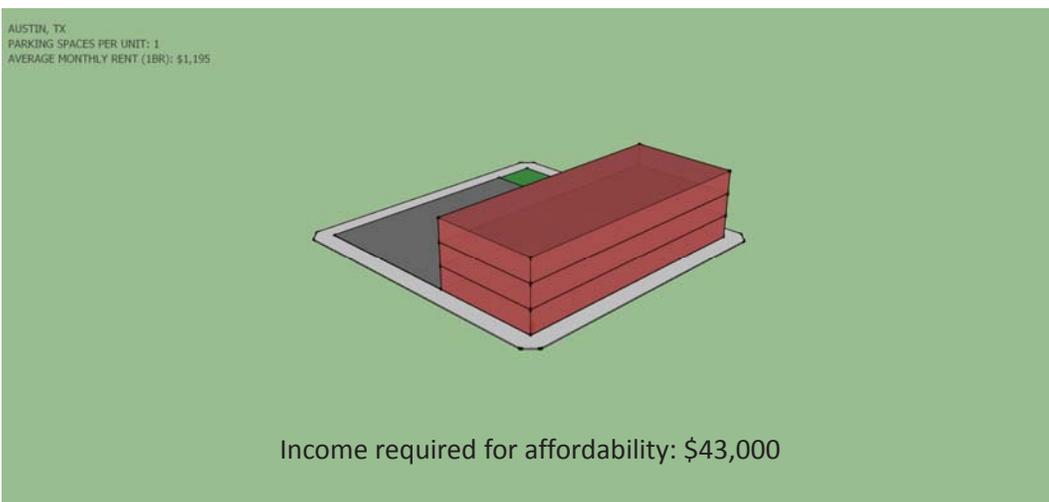
No On-Site Parking



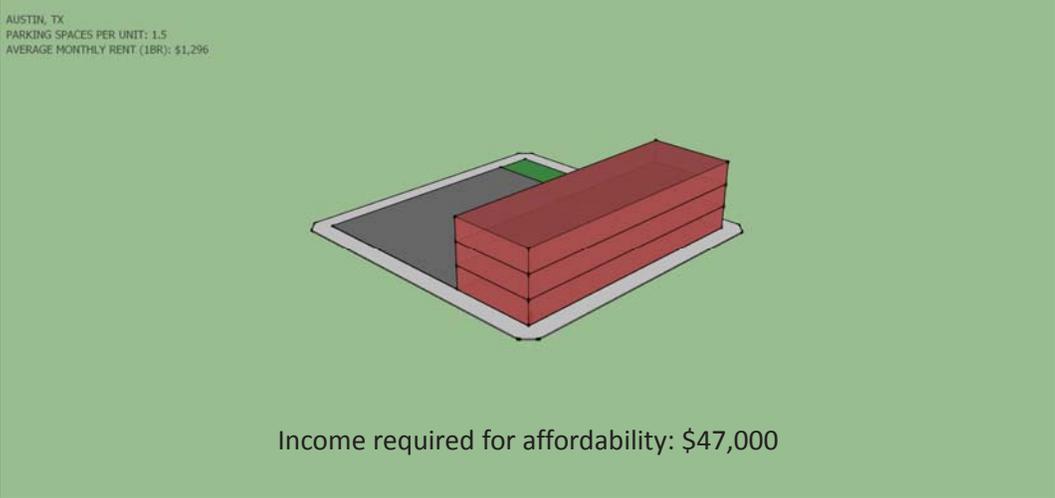
.5 Space / Unit



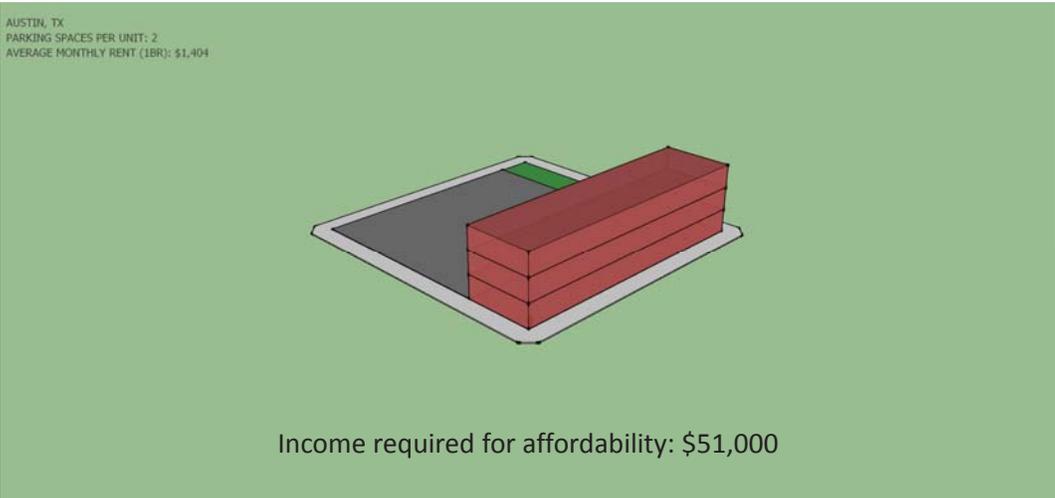
1 Space / Unit



1.5 Spaces / Unit



2 Spaces / Unit



National Issue to update zoning

POLICY

Zoning reform is national priority, White House says

Administration calls for local laws to allow accessory dwelling units and denser development and eliminate off-street parking requirements, among other changes.

ROBERT STEUTEVILLE SEP. 26, 2016



The Obama Administration is calling on cities and towns to reform land-use regulations to allow denser development by right while recommending actions that new urbanists have long supported.



The administration released a “**toolkit**” on housing development that recommends eliminating off-street parking requirements and allowing accessory dwelling units.



The toolkit also calls for more “high-density and multifamily zoning,” “streamlining or shortening permitting processes and timelines,” and allowing “by-right development,” which are consistent with many form-based codes and new urban reforms.



- Antiquated land-use regulations, often dating from the 1970s or earlier, are holding back economic growth and increasing housing costs across America, says the administration.
- "Significant barriers to new housing development can cause working families to be pushed out of the job markets with the best opportunities for them, or prevent them from moving to regions with higher—paying jobs and stronger career tracks. Excessive barriers to housing development result in increasing drag on national economic growth and exacerbate income inequality," the report says.

1970's 2 story garden apartment



Contemporary, walkable infill apartment



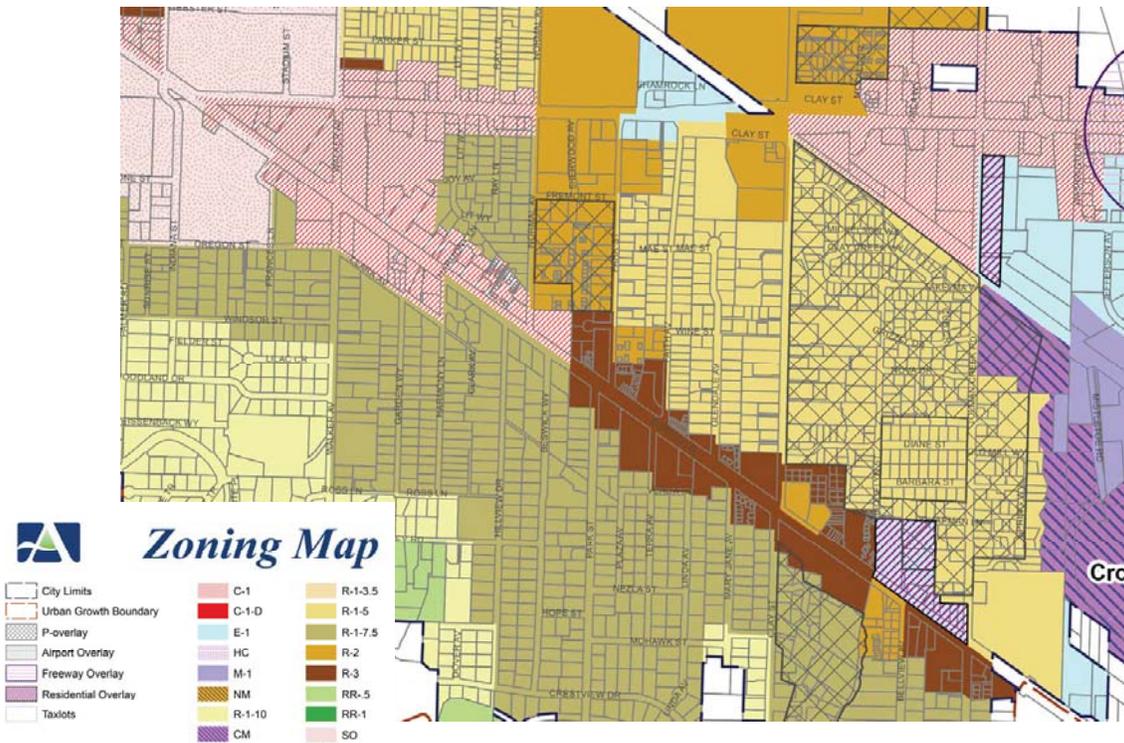
Hollywood Library Mixed Use



Development Analysis: Common Assumptions

- Land Costs: Maximum price in study area is about \$25 / Sq Ft (from interviews)
- Achievable rents for new construction:
- Residential rent range: \$1.75 - \$1.90 per square foot
- Residential sale price range: ~\$250,000 - \$300,000
- Commercial rents:
 - Retail: \$15-20 / sq ft
 - Office: \$15-20 / sq ft
- Construction costs:
 - \$120-150 / sq ft
- Required Return Rates
 - 10% IRR
 - 20% Rate of Return (for for-sale units)

Current Zoning Map



C-1 Zone

Mixed-Use Apartment & Retail

Site Characteristics	Current Zoning	Market Feasible	Change
Lot Size (Sq Ft)	20,000	20,000	0%
Max Land Cost (/Sq Ft)	\$23	\$25	9%
Height (Stories)	3	4	25%
Parking Spaces	30 (1 per Unit)	32 (1 per Unit)	7%
Units on Site	14	23	64%
Density (Net)	30 DU / Acre	50 DU / Acre	67%
Floor Area Ratio	0.95	1.34	41%
Landscaping	15%	10%	-50%
Project Value	\$3.7 Million	\$5 Million	35%
Average Unit Size	775 sq ft	655 sq ft	-15%
Unit Rent	\$1,473 /month (\$1.90 / sq ft)	\$1,172 /month (\$1.79 / sq ft)	-20%
Affordability (% AMI) (100% AMI for family of 2: \$44,800)	131%	105%	-20%

C-1 Zone

Mixed-Use Apartment & Retail



R-3 Zone

Mid-Rise Apartment

Site Characteristics	Current Zoning	Market Feasible	Change
Lot Size (Sq Ft)	10,000	10,000	0%
Max Land Cost (/Sq Ft)	\$16	\$25	56%
Height (Stories)	2	4	100%
Parking Spaces	4 (1 per Unit)	14 (1 per Unit)	250%
Units on Site	4	15	275%
Density (Net)	19 DU / Acre	64 DU / Acre	237%
Floor Area Ratio	0.53	1.31	147%
Landscaping	55% (because of density caps)	15%	-73%
Project Value	\$1 Million	\$2.4 Million	141%
Average Unit Size	1000 sq ft	750 sq ft	-25%
Unit Rent	\$1,750 /month (\$1.75 / Sq Ft)	\$1,238 /month (\$1.65 / Sq Ft)	-29%
Affordability (% AMI) <small>(100% AMI for family of 2: \$44,800)</small>	156%	110%	-29%

R-3 Zone

Mid-Rise Apartment



R-3 Zone

Garden Apartment

Site Characteristics	Current Zoning	Market Feasible	Change
Lot Size (Sq Ft)	10,000	10,000	0%
Max Land Cost (/Sq Ft)	\$16	\$25	56%
Height (Stories)	2	3	50%
Parking Spaces	4 (1 per Unit)	10 (1 per Unit)	150%
Units on Site	4	12	300%
Density (Net)	19 DU / Acre (20 MAX)	53 DU / Acre	178%
Floor Area Ratio	0.53	1.00	89%
Landscaping	55% (because of density caps)	20%	-64%
Project Value	\$1 Million	\$1.9 Million	90%
Average Unit Size	1000 sq ft (large because of density caps)	700 sq ft	-30%
Unit Rent	\$1,750 /month (\$1.75 / Sq Ft)	\$1,190 /month (\$1.70 / Sq Ft)	-32%
Affordability (% AMI) (100% AMI for family of 2: \$44,800)	156%	106%	-32%

R-3 Zone

Garden Apartment



R-2 Zone

Townhome

Site Characteristics	Current Zoning	Market Feasible	Change
Lot Size (Sq Ft)	10,000	10,000	0%
Max Land Cost (/Sq Ft)	\$17	\$17	0%
Height (Stories)	2	2	0%
Parking Spaces	3 (1 per Unit)	7 (1 per Unit)	133%
Units on Site	3	7	133%
Density (Net)	13.4 DU / Acre	33 DU / Acre	146%
Floor Area Ratio	0.41	1.00	144%
Landscaping	65% (because of density caps)	20%	69%
Project Value	\$511,000	\$1.7 Million	232%
Average Unit Size	1200 sq ft	1200 sq ft	0%
Unit Sale Price	\$314,071 (\$262 / sq ft) \$1,885 Mo Mortgage	\$271,341 (\$226 / sq ft) \$1,626 Mo Mortgage	-14%
Affordability (% AMI) (100% AMI for family of 2: \$44,800)	194%	168%	-14%

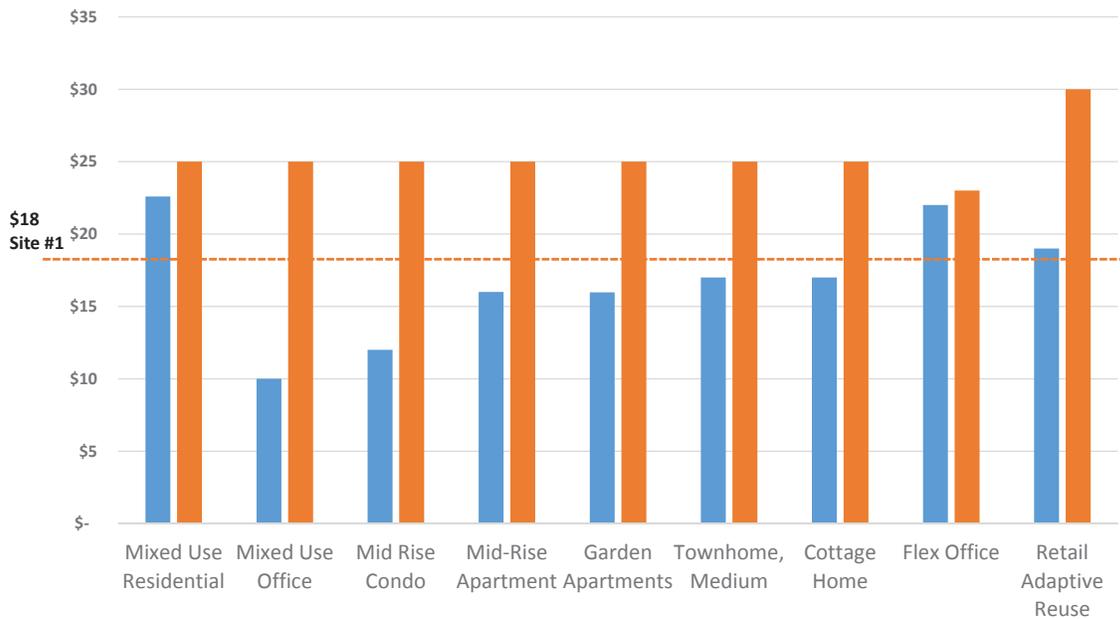
R-2 Zone



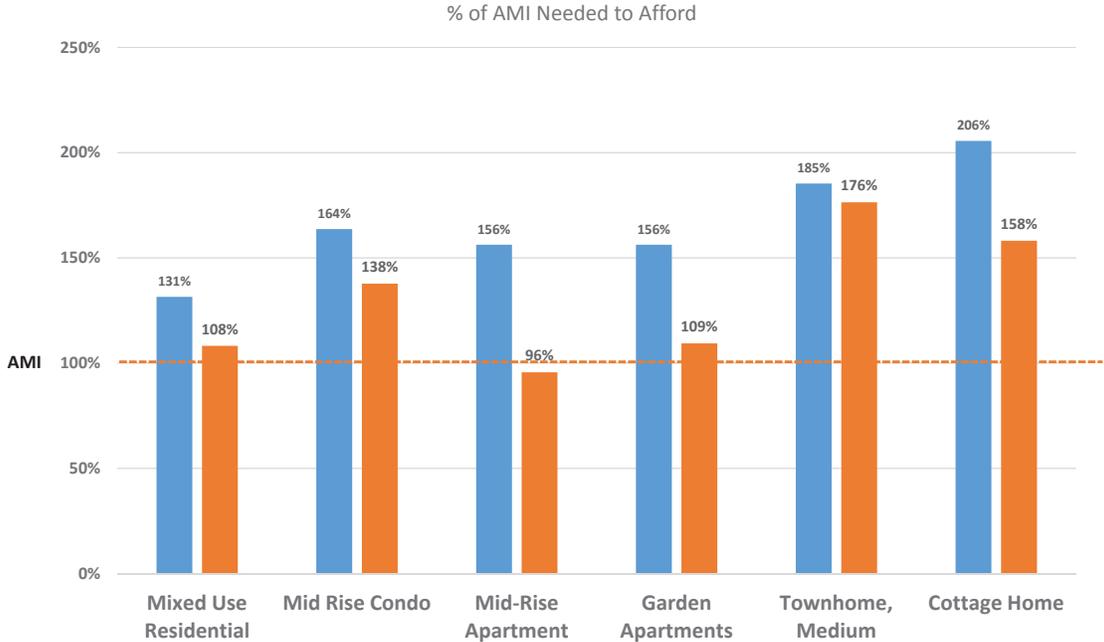
Townhome



Maximum Land Cost



% of AMI Needed to Afford



Conclusions

- ☑ Increase residential densities to increase the likelihood of a range of smaller unit sizes
 - o C-1: from 30 to 50 - 60 units per acre
 - o R-3: from 20 to 40 - 50 units per acre
 - o R-2: from 13.5 to 30 - 40 units per acre
- ☑ Increase maximum heights
 - o C-1: from 40' to 50' - 60' to allow four – five story construction with ground floor retail
 - o R-3: from 35' to 50' to allow four story construction
 - o R-2: from 35' to 40' to allow three full height floors

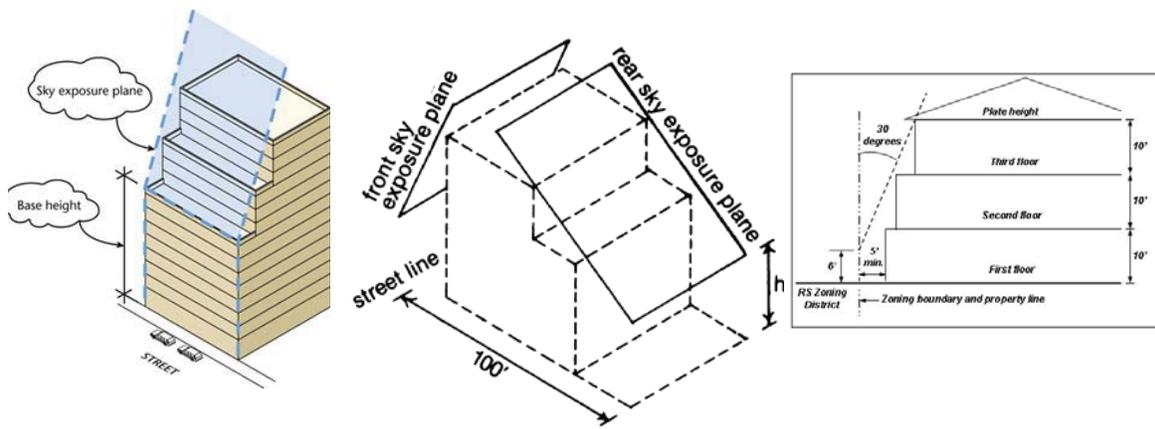
Conclusions

- Decrease commercial parking standards
- C-1 and E-1: reduce to 1/750 to 1/1000 square feet for commercial space for small (< 2000 sq ft), on site mixed use projects
- ☑ Reduce required landscaping standards
 - o C-1 and E-1: from 15% to 10%
 - o R-3: from 25% to 15%
 - o R-2: from 35% to 20%

Design Guidelines and Zoning Code modification may be an important tool



Bulk Plane Setback Regulation



Sellwood Library/Lofts



Site 1: "Buckhurst Hill Station Site " Today



Site 1: "Buckhurst Hill Station" Site Potential Future





Phase II
Transit Triangle Study

Phase II of the Transit Triangle Study

Project schedule is October through December 2016

Tasks for Phase II:

- Study sessions with the Planning Commission and City Council
- Conduct additional brief interviews with developers
- Buildable land analysis
- Model Refinements
- ROI refinements and Envision Tomorrow approach
- Development Feasibility Testing – Prototype Development
- Develop comprehensive estimate of infill success
- Strategies
- Visualizations

Investigate Tools

- There are other “tools” that that can allow for the desired type of development to be more easily constructed
 - Public/Private Partnerships
 - Investments in public infrastructure
 - Incentives
 - Property tax incentives
 - Sustainability incentives
 - System development charge incentives
 - Vertical Housing Development incentives
 - Density Bonus for affordability
 - Inclusionary Zoning

Inclusionary Zoning

Senate Bill 1533

[RSS FEED FOR THIS BILL](#)

Relating to affordable housing; prescribing an effective date.

Permits certain cities and counties to adopt land use regulations or functional plan provisions, or impose conditions for approval of permits, that effectively establish sales or rental price, or require designation for sale or rent as affordable housing, for up to 20 percent of multifamily structure in exchange for one or more developer incentives

The strength of a prototype



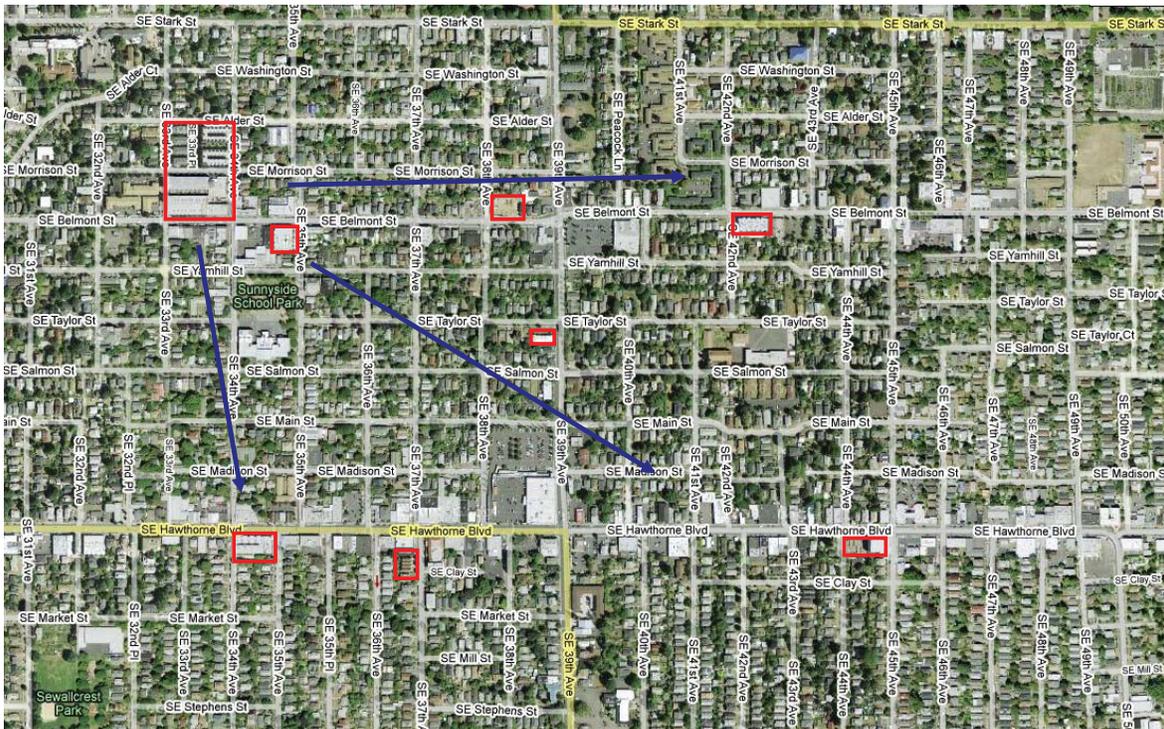
Belmont Dairy Prototype



Prototype expand the market



Prototype expand the market



Prototypes expand the market



Visualizations used to adjust development standards



14th / Century Streetscape



14th / Century Neighborhood Center



14th / Century Mixed Use Development



Visualizations – Birds eye view



Regal Cinema site – initial public improvements



Regal Cinema site – public park and greenway connection to downtown Tigard



Regal Cinema site – corresponding private investment



Regal Cinema site – corresponding private investment



OTA State Transit Funding Initiative



- **Better Transit means secure and stable funding options for all of Oregon's transit providers. The time is now for the State of Oregon to take action and make a commitment to our transit systems and the communities they serve.**

Legislative Action = **Better Transit**

WHY BETTER TRANSIT?
State-wide investment in transit will help meet the challenges of today's ever-changing economy.

WHAT ARE THE BENEFITS?
Find out how Better Transit initiatives could improve transit service in communities across the state.

CONTACT YOUR LEGISLATOR
We've made it easy for you to contact your elected official and ask them to take action.

GET THE FACTS **LEARN MORE** **TAKE ACTION**

www.bettertransitoregon.org



Meeting Dates

- Tuesday October 11th – Planning Commission Work Session
- Tuesday November 22nd – Planning Commission Work Session
- Monday December 19th – City Council Work Session

Council Goals that Apply

- ***Develop and support land use and transportation policies to achieve sustainable development. (13)***
 - 13.2 Develop infill and compact urban form policies.
 - Update infill strategy along major transportation corridors to promote housing and business development, as well as alternative transportation choices.
- ***Be proactive in using best practices in infrastructure management and modernization. (21)***
 - 21.2 Expand public transportation options.

Council Goals that Apply

Applicable Administrative Goals (Long-Range Planning Objectives)

- ***Encourage responsible development of employment lands.(34)***
 - 34.3 Conduct pre development site expansion/growth evaluations for key employment lands within Ashland (Econ Dev Strategy action 6.5)
- ***Investigate strategies that provide housing opportunities for the total cross section of Ashland's population. (36)***
 - 36.2 Adjust infill strategies in order to promote housing development along major transportation corridors

Council Goals that Apply

Applicable Economic Development Strategies

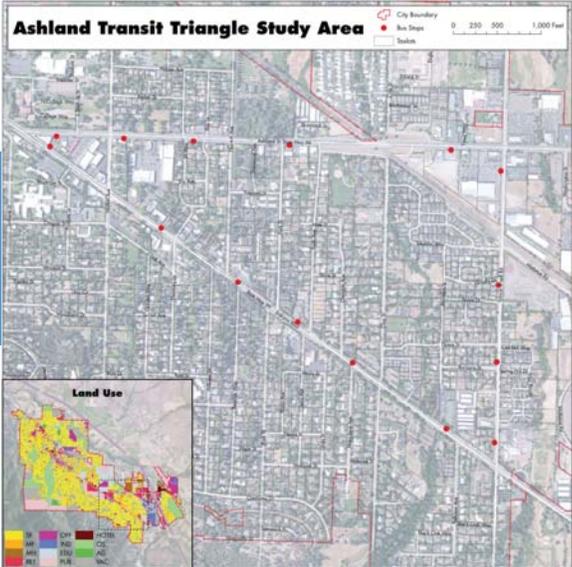
- **6. Provide appropriate land supplies for needed business growth/expansion with quality infrastructure to all commercial and employment lands**
 - 6.5 Evaluate land availability for business expansion on lands on or adjacent to existing businesses
 - 6.6 Determine feasibility and cost/benefit for public purchase of key industrial lands to make “shovel ready” for re-sale for business development
- **7. Manage physical development process to ensure understandable requirements with timely and predictable results while safeguarding and improving the quality of the environment and the community**
 - 7.3 Consider changes to Land Use Development Code that may be inhibiting redevelopment or new construction

Council Goals that Apply

Regional Problem Solving Element of the Comprehensive Plan

- The City of Ashland did not identified any Urban Reserve Areas (URAs) through the regional planning process.
 - **Therefore it is incumbent upon the City to increase efficiency in the use of land through concentration of housing in centrally located areas within the City UGB which are planned for future urban development. Promoting infill development along transit corridors provides alternatives to, or delays the need for, expansion of the City UGB.**

Ashland Transit Triangle: Redevelopment Analysis and Prototype Sensitivity Testing



Fregonese Associates Inc.

10/11/16



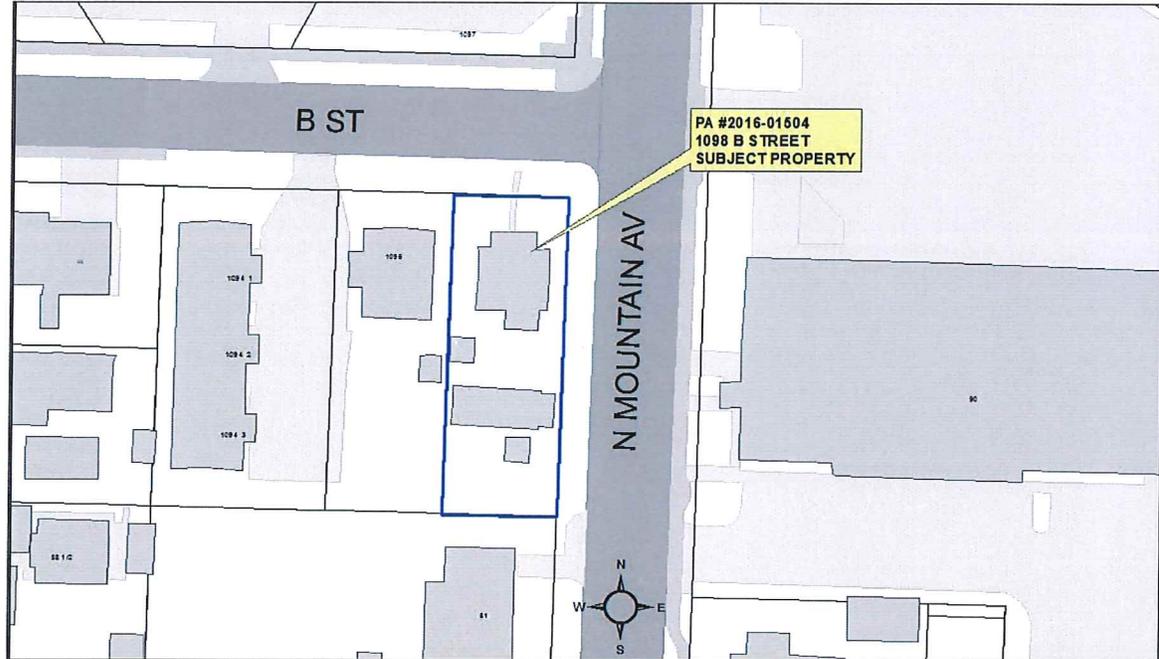
PLANNING ACTION: PA-2016-01504

SUBJECT PROPERTY: 1098 B Street

OWNER/APPLICANT: RNN Properties, LLC

DESCRIPTION: *The Planning Commission will consider an appeal of staff's approval of a request for Site Design Review to allow the re-construction of a second dwelling located on the property at 1098 B Street. The approved application also includes requests for Exception to Street Standards to not install city standard sidewalks, to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes, and for a Tree Removal Permit to remove a 15½ -inch Ash tree. The appeal request focuses on the Exception to Street Standards to not install city standard sidewalks, asserting that the additional square footage proposed should trigger sidewalk improvements. COMPREHENSIVE PLAN DESIGNATION: High Density Multi-Family Residential; ZONING: R-3; ASSESSOR'S MAP: 39 1E 09AD; TAX LOT #:100.*

ASHLAND PLANNING COMMISSION MEETING: *Tuesday, November 8, 2016 at 7:00 PM, Ashland Civic Center, 1175 East Main Street*



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

18.5.2.050

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

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

EXCEPTION TO STREET STANDARDS

18.4.6.020.B.1

Exception to the Street Design Standards. The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.

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

TREE REMOVAL PERMIT

18.5.7.040.B

1. Hazard Tree. A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
 - a. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.
 - b. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.
2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
 - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
 - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
 - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
 - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
 - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

**ASHLAND PLANNING DEPARTMENT
STAFF REPORT**

November 8, 2016

PLANNING ACTION: #2016-01504
OWNER/APPLICANT: RNN Properties, LLC
LOCATION: 1098 B Street
ZONE DESIGNATION: R-3
COMP. PLAN DESIGNATION: High Density, Multi-Family Residential

ORDINANCE REFERENCES:

(See also http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf)

18.4.2	Building Placement, Orientation & Design
18.4.3	Parking, Access and Circulation
18.4.4	Landscaping, Lighting & Screening
18.4.5	Tree Preservation and Protection
18.4.6	Public Facilities
18.5.2	Site Design Review
18.5.7	Tree Removal

APPLICATION DEEMED COMPLETE ON: August 25, 2016

REQUEST: The application involves a request for Site Design Review to allow the expansion of an existing 672 square foot, two bedroom unit into a 2,063 square foot, three bedroom unit and the demolition of a 504 square foot, one-bedroom unit and its replacement with a 1,785 square foot, three bedroom unit for the property located on the property at 1098 B Street. The application also includes requests for Exception to Street Standards to not install city standard sidewalks, to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes, and for a Tree Removal Permit to remove a 15½ - inch Ash tree. Staff initially approved the application administratively subject to a number of conditions, and subsequent to the mailing of a Notice of Decision, neighboring property owner Brent Thompson filed an appeal request which focuses on the Exception to Street Standards to not install city standard sidewalks, asserting that the additional square footage proposed should trigger sidewalk improvements.

I. Relevant Facts

1) Background - History of Application

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

2) **Detailed Description of the Site and Proposal**

Site Description

The subject property is located at the southwest corner of the intersection of North Mountain Avenue and B Street. The property is zoned R-3 (high-density, multi-family residential), and is approximately 6,865 square feet in area. The property's size is over 6,500 square feet, and as such it can accommodate two residential units within the R-3 district. The lot currently has two residences on site which were built between 1940 and the early 1950's. The larger two bedroom unit fronts on B Street and is currently approximately 672 square feet in size, while the rear unit is a 504 square foot, one bedroom home. The site presently does not conform to on-site parking requirements, and each street frontage is without sidewalks or street trees.

The application materials provided note that a public alley which straddled the lot's south (rear) property line was previously vacated by the city in the early 1980's, and 7½ feet of the vacated right-of-way was deeded to each of the properties abutting the alley including both the subject property and the property immediately to the south.

The adjacent properties to the west at 1094 and 1096 B Street, owned by the appellant, also have a 12-foot ingress and egress easement over the subject property adjacent to the south property line. It is staff's understanding that the appellant Mr. Thompson previously owned the subject property and granted himself this ingress egress easement when the alley was vacated to provide access for future development of his B Street properties. There is no driveway curb cut in place on North Mountain Avenue to provide access to use this easement, dirt piles on the subject property currently prevent its use, and both its 12-foot width and proximity to the adjacent driveway to the south on Mountain do not conform with current standards. All of these issues would need to be addressed if the easement were to be used to support further development of the neighboring properties.

Current Proposal

The application requests Site Design Review for the expansion of the existing 672 square foot, two bedroom unit fronting on B Street into a 2,063 square foot, three bedroom unit with attached two car garage and the demolition of a 504 square foot, one-bedroom unit fronting on North Mountain Avenue and its replacement with a 1,785 square foot, three bedroom unit with an attached two car garage. The application also includes requests for Exception to Street Standards to not install city standard sidewalks, to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes, and for a Tree Removal Permit to remove a 15½ -inch Ash tree. Staff initially approved the application administratively subject to a number of conditions, and subsequent to the mailing of a Notice of Decision, neighboring property owner Brent Thompson filed an appeal request which focuses on the Exception to Street Standards to not install city standard sidewalks, asserting that the additional square footage proposed should trigger sidewalk improvements.

II. Project Impact

As detailed in AMC 18.5.2.020.B., the construction of two or more residential units on a single lot or the construction of attached or common wall dwellings is subject to Site Design Review. Residential units of less than 10,000 square feet may be approved administratively through a Type I procedure as provided in AMC 18.5.2.030.E. The current application was initially approved administratively subject to a number of conditions, and subsequent to the mailing of a Notice of Decision, neighboring property owner Brent Thompson filed a timely appeal request which focuses on the Exception to Street Standards to not install city standard sidewalks, asserting that the additional square footage proposed should trigger sidewalk improvements. Mr. Thompson has standing to appeal both as a neighboring property owner who was entitled to receive notice, and as someone who provided written comment on the original request.

AMC 18.5.1.050.G. explains that appeal hearings on Type I decisions made by the Staff Advisor are “*de novo*” hearings before the Planning Commission and follow the standard Type II public hearing procedure except that the decision of the Planning Commission is the final decision of the City. The appeal shall not be limited to the application materials, evidence and other documentation, and specific issues raised in the review leading up to the Type I decision, but may include other relevant evidence and arguments. The Commission may allow additional evidence, testimony, or argument concerning any relevant ordinance provision.

Site Design Review

Development on the subject property requires Site Design Review approval and is subject to the “Building Placement, Orientation and Design” standards for residential development found in AMC 18.4.2.030.

The first criterion for Site Design Review approval is that, “*The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.*” The application asserts that all building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards have been satisfied.

The second criterion for Site Design Review approval is that, “*The proposal complies with applicable overlay zone requirements (part 18.3).*” In this instance, the subject property is not located within any overlay zones.

The third criterion for Site Design Review approval is that, “*The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*” The applicable standards for Building Placement, Orientation and Design for Residential Development are found in AMC 18.4.2.030. The application suggests that these standards are fully addressed, noting that Unit #1 maintains its existing orientation to B Street and that Unit #2 will be oriented to North Mountain Avenue; that walkway connections are provided to the right-of-way; that porches, decks and recessed entries are provided to enhance the sense of entry; and that the four required off-street parking spaces are to be provided within the garages proposed to be setback more than 20 feet from North Mountain Avenue. The application further suggests that significantly more than the required eight

percent of open space is provided for the recreational use of tenants. The application notes that approximately 17 percent of the site is dedicated to open space, however in reviewing the submitted plans it seems that a substantial portion of the areas included in these calculations include pedestrian circulation routes and landscaping that is not suited to recreational use. In staff's assessment, there are covered decks, porches and lawn areas provided for each unit which will satisfy the open space requirement, and a condition was included on the original approval to require that these spaces be clearly identified in the building permit submittals and is again recommended below. The application further indicates that street trees, landscaping, trash and recycling are to be provided to satisfy the requirement in part 18.4.

The fourth criterion for Site Design Review approval is that, *"The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property."* Two units are in place on the property now, and the application notes that adequate facilities are in place to serve the two units as proposed. The application further explains that there are existing six-inch water mains in both B Street and Mountain Avenue rights-of-way, with existing water meters in place along Mountain and a fire hydrant in place near the corner which are to be retained to serve the proposal; a ten-inch sanitary sewer line in B Street and a 12-inch sanitary sewer line in North Mountain Avenue which according to the applicants have been verified to provide adequate capacity. The two existing units currently share a four-inch sewer line which will transition to serve Unit #1 while a new line will be installed from North Mountain Avenue to serve Unit #2. Electric service is available from existing poles on North Mountain Avenue and B Street, and the applicants propose to underground existing overhead services from the pole on B Street to serve a "two-pack meter." There are ten-inch storm sewer lines in both the B Street and North Mountain Avenue rights-of-way, and the applicants indicate that the Street Department has informed them that there are no capacity issues.

Both North Mountain Avenue and B Street are considered to be Avenues under the city's Transportation System Plan (TSP), and both are paved with curbs, gutters and bike lanes in place. There are no sidewalks or park row planting strips on either of the subject property's street frontages, and the applicant has requested an Exception to the Street Standards, discussed in detail below, rather than installing them as part of the current request.

The final criterion for Site Design Review approval addresses Exceptions to the Site Development and Design Standards. The application does not request any exceptions to these standards.

Tree Removal Permit

The application also includes a request for a Tree Removal Permit to remove one 15½ -inch diameter multi-stemmed Ash tree, located near the east property line. Additional large shrubs including cypresses and photinia that have grown to a tree-like form, which are not by definition considered to be trees in the Ashland Municipal Code, are proposed for removal as well.

The application indicates that the Ash tree is proposed for removal in order to facilitate the development of Unit #2, which is to be constructed in a manner consistent with applicable

Land Use Ordinance requirements and standards, including applicable Site Development and Design Standards in part 18.4. The application asserts that the removal of the Ash tree proposed will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks, noting that the adjacent property has a row of poplars along the fence line which provide an existing windbreak. The application further suggests that the removal will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property as there are a significant number of conifers and deciduous trees in the vicinity. The application further notes that Ash trees are not a desirable tree to have near homes as they are prone to limb drop, and proposes to provide a mitigation tree to mitigate the requested removal.

The Tree Commission considered the request at its regular meeting on September 8, 2016 and recommended approval as submitted with the added recommendation that the applicants consider planting larger stature trees instead of the Lindens noted in the plans provided. Conditions requiring a mitigation tree and that the Tree Commission's recommendation be considered were included in staff's initial approval and have again been included below.

Exceptions to the Street Standards

The application includes requests for Exceptions to the Street Standards in order to not install city standard sidewalks along the property's street frontages and to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes. Exceptions to the Street Standards require demonstration that: 1) *There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site;* 2) *The exception will result in equal or superior transportation facilities and connectivity, which for pedestrian facilities is to consider "feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway;"* 3) *The exception is the minimum necessary to alleviate the difficulty;* and 4) *The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.*

Driveway Curb Cut

North Mountain Avenue is considered an Avenue or Collector Street under the Transportation System Plan (TSP), and controlled access standards for Collector Streets call for a separation between driveways of at least 75 feet, and a separation between driveways and street intersections of at least 50 feet. In this instance, the existing 25-foot wide driveway curb cut is approximately 90 feet from the B Street intersection where a 50-foot separation is required, and it is 20 feet from the driveway to the south where a 75-foot separation is required. The applicants propose to reduce the existing curb cut width to 12 feet and shift it to achieve a 42-foot separation from the nearest driveway, and have requested an Exception. The application suggests that when considered in light of the fact that the proposal involves renovation and reconstruction of existing units on the site, without any intensification of the existing use, the exceptions requested are the minimum necessary to alleviate the financial and proportional implications of street improvements.

In staff's assessment, although North Mountain Avenue is a higher traffic street than B Street both are collectors, and accessing off-street parking from the existing curb cut is preferable given the value in retaining the existing home's place in the B Street streetscape, and while

the driveway might be shifted further north to better address the controlled access standards this would also impact the existing home's placement. The proposed Exception seems to present a good balance of substantially improving the existing driveway separation while retaining the existing home's orientation relative to B Street.

Sidewalks

The applicants do not propose to install sidewalks along the street frontages of the property as required by city street standards, necessitating an Exception. The application asserts that because there is no increase in the number of residential units proposed, there is no quantifiable increase in traffic flow associated with the proposal which would trigger additional improvements, and have further indicated to staff that there are numerous public utilities including power poles and a fire hydrant located in the right-of-way which would need to be relocated at significant cost to enable sidewalk installation. The application further indicates that the applicants are agreeable with the installation of a five-foot decomposed granite path within the existing right-of-way to facilitate pedestrian circulation until utilities can be relocated and sidewalks installed through a local improvement district. In staff's view, if such a path is installed it would need to be placed in the same location as a sidewalk (*i.e. not curbside*), accompanied by the removal of existing vegetation from the right-of-way, and approved by Public Works.

The application materials note that there is currently approximately ten feet between the property lines and the existing curbs, although the plans provided illustrate 14-15 of right of way between the front property line and curb along B Street, and approximately 12 feet of right-of-way along North Mountain Avenue. The installation of an Avenue-standard seven-to eight-foot landscaped parkrow planting strip with street trees and a six-foot wide sidewalk would require 13-14 feet of right-of-way, and conditions were initially attached to the staff approval requiring that the applicants either dedicate any additional right-of-way to accommodate standard frontage improvements or provide sufficient public pedestrian access easements to accommodate these improvements along both frontages, and sign in favor of future local improvement districts to complete the required improvements along both frontages.

Appeal Request

Subsequent to the mailing of a Notice of Complete Application, written comments were received from neighboring property owner Brent Thompson. Mr. Thompson noted that he has owned the adjacent property at 1094 and 1096 B Street since 1986, and previously owned the subject property as well. He indicated that he was not opposed to the proposal, and that he believed that there was a special circumstance in that the city yard has large vehicles circulating in and out which limits on-street parking along B Street, and as such merits allowing a driveway nearer to the intersection than would typically be permitted. Mr. Thompson further suggested that if B Street were widened to enable on-street parking, it would help in meeting the parking requirements for redevelopment both of his property and of the applicants' property, and indicated that he would be willing to pay for the installation of sidewalks along the frontage of his property if the applicants would install sidewalks along their frontage as well. He concluded that he was not in favor of granting an Exception to allow the applicants not to install sidewalks along their street frontage.

In initially considering Mr. Thompson's comments, staff noted that, as emphasized by the applicants, existing utilities in place near the corner would significantly increase the cost of sidewalk installation and the application as proposed does not involve an increase in density or a clearly quantifiable increase in traffic flow which would proportionally justify requiring sidewalk improvements. Staff initially determined that the Exception request was merited given that there are already two units in existence on the property.

After staff initially approved the application administratively, Mr. Thompson filed an appeal request which focuses on the Exception to Street Standards to not install city standard sidewalks. In his appeal request, Mr. Thompson asserts that the approval of the Exception was an error in that the 327 percent increase in square footage and increase in the number of bedrooms from three to six or seven amounts to an intensification of use which will increase occupancy and traffic flows for all modes of transportation, and the result will not be equal or superior transportation facilities in that pedestrian amenities are needed at the intersection of two collector streets, particularly when the units proposed are likely to bring children to this busy corner.

Staff has looked into the appeal issues raised by Mr. Thompson with the City Attorney and Public Works staff. While the project does not increase the density of the site, the magnitude of the project (i.e. *a substantial increase in square footage and number of bedrooms*) could be found to be an intensification that would likely serve as a nexus to require street improvements on at least one frontage. In visiting the site with Public Works staff, it appears that city standard park rows and sidewalks could be installed without impacting the utility poles in place, and that the primary impact of the utilities within the right-of-way would be that the required ramp for ADA accessibility at the intersection would necessitate relocation of the existing fire hydrant. With these points in mind, staff believes that requiring sidewalks on one frontage is appropriate if the Planning Commission concurs with Mr. Thompson that the substantial increase in square footage and significant increase in the number of bedrooms will result in an increase in transportation impacts and pedestrian demand and provide a greater comfort level and feeling of safety for pedestrians at the intersection of these collector streets.

Mr. Thompson notes in his appeal letter that his 12-foot ingress and egress easement at the rear of the property may be used to address some of the access needs for the property, but does not raise appeal issues specific to this easement, which serves his adjacent properties to the west at 1094 and 1096 B Street. It is staff's understanding that Mr. Thompson previously owned the subject property and granted himself this easement to facilitate future development of his B Street properties. As an access easement, the property cannot be used to meet landscaping or recreation space requirements, and in reviewing the Site Plan in light of Mr. Thompson's letter, staff has noted that there are fences, landscaping and a heat pump proposed to be located in the easement. Staff has accordingly recommended a new condition to require that the applicants provide a revised Site Plan which addresses treatment of the easement area which does not preclude the easement-allowed ingress and egress while addressing landscaping, coverage and recreational space requirements outside of the easement area.

III. Procedural - Required Burden of Proof

The criteria for Site Review approval from the Site Design Review Chapter are detailed in AMC 18.5.2.050 as follows:

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

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

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

The criteria for Tree Removal Permit approval are described in AMC Chapter 18.5.7.040.B as follows:

1. **Hazard Tree.** *A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*
 - a. *The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.*
 - b. *The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*

2. **Tree That is Not a Hazard.** *A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*
 - a. *The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.*
 - b. *Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.*
 - c. *Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.*
 - d. *Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.*
 - e. *The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*

IV. Conclusions and Recommendations

In initially approved the application, staff found that the proposal to renovate the existing 672 square foot, two bedroom home on B Street to yield a 2,063 square foot three bedroom unit with attached two-car garage, and the demolition of the 504 square foot, two bedroom rear home and its replacement with a new 1,785 square foot second dwelling with attached two car garage, Exceptions to Street Standards and Tree Removal Permit demonstrated compliance with the applicable criteria and merited approval.

In considering the appeal request relative to the Exception to Street Standards, staff has looked into the issues raised by Mr. Thompson with the City Attorney and Public Works staff. The City Attorney has indicated that while the project does not increase the density of the site, the magnitude of the project (i.e. *a substantial increase in square footage and number of bedrooms*) could be found to be significant enough intensification of use to provide a nexus to require street improvements on at least one frontage. In visiting the site with Public Works staff, it appears that city standard park rows and sidewalks could be installed without impacting the utility poles in place, and that the primary impact of the utilities within the right-of-way would be that the required ramp for ADA accessibility at the intersection would necessitate relocation of the existing fire hydrant. With these points in mind, staff believes that requiring sidewalks on one frontage is appropriate if the Planning Commission concurs with Mr. Thompson that such a substantial increase in square footage and significant increase in the number of bedrooms will result in an increase in transportation impacts and pedestrian demand and provide a greater comfort level and feeling of safety for pedestrians at the intersection of these two collector streets.

Staff would accordingly recommend that the Planning Commission grant the appeal and require city standard sidewalk installation along the property's B Street frontage, and re-affirm the approval of the remainder of the original approval with the following conditions:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise specifically modified herein.
- 2) That the plans submitted for the building permit shall be in conformance with those approved as part of this application. If the plans submitted for the building permit are not in conformance with those approved as part of this application, an application to modify this approval shall be submitted and approved prior to the issuance of a building permit.
- 3) That all recommendations of the Ashland Tree Commission from their September 8, 2016 meeting, where consistent with the applicable ordinances and standards and with final approval of the Staff Advisor, shall be conditions of approval unless otherwise specifically modified herein. These recommendations included that the applicants provide a mitigation tree for the Ash to be removed, as proposed by the applicants, and that they consider planting larger stature trees instead of the Lindens noted in the plans provided.
- 4) That all requirements of the Fire Department shall be satisfactorily addressed, including approved addressing; fire apparatus access; fire flow; fire sprinklers for those units determined by Building and Fire Code to require them based on review of final building permit plans; and provisions for "Knox Box" key boxes.
- 5) That the applicants shall receive approval of a Demolition/Relocation Permit prior to the demolition of the 504 square foot rear unit prior to demolition if deemed necessary by the Building Official.
- 6) That the engineered construction drawings for the public sidewalk along B Street shall be submitted for review and approval of the Ashland Planning and Engineering Divisions prior to building permit issuance or work in the street right-of-way/installation of improvements in the pedestrian corridor. The sidewalk shall be a minimum of six-feet in width with a seven-to eight-foot landscaped parkrows between the sidewalk and the street. All frontage improvements, including but not limited to the sidewalk and street trees shall be constructed across the entire B Street frontage of the site. The sidewalk shall be constructed to City of Ashland Street Standards. All public improvements including but not limited to the sidewalk

and street trees shall be installed to City of Ashland standards under permit from the Public Works Department and in accordance with the approved plan prior to final building inspection or the issuance of a certificate of occupancy.

7) That building permit submittals shall include:

- a) The identification of all easements, including but not limited to any required public and private utility easements, mutual access easements, public pedestrian access easements, and fire apparatus access easements.
- b) The identification of exterior building materials and paint colors for the review and approval of the Staff Advisor. Colors and materials shall be consistent with those described in the application, and very bright or neon paint colors shall not be used.
- c) Specifications for all exterior lighting fixtures. Exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties
- d) Revised Landscape and Irrigation Plans shall be provided for the review and approval of the Staff Advisor with the building permit submittals. These revised plans shall address: 1) the recommendations of the Tree Commission from their September 8, 2016 meeting where consistent with applicable criteria and standards, and with final approval by the Staff Advisor; 2) Required size- and species-specific planting details and associated irrigation plans addressing the requirements for programmable automatic timer controllers and a maintenance watering schedule with seasonal modifications to satisfy the Water Conserving Landscaping Guidelines and Policies; 3) Clear identification of the required eight percent recreational space including porches, decks, lawns and other areas proposed to satisfy the open space requirement; and 4) treatment of the ingress/egress easement area along the south property line which does not preclude the easement-allowed ingress and egress while addressing the landscaping, coverage and recreational space requirements.
- e) Stormwater drainage and grading plans for the review and approval of the Engineering, Building and Planning Departments.
- f) A final utility plan for the project for the review and approval of the Engineering, Planning and Building Divisions. The utility plan shall include the location of any necessary connections to public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Any meters, cabinets, or vaults shall be located in areas least visible from streets, sidewalks and pedestrian areas, while considering access needs. Any necessary service extensions or upgrades shall be completed by the applicant at applicant's expense.
- g) An electric design and distribution plan including load calculations and locations of all primary and secondary services including any required transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric, Engineering, Building and Planning Departments prior to the issuance of demolition, excavation or building permits. Transformers, cabinets and vaults shall be located in areas least visible from streets, sidewalks and pedestrian areas, while considering the

- h) access needs of the Electric Department.
- h) Identification or required bicycle parking, which includes two bicycle parking spaces in each of the garages. Where bicycle parking is provided in garages, hanging racks shall not be used and final interior dimensions of garages shall be provided to insure adequate space is provided. Inverted u-racks shall be used for non-garage bicycle parking, and all bicycle parking shall be installed in accordance with design and rack standards in 18.4.3.070.I prior to the issuance of the certificate of occupancy. The building permit submittals shall verify that the bicycle parking spacing and coverage requirements are met.
- i) Solar setback calculations demonstrating that all new construction complies with Solar Setback Standard A in the formula $[(\text{Height} - 6) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$ and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and the height(s) from natural grade.
- j) Lot coverage calculations including all building footprints, driveways, parking, and other coverage areas. Lot coverage shall be limited to no more than 75 percent as allowed in the R-3 zoning district.
- k) That storm water from all new impervious surfaces and runoff associated with peak rainfalls must be collected on site and channeled to the City storm water collection system (i.e., curb gutter at public street, public storm pipe or public drainage way) or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals.

8) That prior to the issuance of a building permit;

- a. A Tree Verification Permit shall be obtained, and tree protection measures installed according to the approved plan, inspected and approved by Staff Advisor. The Verification Permit is to inspect the identification of the tree to be removed and the installation of tree protection fencing for the trees to be retained and protected on and adjacent to the site.
- b. That all necessary building permits fees and associated charges, including permits and connections fees for new, separate, underground electrical services to each proposed unit, and system development charges for water, sewer, and storm water (less any credits for previously demolished structures) shall be paid.
- c. That the property owner shall sign in favor of local improvement districts for future street improvements, including but not limited to sidewalks, parkrow with irrigated street trees, curb, gutter, storm drainage and undergrounding of utilities for North Mountain Avenue. Nothing in this condition is intended to prohibit an owner/developer, their successors or assigns from exercising their rights to freedom of speech and expression by orally objecting or participating in the LID hearing or to take advantage of any protection afforded any party by City ordinances and resolutions.
- d. That the applicants shall dedicate any additional right-of-way along B Street and North Mountain Avenue to accommodate required city standard frontage improvements or provide sufficient public pedestrian access easements to accommodate these improvements along both frontages.

- 9) That prior to the final approval of the project or issuance of a certificate of occupancy:
- a) All hardscaping, including the relocation and reduction of the North Mountain Avenue driveway curb cut under permit from the Public Works Department; landscaping, including required recreational areas, mitigation trees, and street trees selected from and planted according to the approved street tree list; and the irrigation system shall be installed according to the approved plan, inspected, and approved by the Staff Advisor.
 - b) All utility service and equipment installations including undergrounding of existing overhead electric services shall be completed according to Electric, Engineering, Planning, and Building Departments' specifications, inspected and approved by the Staff Advisor.
 - c) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent residential properties.
 - e) Screening for the trash and recycling enclosure shall be installed in accordance with the Site Design and Use Standards, and an opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure as required in AMC 18.4.4.040.
 - g) All bicycle parking shall be installed according to the approved plan, inspected, and approved by the Staff Advisor prior to the issuance of the certificate of occupancy.
 - h) That street trees, one per 30 feet of street frontage, shall be installed on the North Mountain Avenue and B Street frontages prior to the issuance of a certificate of occupancy. All street trees shall be chosen from the adopted Street Tree List and shall be installed in accordance with the specifications noted in Section E of the Site Design and Use Standards. The street trees shall be irrigated.
 - i) A replacement tree to mitigate the Ash tree removed shall be planted and irrigated according to the approved plan.
- 10) That all garage parking spaces shall remain available for vehicle parking only and shall not be used for material storage, as required in AMC 18.4.3.110. This limitation shall be reflected in signage posted and maintained in each garage.

Notice of Land Use Appeal – Type I
(Ashland Municipal Code § 18.5.1.050.G.)

A. Name(s) of Person Filing Appeal:	B. Address(es):
1. BRENT THOMPSON	P.O. BOX 201, ASHLAND, OR. 97520
2.	

Attach additional pages of names and addresses if other persons are joining the appeal.

C. Decision Being Appealed

Date of Decision: 10 OCT 2016	Planning Action #: PA-2016-0504	Title of planning action: SITE REV. FOR 2ND DWELLING (RECONSTRUCTION) REQUEST
----------------------------------	------------------------------------	---

D. How Person(s) Filing Appeal Qualifies as a Party

(For each person listed above in Box A, check the appropriate box below.)

The person named in Box A.1. above qualifies as a party because:	<input type="checkbox"/> I am the applicant. <input checked="" type="checkbox"/> I received notice of the planning action. <input type="checkbox"/> I was entitled to receive notice of the action but did not receive notice due to error.
The person named in Box A.2. above qualifies as a party because:	<input type="checkbox"/> I am the applicant. <input type="checkbox"/> I received notice of the planning action. <input type="checkbox"/> I was entitled to receive notice of the action but did not receive notice due to error.

Attach additional pages if others have joined in the appeal and describe how each qualifies as a party.

E. Specific Grounds for Appeal

1. The first specific ground for which the decision should be reversed or modified is (attach additional pages if necessary): SEE ATTACHED EXCEPTION TO STREET STANDARD - SIDEWALK INSTALLATION (18.4.6.020.B.1. Bill)

This is an error because the applicable criteria or procedure in the Ashland Municipal Code § _____ or other law in § _____ requires that (attach additional pages if necessary):

2. The second specific ground for which the decision should be reversed or modified is (attach additional pages if necessary):

This is an error because the applicable criteria or procedure in the Ashland Municipal Code § _____ or other law in § _____ requires that (attach additional pages if necessary):

3. The third specific ground for which the decision should be reversed or modified is (attach additional pages if necessary):

This is an error because the applicable criteria or procedure in the Ashland Municipal Code § _____ or other law in § _____ requires that (attach additional pages if necessary):

RECEIVED

OCT 24 2016

4. (On attached pages, list other grounds, in a manner similar to the above, that exist. For each ground list the applicable criteria or procedures in the Ashland Municipal Code or other law that were violated.)

Appeal Fee

With this notice of appeal I(we) submit the sum of **\$150.00** which is the appeal fee required by § 18.5.1.050 of the Ashland Municipal Code.

Date:

Signature(s) of person(s) filing appeal (attach additional pages if necessary):

Brent Thompson
Burke Bolte LLC

Note: This completed Notice of Land Use Appeal together with the appeal fee must be filed with the Community Development Department, Attn: Planning Commission Secretary, 20 E Main St, Ashland, OR 97520, telephone 541-488-5305, prior to the effective date of the decision sought to be reviewed. Effective dates of decisions are set forth in Ashland Municipal Code Section 18.5.1.050.

RECEIVED

OCT 24 2016

Burke Bollier LLC
Brent Thompson
P.O. Box 201
Ashland OR 97520

RECEIVED
OCT 17 2016
City Of Ashland

Ashland Planning Commission
Winburn Way
Ashland, OR 97520

Re:PA -2016-01504; 1098 and 1098 1/2 B St

To the Commission,

I would like a public hearing on the above matter because the required conditions and the proposal itself as tentatively approved don't require what the neighborhood nor the City in general needs for the long term. The City needs pedestrian amenities particularly where two major streets, aka avenues or collector streets, intersect.

For 30 years Ashland has had as a goal what is called modal equity. A part of that is the ongoing quest to install sidewalks in multi family zones where the probability of foot traffic is greatest. Also, Goal 14 of Senate Bill 100 requires that all forms of transportation be considered in all land use actions. This was followed up with The Transportation Planning Rule in the early 1990's which increased incentives and requirements for transportation besides the automobile in all planning actions.

It cannot be validly asserted that this project does not cross the boundary of a major density change for the lot. At present there are two structures, one of 672 square feet and another of 504 sq ft for a total of 1176 sq ft. The proposal calls for two structures, one of 2063 and another of 1785 sq ft which is a square footage increase of 327%. It follows that with a square footage increase of 327% there would be a significant increase in occupancy and therefore traffic flow of all forms of transportation.

Also, the demolition of the rear structure should trigger sidewalk improvements. And the reality is that the front structure will likely not be able to be saved so the probabilities are that there will be two new structures on the lot. The site will go from having three bedrooms to six or seven. That would likely mean there would be children. Children need to be able to walk and bicycle on sidewalks. If cost is the issue as to why the applicant wants to avoid installing sidewalks, the applicant might consider shrinking the project. That busy corner may not be the best spot for large units. But either way the sidewalks should be installed.

That there are utility poles in a possible sidewalk area can be dealt with. Sidewalks can be installed around them. Also, it will be cheaper for the applicant to have the sidewalks placed during the construction than if a local improvement district is formed.

I do believe the applicant should be given leeway regarding curb cuts, The 12' easement in the rear may be used to satisfy some of the access needed.

*Best regards,
Brent Thompson
Burke Bollier LLC*

RECEIVED

OCT 24 2016

October 11, 2016

Notice of Final Decision

On October 10, 2016, the Community Development Director approved the request for the following:

Planning Action: 2016-01504

Subject Property: 1098 B Street

Applicant: RNN Properties, LLC

Description: A request for Site Design Review approval to allow the re-construction of a second dwelling located on the property at 1098 B Street. Also included are requests for Exception to Street Standards to not install city standard sidewalks, to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes, and for a Tree Removal Permit to remove a 15½ -inch Ash tree. COMPREHENSIVE PLAN DESIGNATION: High Density Multi-Family Residential; ZONING: R-3; ASSESSOR'S MAP: 39 1E 09AD; TAX LOT #:100

The Community Development Director's decision becomes final and is effective on the 12th day after the Notice of Final Decision is mailed. Approval is valid for a period of 18 months and all conditions of approval identified on the attached Findings are required to be met prior to project completion.

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

Prior to the final decision date, anyone who was mailed this Notice of Final Decision may request a reconsideration of the action as set forth in the Ashland Land Use Ordinance (ALUO) 18.5.1.050(F) and/or file an appeal to the Ashland Planning Commission as provided in ALUO 18.5.1.050(G). The ALUO sections covering reconsideration and appeal procedures are attached. The appeal may not be made directly to the Oregon Land Use Board of Appeals.

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

cc: Parties of record and property owners within 200 ft



SECTION 18.5.1.050 Type I Procedure (Administrative Decision with Notice)

- E. Effective Date of Decision.** Unless the conditions of approval specify otherwise or the decision is appealed pursuant to subsection 18.5.1.050.G, a Type I decision becomes effective 12 days after the City mails the notice of decision.
- F. Reconsideration.** The Staff Advisor may reconsider a Type I decision as set forth below.
1. Any party entitled to notice of the planning action, or any City department may request reconsideration of the action after the decision has been made by providing evidence to the Staff Advisor that a factual error occurred through no fault of the party asking for reconsideration, which in the opinion of the Staff Advisor, might affect the decision. Reconsideration requests are limited to factual errors and not the failure of an issue to be raised by letter or evidence during the opportunity to provide public input on the application sufficient to afford the Staff Advisor an opportunity to respond to the issue prior to making a decision.
 2. Reconsideration requests shall be received within five days of mailing the notice of decision. The Staff Advisor shall decide within three days whether to reconsider the matter.
 3. If the Staff Advisor is satisfied that an error occurred crucial to the decision, the Staff Advisor shall withdraw the decision for purposes of reconsideration. The Staff Advisor shall decide within ten days to affirm, modify, or reverse the original decision. The City shall send notice of the reconsideration decision to affirm, modify, or reverse to any party entitled to notice of the planning action.
 4. If the Staff Advisor is not satisfied that an error occurred crucial to the decision, the Staff Advisor shall deny the reconsideration request. Notice of denial shall be sent to those parties that requested reconsideration.
- G. Appeal of Type I Decision.** A Type I decision may be appealed to the Planning Commission, pursuant to the following:
1. **Who May Appeal.** The following persons have standing to appeal a Type I decision.
 - a. The applicant or owner of the subject property.
 - b. Any person who is entitled to written notice of the Type I decision pursuant to subsection 18.5.1.050.B.
 - c. Any other person who participated in the proceeding by submitting written comments on the application to the City by the specified deadline.
 2. **Appeal Filing Procedure.**
 - a. *Notice of Appeal.* Any person with standing to appeal, as provided in subsection 18.5.1.050.G.1, above, may appeal a Type I decision by filing a notice of appeal and paying the appeal fee according to the procedures of this subsection. The fee required in this section shall not apply to appeals made by neighborhood or community organizations recognized by the City and whose boundaries include the site. If an appellant prevails at the hearing or upon subsequent appeal, the fee for the initial hearing shall be refunded.
 - b. *Time for Filing.* A notice of appeal shall be filed with the Staff Advisor within 12 days of the date the notice of decision is mailed.
 - c. *Content of Notice of Appeal.* The notice of appeal shall be accompanied by the required filing fee and shall contain.
 - i. An identification of the decision being appealed, including the date of the decision.
 - ii. A statement demonstrating the person filing the notice of appeal has standing to appeal.
 - iii. A statement explaining the specific issues being raised on appeal.
 - iv. A statement demonstrating that the appeal issues were raised during the public comment period.
 - d. The appeal requirements of this section must be fully met or the appeal will be considered by the City as a jurisdictional defect and will not be heard or considered.
 3. **Scope of Appeal.** Appeal hearings on Type I decisions made by the Staff Advisor shall be de novo hearings before the Planning Commission. The appeal shall not be limited to the application materials, evidence and other documentation, and specific issues raised in the review leading up to the Type I decision, but may include other relevant evidence and arguments. The Commission may allow additional evidence, testimony, or argument concerning any relevant ordinance provision.
 4. **Appeal Hearing Procedure.** Hearings on appeals of Type I decisions follow the Type II public hearing procedures, pursuant to section 18.5.1.060, subsections A – E, except that the decision of the Planning Commission is the final decision of the City on an appeal of a Type I decision. A decision on an appeal is final the date the City mails the adopted and signed decision. Appeals of Commission decisions must be filed with the State Land Use Board of Appeals, pursuant to ORS 197.805 - 197.860.



ASHLAND PLANNING DIVISION

FINDINGS & ORDERS

PLANNING ACTION: PA-2016-01504

SUBJECT PROPERTY: 1098 B Street

OWNER/APPLICANT: RNN Properties, LLC

DESCRIPTION: A request for Site Design Review approval to allow the re-construction of a second dwelling located on the property at 1098 B Street. Also included are requests for Exception to Street Standards to not install city standard sidewalks and to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes, and for a Tree Removal Permit to remove a 15½ -inch Ash tree.

COMPREHENSIVE PLAN DESIGNATION: High Density Multi-Family Residential;
ZONING: R-3; **ASSESSOR'S MAP:** 39 1E 09AD; **TAX LOT #:**100

SUBMITTAL DATE:	August 5, 2016
DEEMED COMPLETE DATE:	August 29, 2016
STAFF APPROVAL DATE:	October 10, 2016
APPEAL DEADLINE:	October 24, 2016
FINAL DECISION DATE:	October 25, 2016
APPROVAL EXPIRATION DATE:	April 25, 2018

DECISION:

The subject property is located at the southwest corner of the intersection of North Mountain Avenue and B Street. The property is zoned R-3 (high-density, multi-family residential), and is approximately 6,865 square feet in area. The property's size is over 6,500 square feet, and as such it can accommodate two residential units within the R-3 district. The lot currently has two residences on site which were built between 1940 and the early 1950's. The primary home fronts on B Street and is approximately 672 square feet in size, while the rear unit is a 504 square foot, one bed room home. The site presently does not conform to on-site parking requirements, and each street frontage is without sidewalks or street trees.

The proposal is a request for Site Design Review approval to allow retention of the primary residence, with renovation and addition to yield a 2,063 square foot unit with attached two-car garage, and the demolition of the 504 square foot rear unit and its replacement with a new 1,785 square foot second dwelling with attached two-car garage located at the rear of the property. The application also includes requests for Exception to Street Standards to not install city standard sidewalks and to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes, and for a Tree Removal Permit to remove a 15½ -inch Ash tree.

Site Design Review

Development on the subject property requires Site Design Review approval and is subject to the "Building Placement, Orientation and Design" standards for residential development found in AMC 18.4.2.030.

The first criterion for Site Design Review approval is that, *“The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.”* The application asserts that all building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards have been satisfied.

The second criterion for Site Design Review approval is that, *“The proposal complies with applicable overlay zone requirements (part 18.3).”* In this instance, the subject property is not located within any overlay zones.

The third criterion for Site Design Review approval is that, *“The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.”* The applicable standards for Building Placement, Orientation and Design for Residential Development are found in AMC 18.4.2.030. The application suggests that these standards are fully addressed, noting that Unit #1 maintains its existing orientation to B Street and that Unit #2 will be oriented to North Mountain Avenue; that walkway connections are provided to the right-of-way; that porches, decks and recessed entries are provided to enhance the sense of entry; and that the four required off-street parking spaces are to be provided within the garages proposed to be setback more than 20 feet from North Mountain Avenue. The application further suggests that significantly more than the required eight percent of open space is provided for the recreational use of tenants. The application notes that approximately 17 percent of the site is dedicated to open space, however in reviewing the submitted plans it seems that a substantial portion of the areas included in these calculations include pedestrian circulation routes and landscaping is not suited to recreational use. In staff's assessment, there are covered decks, porches and lawn areas provided for each unit which will more than satisfy the open space requirement, and a condition has been included to require that these spaces be clearly identified in the building permit submittals. The application further indicates that street trees, landscaping, trash and recycling are to be provided to satisfy the requirement in part 18.4.

The fourth criterion for Site Design Review approval is that, *“The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.”* Two units are in place on the property now, and the application notes that adequate facilities are in place to serve the two units as proposed. The application further explains that there are existing six-inch water mains in both B Street and Mountain Avenue rights-of-way, with existing water meters in place along Mountain and a fire hydrant in place near the corner which are to be retained to serve the proposal; a ten-inch sanitary sewer line in B Street and a 12-inch sanitary sewer line in North Mountain Avenue which according to the applicants have been verified to provide adequate capacity. The two existing units currently share a four-inch sewer line which will transition to serve Unit #1 while a new line will be installed from North Mountain Avenue to serve Unit #2. Electric service is available from existing poles on North Mountain Avenue and B Street, and the applicants propose to underground existing overhead services from the pole on B Street to serve a “two-pack meter.” There are ten-inch storm sewer lines in both the B Street and North Mountain Avenue rights-of-way, and the applicants indicate that the Street Department has informed them that there are no capacity issues.

Both North Mountain Avenue and B Street are considered to be Avenues under the city's Transportation System Plan (TSP), and both are paved with curbs, gutters and bike lanes in place. There are no sidewalks or park row planting strips on either of the subject property's street frontages, and the applicant has requested an Exception to the Street Standards, discussed in detail below, rather than installing them as part of the current request.

The final criterion for Site Design Review approval addresses Exceptions to the Site Development and Design Standards. The application does not request any exceptions to these standards.

Exceptions to the Street Standards

The application does include requests for Exceptions to the Street Standards in order to not install city standard sidewalks along the property's street frontages and to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes. Exceptions to the Street Standards require demonstration that: 1) *There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site;* 2) *The exception will result in equal or superior transportation facilities and connectivity, which for pedestrian facilities is to consider "feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway;"* 3) *The exception is the minimum necessary to alleviate the difficulty;* and 4) *The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.*

Sidewalks

The applicants do not propose to install sidewalks along the street frontages of the property as required by city street standards, necessitating an Exception. The application asserts that because there is no increase in the number of residential units proposed, there is no quantifiable increase in traffic flow associated with the proposal which would trigger additional improvements, and have further indicated to staff that there are numerous public utilities including power poles and a fire hydrant located in the right-of-way which would need to be relocated at significant cost to enable sidewalk installation. The application further indicates that the applicants are agreeable with the installation of a five-foot decomposed granite path within the existing right-of-way to facilitate pedestrian circulation until the utilities can be relocated and sidewalks installed through a local improvement district.

The application notes that there is currently approximately ten feet between the property lines and the existing curbs. The installation of an Avenue-standard seven- to eight-foot landscaped parkrow planting strip with street trees and a six-foot wide sidewalk would require 13-14 feet of right-of-way, and conditions have accordingly been included below to require that the applicants either dedicate an additional three-to-four feet of right-of-way to accommodate standard frontage improvements or provide sufficient public pedestrian access easements to accommodate these improvements along both frontages and sign in favor of future local improvement districts to complete the required improvements along both frontages.

Driveway Curb Cut

North Mountain Avenue is considered an Avenue or Collector Street under the Transportation System Plan (TSP), and controlled access standards for Collector Streets call for a separation between driveways of at least 75 feet, and a separation between driveways and street intersections of at least 50 feet. In this instance, the existing 25-foot wide driveway curb cut is approximately

90 feet from the B Street intersection where a 50-foot separation is required, and it is 20 feet from the driveway to the south where a 75-foot separation is required. The applicants propose to reduce the existing curb cut width to 12 feet and shift it to achieve a 42-foot separation from the nearest driveway, and have requested an Exception. The application suggests that when considered in light of the fact that the proposal involves renovation and reconstruction of existing units on the site, without any intensification of the existing use, the exceptions requested are the minimum necessary to alleviate the financial and proportional implications of street improvements.

In staff's assessment, although North Mountain Avenue is a higher traffic street than B Street, accessing off-street parking from the existing curb cut is preferable given the value in retaining the existing home's place in the B Street streetscape, and while the driveway might be shifted further north to better address the controlled access standards this would also impact the existing home's placement. The proposed Exception seems to present a good balance of substantially improving the existing driveway separation while retaining the existing home's orientation relative to B Street.

Tree Removal Permit

The application also includes a request for a Tree Removal Permit to remove one 15½ -inch multi-stemmed Ash tree, located near the east property line. Additional large shrubs including cypresses and photinia that have grown to a tree-like form, which are not by definition considered to be trees in the Ashland Municipal Code, are proposed for removal as well.

The application indicates that the Ash tree is proposed for removal in order to facilitate the development of Unit #2, which is to be constructed in a manner consistent with applicable Land Use Ordinance requirements and standards, including applicable Site Development and Design Standards in part 18.4. The application asserts that the removal of the Ash tree proposed will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks, noting that the adjacent property has a row of poplars along the fence line which provide an existing windbreak. The application further suggests that the removal will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property as there are a significant number of conifers and deciduous trees in the vicinity. The application further notes that Ash trees are not a desirable tree to have near homes as they are prone to limb drop, and proposes to provide a mitigation tree to mitigate the requested removal.

The Tree Commission considered the request at its regular meeting on September 8, 2016 and recommended approval as submitted with the added recommendation that the applicants consider planting larger stature trees instead of the Lindens noted in the plans provided. Conditions requiring a mitigation tree and that the Tree Commission's recommendation be considered have been included below.

Neighbors' Comments Received

Subsequent to the mailing of a Notice of Complete Application, written comments were received from neighboring property owner Brent Thompson. Mr. Thompson notes that he has owned the adjacent property at 1094 and 1096 B Street since 1986, and previously owned the subject property. He indicates that he is not opposed to the proposal, and that he believes that there is a special circumstance in that the city yard has large vehicles circulating in and out which limits on-street parking along B Street, and as such merits allowing a driveway nearer to the intersection

than would typically be permitted.

Mr. Thompson further suggests that if B Street were widened to enable on-street parking, it would help in meeting the parking requirements for redevelopment both of his property and of the applicants' property, and indicates that he would be willing to pay for the installation of sidewalks along the frontage of his property if the applicants here would install sidewalks along their frontage as well. He concludes that he would not be in favor of granting an Exception to allow the applicants not to install sidewalks along their street frontage and further notes that in the event that such an Exception is granted he would request a public hearing.

Frontage improvements and on-street parking for Mr. Thompson's property would need to be considered as part of a Site Design Review for the redevelopment of his property. In considering his comments as they relate to the current application staff would note that, as emphasized by the applicants, existing utilities in place near the corner would significantly increase the cost of sidewalk installation and the application as proposed does not involve the intensification of use of the property or any quantifiable increase in traffic flow which would proportionally justify requiring sidewalk improvements. In staff's view, the Exception requested is merited given that there are already two units in existence on the property. Should Mr. Thompson wish to request a public hearing on the matter, an appeal would need to be requested within 12 days of the mailing of the Notice of Decision as provided in AMC 18.5.1.050.G.

The criteria for Site Design Review approval are described in AMC Chapter 18.5.2.050 as follows:

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

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

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

The criteria for Tree Removal Permit approval are described in AMC Chapter 18.5.7.040.B as follows:

1. **Hazard Tree.** *A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*
 - a. *The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.*
 - b. *The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*
2. **Tree That is Not a Hazard.** *A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*
 - a. *The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.*
 - b. *Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.*
 - c. *Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.*

- d. *Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.*
- e. *The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*

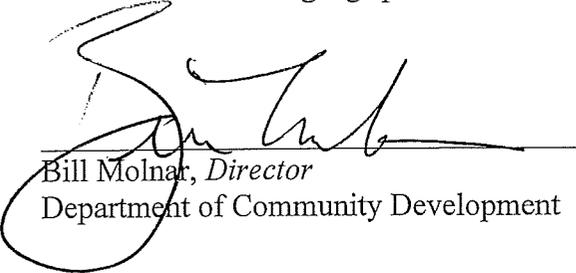
In staff's view, the proposal to renovate the existing home on B Street to yield a 2,063 square foot unit with attached two-car garage, and the demolition of the rear unit and its replacement with a new 1,785 square foot second dwelling with attached garage, Exceptions to Street Standards and Tree Removal Permit has demonstrated compliance with the applicable criteria and merits approval. Planning Action #2016-01504 is approved with the following conditions. Further, if any one or more of the following conditions are found to be invalid for any reason whatsoever, then Planning Action #2016-01504 is denied. The following are the conditions and they are attached to the approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise specifically modified herein.
- 2) That the plans submitted for the building permit shall be in conformance with those approved as part of this application. If the plans submitted for the building permit are not in conformance with those approved as part of this application, an application to modify this approval shall be submitted and approved prior to the issuance of a building permit.
- 3) That all recommendations of the Ashland Tree Commission from their September 8, 2016 meeting, where consistent with the applicable ordinances and standards and with final approval of the Staff Advisor, shall be conditions of approval unless otherwise specifically modified herein. These recommendations included that the applicants provide a mitigation tree for the Ash to be removed, as proposed by the applicants, and that they consider planting larger stature trees instead of the Lindens noted in the plans provided.
- 4) That all requirements of the Fire Department shall be satisfactorily addressed, including approved addressing; fire apparatus access; fire flow; fire sprinklers for those units determined by Building and Fire Code to require them based on review of final building permit plans; and provisions for "Knox Box" key boxes.
- 5) That the applicants shall receive approval of a Demolition/Relocation Permit prior to the demolition of the 504 square foot rear unit prior to demolition if deemed necessary by the Building Official.
- 6) That prior to any work in the public right-of-way, the applicant shall obtain any necessary permits from the Public Works/Engineering Department.
- 7) That building permit submittals shall include:
 - a) The identification of all easements, including but not limited to any required public and private utility easements, mutual access easements, public pedestrian access easements, and fire apparatus access easements.
 - b) The identification of exterior building materials and paint colors for the review and approval of the Staff Advisor. Colors and materials shall be consistent with those described in the application, and very bright or neon paint colors shall not be used.

- c) Specifications for all exterior lighting fixtures. Exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.
- d) Revised Landscape and Irrigation Plans shall be provided for the review and approval of the Staff Advisor with the building permit submittals. These revised plans shall address: 1) Any recommendations of the Tree Commission from their September 8, 2016 meeting where consistent with applicable criteria and standards, and with final approval by the Staff Advisor; 2) Required size- and species-specific planting details and associated irrigation plans addressing the requirements for programmable automatic timer controllers and a maintenance watering schedule with seasonal modifications to satisfy the Water Conserving Landscaping Guidelines and Policies; 3) Clear identification of the required eight percent recreational space including porches, decks, lawns and other areas proposed to satisfy the open space requirement.
- e) Stormwater drainage and grading plans for the review and approval of the Engineering, Building and Planning Departments.
- f) A final utility plan for the project for the review and approval of the Engineering, Planning and Building Divisions. The utility plan shall include the location of any necessary connections to public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Any meters, cabinets, or vaults shall be located in areas least visible from streets, sidewalks and pedestrian areas, while considering access needs. Any necessary service extensions or upgrades shall be completed by the applicant at applicant's expense.
- g) An electric design and distribution plan including load calculations and locations of all primary and secondary services including any required transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric, Engineering, Building and Planning Departments prior to the issuance of demolition, excavation or building permits. Transformers, cabinets and vaults shall be located in areas least visible from streets, sidewalks and pedestrian areas, while considering the access needs of the Electric Department.
- h) Identification or required bicycle parking, which includes two bicycle parking spaces in each of the garages. Where bicycle parking is provided in garages, hanging racks shall not be used and final interior dimensions of garages shall be provided to insure adequate space is provided. Inverted u-racks shall be used for non-garage bicycle parking, and all bicycle parking shall be installed in accordance with design and rack standards in 18.4.3.070.I prior to the issuance of the certificate of occupancy. The building permit submittals shall verify that the bicycle parking spacing and coverage requirements are met.
- i) Solar setback calculations demonstrating that all new construction complies with Solar Setback Standard A in the formula $[(\text{Height} - 6) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$ and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and the height(s) from natural grade.

- j) Lot coverage calculations including all building footprints, driveways, parking, and other coverage areas. Lot coverage shall be limited to no more than 75 percent as allowed in the R-3 zoning district.
 - k) That storm water from all new impervious surfaces and runoff associated with peak rainfalls must be collected on site and channeled to the City storm water collection system (i.e., curb gutter at public street, public storm pipe or public drainage way) or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals.
- 8) That prior to the issuance of a building permit;
- a. A Tree Verification Permit shall be obtained, and tree protection measures installed according to the approved plan, inspected and approved by Staff Advisor. The Verification Permit is to inspect the identification of the trees to be removed and the installation of tree protection fencing for the trees to be retained and protected on and adjacent to the site.
 - b. That all necessary building permits fees and associated charges, including permits and connections fees for new, separate, underground electrical services to each proposed unit, and system development charges for water, sewer, and storm water (less any credits for previously demolished structures) shall be paid.
 - c. That the property owner shall sign in favor of local improvement districts for future street improvements, including but not limited to sidewalks, parkrow with irrigated street trees, curb, gutter, storm drainage and undergrounding of utilities for North Mountain Avenue and B Street. Nothing in this condition is intended to prohibit an owner/developer, their successors or assigns from exercising their rights to freedom of speech and expression by orally objecting or participating in the LID hearing or to take advantage of any protection afforded any party by City ordinances and resolutions.
 - d. That the applicants shall dedicate the additional right-of-way along B Street and North Mountain Avenue to accommodate required city standard frontage improvements (three to four feet) or provide sufficient public pedestrian access easements to accommodate these improvements along both frontages.
- 9) That prior to the final approval of the project or issuance of a certificate of occupancy:
- a) All hardscaping, including the relocation and reduction of the North Mountain Avenue driveway curb cut under permit from the Public Works Department; landscaping, including required recreational areas, mitigation trees, and street trees selected from and planted according to the approved street tree list; and the irrigation system shall be installed according to the approved plan, inspected, and approved by the Staff Advisor.
 - b) All utility service and equipment installations including undergrounding of existing overhead electric services shall be completed according to Electric, Engineering, Planning, and Building Departments' specifications, inspected and approved by the Staff Advisor.
 - c) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent residential properties.

- e) Screening for the trash and recycling enclosure shall be installed in accordance with the Site Design and Use Standards, and an opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure as required in AMC 18.4.4.040.
 - g) All bicycle parking shall be installed according to the approved plan, inspected, and approved by the Staff Advisor prior to the issuance of the certificate of occupancy.
 - h) That street trees, one per 30 feet of street frontage, shall be installed on the North Mountain Avenue and B Street frontages prior to the issuance of a certificate of occupancy. All street trees shall be chosen from the adopted Street Tree List and shall be installed in accordance with the specifications noted in Section E of the Site Design and Use Standards. The street trees shall be irrigated.
 - i) A replacement tree to mitigate the Ash tree removed shall be planted and irrigated according to the approved plan.
- 10) That all garage parking spaces shall remain available for vehicle parking only and shall not be used for material storage, as required in AMC 18.4.3.110. This limitation shall be reflected in signage posted and maintained in each garage.



Bill Molnar, *Director*
Department of Community Development

October 10, 2016

Date

ASHLAND TREE COMMISSION
PLANNING APPLICATION REVIEW COMMENT SHEET
September 8, 2016

PLANNING ACTION: PA-2016-01504
SUBJECT PROPERTY: 1098 B Street
OWNER/APPLICANT: RNN Properties, LLC
DESCRIPTION: A request for Site Design Review approval to allow the reconstruction of a second dwelling located on the property at 1098 B Street. Also included are requests for Exception to Street Standards to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes and to not install city standard sidewalks, and for a Tree Removal Permit to remove a 15½ -inch Ash tree.
COMPREHENSIVE PLAN DESIGNATION: High Density Multi-Family Residential;
ZONING: R-3; **ASSESSOR'S MAP:** 39 1E 09AD; **TAX LOT #:**100

The Tree Commission recommends approving the application as submitted along with specific recommendations below:

1. That the applicant considers planting larger stature trees instead of Lindens.

Brent Thompson
P.O. Box 201
Ashland, OR 97520

4 September 2016

Ashland Planning Department and Planning Commission
Mike Faught and Public Works Department Staff
51 Winburn Way
Ashland, OR 97520

Re: Planning Action 2016-01504: 1098- 1098 1/2 B St.
To the Planning Department and Planning Commission

I have owned the adjacent properties at 1094 and 1096 B Street since 1986, and for 10 years until 1999 owned the subject property at 1098 and 1098 1/2 B Street.

I have no objection to the proposal to add or rework the property to improve or remove and rebuild the second unit which originally was a converted garage. I believe a driveway should be allowed on Mountain St closer to the corner than usual because there is a special circumstance here that is not common elsewhere. It is that the City Corporation yard is on the same corner meaning that where there might normally be parking on B St, the parking has been restricted. I believe this is due to the size of vehicles coming and going from the yard. The street width on B is 30'. The right of way is 50' leaving 20' for adjustments and sidewalks on both sides of the street..

Actually it would be best for the neighborhood if the large City vehicles came and left from the Mountain Street entrance next to the railroad tracks. A change of the main City access driveway would lessen the dust and noise for the nearby dwelling units. Also parking could more easily be restored in front of 1098 B. Parking was allowed when I bought the property in 1989. There was never a public hearing to remove the parking. The curb was painted yellow supposedly on a temporary basis when the fire department temporarily relocated to that yard while Fire Station #1 was rebuilt. Please see picture from 2001. I coped with the change, but I do believe parking should be restored

In the rear of the property at 1098 B St is a 12 foot easement which I placed in 1999 in order to restore the alley on my side that was unwisely vacated by a former owner of 81 N. Mountain St and other neighbors. The removal of that alley in 1980 reduced access options for vehicles, bicycles, and pedestrians of the four units we bought and reduced the options for 81 North Mountain St. and two properties on Emerick St.

Parking was restored in front of 1094 B St except for 18' but it has not been restored in front of 1096 B Street as I believe it should. If B St at 30' is deemed too narrow to restore parking in front of 1096 B St, I am prepared to install sidewalks in front of 1094 and 1096 B street at my expense if I can also have the option of B Street being widened slightly so that engineering is comfortable with parking in front of 1096 B Street as well as 1094 B Street. This would enable the easier construction of an under

500 sq. ft. accessory dwelling unit behind 1096 B St which lies on a separate tax lot from 1094 B St.

If the applicants of this project attempted and succeeded in arranging the same for 1098 B St, that would assist them in satisfying parking requirements for their project. I believe even with corner setbacks one space would be available in front of 1098 B St.

I obtained two bids over the years to construct sidewalks in front of 1094 and 1096 B St, but other projects I took on interfered. Also, I hadn't fully thought out a plan regarding how to handle the reality of the large vehicles coming and going from the corporation yard. Now, if City vehicles cannot use the entrance on Mountain Ave and if B St is not deemed wide enough for parking, it seems best to slightly widen it while installing a sidewalk in front of 1094, 1096 and 1098 B St. This offers the properties more options regarding adding housing while helping with neighborhood pedestrian traffic. It doesn't matter to me if the sidewalk is slightly on my property and not fully in the 50' right of way.

I am not in favor of deleting the requirement for sidewalks at 1098 B St., and if I must request a public hearing to voice this, I hereby do so.

If this letter is not coherent enough, please call me. Thank you.

Best regards,
Burke Bollier LLC
by Brent Thompson
Burke Bollier LLC
by Brent Thompson
541 488-0407

Brent Thompson
P.O. Box 201
Ashland, Oregon 97520

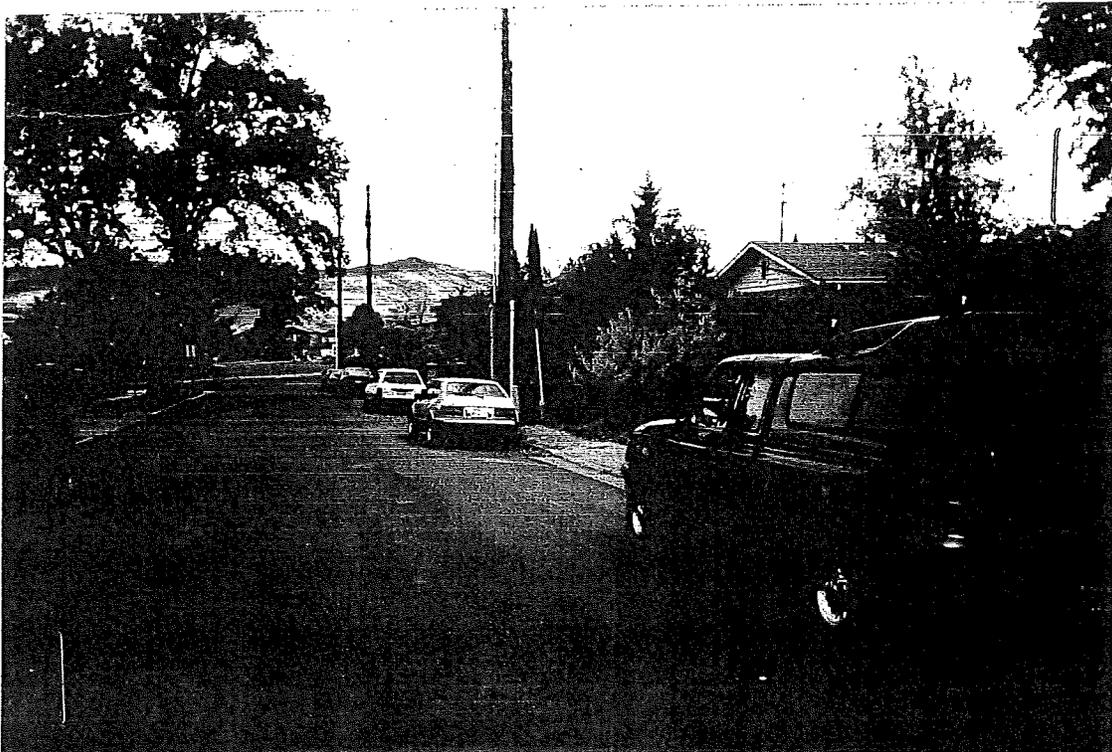
Woosley

12 Nov 2001

Dear Keith,

I took the picture about two weeks ago showing that on street parking is indeed a necessary amenity near "B" Mountain. Please do what you can to leave some of it.

Thanks,
Brent Thompson
488-0407



Brent Thompson
P.O. Box 201
Ashland, Oregon 97520

Woodley

12 Nov 2001

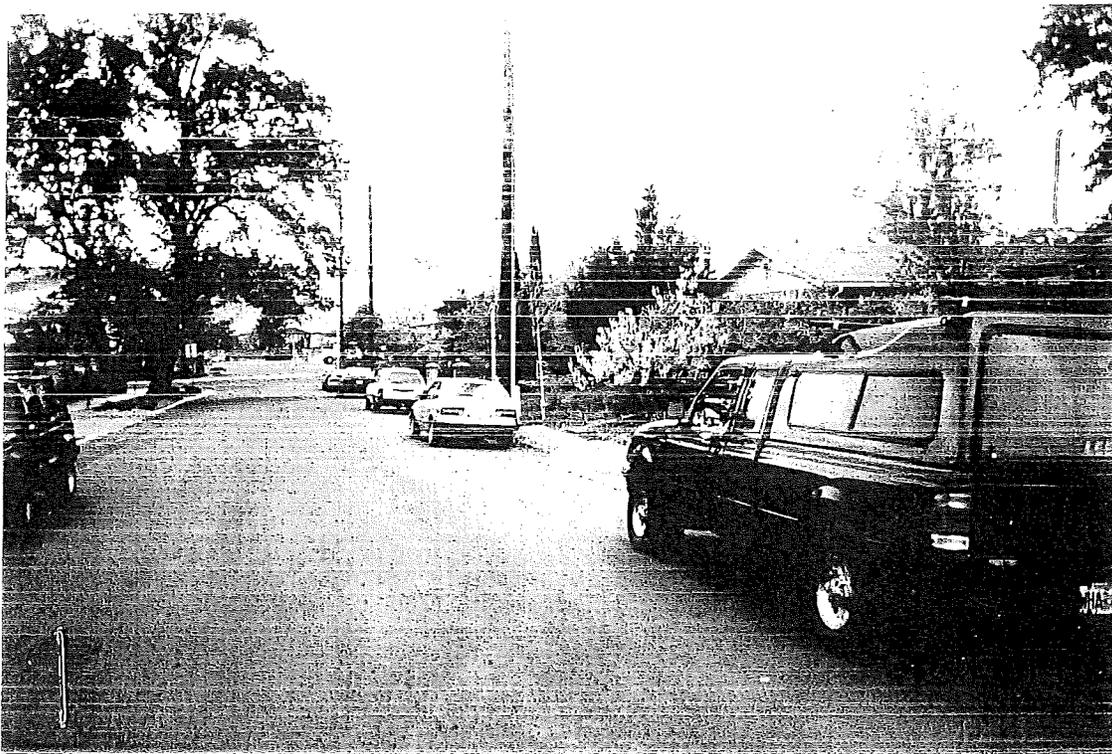
Dear Keith,

I took the picture about two weeks ago showing that on street parking is indeed a necessary amenity near B + Mountain. Please do what you can to leave some of it.

Thanks,

Brent Thompson
418-0407

This copy has a better picture
but more faint letter.





NOTICE OF APPLICATION

PLANNING ACTION: 2016-01504

SUBJECT PROPERTY: 1098 B Street

OWNER/APPLICANT: RNN Properties, LLC

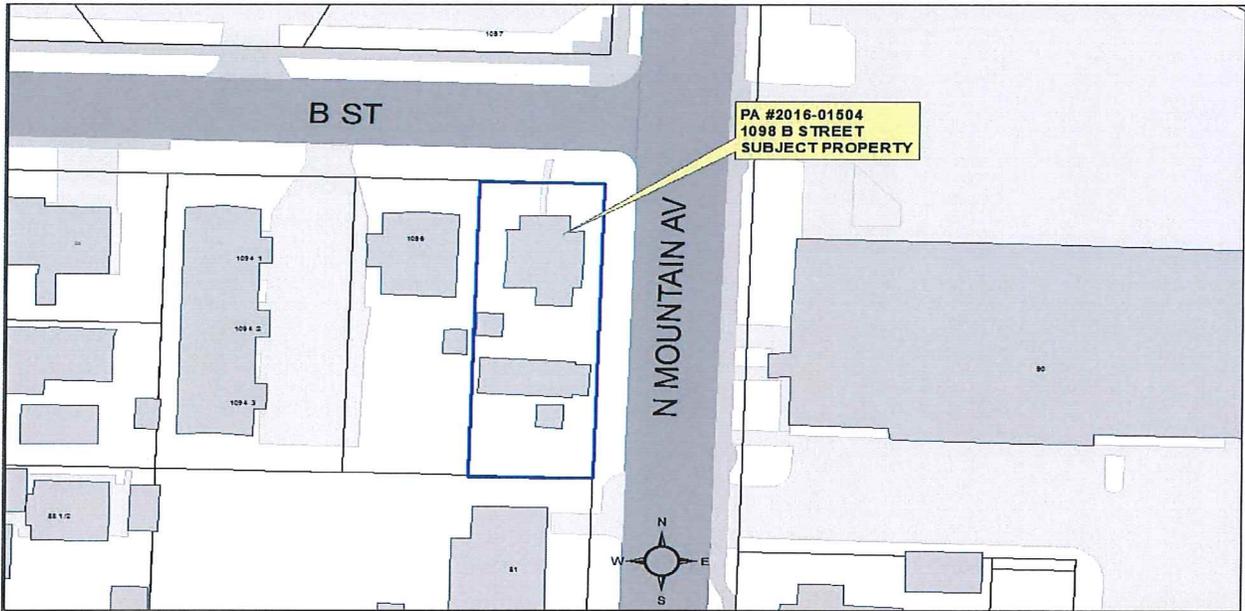
DESCRIPTION: A request for Site Design Review approval to allow the re-construction of a second dwelling located on the property at 1098 B Street. Also included are requests for Exception to Street Standards to not install city standard sidewalks, to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes, and for a Tree Removal Permit to remove a 15½ -inch Ash tree.

COMPREHENSIVE PLAN DESIGNATION: High Density Multi-Family Residential; **ZONING:** R-3; **ASSESSOR'S MAP:** 39 1E 09AD; **TAX LOT #:**100

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, September 8, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTICE OF COMPLETE APPLICATION: August 29, 2016

DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: September 12, 2016



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.108.040)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, 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 Department 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. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

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

SITE DESIGN AND USE STANDARDS

18.5.2.050

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

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

EXCEPTION TO STREET STANDARDS

18.4.6.020.B.1

Exception to the Street Design Standards. The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.

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

TREE REMOVAL PERMIT

18.5.7.040.B

1. Hazard Tree. A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
 - a. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.
 - b. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.
2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
 - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
 - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
 - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
 - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
 - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

1098 B Street
Site Design Review for new second unit

RNN Properties, LLC
7-1-2016

RECEIVED

AUG 05 2016

City Of Ashland



August 5, 2016

Site Review to Replace Second Unit

Subject Property

Address: 1098 and 1098 ½ B Street

Map & Tax Lot: 39 1E 23BA; Tax Lot 201

Property Owner: RNN Properties, LLC
Richard and Nisha Jackson
2640 E Barnett E-431
Medford, OR 97504

Planning Consultant: Rogue Planning and Development Services
Amy Gunter
1424 S Ivy Street
Medford, OR 97501

Building Designer: Design Residential
John Turman
PO BOX 8062
Medford, OR 97501

Landscape Designer: Jane Hardgrove
<http://janehardgrovelandscapedesign.com/>

Comprehensive Plan Designation: High Density, Multi-Family Residential

Zoning: R-3

Lot Data:

Lot Area: .157 / 6,865 sf

Existing lot coverage:

Allowed lot coverage: 5,148.75 sf

RECEIVED

AUG 05 2016

City Of Ashland



Proposed lot coverage: 4,128 sf
 Open space required: 548 sf (8 percent)
 Open spaces provided: 1,715 sf

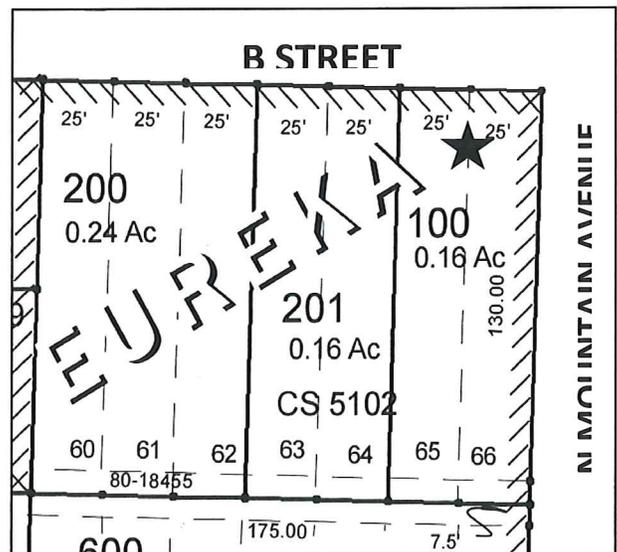
Project Proposal:

Site Design Review approval to allow for the reconstruction of a second dwelling unit located on the property located at 1098 ½ B Street. The application includes a request for an exception to street standards to retain the existing curb cut on North Mountain Avenue that is closer to the adjacent curbcut than allowed by current codes. The application includes a Tree removal permit for the removal of a 15.5-inch Ash tree.

Site Background and Description:

The subject property is at the southwest corner of the intersection of B Street and Mountain Avenue. The existing parcel is made up of two lots that were consolidated in order to permit the construction of the front residence, 1098 B Street, in 1940. The lots are Lot 65 and 66 in Block 3 of the Eureka Addition. In the 1950s the small unit at 1098 ½ B Street was constructed.

Along the south property line, a public alley was vacated and 7.5 feet was deeded to the subject property. The adjacent properties to the west, Tax Lot #200 and 201, have a 12-foot ingress/egress easement also adjacent to the south property line.



RECEIVED

AUG 05 2016

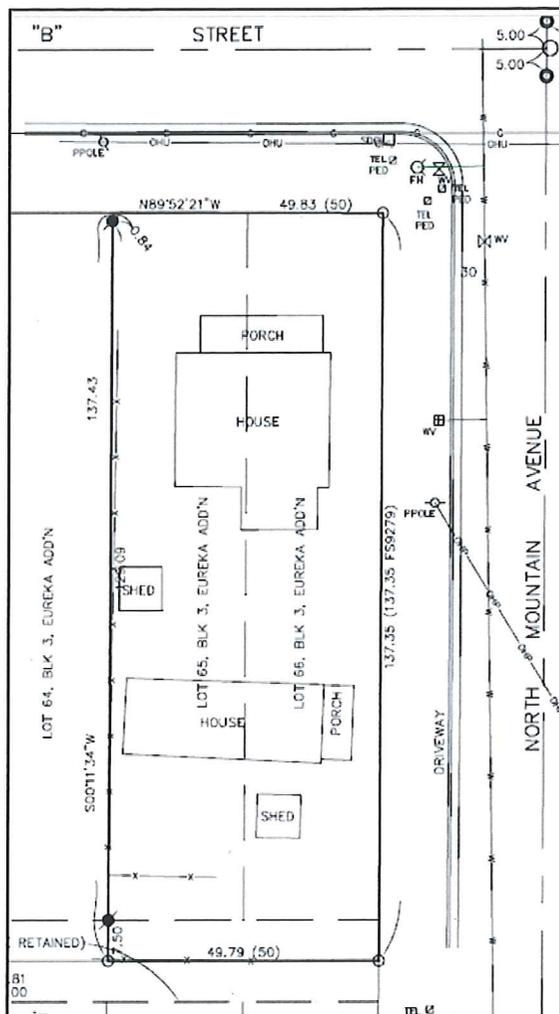
City Of Ashland



The subject property is 6,865 square feet in area and is zoned High-Density Multiple Family Residential (R-3). The adjacent properties to the south and west are zoned R-3 and the properties to the north, across B Street and to the east across North Mountain Avenue are zoned Employment (E-1).

The property slopes gently from the south to the north at approximately four percent. The property is occupied by a 672 square foot single story residence that faces B Street and a small, 504 square foot second residential unit. According to the Jackson County Assessor's Office, the 672 square foot residence was constructed in 1949 and the 504 square foot unit in 1951. There are two 65 square foot sheds on the property as well.

There is one 15.5-inch diameter at breast height (DBH), triple stemmed, Ash tree near the east property line. This tree is proposed for removal. There are two 10-inch DBH and one 8.5-inch DBH Italian cypresses directly adjacent to the residences. There are Photina shrubs and two Photinia shrubs that have been trained into trees in the front yard (B Street). On the adjacent property to the west there are five poplar trees. These trees are on the opposite side of the six-foot-tall, wooden fence. They will be pruned to provide access along the property line. Additional tree protection fencing is not proposed due to their proximity to the area of construction and due to the presence of the side yard fencing.



The site is accessed via a 36-foot wide driveway curb cut approach located near the south property line. The driveway curbcut is approximately 20-feet from the adjacent property's driveway approach, and approximately 90-feet from the intersection of North Mountain Avenue and B Street.

Both streets are classified as Avenues in the Transportation System Plan. North Mountain Ave. is improved with curb and gutter. There is approximately ten-feet of right-of-way between the east property line and the existing curb line. B Street is improved with curb and gutter as well. There is approximately ten-feet between the north property line and the curb line. There are no sidewalks on either street along the property frontage nor on the properties to the west on B Street and on the Mountain Avenue frontage for 165-feet to the south. There is a three-way stop at the intersection.

There is a 6-inch water main in B Street, and an 6-inch water main in North Mountain Avenue. There is a 10-inch sanitary sewer main in B Street and a 12-inch sanitary sewer main in N. Mountain Avenue. The property is served by a 10-inch storm sewer main in B Street and a 10-inch storm sewer main in North

RECEIVED

AUG 05 2016

City Of Ashland



Mountain Avenue. Electric service to the small unit is from an overhead power pole on North Mountain Avenue. Unit #1 is serviced by an overhead line on B Street. The existing residence at 1098 ½ B Street is serviced overhead by a pole on North Mountain Avenue.

The subject property and the properties to the south and west are zoned High Density Multi-Family Residential (R-3), the property to the west has a duplex and the property to the south has a detached single family residence on the site. The properties to the east across North Mountain and across B Street to the north at zoned Employment (E-1). These lots are occupied by the City of Ashland storage yards and Public Works and Electric Divisions.

Proposal:

The proposal is to allow the replacement of the small unit, Unit #2, with a 2,230 square foot, two story with attached garage multi-family residential unit. The existing 504 square foot residence that fronts on North Mountain Avenue has a pending demolition permit application. Unit #2 is proposed to be oriented toward North Mountain Avenue with a covered front porch area. The deck of the porch will extend into the setback on North Mountain as allowed for structures that are less than 30-inches above grade. The two units will be connected along the garage walls and the closets of the second floor bedrooms above.

The rear wall of Unit #1 is proposed to be removed to facilitate the addition of an attached garage, laundry room and office / bedroom space, there will also be a second story added to Unit #1.

Parking, Access, Circulation:

Each residence is proposed to have a two vehicle garage accessed from the existing curbcut on N. Mountain Avenue. The existing driveway curb cut is approximately 25-feet wide. It is proposed to be reduced in width to 12-feet. The current lot configuration has historically had only on-street parking and on-site parking that encroached into the public right-of-way for North Mountain Avenue. The proposal eliminates the non-conforming parking and provides conforming parking spaces in the garages, adequate back-up and turn-around, the parking is located to the side of the primary street frontage, is recessed behind the facades facing North Mountain Avenue, and the garages provide adequate space for two bicycle parking spaces within each garage.

Trees and Landscaping:

The Italian Cypress are landscape shrubbery will be removed. Additionally, the Photinia shrubs along the B Street and North Mountain Avenue frontages are within the vision clearance triangle and violate the fence height regulations. The Photinia shrubs in the front yard of the residence has the beginning stages of Phytophthora rot (the leaves are turning grey). Although these shrubs have grown to the sizes of trees, they are specifically exempted from the definition of a tree in the ALUO. There is one 15.5-inch DBH Ash tree on the site that will be removed.

The proposed landscape plan uses a variety of deciduous and evergreen trees, shrubs, and ground covers. Including plants that are appropriate to the local climate, exposure, and water availability. The presence of utilities and drainage conditions was also considered in the planning of the landscaping.

RECEIVED

AUG 05 2016

City of Ashland



On the following pages, findings of fact addressing the criteria from the Ashland Municipal Code are provided on the following pages. For clarity, the criteria are in Calibri font and the applicant's responses are in Times New Roman font.

CRITERIA from the Ashland Land Use Ordinance

**Site Development Design Standards Approval Criteria:
Ashland Municipal Code 18.5.2.050**

A. Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

The subject property is zoned R-3, High Density Multiple Family Residential. The parcel is 6,865 square feet and complies minimum lot area and minimum lot dimensions in the R-3 zone.

The proposal is to "reconstruct" the second unit that will be demolished. The existing residence will be added onto and the units will be joined by two, two-vehicle garages. Above the garage area of the residences are the closets for the bedrooms that will be attached at a fire wall that continues up from the garages.

The majority of the existing residence's (Unit #1) façade along B Street will be completely retained. The front porch will be reconstructed in the same location and dimensions as the existing, the treatment and materials will be altered during reconstruction. New siding, windows, doors will be added to the residence. At the rear of the existing residence, the footprint is proposed to be enlarged and connected to the proposed attached garage. A second floor above is proposed.

The proposed dwelling and the modifications to the front residence are traditional materials and styling. There are varying roof forms and heights to break up the mass of the structure. There are numerous windows and doors to allow for ample natural light into the units.

The solar setback standards are met with the development because B Street is the northern property line for the purposes of determining the solar setback. B Street has a 60-foot wide right-of-way. The second story addition will not cast a shadow beyond the width of the right-of-way.

Density: *The proposed density complies with the allowed density standards found in AMC 18.2.5.080.*

Allowed Density 18.2.5.080: *6,865 square feet = lots greater than 6,500 square feet are allowed two units*

Proposed Density: *two units*

Lot Coverage: *Proposed impervious areas including building footprints, patios, pathways, driveways, decks are 4,128 square feet. The maximum coverage is the zone is 75 percent the proposed lot coverage of 60 percent, is less than the maximum of 75 percent in the zone.*

Parking: *Four parking spaces are required for the development of the property. Two, two vehicle garages accessed from the reduced width driveway from Mountain Avenue are proposed.*

Four bicycle parking spaces are required. The bicycle parking spaces are provided for within the garages along the rear wall.

RECEIVED
AUG 05 2016
City Of Ashland



Energy Usage: *All of the units within the proposed development will be constructed to the most current standards of the State of Oregon Building Standards for residential construction. The units will be high performance, using the best practices and innovative construction technologies to gain efficiencies in design, energy systems, and materials for increased energy efficiency, superior indoor air quality, lower water usage and responsible use of natural resources.*

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

There are no applicable overlay zones for the subject property.

C. Site Development and Design Standards.

The proposed site development complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.

The proposed parking is within the residential dwellings. The layout and design does not provide for vulnerable areas that are not visible from the units and open space. The trash / recycle areas are directly adjacent to each unit and will be screened in accordance with the screening standards. The cans will not be visible from the public right-of-way. Low level landscape lighting for the paths will be provided throughout the open space.

Each unit will have a shrouded yard light that provides down-lighting and security for the unit but will not directly illuminate adjacent properties. Fences that comply with the fence ordinance are shown along the property lines, a fence permit will be obtained prior to construction of the fence. No plant materials are proposed that prevent surveillance of the open space or the semi-private patios and balconies.

More than eight percent of the site is available as open spaces for the use of the residents. There is 301 square feet of deck, patio and porch provided for Unit #1 and 218 square feet of deck and porch area provided for Unit #2. The 519 square feet of porches, patios, and decks account for only a portion of the 548 square foot required 8 percent open space. This does not include the private yard areas adjacent to the structures, including those areas, there is nearly 1,190 square feet of open space provided on the site.

Building Orientation.

Building Orientation to Street. Dwelling units shall have their primary orientation toward a street. Where residential buildings are located within 20 feet of a street, they shall have a primary entrance opening toward the street and connected to the right-of-way via an approved walkway.

Unit #1 has its primary orientation towards B Street, this orientation will not be affected by the construction of Unit #2. Proposed Unit #2 is oriented towards N. Mountain Avenue. A recessed front entry, a covered front porch and a less than 30-inch above grade deck will extend beyond the covered front porch to provide an enhanced sense of entry.

A walk way is proposed to connect each residence to the public right-of-way.

Limitation on Parking between Primary Entrance and Street. Automobile circulation or off-street parking is not allowed between the building and the street. Parking areas shall be located behind buildings, or on one or both sides.

No parking is proposed between the building and the street. The garages are recessed behind the street facing façade on North Mountain Avenue.

RECEIVED

AUG 05 2016

City Of Ashland



Build-to Line. Where a new building is proposed in a zone that requires a build-to line or maximum front setback yard, except as otherwise required for clear vision at intersections, the building shall comply with the build-to line standard.

The existing front building is setback from the front property line the approximately 18-feet, 8-inches. This setback is not proposed to be altered.

Garages. Alleys and Shared Drives. Where a lot abuts a rear or side alley, or a shared driveway, including flag drives, the garage or carport opening(s) for that dwelling shall orient to the alley or shared drive, as applicable, and not a street.

Vehicular access to the site is via the existing driveway curb cut. The existing non-conforming curb cut will be reduced in width from 36-feet to 12-feet. The curb cut is 90-feet from the property corners at the intersection of B Street and North Mountain Avenue. North Mountain Avenue is an Avenue and curb cuts are required to be 50-feet from the intersection.

Curb cuts on Avenues require 75-feet of separation between driveway curb cuts. The proposal will increase the separation from 20-feet to 42-feet, closer to the standards.

The alley at the rear of the property was vacated in the 1980s. There are no shared driveways on the property.

Setback for Garage Opening Facing Street. The minimum setback for a garage (or carport) opening facing a street is 20 feet. This provision does not apply to alleys.

The garages are setback from North Mountain Avenue more than 22-feet to provide adequate back-up and turn around area on the site.

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

The building materials are compatible with the surrounding area. The materials are typical building materials such as hardi-plank siding with wood shingle elements in the eaves. Fiberglass windows and composite shingles. The exact paint colors have not been selected but they will not be bright primary or neon colors.

Streetscape. One street tree chosen from the street tree list shall be placed for each 30 feet of frontage for that portion of the development fronting the street pursuant to subsection 18.4.4.030.E.

Two, small stature street trees are proposed on B Street. The tree on B Street will be lower in stature due to the presence of the overhead powerline. Five street trees are proposed for the N. Mountain Avenue frontage. The North Mountain Avenue trees will be larger stature. The street trees will be 1.5 inch caliper, eight feet tall and planted in accordance with AMC 18.4.4.030. No trees will be planted within 25-feet of the intersection and no street trees will be planted within 10-feet of the driveway.

Landscaping and Recycle/Refuse Disposal Areas. Landscaping and recycle/refuse disposal areas shall be provided pursuant to chapter 18.4.4.

RECEIVED

AUG 05 2016

City Of Ashland



Area for a trash and recycle container is proposed adjacent to each unit. The trash can area will be screened to prevent view of the cans from the public street.

18.4.4.030 Landscaping and Screening

The final landscaping plan and the irrigation plan that will be submitted with the building permits complies with the Irrigation and Water Conserving Landscaping requirements of the City of Ashland. The conceptual landscaping plan submitted with the application has been designed so that plant coverage of 90 percent within five years of planting is met. Two-inches of mulch will be provided in all non-turf areas after planting. Turf areas are limited in order to comply with the Water Conserving Landscaping requirements. The proposed landscaping has been designed for crime prevention and defensible space to allow for natural surveillance. While providing screening of the residences from the busy streets.

Though not shown on the conceptual landscape plan, the property owner is amiable to installing a five-foot decomposed granite path within the public right-of-way to provide a somewhat level, even terrain, walkable material in place of the current varied topography.

All landscaping shall be maintained in good condition and replaced by the property owner.

Tree Preservation, Protection, and Removal

18.4.5.030 Tree Protection: *The trees along the west property line on the adjacent neighbor's property are protected by a six-foot tall, solid panel fence. No additional tree protection is proposed.*

18.5.7 Tree Removal:

B. Tree Removal Permit.

a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.

There is one 15.5-inch DBH Ash tree on the property that is proposed for removal. There are other shrubs that have grown to tree sizes, but they are not subject to the tree ordinance.

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

The removal of the trees will not have impacts on erosion, soil stability, flow of surface waters, and protection of adjacent trees or existing windbreaks. The property to the east that would be the most impacted has a row of poplar trees of their own on their side of the fence.

c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.

There are a significant number of deciduous and conifer trees within 200-feet of the property. The removal of the Ash tree will not have a negative impact on the densities, sizes, canopies or species diversity. Ash trees are typically not a desirable tree to have in close proximity to structures due to their propensity for limb failure.

RECEIVED

AUG 05 2016

City of Ashland



d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.

The proposal complies with residential densities. There are two units on the property and there will continue to be two units on the property. The removal of the tree facilitates the construction of Unit #2.

e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

A replacement tree will be planted and maintained per the specifications of the Recommended Street Tree Guide.

D. City Facilities. The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.

Adequate city facilities exist to service the new units.

Water: *There is an existing six-inch water main in B Street. There is also a six-inch main in North Mountain Avenue. There are existing water meters adjacent to North Mountain. These will be retained. There is a fire hydrant at the intersection of the two streets.*

Sanitary Sewer: *There is a ten-inch sanitary sewer line in the B Street and a twelve-inch line on North Mountain Avenue. In discussion with the Wastewater Department Supervisor, there are no capacity issues with the public sanitary sewer lines. The structures currently share a four-inch line. Unit #1 will retain this line and Unit#2 will have its own connection to North Mountain Avenue.*

Electrical: *Unit #2 is serviced by an overhead power line and pole on North Mountain Avenue. This pole will be removed. The new service for Unit #2 will come from the overhead pole on B Street. Unit #1 already gets overhead power from this pole. The new services will be undergrounded from the pole to the units and into a two-pack meter located on the west side of Unit #1.*

Storm Sewer: *There is a 10-inch Storm sewer main in B Street and a ten-inch main in North Mountain Avenue. In consultation with the Street Division, there are no capacity issues with the city's facilities.*

B Street is an Avenue. It is paved with curb, gutter and bike lane along the frontage of the property which provides paved access to the development. North Mountain Avenue is also an Avenue and is paved with curb, gutter and bike lane along the frontage of the property.

E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.

No exceptions to the Site Development and Design Standards are proposed.

RECEIVED

AUG 05 2016

City Of Ashland



Multiple-Family Rental Unit Conversion to For-Purchase Units

18.2.3.200

C. Conversion of existing multiple-family dwelling rental units into for-purchase units, including the demolition of existing multiple-family dwelling rental units, is subject to the following.

1. Existing multiple-family dwelling structures may be converted from rental units to for-purchase housing, where all or only a portion of the structure is converted, as set forth in Table 18.2.3.200.C.1, provided the existing structure meets the following regulations of the applicable zone: permitted density, yard requirements, maximum height, maximum lot coverage, outdoor recreation space, maximum permitted floor area, waste enclosures, parking, and bike storage.

Table 18.2.3.200.C.1: Conversion of Multiple-Family Rental Units to For-Purchase Units

Number of Dwelling Units on Tax Lot	Market Rate Ownership	Affordable Ownership (per Sec. 18.2.5.050)	Market Rate Rentals	Affordable Rentals (per Sec. 18.2.5.050)
2-4	100%	0%	0%	0%
5-12	75%	0%	25%	0%
13-24	50%	0%	50%	0%
25-48	25%	0%	75%	0%
49+	0%	0%	100%	0%

No affordable housing units are proposed because the primary residence (Unit #1) and the proposed, new Unit #2, will comply with the R-3 zoning provisions for permitted density, and the zoning code regulations regarding yard requirements, maximum height, maximum lot coverage, outdoor recreation space, maximum permitted floor area, waste enclosures, parking, and bike storage.

Public Facilities

18.4.6.020

B. Exceptions and Variances. Requests to depart from the requirements of this chapter are subject to chapter 18.5.5 Variances, except that deviations from section 18.4.6.040 Street Design Standards are subject to 18.4.6.020.B.1 Exceptions to the Street Design Standards, below.

1. Exception to the Street Design Standards. The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.

a. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.

18.4.6.040.B. Applicability. *The following standards apply to all street improvements, including new streets, alleys and pathways, and the extension or widening of existing streets. The street connectivity and design standards are part of the Ashland Land Use Ordinance and are approval standards that will be used in land use decisions and for street construction projects.*

No new streets, alleys, pathways or extension of or widening of existing street are proposed. The site is occupied by two, residential units. One is being removed in order to construct a larger, energy efficient unit that complies with setbacks, lot coverages, density, parking, landscaping and screening standards. The majority of the façade of Unit #1 is being retained so it is not subject to review.

A reduced width curb cut is proposed to bring the site closer to conformance with the driveway spacing standards but sidewalks and park row do not currently exist. The re-construction of Unit #2 is not considered an intensification of use of the site and requiring sidewalk and park row improvements would be disproportionate to the site redevelopment. The existing driveway is approximately 20-feet from the driveway to the south. The standards call for

RECEIVED

AUG 05 2016

City Of Ashland



The location of the public infrastructure at the intersection of the two streets, particularly the fire hydrant, would require relocation at a high cost to the property owner. Installing street improvements that comply with the standards for sidewalk and park row width including curb return at the intersection are cost prohibitive when considering an intensification of the site is not proposed.

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

No changes to the connectivity of the existing transportation facilities are proposed. There are public sidewalks on the north side of B Street, and the east side of North Mountain Avenue.

- i. For transit facilities and related improvements, access, wait time, and ride experience.
Not applicable
- ii. For bicycle facilities, feeling of safety, quality of experience (i.e., comfort level of bicycling along the roadway), and frequency of conflicts with vehicle cross traffic.
There is an existing six-foot wide bicycle lane along the North Mountain Street frontage of the property.
- iii. For pedestrian facilities, feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway.
Though sidewalk installation is not proposed at this time, when sidewalks are installed, the increased separation between the driveway to the subject property and the property to the south will improve the pedestrian environment.

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

When considering that an intensification in the use of the site is not proposed, the exception is the minimum necessary to alleviate the financial and proportional implications of street improvements.

The spacing between the two curb cuts which is currently well below the standards, will not fully comply but will improve with the separation, going from approximately 20-feet to 42-feet of separation.

d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.

The purpose and intent contains standards for street connectivity and design as well as cross sections for street improvements including installation of new streets and improvements to existing streets. No modifications to the existing street are proposed and the property owner finds that the re-construction of Unit #2 creates no special quantifiable burdens to require sidewalk installation.

The increased width between the driveways is consistent with the purposed and Intent of the Street Standards.

Conclusion:

The applicant finds that all of the applicable City of Ashland requirements have been met or can be met through the imposition of conditions of approval.

Attachments:

- 1) SURVEY
- 2) SITE PLAN AND ELEVATIONS
- 3) LANDSCAPE AND IRRIGATION PLANS
- 4) UTILITY EMAILS

RECEIVED
AUG 05 2016
City Of Ashland

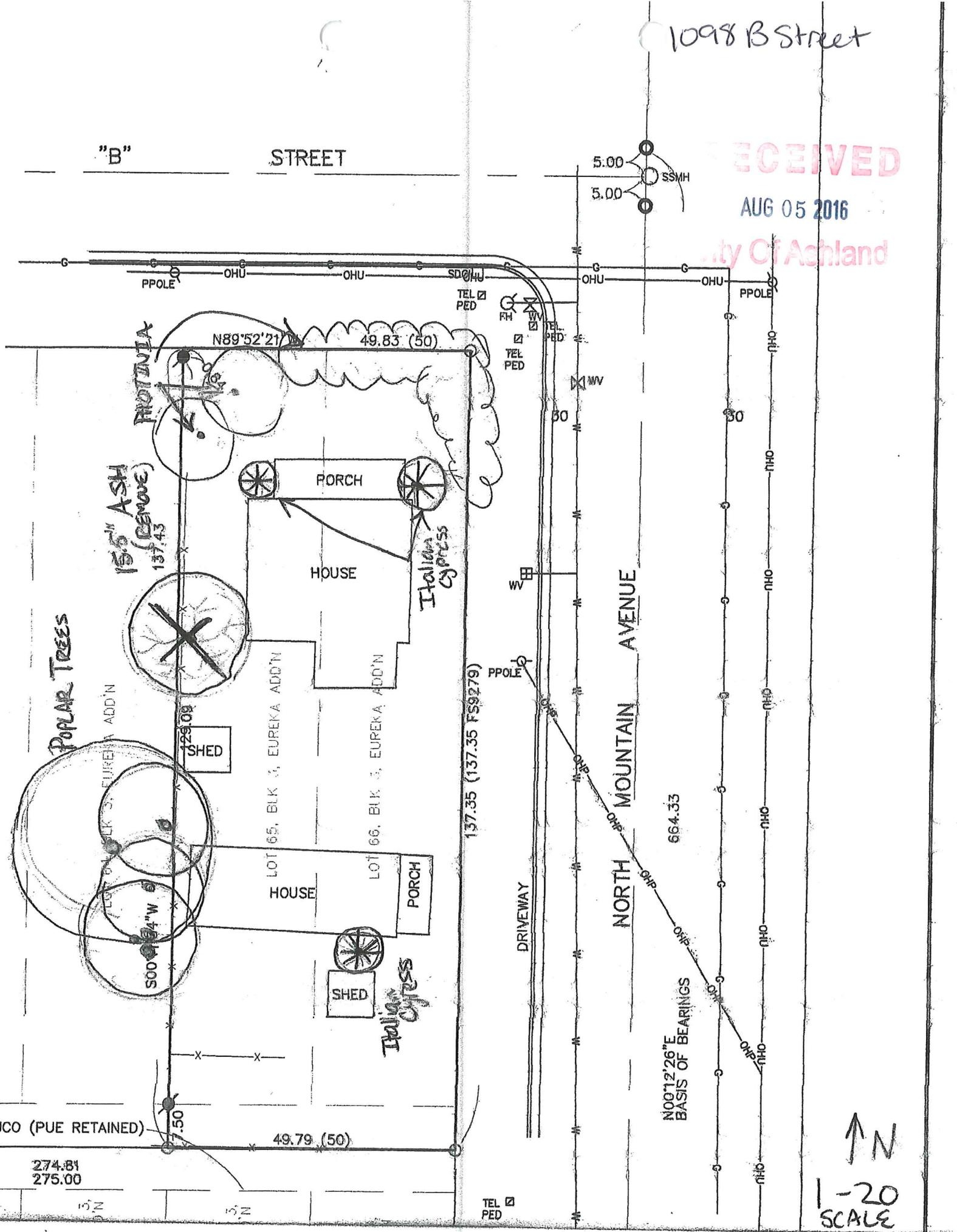
1098 B Street

"B" STREET

RECEIVED

AUG 05 2016

City Of Ashland



POPULAR TREES

155' ASH (REMOVE) 137.43

PROTINIA

PORCH

HOUSE

Italian Cypress

SHED

HOUSE

PORCH

SHED

Italian Cypress

DRIVEWAY

NORTH MOUNTAIN AVENUE

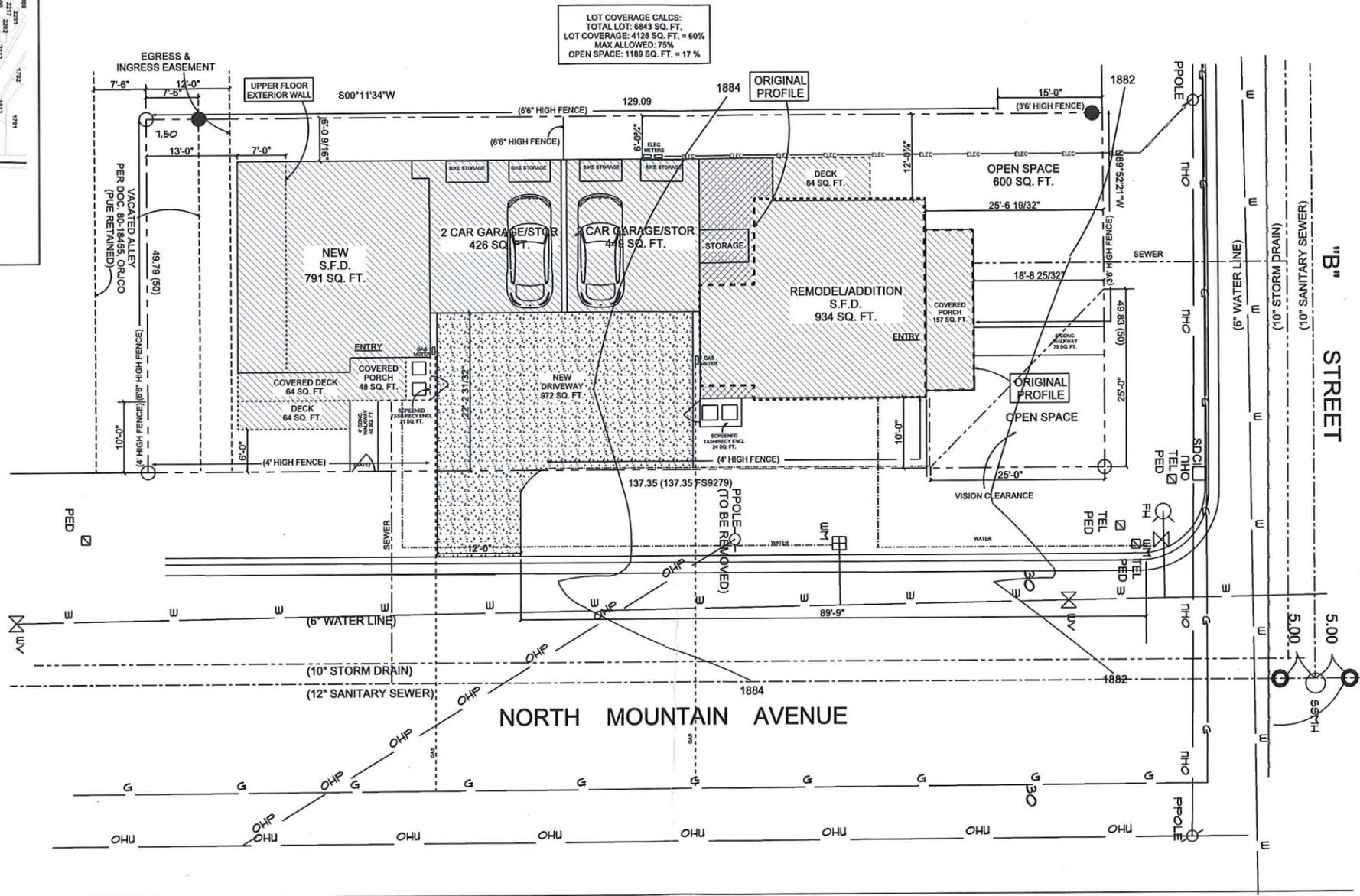
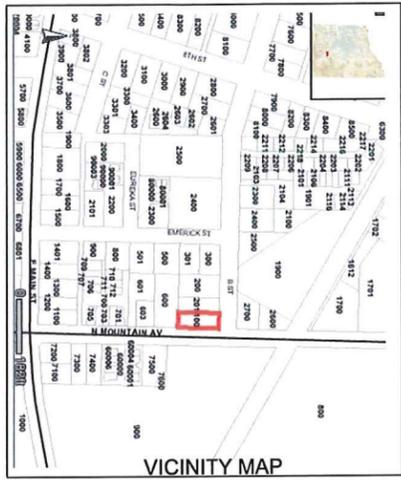
664.33

N00°12'26"E BASIS OF BEARINGS

274.81
275.00

TEL PED

↑ N
1" = 20'
SCALE

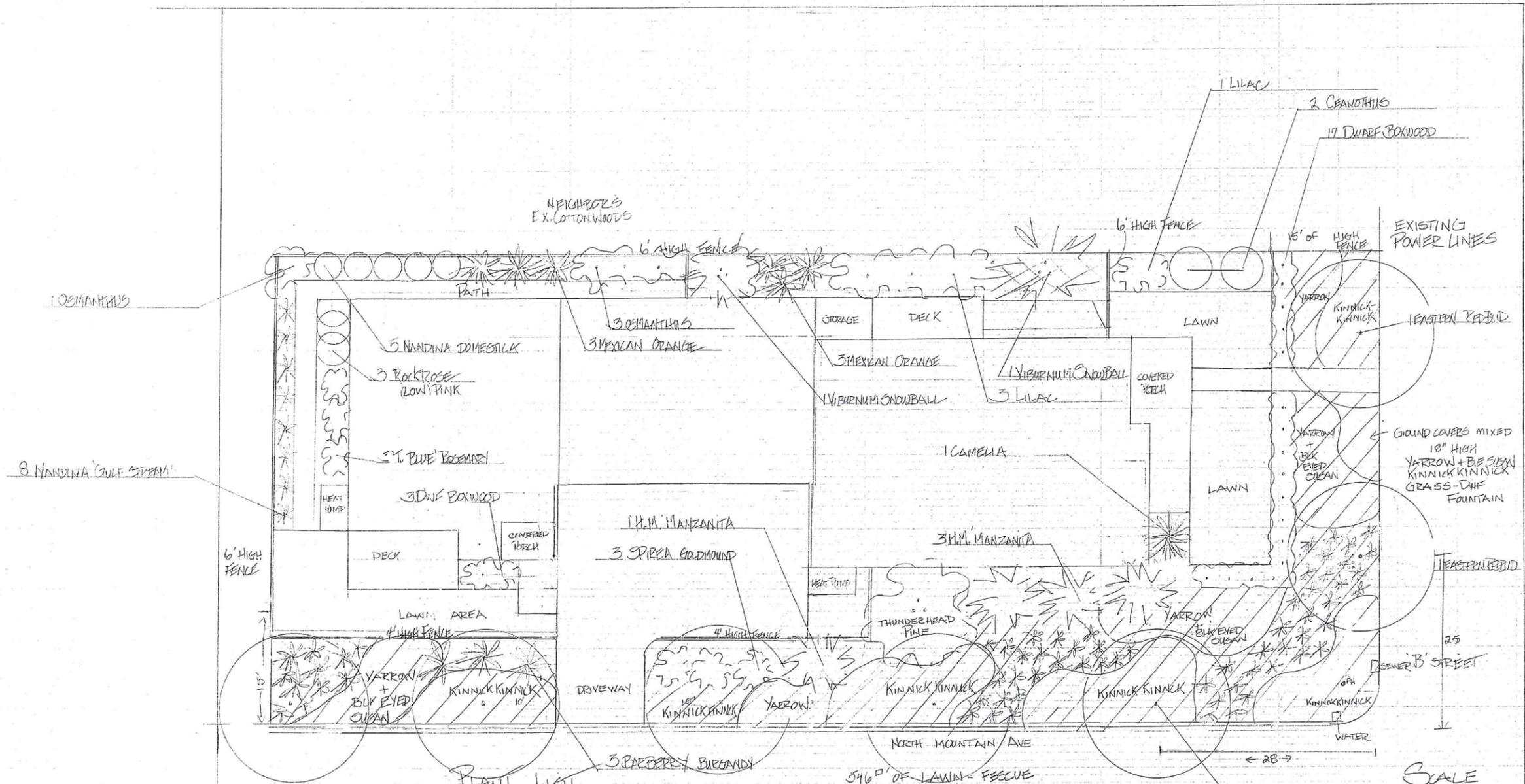


SITE PLAN
 SCALE: 1" = 20'-0"



RECEIVED
 AUG 05 2016
 City Of Ashland

PROJECT: S.F.D. @ N. Mt & B St. Ashland, OR 97520	PROJECT OWNER: RNN PROPERTIES, LLC 2640 E. BARNETT RD. E-43 MEDFORD, OR 97504	 design residential <small>AN AFFILIATE OF DESIGN IDENTICAL, INC.</small>	P.O. BOX 8082 MEDFORD, OR 97501 541-608-3956 <small>WWW.DESIGNIDENTICAL.BIZ</small>	A0.1 SITE PLAN 11 X 17 FILE #PA18	SCALE: 1" = 20'-0"
					DRAWN BY:
		DWG INDEX #:		A0.1 SITE PLAN 11 X 17	
		CHECKED BY: JT		SHEET 1	
		DATE: 7/26/2016		OF 5	

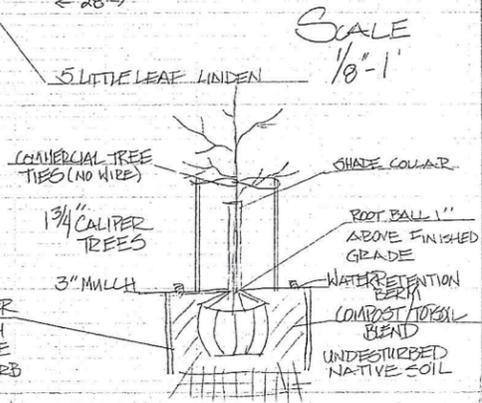


PLANT LIST

#	BOTANICAL	COMMON	QTY
3	BARBERIS BURGANDY	BURGANDY BARBERIS	36
3	SPIREA GOLDMOUND	SPIREA GOLD MOUND	36
3	ARCTOSTAPHYLOS HOWARD MANN	HOWARD MANN MANZANITA	36
1	PINUS THUNDERHEAD	THUNDERHEAD PINE	36
1	CAMELIA JAPONICA	CAMELIA	36
20	BUXUS M. JAP. GREEN BEAUTY	BOXWOOD DWEE GREEN BEAUTY	18
2	CEANOTHUS BLUE JEANS	CEANOTHUS BLUE JEANS	18
4	SYRINGA VULGARIS	LILAC	36
2	VIBURNUM OPULUS	SNOWBALL VIBURNUM	36
6	CHOISYA TERNATA	MEXICAN ORANGE	18
3	OSMANTHUS	OSMANTHUS	18
5	NANDINA DOMESTICA	NANDINA DOMESTICA	18
8	NANDINA GULF STREAM	NANDINA GULF STREAM	18

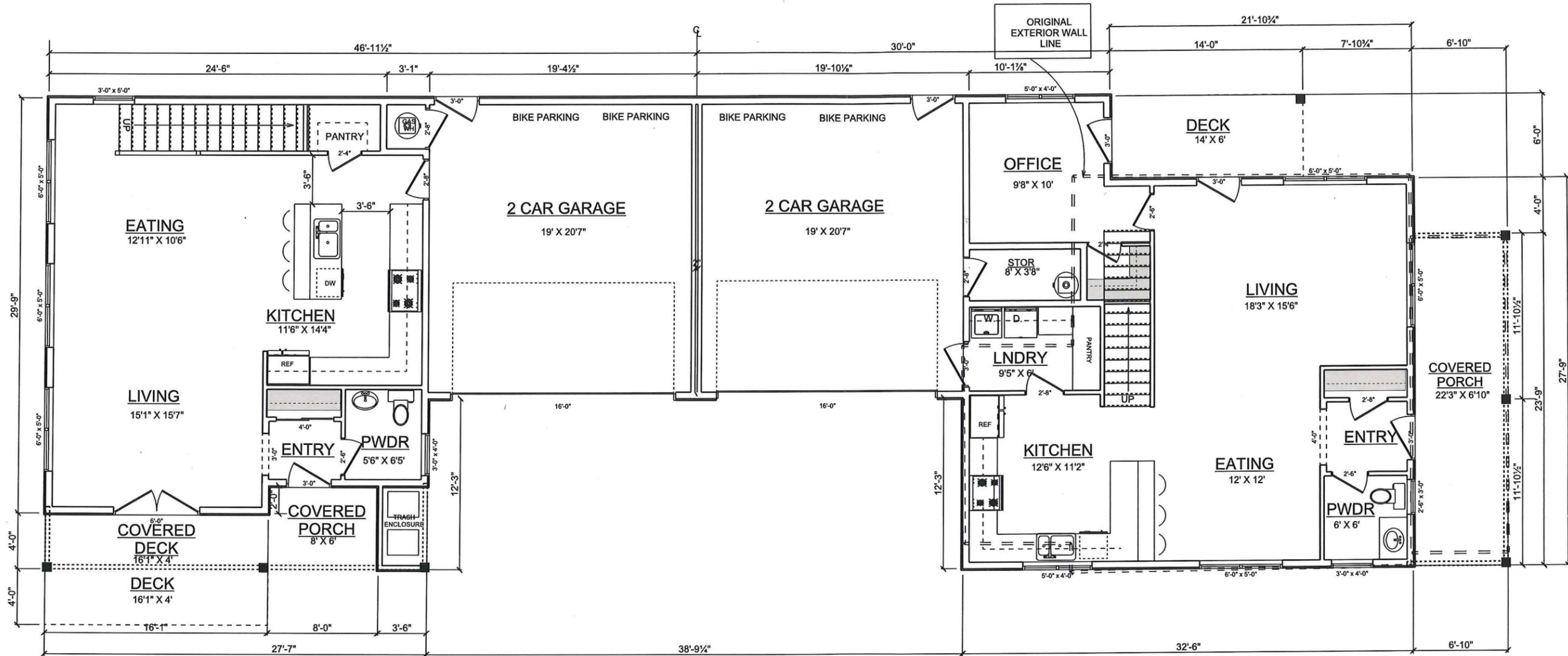
3	ROSMARINUS TUSCAN BLUE	TUSCAN BLUE ROSEMARY	18
2	CISTUS SPANBERGII	ROCK ROSE	18
10	ARCTOSTAPHYLOS MASS	MASS KINICK KINICK	18
65	PENNISETUM ALOPECUROIDES	DWEE FOUNTAIN GRASS	18
30	ACHILLEA MILLEFOLIUM	YARROW	18
50	RUDBECKIA	BALKEVED SUSAN	18
2	CERCUS CANADENSIS	EASTERN RED BUD	18
5	TILIA CORDATA	LITTLE LEAF LINDEN	18

STREET TREES PLANTED WITH ROOT BARRIER
 + STAKED
 24" DEEP - 6" LENGTH
 CENTERED ON TREE
 12" BACK FROM CURB



SCALE
 1/8" = 1'

RECEIVED
 AUG 05 2018
 City Of Ashland



N. MT.
 MAIN FLOOR
 787 SQ. FT.-LIVING
 441 SQ. FT.-GARAGE/STOR

B ST.
 MAIN FLOOR
 934 SQ. FT.-LIVING
 449 SQ. FT.-GARAGE/STOR
 RETAINING 67% OF ORIGINAL
 EXTERIOR WALL SURFACES
 AND ENTIRE FRONT FACADE

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

DWG INDEX #:
 A1.0 FLR PLN-MAIN 11 X 17
 SHEET 2
 OF 5

SCALE: 1/8" = 1'-0"
 DRAWN BY:
 CHECKED BY: JT
 DATE: 7/26/2016

A1.0 FLR PLN-MAIN 11 X 17
 FILE: @PATH

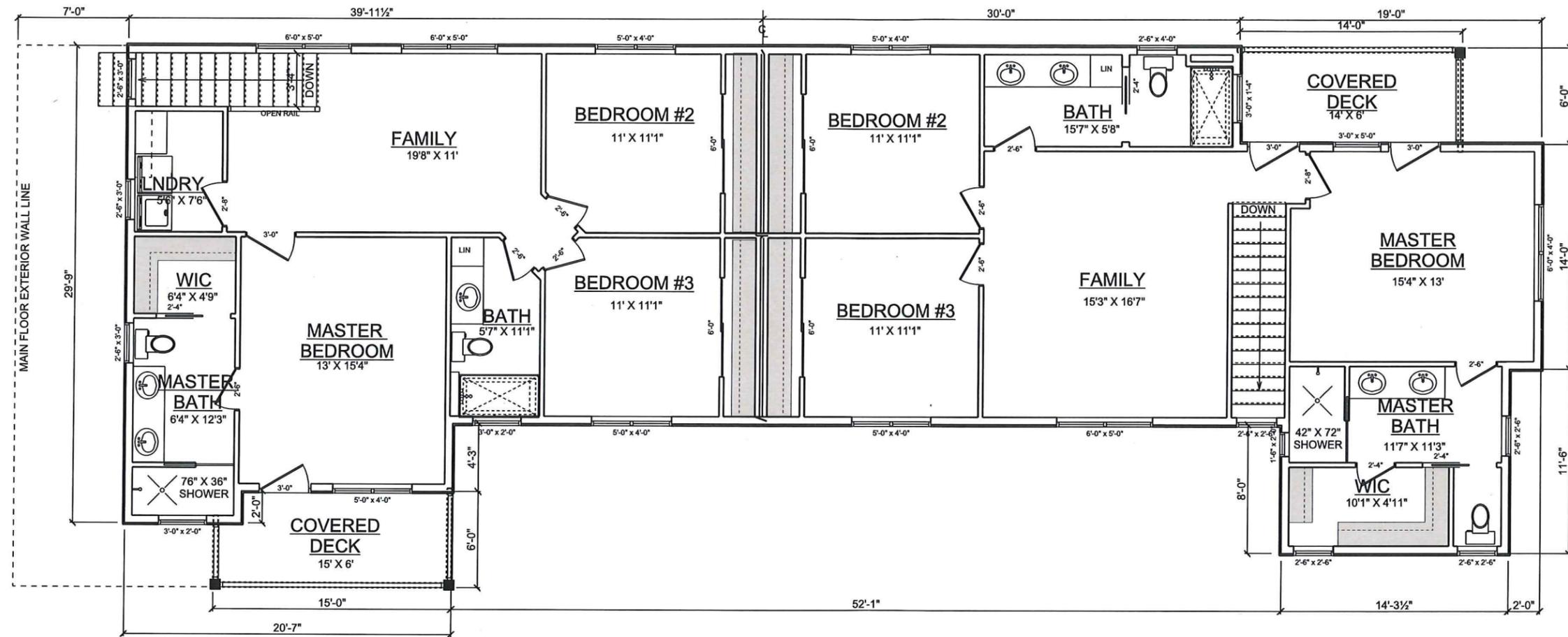
P.O. BOX 8062
 MEDFORD, OR 97501
 541-608-3956
 www.designresidential.biz

design residential
 "INTEGRITY. GREAT HOME DESIGN."

PROJECT OWNER:
 RNN PROPERTIES, LLC
 2640 E. BARNETT RD. E-43
 MEDFORD, OR 97504

PROJECT: S.F.D @
 N. Mt & B St.
 Ashland, OR 97520

RECEIVED
 AUG 05 2016
 City Of Ashland



N. MT.
UPPER FLOOR
998 SQ. FT.-LIVING

B ST.
UPPER FLOOR
1129 SQ. FT.-LIVING

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

RECEIVED
AUG 05 2016
City Of Ashland

DWG INDEX #:
A1.1 FLR PLN-UPPER 11 X 17
SHEET 3
OF 5

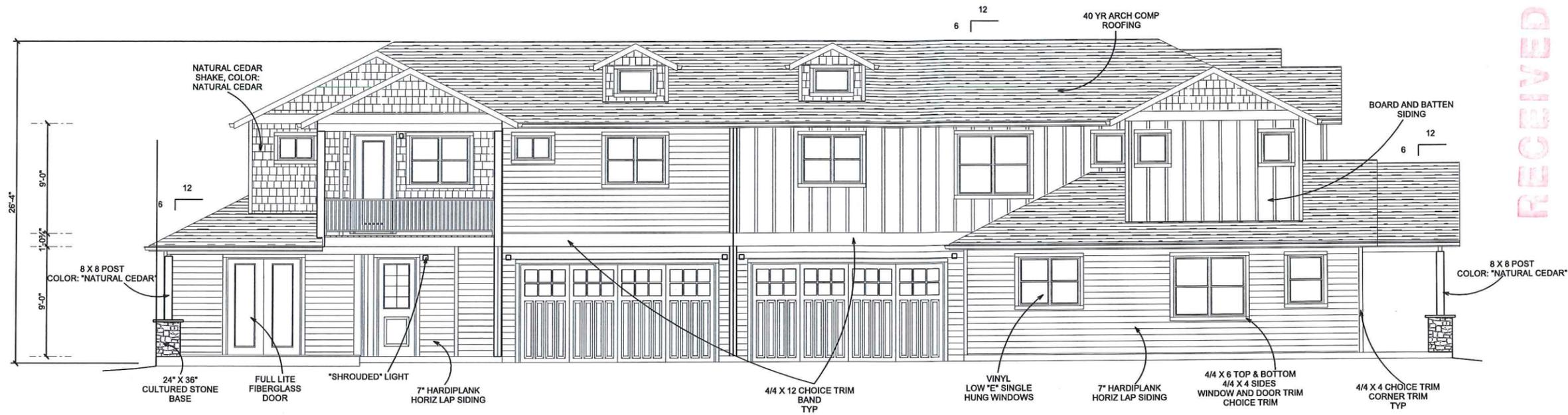
SCALE: 1/8" = 1'-0"
DRAWN BY:
CHECKED BY: JT
DATE: 7/26/2016

A1.1 FLR PLN-UPPER 11 X 17
FILE: @PATH

P.O. BOX 8062
MEDFORD, OR 97501
541-608-3956
www.designresidential.biz
design residential
INSPIRED GREAT HOME DESIGN

PROJECT OWNER:
RNN PROPERTIES, LLC
2640 E. BARNETT RD. E-43
MEDFORD, OR 97504

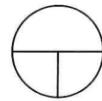
PROJECT: S.F.D @
N. Mt & B St.
Ashland, OR 97520



RECEIVED

AUG 05 2016

City Of Ashland



EAST ELEVATION

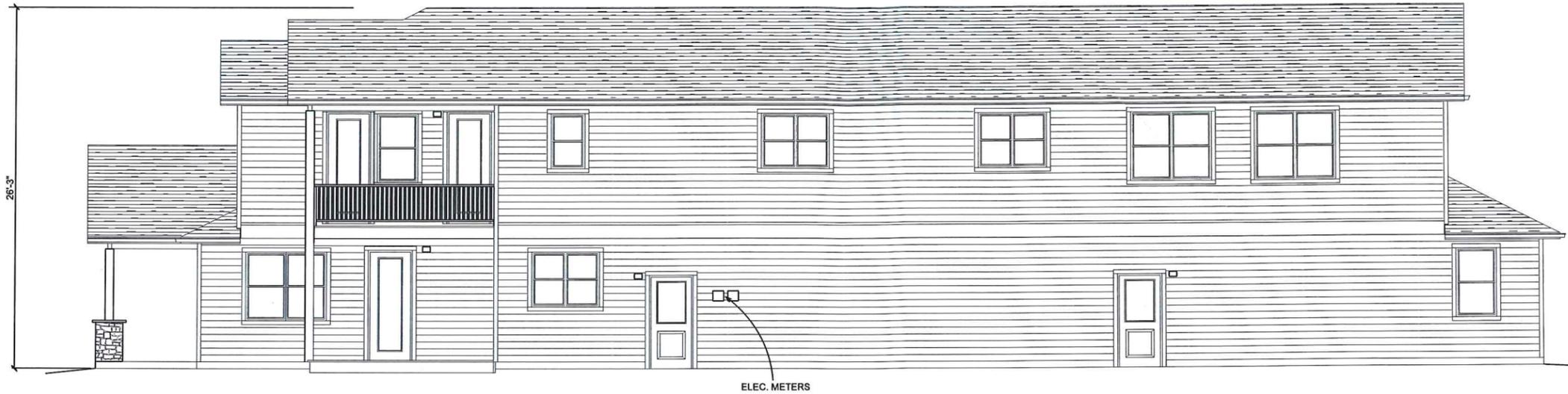
SCALE: 1" = 10'



SOUTH ELEVATION

SCALE: 1" = 10'-0"

<p>PROJECT: S.F.D. @ N. Mt & B St. Ashland, OR 97520</p>	<p>PROJECT OWNER: RNN PROPERTIES, LLC 2640 E. BARNETT RD. E-43 MEDFORD, OR 97504</p>	<p>design residential www.designresidential.biz</p> <p>P.O. BOX 8062 MEDFORD, OR 97501 541-608-3956</p>	<p>DWG INDEX #: A2.0 EXT ELEVATIONS 11 X 17 SHEET 4 OF 5</p> <p>SCALE: 1" = 10'-0" DRAWN BY: CHECKED BY: JT DATE: 7/28/2016</p> <p style="text-align: center;">A2.0 EXT ELEVATIONS 11 X 17</p> <p style="text-align: right;">FILE @PATH</p>
--	--	---	--



WEST ELEVATION
SCALE: 1" = 10'-0"



NORTH ELEVATION
SCALE: 1" = 10'-0"

RECEIVED

AUG 05 2016

City Of Ashland

PROJECT: S.F.D. @
N. Mt & B St.
Ashland, OR 97520

PROJECT OWNER:
RNN PROPERTIES, LLC
2640 E. BARNETT RD. E-43
MEDFORD, OR 97504

design residential
INSPIRING GREAT HOME DESIGN
P.O. BOX 8062
MEDFORD, OR 97501
541-608-3956
www.designresidential.biz

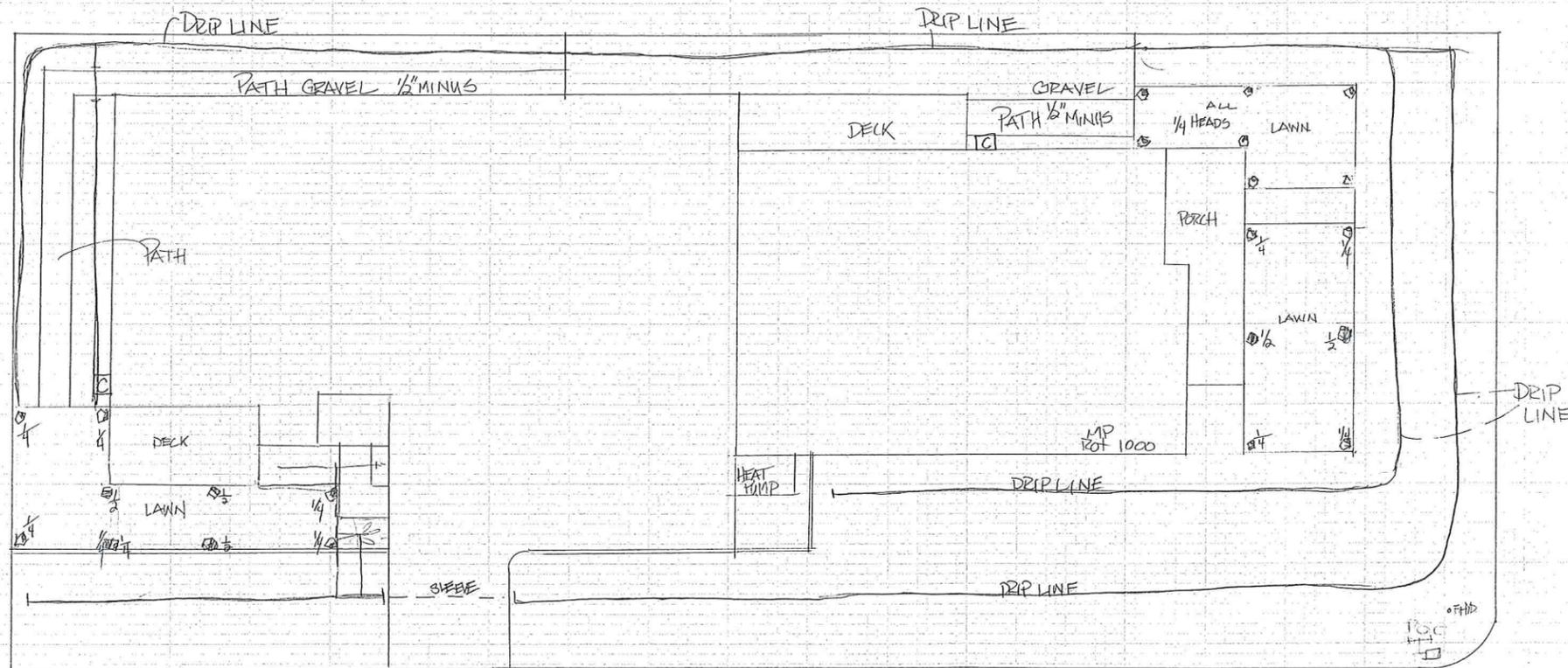
A2.1 EXT ELEVATIONS 11 X 17
FILE: @PATH

SCALE: 1" = 10'-0"
DRAWN BY:
CHECKED BY: JT
DATE: 7/26/2016

DWG INDEX #:
A2.1 EXT ELEVATIONS 11 X 17
SHEET 5
OF 5

IRRIGATION SYSTEM SHALL BE AUTOMATIC AND HAVE A TOP LOADING
 DOUBLE CHECK VALVE INSTALLED AT THE POINT OF CONNECTION.
 THE SYSTEM WILL PROVIDE IRRIGATION TO 100% OF THE LANDSCAPED AREA.

THERE WILL BE TWO TIMERS HUNTER PC-400
 LIGHT COMMERCIAL + RESIDENTIAL CONTROLLER, 4 STATION BASE
 MODULE CONTROL, 120 VAC OUTDOOR MODEL
 [C]



IRRIGATION PLAN

THERE IS NO SLOPE
 EXCEEDING 10%
 ALL SHRUB/TREE AREAS
 TO BE MULCH WITH DARK
 FINE MULTI BARK 3" THICK

ALL TREES -
 3 1 GALLON
 EMITTERS
 1/2 DRIPLINE HOSE

SHRUB/TREE AREAS
 DRIPLINE SYSTEM
 2 EMITTERS PER PLANT
 ALL 1 GALLON PLANTS
 2 - 1/2 GALLON HEADS
 ALL 3 GALLON PLANTS
 2 - 2 GALLON HEADS

IN LAWN AREAS:
 SCHEDULE 40 PIPE 3/4"
 MP ROTATOR HEADS 1000'S
 546' OF TALL FESCUE
 COD
 POINT OF CONNECTION
 POC
 I

LANDSCAPE CONTACT:
 JANE HARDGROVE
 JUAN MERAZ
 (BEARCLAW LANDSCAPE
 541-944-5891
 541-301-0803

SCALE 1/8" = 1'
 → NORTH

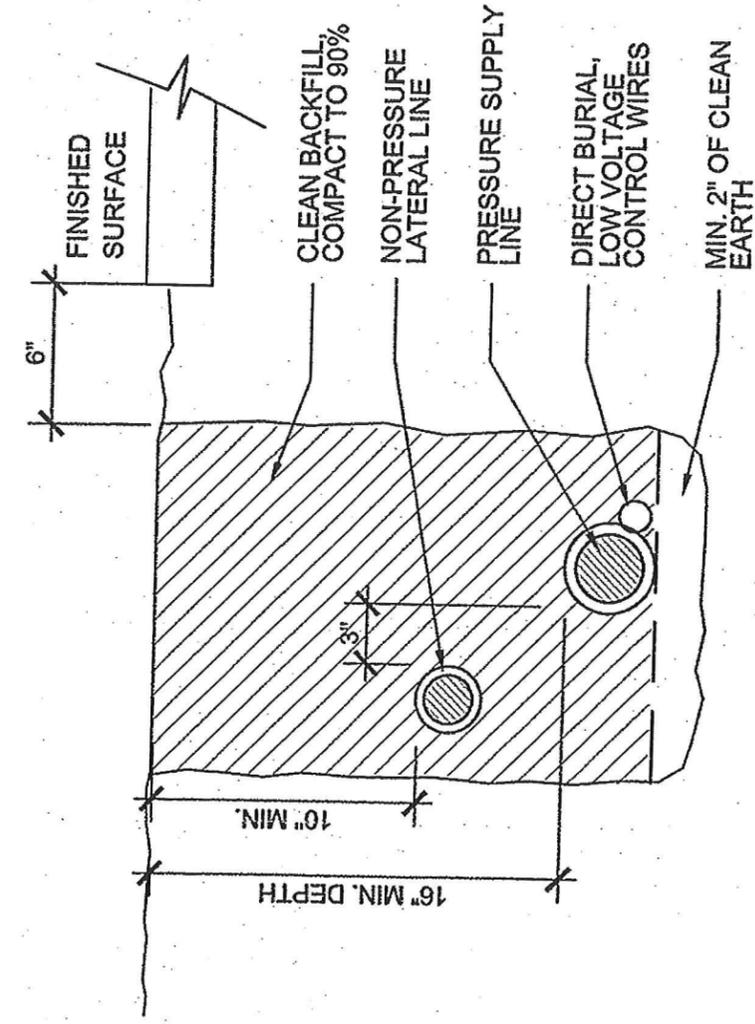
PROJECT S.F.P. © N.M.T + B ST
 ASHLAND, OREGON

SHEET 2
 1

RECEIVED

AUG 05 2016

City Of Ashland

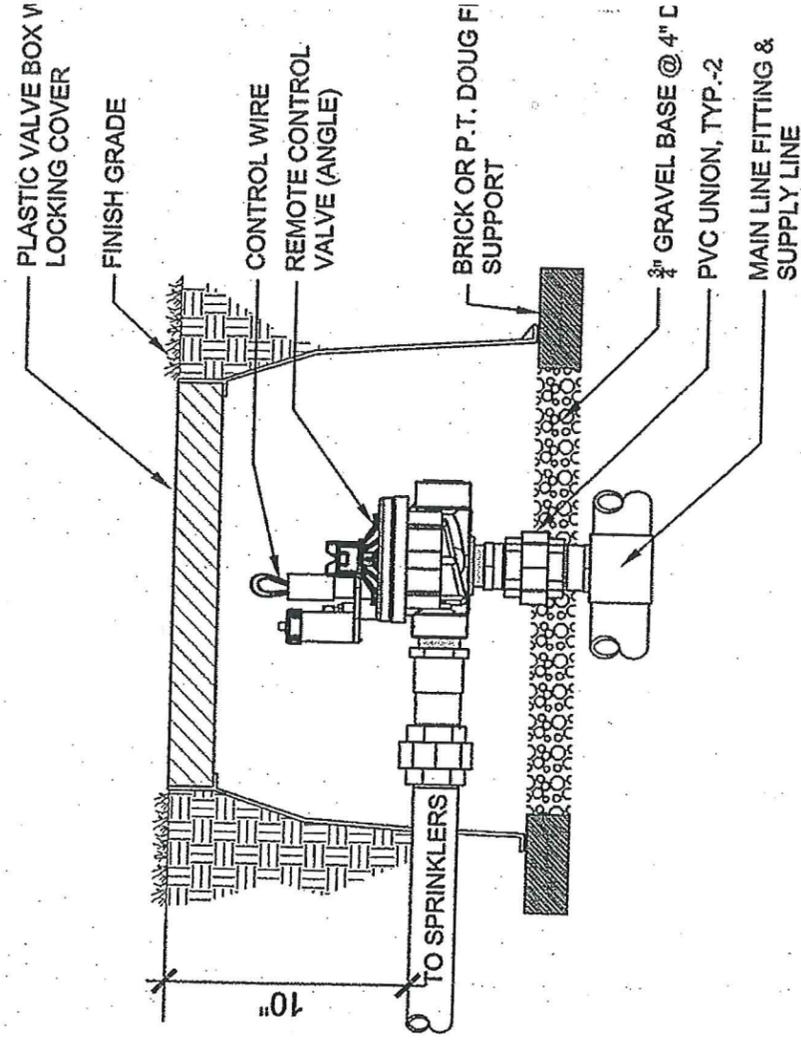


1 SECTION - IRRIGATION LINE TRENCH

Scale: N.T.S.

NOTES:

1. INSTALL MAXIMUM (2) VALVES PER BOX. (STD. VALVE BOX)
2. PLACE CHRISTY'S I.D. TAG WITH STATION NUMBER ON VALVES.
3. SET VALVE BOXES PARALLEL TO EACH OTHER & PERPENDICULAR TO HARDSCAPE EDGES.



3 SECTION - REMOTE CONTROL VALVE - ANGLE INSTALLATION

Scale: N.T.S.

X-VALV

RECEIVED

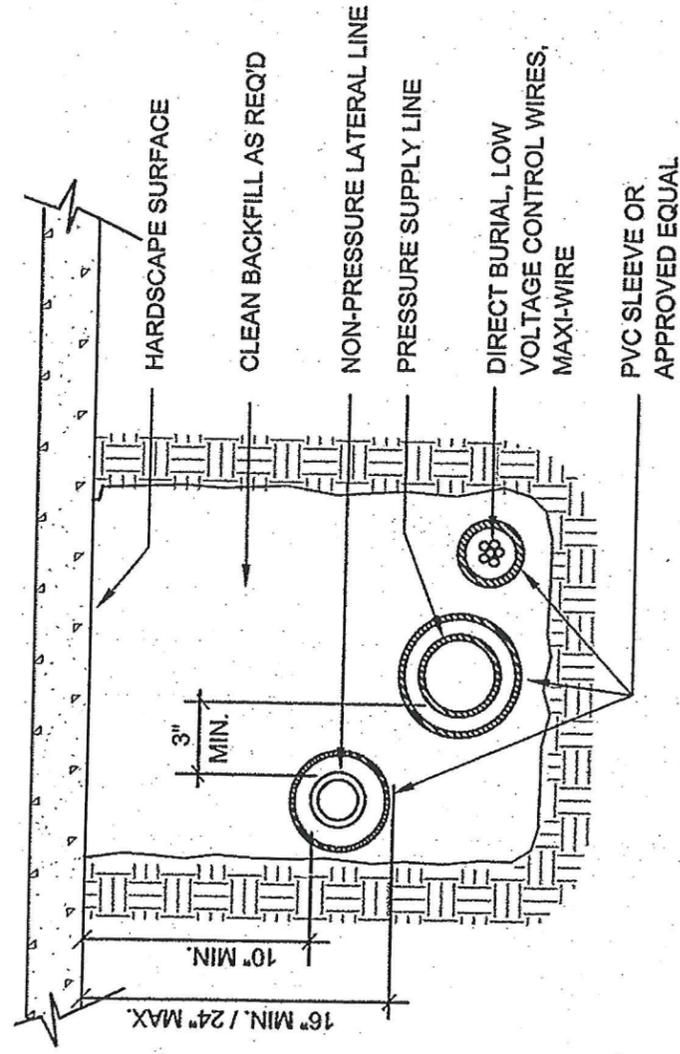
AUG 05 2016

City Of Ashland

RECEIVED

AUG 05 2016

City Of Ashland



NOTES

1. COORDINATE INSTALLATION OF PIPING AND WIRES UNDER VEHICULAR PAVEMENT AREAS WITH OTHER TRADES
2. ALL SLEEVES TO BE 4" SCH 40 PVC Z E
3. ALL SLEEVES TO BE RUN 12" MIN. PAST HARDSCAPE

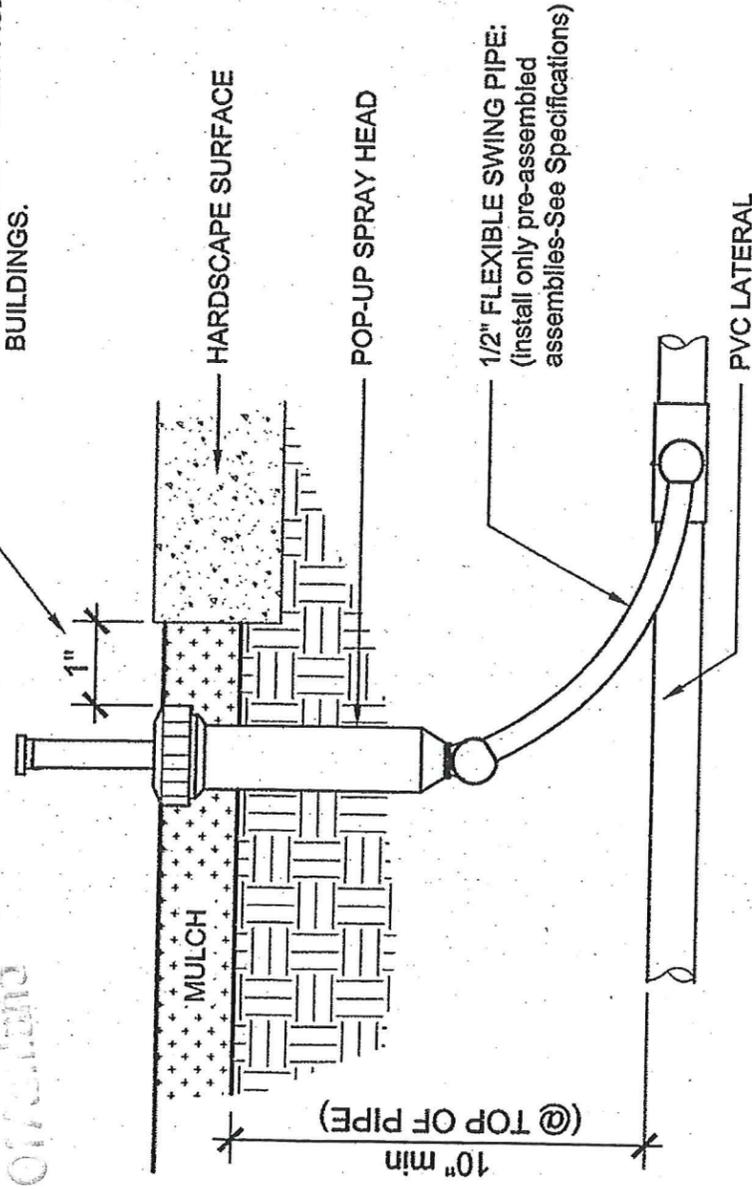
2 SECTION - SLEEVING @ PAVING

Scale: N.T.S.

X-sleeve.dwg

RECEIVED
AUG 05 2016
City Of Ashland

NOTE:
ALL SPRAY HEADS TO BE KEPT A MIN. OF 1" OFF ALL HARDSCAPE EDGES AND 36" FROM FACE OF ALL BUILDINGS.



4 SECTION - POP-UP SPRAY HEAD

Scale: N.T.S.

x-sprklr-1.dwg

RECEIVED

AUG 05 2016

City Of Ashland

IRRIGATION NOTES:

1. THE INFORMATION PROVIDED BELOW IS FOR THE IN-FIELD CONVENIENCE OF THE CONTRACTOR. REFERENCE THE IRRIGATION SPECIFICATIONS FOR ALL ASPECTS OF IRRIGATION MATERIAL AND INSTALLATION PROCEDURES.
2. VERIFY PROPOSED IRRIGATION POINT OF CONNECTION (ZONE 'A') NEAR THE SURVEYED EXISTING IRRIGATION EQUIPMENT. NOTIFY THE OWNER'S REPRESENTATIVE IF THE IN FIELD CONDITIONS WILL NOT PERMIT CONNECTION AT THE LOCATION SHOWN ON THE PLAN.
3. THE IRRIGATION CONTRACTOR SHALL INVENTORY AND DOCUMENT LOCATIONS OF ALL EXISTING IRRIGATION HEADS AND VALVES IN THE VICINITY OF THE PROPOSED PARKING LOT.
4. UPON COMPLETION OF THE PARKING LOT CURBS, THE IRRIGATION CONTRACTOR SHALL MAKE ADJUSTMENTS TO THE EXISTING IRRIGATION SYSTEM SUCH THAT THE SYSTEM WILL PROVIDE COMPLETE COVERAGE TO THE REMAINING LANDSCAPE AREAS. IT WILL BE THE IRRIGATION CONTRACTOR'S DUTY TO REPAIR ANY EQUIPMENT THAT IS NEEDED FOR THE EXISTING IRRIGATION SYSTEM TO PERFORM PROPERLY.
5. **TRENCHING:** 10" MIN. COVER OVER LATERAL LINES. BACKFILL MATERIAL SHALL BE FREE OF ROCKS, AND SHARP OBJECTS AND MANUALLY COMPACTED. NO MACHINE TRENCHING WITHIN DRIPLINE OF EXISTING TREES. MANUAL TRENCHING WILL BE PERMITTED RADIALLY FROM THE BASE OF THE TREE.
6. SET ALL SPRINKLER HEADS PLUMB WITH TOP OF HEAD EVEN WITH FINISH GRADE, ALLOWING FOR MULCH. FLUSH LINES BEFORE INSTALLING NOZZLES.
7. ALL PIPING, PVC ELEC. SLEEVES, ETC, UNDER PAVING SHALL BE INSTALLED PRIOR TO PAVING WORK. NO TEES, ELLS OR OTHER TURNS IN PIPING SHALL BE LOCATED UNDER PAVING. CAP ALL ENDS HAND TIGHT, PRIOR TO BACKFILL.
8. ALL IRRIGATION SLEEVES SHALL BE MIN. 4" SCH. 40, OR 3034 SEWER PIPE AS PER IRRIGATION PLAN. CLEARLY MARK SLEEVES USING A WOOD STAKE MARKED WITH PAINT SHOWING EXACT LOCATION. ALL SLEEVES SHALL EXTEND 12" BEYOND PAVEMENT EDGE.
10. INSTALL THE PROPOSED IRRIGATION VALVE NEAR THE LOCATION INDICATED ON THE PLAN. VERIFY A PROPER WATER SOURCE IS AVAILABLE AT THE LOCATION INDICATED. INSTALL VALVE BOX SO THAT THE LID IS FLUSH WITH FINISH GRADE AND ALIGNED WITH THE ADJACENT VALVE BOXES.
11. UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE OWNER WITH AN IRRIGATION RECORD DRAWING THAT INDICATES THE EXISTING IRRIGATION THAT HAS BEEN FIELD ADJUSTED TO THE NEW CONSTRUCTION AND THE INSTALLED NEW IRRIGATION.

IRRIGATION HEAD LEGEND

SYMBOL	DESCRIPTION	MODEL	NOZZLE	RAD.	PSI	FLOW RATE (GPM)
	1/4, 1/2, FULL	Hunter PROS-06-PRS30	MP-Rotator 1000 (*)	8'	30	0.11, 0.21, 0.44
	1/4, 1/2, FULL	Hunter PROS-06-PRS30	MP-Rotator 1000 (*)	10'	30	0.19, 0.37, 0.75
	END, CENTER	Hunter PROS-06-PRS30	MP-Rotator Strip	Strip		0.22, 0.44

(*) ALL HEADS IN THE VEGETATED SWALE SHALL HAVE FACTORY INSTALLED DRAIN CHECK VALVES.

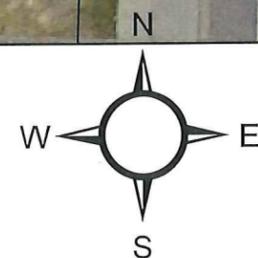
RECEIVED

AUG 05 2016

City Of Ashland

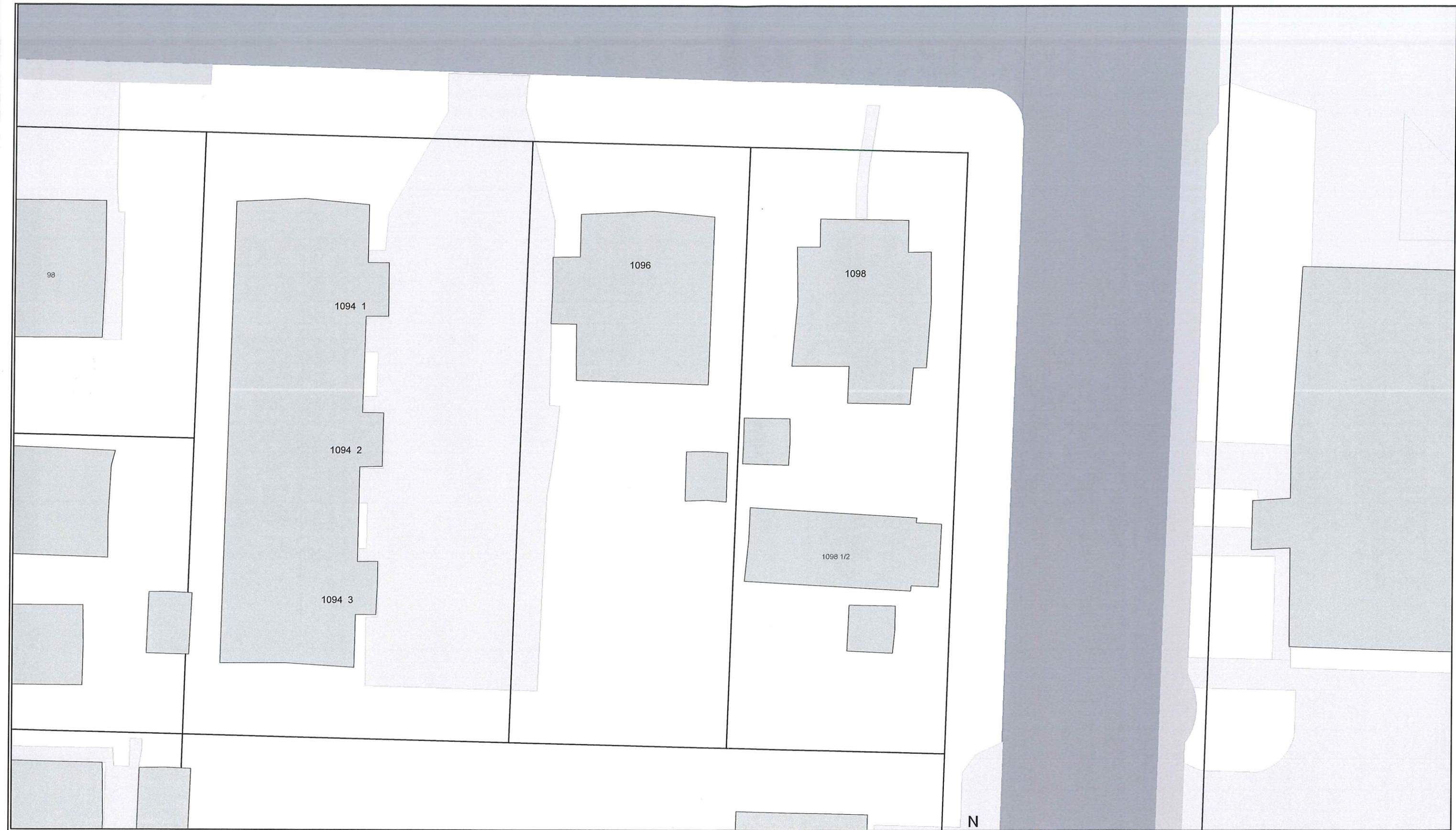


1:240
1 inch = 20 feet

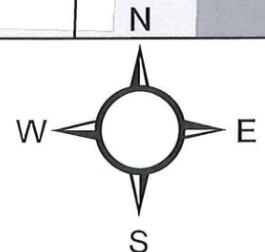


**CITY OF
ASHLAND**

Mapping is schematic only and bears no warranty of accuracy.
All features, structures, facilities, easement or roadway locations
should be independently field verified for existence and/or location.



1:240
1 inch = 20 feet



**CITY OF
ASHLAND**

Mapping is schematic only and bears no warranty of accuracy.
All features, structures, facilities, easement or roadway locations
should be independently field verified for existence and/or location.









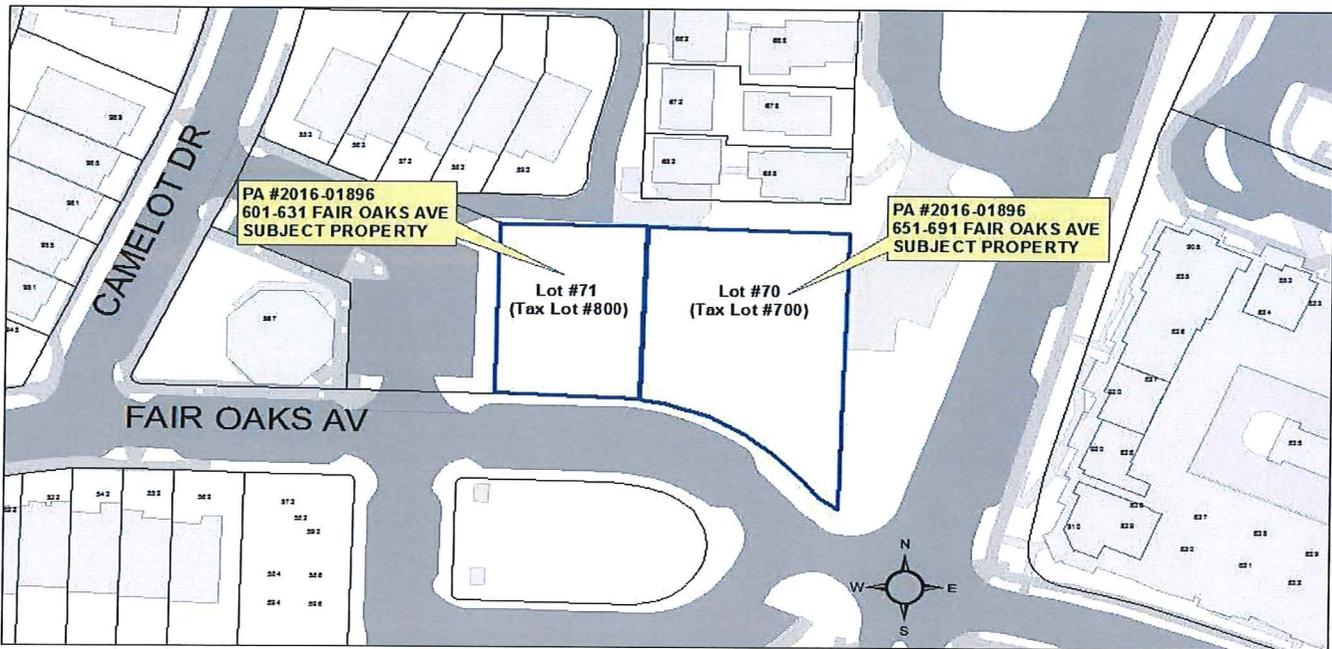
PLANNING ACTION: PA-2016-01896

SUBJECT PROPERTY: 601-691 Fair Oaks Avenue

OWNER/APPLICANT: Ayala Properties, LLC/KDA Homes, LLC

DESCRIPTION: A request for Site Design Review approval to construct a new 15,456 square foot three-story, mixed-use building to be located on Lot #71 of the Meadowbrook Park II Planned Unit Development (Tax Lot #800) located at 601-631 Fair Oaks Avenue within the North Mountain Neighborhood Plan area. The application also includes a request for Modification of the approved Site Design Review (PA #2016-00617) for a three-story, mixed-use building to be constructed on the adjacent Lot #70 (Tax Lot #700), located at 651-691 Fair Oaks Avenue, in order to modify the building's exterior design. *No changes are proposed to the previously-approved density or parking allocations.* **COMPREHENSIVE PLAN DESIGNATION:** North Mountain, Neighborhood Central Overlay; **ZONING:** NM-C; **ASSESSOR'S MAP:** 39 1E 04AD **TAX LOTS:** 700 & 800

ASHLAND PLANNING COMMISSION MEETING: November 8, 2016 at 7:00 PM, Ashland Civic Center, 1175 East Main Street



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

18.5.2.050

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

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

SECTION 18.3.5.030 Site Plan & Architectural Review Procedure

- C. **Supplemental Approval Criteria.** In addition to the criteria for approval required by other sections of this ordinance, applications within the NM district shall also meet all of the following criteria.
 - 1. The application demonstrates conformity to the general design requirements of the North Mountain Neighborhood Plan, including density, transportation, building design, and building orientation.
 - 2. The application complies with the specific design requirements as provided in the North Mountain Neighborhood Design Standards.

MINOR MODIFICATIONS

18.5.6.040

- C. **Minor Modification Approval Criteria.** A Minor Modification shall be approved only upon the approval authority finding that all of the following criteria are met.
 - 1. Minor Modification applications are subject to the same approval criteria used for the initial project approval, except that the scope of review is limited to the modification request. For example, a request to modify a commercial development's parking lot shall require Site Design Review only for the proposed parking lot and any changes to associated access, circulation, etc. Notice shall be provided in accordance with chapter 18.5.1.
 - 2. A modification adding or altering a conditional use, or requiring a variance, administrative variance, or exception may be deemed a Major Modification and/or may be subject to other ordinance requirements.
 - 3. The approval authority shall approve, deny, or approve with conditions the application, based on written findings; except that conditions of approval do not apply, and findings are not required, where the original approval was approved through a Ministerial review.

**ASHLAND PLANNING DEPARTMENT
STAFF REPORT**

November 8, 2016

PLANNING ACTION: 2016-01896

OWNER/APPLICANT: Ayala Properties, L.L.C./KDA Homes, L.L.C.

LOCATION: 601-691 Fair Oaks Avenue
(Map 39 1E 04AD, Tax Lot #'s: 700 and 800)

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

COMP. PLAN DESIGNATION: North Mountain Neighborhood

ORDINANCE REFERENCES:

(See also http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf)

13.16	Street Trees
18.3.5	North Mountain Neighborhood District
18.4.2	Building Placement, Orientation & Design
18.4.3	Parking, Access & Circulation
18.4.4	Landscaping, Lighting & Screening
18.4.6	Public Facilities
18.5.2	Site Design Review
18.5.3	Land Divisions & Property Line Adjustments
18.5.6	Modifications to Approved Planning Actions

APPLICATION DEEMED COMPLETE ON: October 31, 2016

REQUEST: The current application is a request for Site Design Review approval to construct a new 15,456 square foot three-story, mixed-use building to be located on Lot #71 of the Meadowbrook Park II Planned Unit Development (Tax Lot #800) located at 601-631 Fair Oaks Avenue within the North Mountain Neighborhood Plan area. The application also includes a request for Modification of the approved Site Design Review (PA #2016-00617) for a three-story, mixed-use building to be constructed on the adjacent Lot #70 (Tax Lot #700), located at 651-691 Fair Oaks Avenue, in order to modify the building's exterior design. *No changes are proposed to the previously-approved density or parking allocations.*

I. Relevant Facts

1) Background - History of Application

This application involves two vacant buildable lots located within the Neighborhood Central Overlay (NM-C) of the North Mountain Neighborhood zoning district. The North Mountain Neighborhood Plan area has been located within the Ashland city limits since the early 1900's.

In June of 2016, the Planning Commission approved PA #2016-00617, a request for Site Design Review approval, Property Line Adjustment and Modification of Planning Action #2013-01506. The original approval had allowed a mixed-use building with commercial space and parking on the ground floor and residential units on the two upper floors. The modifications approved were limited to changes to the building's exterior design, adjusting a property line, and adding an exterior elevator. No changes to the previously-approved density, parking allocations or landscaping were included in the request.

In January of 2014, the Planning Commission approved PA #2013-01506, a Modification of Planning Action #2013-806. The modifications approved were: 1) clarification of the proposal's density allocations, parking management, and number of ground floor commercial spaces between the subject properties; 2) an increase in the number of upper floor residential units on Tax Lot #700 from ten to 14; and 3) modifications to the proposed building design for Tax Lot #700.

In August of 2013, the Planning Commission approved PA#2013-00806, which allowed for the construction of a grouping of three-story mixed use buildings consisting of four commercial spaces and ten parking spaces on the ground floor and ten residential units on the second and third floors for the vacant parcel (Tax Lot #700) at the corner of North Mountain and Fair Oaks Avenues. This application included a modification of the original Meadowbrook Park II Subdivision approval to adjust the number of residential units allocated between the four subject parcels to allow a total of 40 dwelling units, where only ten units had previously been proposed, based on the permitted densities within the NM-C district.

In July of 2005, the Planning Commission granted Site review approval as PA#2005-696 for four mixed-use buildings comprised of ten commercial and ten residential condominium units on the subject properties in the "Village Center" area of the Meadowbrook Park Subdivision. 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 and the economy declined.

In January of 2004, the Planning Commission granted Final Plan approval of PA#2003-158, an 81-lot Performance Standards subdivision 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 parcels 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 12-month administrative extensions with PA#2005-99 and PA#2006-264.

In May 2003, the Planning Commission granted Outline Plan approval of PA#2002-151, an 81-lot Performance Standards subdivision 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 parcels under consideration here. This application also included Major Amendments to the North Mountain Neighborhood Plan, including realignment/reconfiguration of certain streets and modifications of the required yard areas.

In May of 1997, the City Council adopted the North Mountain Neighborhood Plan as Ordinance #2800, which included a Comprehensive Plan and Zoning Map amendment and a new chapter in the Ashland Land Use Ordinance (ALUO) - Chapter 18.30, North Mountain Neighborhood. With the Unified Land Use Ordinance updates in 2015, the North Mountain Neighborhood District became Chapter 18.3.5 and was moved to Part 18.3 "Special Districts and Overlay Zones". Chapter 18.3.5 lays the framework and provides applicable design standards for development proposals within the NM zoning districts.

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

2) Detailed Description of the Site and Proposal

Site Description

The subject property as well as the area surrounding the site is located in the North Mountain Neighborhood Plan area, and is included in the North Mountain Neighborhood (NM) zoning district. The NM zoning district is divided into seven secondary zoning districts or "overlays". The subject properties involved here are zoned NM-C (Neighborhood Central Overlay). The Neighborhood Central Overlay represents the commercial and civic center of the plan area.

The North Mountain Neighborhood Plan and implementing NM zoning district regulations identify required transportation facilities, common areas and individual sub-zones. In addition, all development proposals within the NM Plan area are required to adhere to the North Mountain Neighborhood Design standards, as well as other applicable ordinance provisions such as Local Street Standards, General Regulations and Site Design and Use Standards.

The areas proposed for construction are currently vacant and free of any existing structures. A row of existing Siberian Elm trees located immediately to the north of the proposed buildings on Tax Lot #700 was approved for removal with PA#2013-806; no other significant natural features are situated in the immediate area.

Current Proposal

The current application requests: 1) Site Design Review approval to construct a new 15,456 square foot three-story, mixed-use building to be located on Lot #71 (Tax Lot #800). This building's footprint, general massing were illustrated but not approved as part of the last application (PA #2016-00617). Density and parking allocations were addressed in PA #2013-01506; 2) Modification of the approved Site Design Review (PA #2016-00617) for a three-story, mixed-use building to be constructed on the adjacent Lot #70 (Tax Lot #700) to modify the building's exterior design. The modifications requested are largely limited to removal of the turret-like element at the southeast corner of the building. No changes are proposed to the previously-approved density or parking allocations.

II. Project Impact

The current request involves both a new building design approval for a building in excess of 15,000 square feet and the modification of a building design previously approved through a Type II application, and is accordingly being brought to a public hearing before the Planning Commission for a Type II decision. The application includes written findings which respond to the approval criteria for both the Site Design Review and Modification.

Proposed Building on Tax Lot #800

The first approval criterion for Site Design review is that, "*The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.*" The subject property is located within the North Mountain (NM) overlay zone and is not address in part 18.2. The applicable regulations are found in AMC 18.3.5.

The second approval criterion is that, "*The proposal complies with applicable overlay zone requirements (part 18.3).*" The application materials provided indicate that the proposal complies with all applicable provisions for the NM-C overlay zone including setback, density, height, 3,500 square foot floor area, 80 percent lot coverage, orientation, architecture, and other applicable standards.

The third criterion is that, "*The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*" Staff believes the design of the building appears consistent with the City's Site Design and Use Standards for commercial development, including building orientation, streetscape, access standards and the location of off-street parking areas. The proposal is also subject to North Mountain Neighborhood Design Standards, which provide guidance in areas of architectural design and character, building setbacks, height and mixed-uses. The application appears to meet these standards. The building design acknowledges the importance of the neighboring public spaces and ground floor spaces reflect a more traditional storefront appearance, while residential uses are accommodated within the upper floors. In staff's view, the proposed modifications still result in a building which is in keeping with the vision of the neighborhood plan and previous Subdivision and Site Review approvals.

Parking and density were allocated as follows with Planning Action #2013-01506, and no changes to these allocations are proposed, although an additional two on-site parking spaces have been provided for Tax Lot #700:

TAX LOT	ALLOCATED RESIDENTIAL DENSITY	PLANNED ON-SITE PARKING	PARKING ALLOCATION (PLUM RIDGE COURT)
700	14	10	4
800	10	8	2
1500 (Octagon)	10	0	3
5900	6	4	2
TOTAL	40	22	11 (48% OF 23 AVAILABLE)

In staff's view, the intent of the neighborhood design standards was to create a neighborhood scale pedestrian streetscape environment with strong individual storefront identities and buildings of sizes, forms, massing and architectural elements at the pedestrian scale typical of older buildings similar to those found downtown along the plaza. For staff, there are three key fine-tuning issues with the building design as it relates to these standards: 1) insuring that the awnings or other pedestrian coverage provided give the continuous coverage sought in the standards; 2) providing windows that establish the desired storefront streetscape character without requiring costly structural alterations when the transition to commercial use occurs; and 3) providing a distinct base for each storefront to provide a stronger individual identity.

Continuous Covered Walks

AMC 18.3.5.100.B.3 provides that, *“Buildings shall be built up to the front and side property lines as illustrated in Figure 18.3.5.100.B.3. 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. Arcades, awnings, bays, and balconies shall extend over walkways to form a continuous covered walk. In only rare cases should the façade of the second story extend beyond the first floor's front setback.”* The application materials contend that the intent of the standard should not be required to cross vertical architectural elements or obscure other forms of the storefront rhythm. The awnings illustrated on the submitted plans are described as having a typical five-foot minimum depth.

For staff, the continuous covered walk sought in the standards is one of the defining elements of streetscape character as they are in the downtown. The awnings should be provided with the initial construction of the building rather than deferred until a commercial use is implemented, and the desired coverage should be *generally* continuous (while allowing for minimal breaks to accommodate vertical architectural elements or transitions between individual storefront spaces) to a covered depth of at least seven feet to provide adequate protection for pedestrians from the elements. A condition to this effect has been recommended below.

Storefront Window Character

In the recent approval for the building on Tax Lot #5900, the conditions of approval provided for the initial use of smaller windows which were to be replaced with larger storefront windows when the initial interim residential uses transition to commercial use. As constructed, the lower walls of the building are poured in place concrete, and the enlargement of these windows to enable the intended commercial use of the zone will not involve a simple change to framing but potentially cost-prohibitive cutting of the concrete walls in multiple places. The building on Tax Lot #700 similarly had previously proposed to install windows which could be altered with the eventual conversion to commercial use.

As with the continuous covered walks, staff believes that storefront windows provide a key defining element of the streetscape character, and that this character should be established with the initial construction rather than being deferred in favor of an interim use until the intended commercial uses are established. This is consistent with the North Mountain Neighborhood standards in AMC 18.3.5.100.B.1 which call for a transitional architectural design and construction that “*allows a simple transition to commercial use.*” A condition requiring that full-sized storefront windows be installed with the initial construction of both buildings has accordingly been recommended below.

Base

In reviewing the last iteration of design modifications for the building on Tax Lot #700, staff noted that while the proposed modifications were generally in keeping with the previous design, as the design continued to evolve, some of the defining elements of the strong individual storefront characters were being softened. In particular, it was noted that the more defined bases along each individual volume had been replaced with stone veneer wainscoting along only two of the volumes.

While the standards do not provide a great deal of specific design guidance, they generally point to a traditional storefront development typically seen in the downtown, particularly along the plaza, and staff believes that each building having a distinct base would help in establishing a distinct, individual storefront identity in the façade. Condition #5 was attached to PA #2016-00617 to require, “*That the building permit submittals shall include revised elevations which demonstrate a stronger identity for individual storefronts by providing stronger pedestrian coverings of a depth sufficient to provide protection from the elements; providing a distinct base on each space, and providing a clear distinction between the ground and upper floors.*” The elevations provided have not addressed this requirement on either building, and the condition is accordingly again recommended below.

The fourth criterion for approval is that, “*The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.*” When this criterion was originally considered as part of the Site Design Review application for Tax Lot #700 under PA #2013-00806, an increase in residential density from the ten residential units originally approved in the Village Center portion of the Meadowbrook Park

II subdivision to as many as 40 units proposed over the four lots in the Village Center were discussed as follows:

- **Water** — All of the subject properties are currently served by an eight-inch water main in the Fair Oaks Drive right-of-way, however because the water services were initially intended to serve only ten residential units where as many as 40 are now proposed, additional connections and services will need to be provided by the applicant.
- **Sanitary Sewer** — Tax Lots #700 and #800 are currently served by an eight- inch sanitary sewer main in the alley to their north. As with water, because the sewer lines provided were initially intended to serve ten residential units where as many as 40 are now proposed, additional connections and services will need to be provided by the applicant.
- **Storm Water** — Tax Lots #700 & #800 are currently served by a six-inch storm sewer main in the alley to their north. 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, the electric infrastructure initially installed was sized to accommodate only ten total residential units. The applicant will need to address the additional electric capacity and conduit to provide connections to serve all of the proposed units with development. In addition, during the most recent modification, the Electric Department noted that the elevator proposed will require a new three-phase electrical service be installed by the applicants.
- **Streets & Transportation** — Curbs, gutters, paving, street lights and some sidewalks and street trees were installed with the subdivision infrastructure, however sidewalks and street trees for the subject properties were not installed and will need to be completed in conjunction with the proposed development here. The application includes proposed frontage improvements for Tax Lot #800 consisting of four foot-by-four foot tree wells with street tree grates, a five-foot sidewalk and three-and-a-half foot planter buffer at the building face for installation initially, which would transition to an eight-and-a-half foot sidewalk when commercial uses are implemented on the ground floor.

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 plans, including electrical and storm drainage plans, and revised plans of the frontage improvements prior to the submittal of building permit applications.

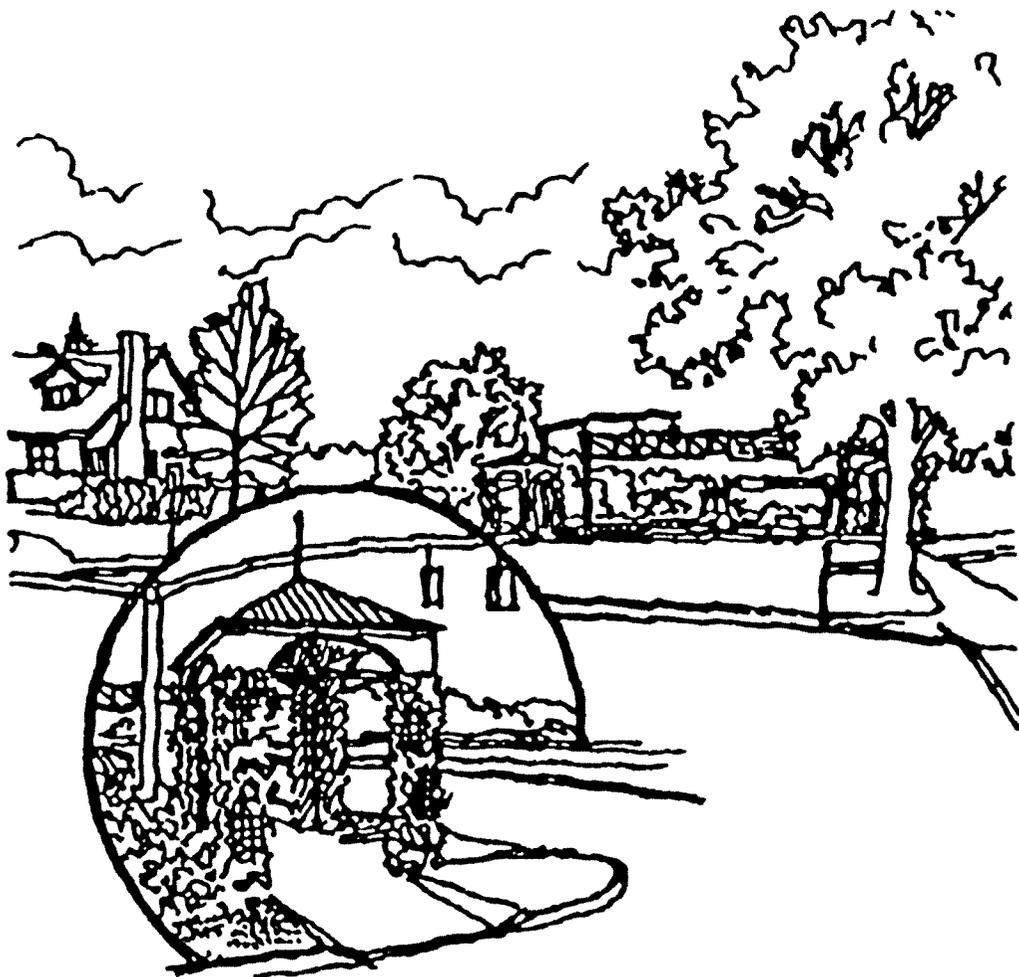
The final criterion has to do with Exceptions to the Site Development and Design Standards. In this instance, no Exceptions have been requested.

Proposed Modifications to Approved Design of Building on Tax Lot #700

The applicants are also requesting to modify the approved exterior building design for the three-story mixed use building on the adjacent Tax Lot #700. The primary modification proposed is to remove the “turret-like” element on the southeast corner of the building and

replacing it with a standard projecting bay wrapping the corner. A similar bay is included on the southwest corner of the building proposed on Tax Lot #800 and this will “book-end” the two buildings. Minor adjustments to some of the balcony rail treatments are also proposed. The applicants also note that while it was their original intention to construct the two buildings at different times, after discussions with their architect they now intend to construct the two buildings at the same time for logistical reasons.

In staff’s assessment, the original turret-like element had been carried over from previous designs and was originally a viewing tower in response to the North Mountain Neighborhood Plan’s call for the creation of a neighborhood focal point at the intersection of Greenway Drive (now Fair Oaks) and North Mountain Avenue in the form of “landscaping, special paving patterns, and a neighborhood monument or gateway”. This was illustrated in the Plan with Figure 18.3.5.100.D.2. shown below:



The element was described in the 2005 approval as follows: *“a viewing tower is located off the easterly most building, nearest North Mountain Avenue. The viewing tower will serve as a covered outdoor deck space for the residential unit. The area is access from the second floor living room and will overlook the central open space and fountain area.”* In staff’s assessment, it is difficult to successfully combine a civic function such as a neighborhood’s

focal point with a private residence's covered outdoor deck, and we believe that the turret-like element's removal will not diminish the building design or the proposal's overall consistency with the original Plan. For staff, the plaza space, outdoor seating and human sundial at the southeast corner serve to create the gateway sought in the standards, and the removal of the turret will benefit the overall design.

III. Procedural - Required Burden of Proof

The criteria for Site Review approval from the Site Design Review Chapter are detailed in AMC 18.5.2.050 as follows:

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

The Supplemental Approval Criteria for North Mountain (NM) zoning districts are detailed in AMC 18.3.5.030 as follows:

- C. **Supplemental Approval Criteria.** In addition to the criteria for approval required by other sections of this ordinance, applications within the NM district shall also meet all of the following criteria.
 - 1. The application demonstrates conformity to the general design requirements of the North Mountain Neighborhood Plan, including density, transportation, building design, and building orientation.

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

The approval criteria for Minor Modifications to Planning Actions are detailed in AMC 18.5.6.040 as follows:

- C. **Minor Modification Approval Criteria.** A Minor Modification shall be approved only upon the approval authority finding that all of the following criteria are met.
 1. Minor Modification applications are subject to the same approval criteria used for the initial project approval, except that the scope of review is limited to the modification request. For example, a request to modify a commercial development's parking lot shall require Site Design Review only for the proposed parking lot and any changes to associated access, circulation, etc. Notice shall be provided in accordance with chapter 18.5.1.
 2. A modification adding or altering a conditional use, or requiring a variance, administrative variance, or exception may be deemed a Major Modification and/or may be subject to other ordinance requirements.
 3. The approval authority shall approve, deny, or approve with conditions the application, based on written findings; except that conditions of approval do not apply, and findings are not required, where the original approval was approved through a Ministerial review.

IV. Conclusions and Recommendations

Planning Commission and staff have considered the subject properties a number of times over the last three years in looking at the building design for Tax Lot #700, and the site plan addressing both properties in terms of the parking and density allocations. The current request comes down to approving the exterior treatment of the building on Tax Lot #800, which seems generally consistent with applicable standards and compatible with the already approved design for Tax Lot #700, and considering the removal of the corner turret. The turret's removal poses no concern for staff, and in our view, there are only three key fine-tuning issues we believe need to be addressed through the conditions of approval: 1) insuring that awnings provide the continuous coverage sought in the standards; 2) providing windows that establish a storefront streetscape character without requiring costly structural alterations when the transition to commercial use occurs; and 3) providing a distinct base for each storefront to provide a stronger individual identity.

Continuous Covered Walks

AMC 18.3.5.100.B.3 provides that buildings are to provide, "... *Arcades, awnings, bays, and balconies shall extend over walkways to form a continuous covered walk.*" The applicants contend that these coverings should not be required to cross vertical architectural elements or obscure other forms of the storefront rhythm, and the awnings illustrated on the submitted plans are described as having a typical five-foot minimum depth. For staff, the continuous covered walk sought in the standards is one of the defining elements of streetscape character, as in the downtown. The awnings should be provided with the initial construction of the building rather than deferred until a commercial use is implemented, and the desired coverage should be *generally* continuous (while allowing for *minimal* breaks to accommodate vertical architectural elements or transitions between individual storefront spaces) to a minimum covered depth of seven feet to

provide adequate protection for pedestrians from the elements. A condition to this effect is recommended below.

Storefront Window Character

In the recent approval for the building on Tax Lot #5900 which is now nearing completion, the conditions of approval provided for the use of smaller windows which were to be replaced with larger storefront windows when the initial interim residential uses transition to commercial use. As constructed, the lower walls of the building are poured in place concrete, and the enlargement of these windows to enable the intended commercial use of the zone will not involve a simple change to framing but will instead require potentially cost-prohibitive cutting of the concrete walls in multiple places. While the current request does not suggest that the windows on the proposed building on Tax Lot #800 would be smaller residential windows initially, the building on Tax Lot #700 had previously proposed and been approved to install windows which would be smaller initially and altered with the eventual conversion to commercial use.

As with the continuous covered walks, staff believes that storefront windows provide a key defining element of the streetscape character, and that this character should be established with the initial construction rather than being deferred indefinitely in favor of an interim use. This is consistent with the North Mountain Neighborhood standards in AMC 18.3.5.100.B.1 which call for a transitional architectural design and construction that “*allows a simple transition to commercial use,*” and a condition requiring that full-sized storefront windows be installed with the initial construction of both buildings has accordingly been recommended below.

Base

In reviewing the last iteration of design modifications for the building on Tax Lot #700, staff noted that while the proposed modifications were generally in keeping with the previous design, as the design had continued to evolve, some of the defining elements of the strong individual storefront characters were being softened. In particular, it was noted that the more defined bases along each individual volume had been replaced with stone veneer wainscoting along only two of the volumes. While the standards do not provide a great deal of specific design guidance, they generally point to a traditional storefront development typically seen in the downtown, particularly along the plaza, and staff believes that each building having a distinct base would help in establishing a distinct, individual storefront identity in the façade. Condition #5 was attached to PA #2016-00617 to require, “*That the building permit submittals shall include revised elevations which demonstrate a stronger identity for individual storefronts by providing stronger pedestrian coverings of a depth sufficient to provide protection from the elements; providing a distinct base on each space, and providing a clear distinction between the ground and upper floors.*” The elevations provided have not addressed this requirement on either building, and the condition is accordingly reiterated below.

With these items in mind, staff is generally supportive of the request, and recommends approval with the conditions detailed below:

- 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 previous Outline Plan, Final Plan and Site Design Review approvals (PA-2013-00806, PA-2013-01506 and PA #2016-00617) 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 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 property line between Lots 70 and 71 shall be dissolved as proposed by the applicants and evidence provided to the Building Division to demonstrate compliance with Building Code requirements.
- 5) That the building permit submittals shall include revised elevations which demonstrate a stronger identity for individual storefronts by providing:
 - a) Stronger pedestrian coverings providing a generally continuous coverage of the sidewalk with a minimum depth of seven feet to provide sufficient protection from the elements for pedestrians. Pedestrian coverings shall be provided with the initial construction of the building rather than deferred until a commercial use is implemented.
 - b) Providing a distinct base on each space, and providing a clear distinction between the ground and upper floors.
- 6) Full-sized storefront windows shall be installed with the initial construction of the building rather than being deferred until a commercial use is implemented.
- 7) That the applicants shall obtain necessary Public Works permits prior to any construction within the public rights-of-way.
- 8) 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. An easement 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 landscape and irrigation plan which addresses the recommendations of the Tree Commission from their July 3, 2013 meeting where consistent with the applicable standards and with final approval by the Staff Advisor. These items shall include: 1) identification of size, species and placement of seven mitigation trees to be planted to mitigate the removal of the seven Siberian Elms and associated fencing or other screening to buffer the neighbor to the north from the visual impacts of the proposed building; 2) revised details for the large open space area at the entrance to the

project between Fair Oaks Avenue and Fair Oaks Court to include four of the six elements identified under Site Design and Use Standards #II-C-3b) — Public Spaces; 3) 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 but not limited to that the plans provide details addressing 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 and alley extension if deemed necessary by the Planning and Public Works Departments and Transportation Commission; 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 includes 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 units proposed here and a three-phase electric service necessary for the proposed elevator. 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 gates, fences or other 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 18.4.3.070 prior to the issuance of the certificate of occupancy. If bicycle parking is provided in garages or within the building, hanging racks shall not be used and final interior dimensions shall be detailed in the building permit submittals to insure adequate space.
- 9) 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 spaces 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 including the proposed central open space area, 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 along the full frontage of Tax Lots #700 and #800, and mitigation trees in the adjacent right-of-way shall be completed according to the approved plans, inspected and approved by the Staff Advisor. Street trees and mitigation 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.

“MEADOWBROOK SQUARE”

**SITE REVIEW PERMIT &
SITE REVIEW PERMIT MODIFICATION**

**MIXED-USE LOTS #70 & #71
(*BUILDING DESIGN ONLY*)**

**SUBMITTED TO
CITY OF ASHLAND**

**FOR
KDA HOMES
604 FAIR OAKS COURT
ASHLAND, OR 97520**

OCTOBER 4TH, 2016

**RECEIVED
OCT 07 2016
City of Ashland**

I. PROJECT INFORMATION:

PROJECT NAME: “Meadowbrook Square – Lots #70 & 71”

APPLICANT:
Ayala Properties, LLC
604 Fair Oaks Court
Ashland, OR 97520

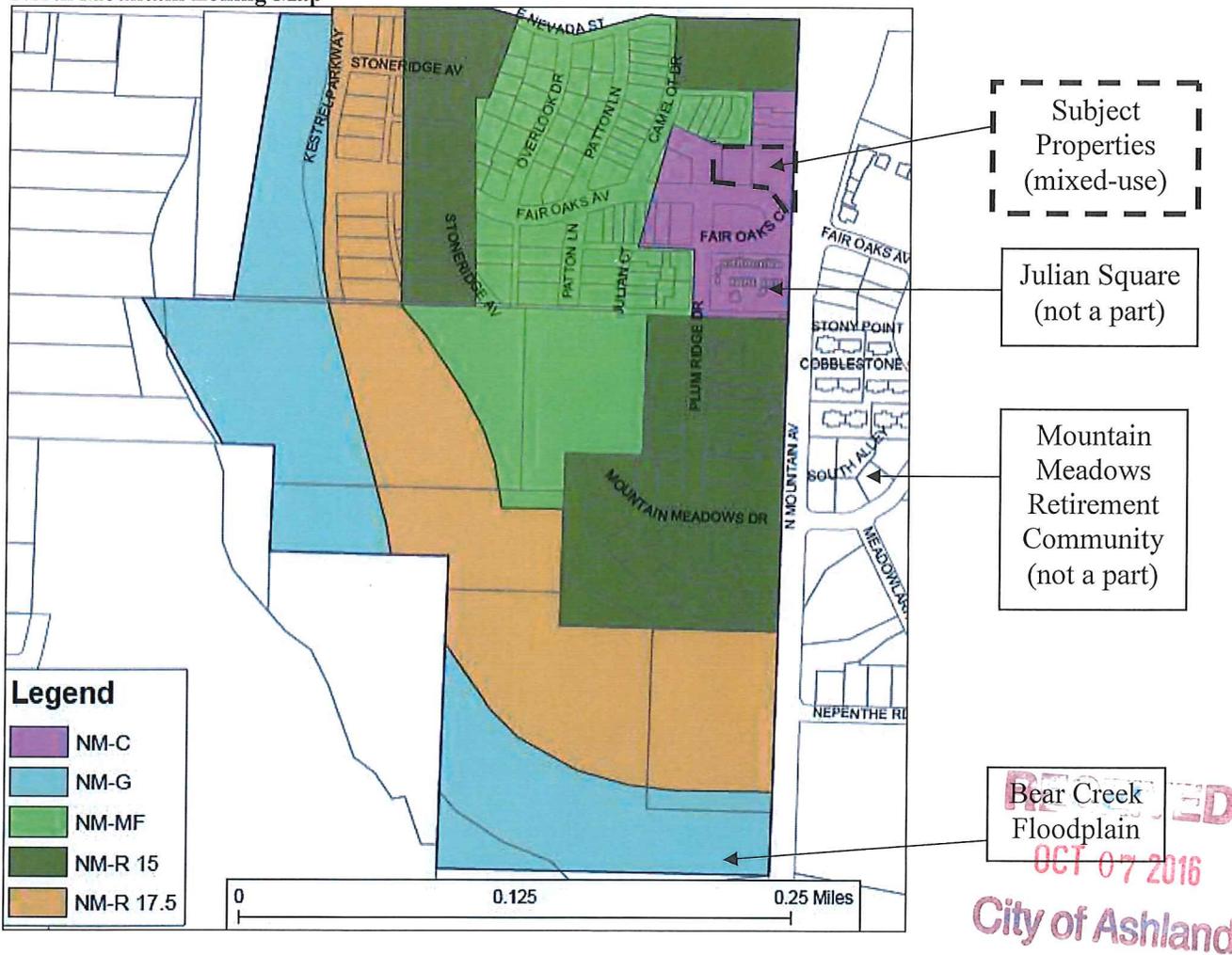
ARCHITECT
Oregon Architecture
221 W. 10th Street
Medford, OR 97501

LAND USE PLANNING:
KDA Homes, LLC
604 Fair Oaks Court
Ashland, OR 97520

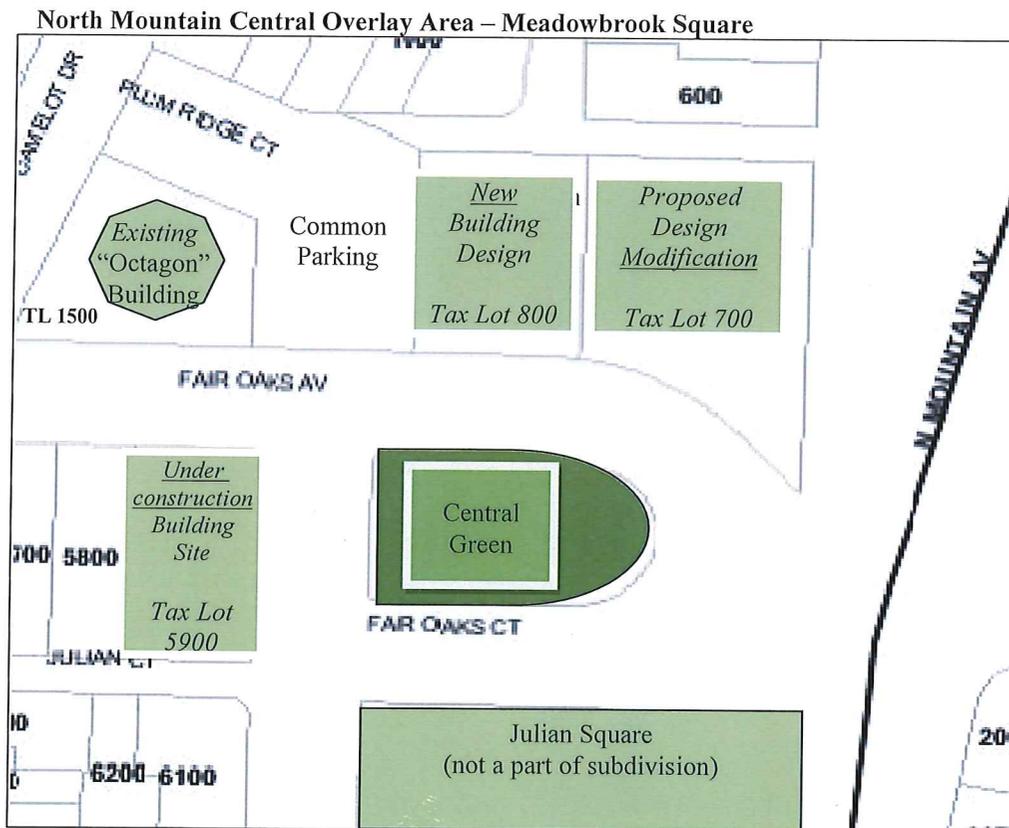
ENGINEER:
Construction Engineering Consultants
P.O. Box 1724
Medford, Oregon 97501

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.

North Mountain Zoning Map



PROJECT PROPOSAL: The applicants are requesting a Site Review Permit for a proposed three-story mixed-use building to be located on Lot #71 (Tax Lot 800 – see insert below) within the Meadowbrook II Planned Unit Development. The applicants are also requesting a Modification of a Site Review Permit (Planning Action #2016-00617) for the “approved” three-story mixed-use building to be constructed on the adjacent property to the east (Tax Lot 700) in order to modify the building’s exterior design. No changes are proposed to the previously approved density or parking allocations.



PROJECT HISTORY: In August of 2013, the Planning Commission approved a Type II land use action in accordance with AMC 18.108.050 (Planning Action #2013-00806) approving a total of 40 residential units for the subject lots (tax lots 700, 800, 1500 and 5900) and allocated parking. The Planning Commission’s decision also included approval of a Site Review Permit for the construction of a new three-story mixed-use building on Tax Lot 700. The approval also included a Tree Removal Permit to remove seven Siberian Elm trees located along the north property line.

In December of 2014, a Type I land use action for an 18-month extension was administratively approved. The primary reason for the extension related to the applicant’s re-evaluation of the commercial core’s development where it was eventually concluded the planned mixed-use building on Tax Lot 5900, now under construction, should be constructed first due to its smaller size in order to evaluate the temperature of the real estate market for mixed-use housing in the North Mountain Neighborhood.

In July of 2016, the Planning Commission approved an application (PA 2016-00617) to modify Planning Action 2013-01506, specifically as it relates to the proposed building on Tax Lot 700, to adjust a lot line, add an exterior elevator and modify the building’s exterior façade.

RECEIVED
 JUL 07 2016
 City of Ashland

CURRENT PROPOSAL:

1) New Building - Site Review Permit (Tax Lot #800): The applicants propose to construct a new 15,456 sq. ft. mixed-use condominium building on Tax Lot #800 attached to the proposed condominium building on the adjacent lot to the east, Tax Lot 700. The two buildings are designed to complement each other and share common elements such as an elevator, sidewalks, association rules, etc. As such, the subject building is designed with multiple architectural facades in an attempt to replicate a traditional main street appearance, creating interest in the streetscape and to comply with the City’s design standards. The building’s design is intended to be urban in character, mass and scale with the intent to enclose the subdivision’s central green, similar to the Downtown Plaza.

The proposed building’s southern elevation has two distinct building facades (west and east), one that is primarily board and batten and the other stucco. The internal floor plan mimics the building’s exterior elevations with two “temporary” residential units on the ground floor and five residential units on the second and third floors for a total of 12 units. The building’s west façade is designed to anchor the street’s corner with a canted entrance covered by a small marquee. The canted corner is replicated on the second and third floors mimicking the angle and orientation of the existing octagon building as well as the new mixed-use building across the street (Tax Lot 1500 and 5900). The building’s east façade include vertical pilasters distinguishing the two facades. The façades are also distinguished by changes in roof line as well as its base material. Other notable distinctions include change of body material and window coverings.

Parking & Density Allocation Table (approved PA-2013-01506)

TAX LOT	ALLOCATED RESIDENTIAL DENSITY	PLANNED ON-SITE PARKING	PARKING ALLOCATION (PLUM RIDGE COURT)
5900 (Subject Property)	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)

As previously approved with PA 2013-01506 and intended within the North Mountain Neighborhood Master Plan, the ground floor units are permitted to be residential units until market conditions favor commercial use. In this regard, the two ground floor units will be engineered and constructed to accommodate commercial conversion in the future without future owners having to endure a considerable expense. To this end, the applicants have designed the ground floor units to have higher ceiling heights, be ADA accessible and have included two landscape plans illustrating a residential and commercial version with the intent to illustrate what the landscaping and sidewalk treatment would look like before

and after the conversion. The primary difference is a narrow strip of landscaping along the Fair Oaks Drive frontage to create a “small” amount of defensible space between the sidewalk and the windows. When converted, the landscaping would be removed creating a more urban storefront atmosphere.

The two temporary ground floor units average 1,109 sq. ft. and the ten upper floor units average 994 sq. ft. The ground floor includes a 3,300 sq. ft. eight parking space garage which includes storage, stairwell and elevator access. Vehicle access will be via the rear alley. Parking is also available on Plum Ridge Court, a private parcel owned in combination by the owners of the four commercial tax lots (#700, #800, #1500 and #5900). Plum Ridge Court appears as a public street, but was set aside to accommodate additional parking for the project’s planned density and to “one-day” allow temporary events such as a farmer’s market or craft fair.

Overall, the proposed building and intended uses are consistent with the adopted North Mountain Neighborhood Design Standards, North Mountain Neighborhood District Zoning Regulations and the adopted subdivision plan (Planning Action 2013-01506) where the Planning Commission specifically approved the residential density, parking allocation and vehicular circulation for not only this lot, but also the subdivision’s other three commercial lots (Tax Lots #700, 1500 and 5900).

2) Approved Building - Site Review Permit Modification (Tax Lot #700): The applicants are also requesting a Modification of a Site Review Permit (Planning Action #2016-00617) for the “approved” three-story mixed-use building to be constructed on the adjacent property to the east (Tax Lot 700) in order to modify the building’s exterior design. It should be understood the applicants’ original intention during the 2013 planning application was to construct the two subject buildings at different times. However, after various discussions with the project’s Architects and for a multitude of reasons, it was decided the two buildings should be constructed at one time in order to address various logistical issues such as ADA access, elevator efficiency and construction management concerns.

In general, the purpose of the modification is to ensure the building’s design coincides with the proposed building on Tax Lot 800 and to incorporate certain design elements planned for the building currently under construction on Tax Lot 5900 (wood shingle siding within the bays, stone veneer base, etc.) with the intent to create a cohesive design flow throughout the neighborhood.

As such, the primary modification is the removal of the “turret-like” structure located on the southeast corner of the building. The project’s design team, in consultation with a couple of the neighbors, agreed the turret-like structure was too contrived and didn’t fit within the context of the neighborhood. The new design eliminates the turret and instead replaces it with a standard projecting bay wrapping the building’s southeast corner. The wrapping bay would be consistent with the southwest side of the building creating a complimentary “book-end” appearance. Other than some minor adjustments to balcony railing treatment, no other discernible changes are proposed.

Once constructed, the two buildings discussed herein will be connected by a central elevator, recessed roughly 50’ from the buildings’ front façade with limited visual impact to the buildings or streetscape. The walkway leading to the elevator creates separation between the two buildings providing an opportunity for additional natural light into the residential units and ground floor commercial spaces. The front façade of the elevator is intended to be primarily glass for interior natural light and exterior aesthetic value, particularly in the evenings.

Conclusion: The applicants contend the proposed buildings will continue to “form” the edges of the central green space creating an “enclosed” neighborhood center as envisioned in the North Mountain

RECEIVED
CITY OF ASHLAND
5 Page

Neighborhood Master Plan. The North Mountain Neighborhood Plan is a neo-traditional neighborhood designed to accommodate a range of housing types, encourage modal equity through design and to be cognizant about maximizing density without compromising livability. To this point, the applicants' vision is to continue to: 1) produce entry level housing designed to accommodate single couples or single parents with residential units averaging less than 1,000 square feet consistent with the goals noted in the City's 2002 and 2013 Housing Needs Analysis, 2) provide attractive and human-scale streetscapes where residents can walk around the neighborhood and know their neighbors, and 3) build at densities that not only meet the zone's minimum 75% to 110% base density standard, but to accomplish these tasks where the neighborhood remains attractive and livable.

Overall, the applicants are excited to be participating in the formation of the North Mountain Neighborhood Plan. The applicants work and/or live within the neighborhood and have been intricately involved with the initial planning and construction since conception in the mid 1990's. The applicants equally hope the Planning Commission and Planning Staff are equally excited to see the community's vision realized.

II. FINDINGS OF FACT:

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's zoning, applicable overlay zones, site development and design regulations as well as the Site Review Criteria listed in the AMC, Section 18.5.2.050, Supplemental Approval Criteria as listed in the AMC, Section 18.3.5.030 C. and the Minor Modifications Criteria as listed in the AMC, Section 18.5.6.040.

*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.*

Section 18.5.2.050 Site Review Permit – Approval Criteria

18.5.2.050 Approval Criteria

An application for Site Design Review shall be approved if the proposal meets the criteria in subsections A, B, C, and D below. The approval authority may, in approving the application, impose conditions of approval, consistent with the applicable criteria.

A. Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

To the applicant's knowledge, all of the applicable provisions of the property's NM-C zone (Chapter 18.3.5), including but not limited to: building and yard setbacks, zoning density, building height, maximum floor areas (no unit exceeds 3,500 sq. ft.), 80% lot coverage, building orientation, architecture and all other applicable standards are being complied with.

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

The proposal complies with all applicable overlay zone requirements, specifically the NM-C (Chapter 18.3.5) zone.

RECEIVED
JUL 07 2016
City of Ashland
6 | Page

C. Site Development and Design Standards. The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.

The proposal complies with the applicable Site Development and Design Standards of AMC Chapter 18.4. To the best of the applicant's knowledge, no exceptions to the Site Development and Design Standards are necessary.

D. City Facilities. The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.

All key facilities are available to service the proposed project. All utilities to service the building were installed at the time of the subdivision and no major modifications are expected, other than some additional water taps to accommodate common area landscaping. 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.

E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.

1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or

2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

To the best of the applicant's knowledge, no exceptions are proposed with this application.

Section 18.3.5.030 C. Supplemental Approval Criteria (North Mountain Neighborhood District):

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.

The narrative included herein is intended to provide the evidence necessary to express how the proposal conforms to 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 the criterion and design standards have been incorporated into the application or could be easily incorporated by condition.

Note: Within the pre-application narrative, there is some question as to the building's awnings and if they provided a "continuous covered walk" along Fair Oaks Court as required within the North Mountain

Neighborhood Design Standards (AMC 18.3.5.100 B.3). The applicants contend this standard is to provide shelter over walkways and gathering areas, similar to those found in the downtown area where awnings and marquees are prominently found over the sidewalk. These components provide relief from inclement weather while pedestrian's window shop and peruse between storefronts. Traditionally, these coverings sit between bays and above windows without crossing over vertical architectural elements and obscuring other forms of the building's storefront rhythm. The applicants contend a true continuous horizontal covering without breaks, if literally interpreted, would be inappropriate and compromise the building's architecture and would not meet the vision of the North Mountain Design Standards. To this point, the design shows a continuous group of distinct awnings along the building's storefront that provide shelter to pedestrians in a traditional storefront manner while at the same time respecting the building's vertical architectural elements by including small breaks between.

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 (AMC 18.3.5.100 B) will be complied with. The applicants are not requesting any exceptions or variances.

Section 18.3.5.040 A. General Regulations (North Mountain Neighborhood District):

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 2800.

The proposed building on Tax Lot 800, as well as the proposed modified building on Tax Lot #700, conforms with the North Mountain Neighborhood Plan as they relate to land use, street design, alley connectivity, lot coverage, and pedestrian and bicycle access ways. Further, the proposals comply with the zone's utility requirements, alley access requirements, minimum density standards and off-street parking requirements.

Section 18.5.6.040 C. Minor Modification Approval Criteria:

C. Minor Modification Approval Criteria. A Minor Modification shall be approved only upon the approval authority finding that all of the following criteria are met.

1. Minor Modification applications are subject to the same approval criteria used for the initial project approval, except that the scope of review is limited to the modification request. For example, a request to modify a commercial development's parking lot shall require Site Design Review only for the proposed parking lot and any changes to associated access, circulation, etc. Notice shall be provided in accordance with chapter 18.5.1.

Although well intended, the applicant's believe the building's original design, and subsequent designs, with a "turret-like" structure on the building's southeast corner was too contrived and didn't necessarily relate to the area's context. The applicants have heard this concern by neighbors, one of which is a well known local Architect, and have decided to remove this feature and replace it with a standard projecting bay wrapping the building's southeast corner. The wrapping bay would be consistent with the southwest side of the building creating a complimentary "book-end" appearance.

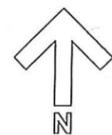
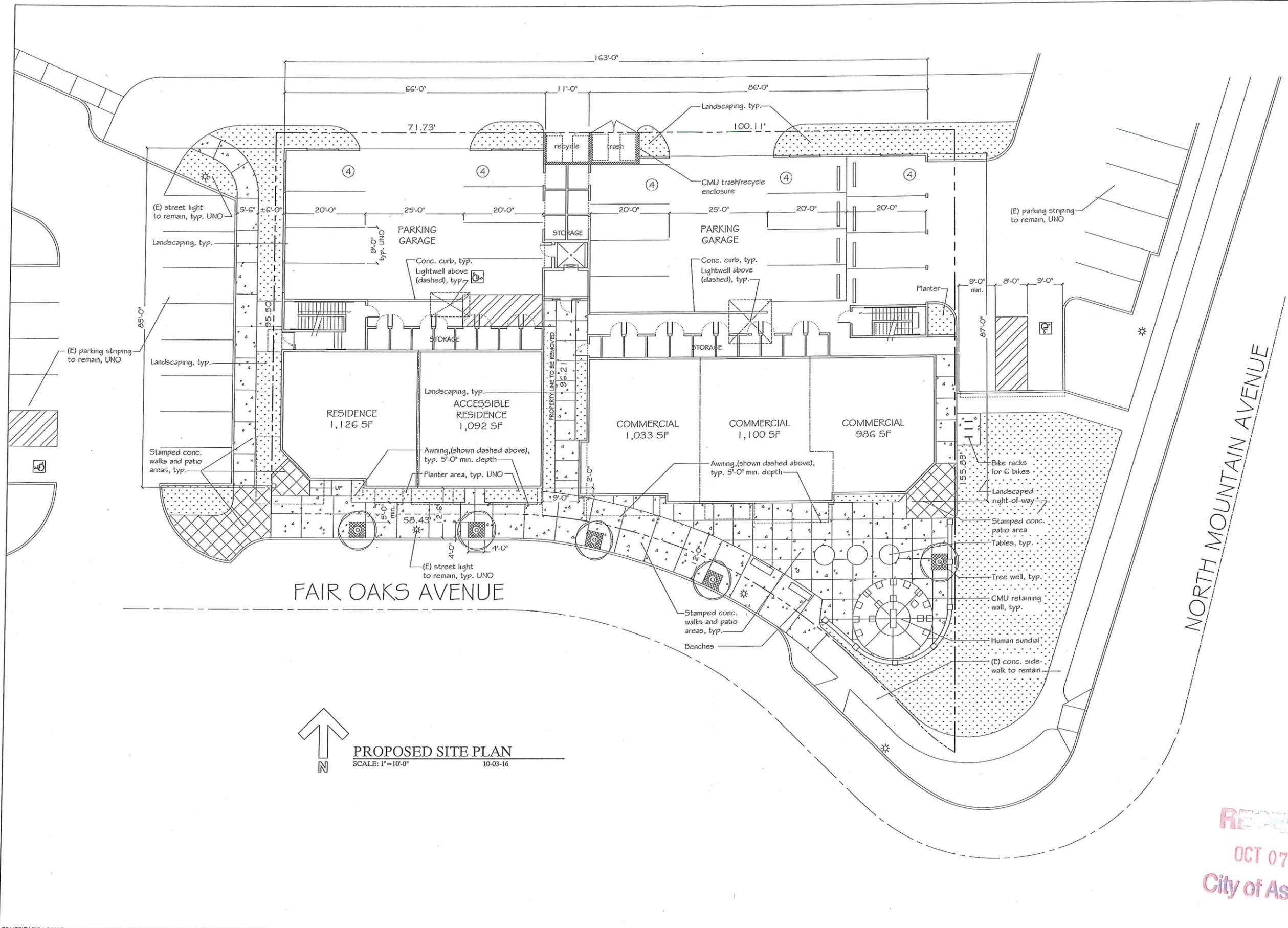
2. A modification adding or altering a conditional use, or requiring a variance, administrative variance, or exception may be deemed a Major Modification and/or may be subject to other ordinance requirements.

As noted, it is the applicants' opinion the request is not a Major Modification nor is modifying the use or operations of the approved mixed-use building. However, the applicants are aware the Staff Advisor may determine otherwise and would include additional findings if deemed necessary to ensure the applicable criteria have been fully responded to.

3. The approval authority shall approve, deny, or approve with conditions the application, based on written findings; except that conditions of approval do not apply, and findings are not required, where the original approval was approved through a Ministerial review.

The applicants are aware the approval authority will approve, deny, or approve with conditions. The applicants' contend all previous conditions of Planning Action 2013-01506 remain pertinent and address all standards, policies and codes of the City.

RECEIVED
OCT 07 2016
City of Ashland



PROPOSED SITE PLAN
SCALE: 1"=10'-0" 10-03-16

MEADOWBROOK II & III
ARCHITECTURE
221 West 10th Street
Medford Oregon 97501
PH. 541 772-4372 | OREGONARCHITECTURE.BIZ

MEADOWBROOK II & III
FAIR OAKS AVENUE
ASHLAND, OR 97520
MAP: 39 1E 04AD TAX LOTS: 700 & 800

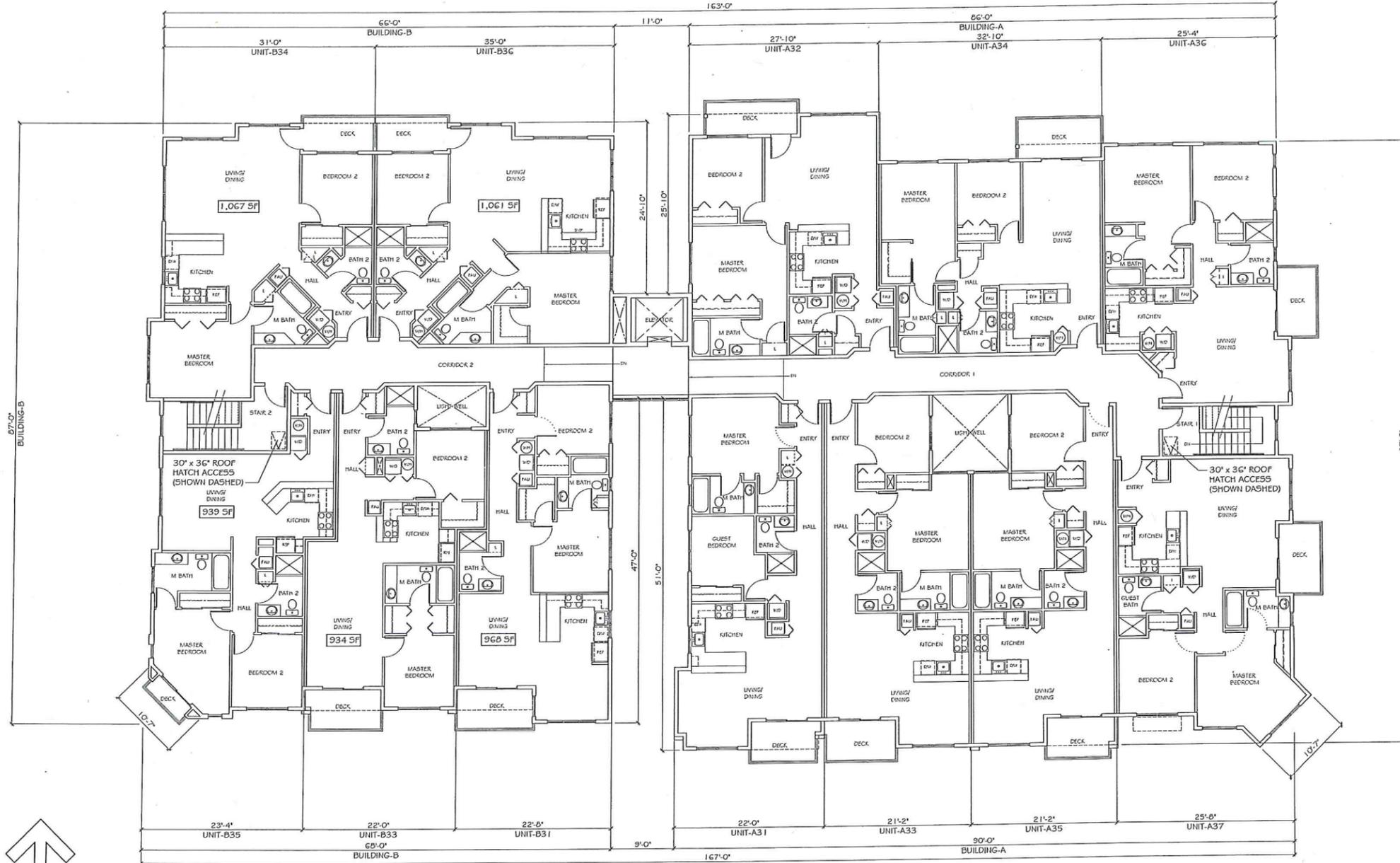
Approval Signature	Date
REVISIONS	BY

PLOT DATE: 10/3/16
PHASE: PREP 07-07-2016 TO 03-2016
DRAWN BY:
SHEET:

RECEIVED
OCT 07 2016
City of Ashland
A0.10

TO VERIFY FULL SCALE BAR SHOULD MEASURE ONE INCH BY ONE/SIXTEENTH INCH.

THIS DOCUMENT, THE IDEAS AND THE DESIGNS INCORPORATED HEREIN, IS AN INSTRUMENT OF PROFESSIONAL SERVICE AND PROPERTY OF MEADOWBROOK ARCHITECTURE INC., AND IS NOT TO BE USED IN WHOLE OR IN PART, FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF MEADOWBROOK ARCHITECTURE INC. COPYRIGHT 2015.



THIRD FLOOR PLAN
SCALE: 1/8"=1'-0"

TO VERIFY FULL SCALE BAR SHOULD MEASURE ONE INCH BY ONE/SIXTEENTH INCH.



221 West 10th Street
Medford Oregon 97501
PH. 541 772-4372 | OREGONARCHITECTURE.BIZ

MEADOWBROOK II & III

FAIR OAKS AVENUE
ASHLAND, OR 97520
MAP: 39 1E 04AD TAX LOTS: 700 & 800

Approval Signature	Date
REVISIONS	BY

PLOT DATE: 9/30/16
PHASE: PreApp 07-07-2016
DRAWN BY: 10-03-2016
SHEET:

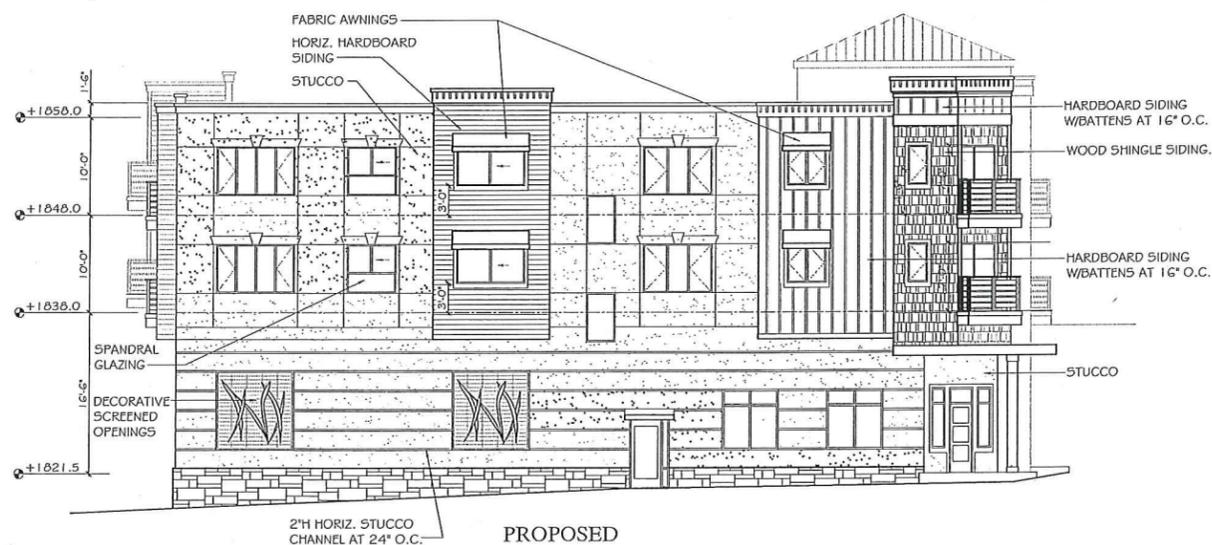
RECEIVED
OCT 07 2016
City of Ashland

A1.30

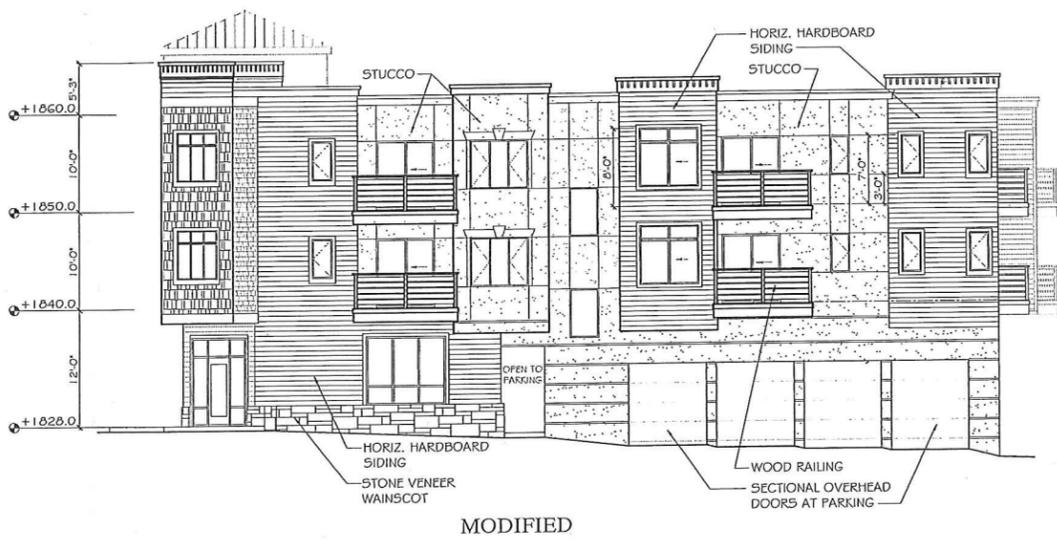
THIS DOCUMENT, THE IDEAS AND THE DESIGNS INCORPORATED HEREIN, IS AN INSTRUMENT OF PROFESSIONAL SERVICE AND PROPERTY OF OREGON ARCHITECTURE INC., AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF OREGON ARCHITECTURE INC. COPYRIGHT 2015.



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



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



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



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

MEADOWBROOK II & III
 ARCHITECTURE
 221 West 10th Street
 Medford Oregon 97501
 PH: 541 772-4372 | OREGONARCHITECTURE.BIZ

MEADOWBROOK II & III
 FAIR OAKS AVENUE
 ASHLAND, OR 97520
 MAP: 39 1E 044D TAX LOTS: 700 & 800

Approval Signature	Date
REVISIONS	BY
SW and SE corner change	05-26-16

RECEIVED
OCT 07 2016
 City of Ashland

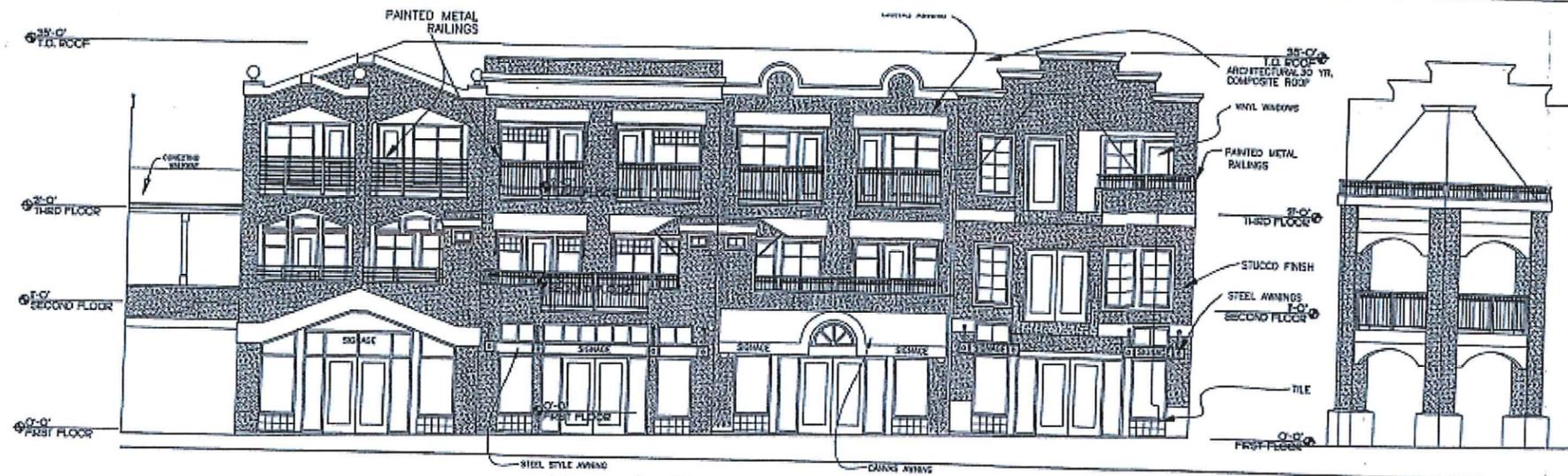
PLOT DATE: 9/30/16
 PHASE: 10-07-2016
 10-05-2016
 DRAWN BY:
 SHEET:

A2.10

THIS DOCUMENT, THE IDEAS AND THE DESIGNS INCORPORATED HEREIN IS AN INSTRUMENT OF PROFESSIONAL SERVICE AND PROPERTY OF OREGON ARCHITECTURE INC., AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF OREGON ARCHITECTURE INC. COPYRIGHT 2015.

North Mountain Square CITY OF ASHLAND

Lot #700-800 Front Elevation as approved in PA-2005-00696



South Elevation

South Elevation

82 / 83

2,115 of RESIDENTIAL
1,171 of COMMERCIAL
3,286 of TOTAL BLDG.

84 / 85

2,120 of RESIDENTIAL
1,337 of COMMERCIAL
3,457 of TOTAL BLDG.

86 / 87

2,114 of RESIDENTIAL
1,297 of COMMERCIAL
3,411 of TOTAL BLDG.

88 / 89

2,100 of RESIDENTIAL
922 of COMMERCIAL
3,022 of TOTAL BLDG.

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

TOWER IN FRONT OF
BLDG. 88/89 IN
SILHOUETTE WITH
COMMERCIAL USES ON
THE GROUND FLR. &
RESIDENTIAL DECK
ABOVE.

North Mountain Square CITY OF ASHLAND

Lot #700 Front Elevation as approved in PA-2013-00806



SOUTH ELEV. (FAIROAKS)

Approved Design – Planning Action 2013-00806

North Mountain Square CITY OF ASHLAND

Lot #700 Front Elevation as approved in PA-2013-01506



North Mountain Square CITY OF ASHLAND

Lot #700 Front Elevation as approved in PA-2016-00617

Elevator (recessed from front facade)

CURRENT APPROVAL



Proposed Design – April, 2016