

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

**ASHLAND PLANNING COMMISSION  
REGULAR MEETING  
August 8, 2017  
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. July 11, 2017 Regular Meeting.
    2. July 25, 2017 Study Session.
  
- V. **PUBLIC FORUM**
  
- VI. **UNFINISHED BUSINESS**
  - A. **Adoption of Findings for PA-2017-01059, 1068 East Main Street.**
  
- VII. **TYPE II PUBLIC HEARINGS**
  - A. **PLANNING ACTION: PA-2017-01199**
    - SUBJECT PROPERTY: 707 Helman Street**
    - OWNER/APPLICANT: PDK Properties**
    - DESCRIPTION: A request for preliminary subdivision plat approval to create an eight-lot subdivision for the property located at 707 Helman Street. The application also includes a request for an Exception to Street Standards to install curbside sidewalks along the full frontage of the property where city Street Standards would typically require that a park row planting strip with street trees be installed between the curb and sidewalk. The application also includes a Tree Removal Permit to remove one significant tree (#33) an 18-inch diameter Ponderosa Pine. COMPREHENSIVE PLAN DESIGNATION: Single-Family Residential; ZONING: R-1-5; ASSESSOR'S MAP: 39 1E 04BC; TAX LOT #: 100.**
  
- VIII. **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**  
**JULY 11, 2017**

**CALL TO ORDER**

Chair Roger Pearce 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  
Derek Severson, Senior Planner  
April Lucas, Administrative Supervisor

**Absent Members:**

Troy J. Brown, Jr.  
Lynn Thompson

**Council Liaison:**

Dennis Slattery, absent

**ANNOUNCEMENTS**

Community Development Director Bill Molnar stated the Study Session on July 25 will include a discussion of draft policies for the Housing Element. He also noted the Downtown Parking Strategy will be discussed by the City Council at their August 1<sup>st</sup> meeting.

**CONSENT AGENDA**

**A. Approval of Minutes.**

1. June 13, 2017 Regular Meeting.
2. June 27, 2017 Study Session.

**Commissioners Norton/Dawkins m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed 5-0.**

[Commissioner Miller abstained from approving the June 13, 2017 minutes.]

**PUBLIC FORUM**

No one came forward to speak.

**UNFINISHED BUSINESS**

**A. Adoption of Findings for PA-2017-00615, 361 South Mountain Ave.**

No ex parte contact was reported.

**Commissioners Dawkins/Mindlin m/s to approve the Findings for PA-2017-00615, 361 South Mountain Ave. Voice Vote: all AYES. Motion passed 5-0.**

**TYPE II PUBLIC HEARINGS**

**A. PLANNING ACTION: PA-2017-01059**

**SUBJECT PROPERTY: 1068 East Main Street**

**OWNER: Marcel Verzeano Trust (Paulena E.C. Verzeano, trustee)**

**APPLICANT: KDA Homes, LLC**

**DESCRIPTION: A request for Outline Plan and Site Design Review approvals for a 29-unit, 28-lot Performance Standards Option subdivision for the property located at 1068 East Main Street and the vacant parcel directly to the east. The proposal includes the partial demolition and relocation of the existing house on site and a Tree**

**Removal Permit to remove 14 of the site's 25 trees. COMPREHENSIVE PLAN DESIGNATION: High Density, Multi-Family Residential; ZONING: R-3/Pedestrian Places Overlay; ASSESSOR'S MAP: 39 1E 09AD; TAX LOT #: 6800 and 6801.**

Commissioner Pearce read aloud the public hearing procedures for land use hearings.

### **Ex Parte Contact**

Commissioners Norton, Dawkins, Pearce, and Mindlin declared site visits. No ex parte contact was reported.

### **Staff Report**

Senior Planner Derek Severson explained the subject property is two parcels at the corner of East Main Street and North Mountain Ave, and is 1.79 acres in size. He stated the site is primarily an open field, but there is an existing house and several large stature trees that surround it. He explained the proposal is to move the front of the house forward and maintain a large front yard, and demolish the back portion of the structure which is dilapidated. Mr. Severson displayed the site plan, landscape plan, tree removal and protection plan, solar cross sections, and shadow study. He listed the Tree Commission recommendations and explained staff has identified four primary issues for discussion: 1) Open space and recreation area, 2) Crime prevention and defensible space, 3) Pedestrian access and circulation, and 4) Building orientation and sense of entry.

Open Space and Recreation Area: Mr. Severson explained the project is required to provide 25% landscaping, with a 5% open space requirement, and an 8% open space/recreation area requirement. He stated staff is concerned that the landscaping treatment may limit the recreational use of the open space and have proposed a condition of approval that states: "The Final Plan shall include a revised plan to demonstrate that the open and recreation space requirements are met illustrating all areas to be counted towards open and recreation space and their dimension and treatment. Landscaped areas counted toward recreation space need to be surfaced for recreational use and not include thoroughfares for pedestrian circulation, and individual patio, porch or deck areas need to have a minimum dimension of six feet in depth and eight feet in width exclusive of circulation routes, door swing areas, etc. to accommodate recreational use. Areas containing above-ground utility infrastructure such as transformers, vaults and cabinets are not to be included as open/recreational space. Common area and open space improvements (i.e. landscaping and irrigation, etc.) shall be installed or bonded for in accordance with the procedures in the Subdivision chapter prior to signature of Final Survey Plat." Mr. Severson noted the applicants have handed out a revised open space plan, however staff has not had time to review it.

Crime Prevention/Defensible Space: Mr. Severson stated there is a concern there are vulnerable areas of the development. He explained the ground floor of the units are largely dedicated to garage space with very few windows. Additionally there are limited windows facing the open space area. Mr. Severson stated staff has proposed a condition of approval that states: "The Final Plan shall include a revised treatment for units along the internal circulation route and adjacent to open spaces reflecting additional windows providing for greater surveillance of the open space and circulation areas."

Pedestrian Access & Circulation: Mr. Severson explained staff is recommending the internal circulation be improved by adding a walkway through the site to East Main Street. He stated staff has proposed a condition of approval to address this which states: "The Final Plan shall include identification of a public pedestrian access easement from Mountain to East Main over the site's driveway system"

Building Orientation: Mr. Severson stated staff is recommending a condition addressing the unit located at the entry to the development that states: "The Final Plan shall include a revised treatment for the unit at the project entry on Mountain Avenue (Unit 21E, Lot 27) which includes a strong orientation/entry oriented to Mountain Avenue."

Mr. Severson concluded his presentation and noted the commission may also want to consider increasing the side yard setback in order to provide a larger buffer to the adjacent high school football field. He stated the setback is identified as 6 ft, however a minimum 10 ft. setback might be more appropriate. Mr. Severson noted the new submittals handed out tonight and stated the commission could review and issue a decision tonight, or continue the hearing to another meeting if they feel they need more time.

### **Questions of Staff**

Staff was asked whether one driveway entry into the development was sufficient. Mr. Severson explained the requirement is based on average vehicle trips and stated the proposed development does not trigger the requirement for an additional driveway.

Staff was asked whether there is a patio space requirement. Mr. Severson clarified there is no such requirement in the code, however there is a recreation area requirement and decks, porches, and patios count towards that.

### **Applicant's Presentation**

**Mark Knox and Laz Ayala**/Mr. Knox noted their desire to save the existing house, maintain the streetscape appearance, and save as many of the trees as possible. He stated this is a great plan and they hope the community will like it as well. He stated their proposal provides workforce housing for Ashland and is an improvement over the Pedestrian Places plan which would have eliminated the house and all of the trees and not provided any recreational or open space. Mr. Knox noted the new submittal handed out tonight and explained the two changes are to eliminate the through-path and convert it to grass, and to add either a bocce ball court or a small dog park area to the upper left corner of the site. Mr. Knox raised issue with the condition to provide a path through the old house site. He noted they went to great lengths to save the house and maintain the iconic setback and streetscape feel and asked the commission to not require a path in that location. He added there is already a path between the house and Unit 1 out to East Main Street. Regarding increasing the setback along the back property line, Mr. Knox stated this is a side yard and they purposely did not orient the units towards this space. He noted they have had multiple discussions with the high school and the intent is for that area to be accessible to faculty so that they can maintain the retaining wall, have access to the field lights, and be able to retrieve balls that come over the fence. He stated there is no room to increase the setback and this requirement would kill the project. Mr. Knox commented on the defensible space issue and clarified there are windows that look down on the open spaces and they do not believe modifications are needed.

### **Public Testimony**

**Dara Crockett/162 Fifth**/Ms. Crockett stated she appreciates the applicant's efforts to accommodate tree and historic preservation on the site. She voiced her support for preserving the Douglas Fir that was on removal list and reconfiguring the sidewalk to preserve two additional trees. Regarding the two smaller trees located near the house, Ms. Crockett recommended those be offered to the public to be removed and relocated rather than just torn down.

**Rick Harris/190 Oak, #1**/Mr. Harris voiced his support for the proposal and noted he represents the owner of the property. He provided some history of the site and stated this is the best opportunity to preserve the historic house. Mr. Harris noted some of the trees have had significant damage over the years and it may not be possible to retain them. He commented on staff's recommended pathway and stated the plan already has direct access out to East Main Street. He stated the extra pathway would be bad for whomever lives in the house and people would use it to cut over to the high school. Mr. Harris stated the applicants provide good, quality workforce housing and they should be allowed this opportunity.

**Monika Neri/985 Applegate, Jacksonville**/Ms. Neri voiced her support for the project. She stated the trees were not planted with high density in mind and maintaining them would restrict ideal development of the site. Ms. Neri stated there is a housing crisis in Ashland and anything that can be done to provide more units is a good thing. She commented that the proposed 6 ft. side yard setback is appropriate and to ask for more would just be wasted space.

**Willow Denon/132 Sixth**/Ms. Denon stated this is a very trustworthy developer and she trusts him fully. Regarding the trees, she commented that they have not been well maintained and they could be brought back to health with the right treatment. She spoke regarding the Almond tree and asked that it be preserved.

### **Applicant's Rebuttal**

**Mark Knox and Laz Ayala**/Agreed with the comment made that a 6 ft. setback is appropriate. Mr. Knox stated a larger sideyard would have a significant impact on their proposal and is not needed because it is a football field next door. Mr. Ayala stated they have put a lot of effort into this design, including preserving the house and saving as many of the trees as they could. He stated the designed living spaces will be livable and attractive but also affordable and sustainable. He added with



the average unit size under 1,000 sq.ft, the units will be under the median house price for this market. Mr. Ayala stated their proposal adds 32 new trees to the site and stated the conditions to require an additional four feet to the setback and an additional walkway would destroy the livability of the house and would kill this project. He expressed his desire that the commission makes a decision tonight that is mindful of the big picture and the needs of this community.

### **Deliberations & Decision**

Commissioner Dawkins stated he is not in favor of increasing the sideyard setback or requiring an additional walkway. Commissioner Miller commented on the tree removals and stated she would be happy if they could keep the removals to only 10. Commissioner Pearce agreed with Dawkins regarding the pedestrian easement and stated there is reasonable access through the development and this is not needed. He stated he is not concerned with crime prevention and commented there will be lots of people in a small area with plenty of windows to keep an eye on things. He stated he does not support increasing the sideyard setback and recommended they remove that condition. Commission Pearce stated he likes the decks and porches proposed but questioned if the applicant has met the recreational space requirement. The commission discussed the definitions for open space and recreational space and whether the required 8% should be common areas.

**Commissioners Mindlin/Dawkins m/s to approve PA-2017-01059 with the following changes: 1) eliminate condition 6a which requires additional windows for greater surveillance of the open space and circulation areas, 2) revise condition 6c to state individual patio areas will not be calculated towards the open space requirement, and 3) eliminate condition 6f which requires a pedestrian easement from Mountain to East Main. DISCUSSION:** Commissioner Miller expressed concern about the design of the units. Commissioner Norton recommended the applicant have the option to do either a bocce ball court or dog park area. Commissioner Mindlin agreed and stated the southwest corner could be any recreational space. Regarding the tree issues, it was clarified the motion accepts the Tree Commission's recommendations. Mr. Severson noted the request is for outline plan approval and the applicants will have to come back for final plan approval. **Roll Call Vote: Commissioners Dawkins, Miller, Mindlin, Norton, and Pearce, YES. Motion passed 5-0.**

### **ADJOURNMENT**

Meeting adjourned at 9:15 p.m.

*Submitted by,  
April Lucas, Administrative Supervisor*

**CITY OF  
ASHLAND**  
**ASHLAND PLANNING COMMISSION**  
**STUDY SESSION**  
**MINUTES**  
**JULY 25, 2017**

**CALL TO ORDER**

Chair Roger Pearce called the meeting to order at 7:04 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

**Commissioners Present:**

Troy Brown, Jr.  
Michael Dawkins  
Debbie Miller  
Melanie Mindlin  
Haywood Norton  
Roger Pearce  
Lynn Thompson

**Staff Present:**

Bill Molnar, Community Development Director  
Brandon Goldman, Senior Planner  
Linda Reid, Housing Program Specialist  
Dana Smith, Executive Assistant

**Absent Members:**

None

**Council Liaison:**

Dennis Slattery, absent

**ANNOUNCEMENTS**

Commission Chair Roger Pearce noted public hearings would occur at the regular Planning Commission meeting in August.

**PUBLIC FORUM** - None

**DISCUSSION ITEMS**

**A. Draft Housing Element Policy Review and Discussion**

Community Development Director Bill Molnar explained the Comprehensive Plan set the general vision for land use in the community and development. The Housing Element set the vision for the community regarding housing issues. Often the element in the policies was aspirational, motivational, and did not need to be evaluated ahead of time. It was important that the goals and policies were broad because it set the foundation for the work. Currently, housing development has three themes:

- That it expressed the need for a variety of housing types
- Housing met the needs of the total cross section of Ashland
- That it focused on Ashland's character

Chapters were often augmented with different studies. To meet housing demands in the 1990s, the City created the Housing Program Specialist position, the Housing Commission, and adopted the Affordable Housing Plan. During the recent budget process, Council adopted a permanent funding source for the Housing Trust Fund using 3% of the City's portion of the recreational marijuana tax.

The Comprehensive Plan and the Housing Element was not an independent approval criterion for quasi-judicial land use actions. In Oregon, the Comprehensive Plan set the foundation with municipalities adopting legislation to meet those goals and policies. These were the latest goals and policies. Changes since the last element update included the relationship between housing and transportation and the Climate and Energy Action Plan (CEAP).

Senior Planner Brandon Goldman explained they were presenting the draft to the Planning Commission tonight and would meet with the Housing and Human Services Commission (HHSC) later. Once the narrative was complete, they would bring the draft back to the Planning Commission and the HHSC in September. Staff held an open house, a public forum, and conducted an online survey that concluded the draft language was difficult to interpret. They made the document easier to read, expanded the goals from one to five, and increased policies from five to twenty-one. The Commission would review the changes and make suggestions as needed.

Housing Program Specialist Linda Reid explained the completed draft would go before Council at a Study Session in January 2018. Staff has a target date of February 20, 2018 for final approval. Mr. Goldman added Council would review the draft at a November 2017 Study Session as well.

Mr. Goldman clarified **Goal 2: Support the creation and preservation of housing that is affordable to low and moderate income households, Policy #13: Give priority in land use and permitting processes for affordable housing developments, multifamily rental housing, and other needed housing types**, would accelerate projects involving affordable housing by modifying the 120-day rule to 100 days in accordance with Senate House Bill 1051. Some commissioners questioned if it was necessary in order to accomplish the goal or expressed concern it might diminish quality.

Mr. Goldman responded to a comment regarding incomplete applications coming before the Commission. An applicant could deem an incomplete application worthy of going before the Planning Commission at their risk.

**Goal 1: Ensure a range of different housing types that provide housing opportunities for the total cross section of Ashland's Population. Policies 1-7.**

**Policy 7: Maintain and enhance the character of Ashland's historic neighborhoods through programs and efforts that promote preservation, rehabilitation, and the use of limited design review to protect the integrity of historic resources.**

Commissioner Mindlin thought this policy did not address Goal 1 and should go under Goal 5. Mr. Goldman explained it was an effort to retain character but only in historic districts and was in the older language. At the least, it should reference design standards for character. Mr. Molnar would look into the matter further if the Commission was in agreement. Design Standards played an important role and character needed to be an overriding consideration. Commissioner Miller suggested Policy 7 include the old Policy 2(B). Commissioner Brown thought removing the word "historic" would resolve the concern. Alternately, Policy 7 should be Goal #1 because it increased readability. Chair Pearce agreed Policy 7 should be broader. If it was broadened, the Commission thought it should be a separate goal with the old Policy 2(B) as a current policy.

**Goal 2: Support the creation and preservation of housing that is affordable to low and moderate income households. Policies 8-14.**

**Policy 10: Encourage the preservation of affordable housing, including non-subsidized affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable housing.**

Commissioner Brown thought this policy should be Policy 8 instead. The sentences needed to support the stated goal. Mr. Goldman agreed and would reorganize the policies to increase readability. Commissioner Mindlin also agreed but thought Policy 10 was specific to ensuring demolitions and conversions that did not result in a net loss of City stock. Mr. Molnar clarified it pertained to not losing rental stock to short term home rentals. Commissioner Thompson thought the word "ensure" was strong language. Commissioner Dawkins provided further background. Chair Pearce thought demolition and conversion should be removed. It limited the focus to two issues. Commissioner Thompson suggested adding "to avoid the net loss."

Commissioner Mindlin wanted to remove the following:

**Policy 13: Give priority in land use and permitting processes for affordable housing developments, multifamily rental housing, and other needed housing types.**

And

**Policy 21: Strive to minimize the time taken to process land use and building permits so that the intent of state and local laws is fulfilled with the greatest possible thoroughness and efficiency.**

Both spoke to how the department worked. Commissioners Thompson and Miller agreed. Mr. Molnar will review both policies but noted they pertained to Council Goals that were this specific. Commissioner Brown thought it could be a goal and should remain. It sent a message on how the process should and could work. Chair Pearce agreed with Commissioner Brown.

**Policy 12: Provide for minimal off-street parking requirements in locations where car ownership rates are low for resident populations to help reduce housing costs and increase affordability.**

Commissioner Thompson questioned the language. Minimizing the off street parking requirement shifted cars onto the street where there might not be sufficient parking. Chair Pearce thought it could minimize the parking requirement to be consistent with controlling neighborhood impacts. Mr. Goldman explained the parking requirement was pervasive in other jurisdiction's comprehensive plans in the state. In 2010, Southern Oregon University's Planning Issues class inventoried the occupancy rates of parking at affordable housing developments and found the larger ones had a surplus of parking spaces. This resulted in identifying the cost of providing additional parking as an undue burden on an affordable housing development. The Commission discussed a language change that would reduce the parking requirement where the parking demand was low. Staff would review and possibly broaden Policy 13.

**Goal 3: Encourage the development of housing in ways that protect the natural environment and encourage development patterns that reduce the effects of climate change. Policies 15-17.**

Commissioner Brown suggested moving **Policy 17: Development standards shall be used to fit development to topography, generally following the concept that density should decrease with an increase in slope to avoid excessive erosion and hillside cuts**, to Policy 15. It made it more readable and flowed into Goal 4.

**Goal 4: Support housing efficiency policies and initiatives identified within the Ashland Climate & Energy Action Plan.**

Commissioner Mindlin thought Goal 4 was actually a policy of Goal 3. Staff would change Goal 4 to policy 18.

**Goal 5: Forecast and plan for changing housing needs over time in relation to land supply and housing production. Policies 18-21.**

**Policy 20: Encourage development of vacant land within the urban area, while providing sufficient new land to avoid an undue increase in land prices. This shall be accomplished with specific annexation policies.**

Potential language revisions included changing, **"This shall be accomplished with specific annexation policies,"** to, **"use specific annexation policies to help accomplish these..."**, revising the policy to incorporate, **"In order to provide for future housing needs..."**, and wording on the possible need to increase land within the city limits with the understanding it could expand into the urban growth boundary.

Staff would meet with the HHSC next and bring an update to the Planning Commission at a future meeting.

## **B. Cottage Housing Ordinance**

Senior Planner Brandon Goldman explained they added portions of the cottage housing ordinance to varying sections of the existing code. There were two alternatives the Planning Commission would discuss on how to incorporate it into the parking chapter. Exhibits A-1 and B-1 depicted ways to develop cottage housing using a 30,000 square foot (sq. ft.) lot size for 9 and 12 units including open space and parking. Size could vary from 300 sq. ft. units with 200 sq. ft.

lofts up to 1,000 sq. ft. cottages. Exhibit B-3 provided a shadow cast for solar impacts to a 12-unit lot. Due to small side yards, solar was not feasible with that density of development.

The other issue was parking requirements. The main constraint in providing more units was parking spaces. An alternative would limit units 800 sq. ft. or less to one parking space. Units 800 to 1,000 sq. ft. would have 1.5 parking spaces and two spaces for cottages over 1,000 sq. ft. It differed from multifamily parking standards because it used square footage instead of the number of bedrooms. For a preexisting single family home on property that was 2,000 sq. ft. with two additional units, the parking standard would require two parking spaces for the primary home and one space each for the other two units.

Decks and entry ways were included in the open space calculation for each unit. Common open space was 20% of the lot area with a minimum dimension of 20 x 20 under the cottage housing ordinance. The idea of allowing more than one central common space came up at an earlier meeting for areas that may have natural constraints.

Mr. Goldman confirmed variance requirements and exceptions in the parking code would apply to cottage housing most likely through a Transportation Demand Management study. The intention of single family dwellings not having on street parking credits was in subdivisions with single family homes, each house had two on street parking spaces and additional parking for guests. Accessory residential units in single family neighborhoods often received an on street parking credit. For a primary home on a lot being redeveloped into cottage housing, that single family dwelling would need two on street parking spaces. The cottages could be eligible for on street parking credit. The Exceptions chapter stated on street parking credits may be granted. As part of a site design and performance standard subdivision for cottage housing, an applicant would have to demonstrate having an on street parking credit would not create an adverse impact on the neighborhood and that there was available parking on their frontage alone.

Chair Pearce thought the .35 Floor Area Ratio (FAR) was penalizing. Mr. Goldman explained staff compared the floor area averages of cottages to averages of single family homes in subdivisions built out to meet the lot coverage requirements with a 400 square foot garage. Using .35 FAR was consistent with the scale that was less than a larger single family home built on an individual lot. There were no FAR requirements for R-1 zones. Garage space for cottage housing counted against the FAR. Mr. Molnar added this was a tradeoff for a single family neighborhood. It did not seem appropriate to double the density and retain the same FAR. Most of these standards were subject to the exception process and not the variance. Mr. Goldman further explained this was another change incorporated into the ordinance. In lieu of creating a new exceptions standard, the draft ordinance has the exception of approval criteria under the existing site design and development standards. The section stated the Commission may grant an exception if it furthered the intent and purpose of this chapter. Staff drafted a purpose and intent of the cottage housing chapter as a new provision. Common recreational buildings were not subject to FAR and contributed to the open space requirements.

#### **ADJOURNMENT**

Meeting adjourned at 8:59 p.m.

*Submitted by,  
Dana Smith, Executive Assistant*

**BEFORE THE PLANNING COMMISSION**  
**July 11, 2017**

IN THE MATTER OF PLANNING ACTION #2017-01059, A REQUEST FOR )  
OUTLINE PLAN AND SITE DESIGN REVIEW APPROVALS FOR A 29-UNIT, )  
28-LOT PERFORMANCE STANDARDS OPTION SUBDIVISION FOR THE )  
PROPERTY LOCATED AT 1068 EAST MAIN STREET AND THE VACANT )  
PARCEL DIRECTLY TO THE EAST. THE PROPOSAL INCLUDES THE PARTIAL ) **FINDINGS,**  
DEMOLITION AND RELOCATION OF THE EXISTING HOUSE ON THE SITE ) **CONCLUSIONS &**  
AND A TREE REMOVAL PERMIT TO REMOVE 14 OF THE SITE'S 25 TREES. ) **ORDERS**  
)  
**OWNER/APPLICANT:** Marcel Verzeano Trust (Paulena E.C. Verzeano, *trustee*)/ )  
KDA Homes, LLC )  
)  
)

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**RECITALS:**

- 1) Tax lots #6800 and #6801 of Map 39 1E 09AD is located at 1068 East Main Street and is zoned R-3, High-Density Multi-Family Residential.
- 2) The applicants are requesting Outline Plan and Site Design Review approvals for a 29-unit, 28-lot Performance Standards Option subdivision for the property located at 1068 East Main Street and the vacant parcel directly to the east. The proposal includes the partial demolition and relocation of the existing house on site and a Tree Removal Permit to remove 14 of the site's 25 trees. The proposal is outlined in plans on file at the Department of Community Development.
- 3) The criteria for Outline Plan approval are described in AMC 18.3.9.040.A.3 as follows:
  - a. *The development meets all applicable ordinance requirements of the City.*
  - b. *Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.*
  - c. *The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas.*
  - d. *The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.*
  - e. *There are adequate provisions for the maintenance of open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.*
  - f. *The proposed density meets the base and bonus density standards established under this chapter.*

- g. *The development complies with the Street Standards.*
- 4) The criteria for Site Design Review approval are described 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.*
- 5) The criteria for a Tree Removal Permit are described in AMC 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.*

6) The Planning Commission, following proper public notice, held a public hearing on July 11, 2017 at which time testimony was received and exhibits were presented. Subsequent to the closing of the hearing, the Planning Commission approved the application subject to conditions pertaining to the appropriate development of the site.

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

## SECTION 1. EXHIBITS

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

Staff Exhibits lettered with an "S"



Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

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

## SECTION 2. CONCLUSORY FINDINGS

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

2.2 The Planning Commission finds that the proposal for Outline Plan, Site Design Review and Tree Removal Permit approvals meets all applicable criteria for Outline Plan approval described in AMC 18.3.9.040.A.3; for Site Design Review approval described in AMC 18.5.2.050; and for a Tree Removal Permit as described in AMC 18.5.7.040.B.

2.3 The Planning Commission finds that the proposal satisfies all applicable criteria for Outline Plan approval.

The first approval criterion for Outline Plan approval is that, *“The development meets all applicable ordinance requirements of the City.”* The Commission finds that the proposal meets all applicable ordinance requirements, is requesting no Variances or Exceptions, and that this criterion has been satisfied.

The second approval criterion for Outline Plan approval is that, *“Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.”* The Commission finds that adequate key city facilities are available within the adjacent rights-of-way, and can and will be provided with the proposal. The application notes that in the applicants’ conversations with the representatives of the various utilities, it has been indicated that the proposed development will not cause any facilities to operate beyond capacity. The application also notes that drawings prepared by a civil engineer will be provided with the Final Plan submittal, and provides the following utility-specific details:

- **Water:** The property is currently served by a six-inch water main in East Main Street and a six-inch water main in South Mountain Avenue. The application notes that a private water line will loop through the property connecting to mains in both rights-of-way in order to provide consistent water pressure to the site to address both domestic use and emergency needs.
- **Sewer:** The property is currently served by an eight-inch sanitary sewer main in East Main Street and an eight-inch sanitary sewer main in South Mountain Avenue, and the applicants suggest that in consulting the Public Works Department they have been told that these lines have adequate capacity to serve the project. A proposed new sewer line will loop through the property and connect to the South Mountain Avenue line near the low point of the property.

- **Electricity:** The application notes that both South Mountain Avenue and East Main Street have existing overhead power lines in place with the capacity to serve the project, and that the applicants propose to underground power to serve the new units with the addition of up to four transformers which are to be dispersed around the site in discreet but accessible locations. The applicants indicate that a final electrical distribution plan including transformer sizes and locations and street light placement will be provided for review with the Final Plan submittal. The Electric Department has noted that they have been consulted in preparing the applicants' electric service plan.
- **Urban storm drainage:** The property is currently served by a 12-inch storm sewer main in East Main Street and a 12-inch storm sewer main in South Mountain Avenue. The applicants propose a storm water detention and water quality control tank near the low point of the property, near the intersection of East Main Street and Mountain Avenue. An outlet control structure will sit adjacent to this tank and will slowly emit stormwater into the existing public systems within the rights-of-way to limit post development flows to no more than would otherwise be encountered in a 25-year storm event.
- **Paved Access & Adequate Transportation:** Both East Main Street and South Mountain Avenue along the property's frontage are improved, with variable width sidewalks and parkrow planting strips, curbs, gutter and paving already in place. The applicants have proposed to widen both the sidewalks and parkrows fully to Avenue standards and to plant new street trees along both frontages. The applicants note that they propose to provide three feet of additional right-of-way along East Main Street as envisioned in the Transportation System Plan and Pedestrian Place Ordinance, noting that they hope this will accommodate future installation of a bus shelter and associated bicycle parking facilities. The application also indicates that the vehicle trips for 28 multi-family residential units do not reach the threshold level to trigger the requirements for a Traffic Impact Analysis (TIA).

Conditions have been included below to require that final electric service, utility and civil plans be provided for the review and approval of the Staff Advisor and city departments, and that civil infrastructure be installed by the applicants, inspected and approved prior to the signature of the final survey plat.

The third criterion for approval of an Outline Plan is that, "*The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas.*" The Commission finds that the only significant natural features are a number of large trees concentrated around the perimeter of the old house. The submittals identify the trees and how the proposal has attempted to retain the majority, including an arborist's report detailing their health and recommendations for removal or protection and preservation. The applicants suggest that the maintenance of the site's trees has been largely ignored for many years, and they appear to be stressed due to the recent drought. The applicants emphasize that they have made an effort to preserve as many of the site's healthy trees as possible and to incorporate them into the project open space or on the lot with the older house.

The fourth criterion for approval of an Outline Plan is that, "*The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.*" The Commission

finds that the proposal, which seeks to develop the site in a manner nearer to its target use, will not prevent adjacent properties from being developed in a manner consistent with the Comprehensive Plan.

The fifth approval criterion is that, *“There are adequate provisions for the maintenance of open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.”* The Commission finds that there will be provisions in the CC&R’s to address the maintenance of the proposed open space and common areas, and that the CC&R’s will be provided for review and approval with the Final Plan submittal.

The sixth criterion is that, *“The proposed density meets the base and bonus density standards established under this chapter.”* The Commission finds that the subject property is 1.788 acres in area, and at a base density of 20 dwelling units per acre has a base density of 35.6 dwelling units and a minimum density of 28 dwelling units. The applicants propose a total of 29 units, including the old house which is being relocated on a larger 0.27-acre parcel. The applicants propose to retain the property’s remaining density of 6.6 dwelling units should the future owners wish to partition that parcel, divide the house, or intensify its use as allowed within the Pedestrian Places Overlay they’ll have some measure of flexibility to do so.

The final Outline Plan approval criterion is that, *“The development complies with the Street Standards.”* Both East Main Street and South Mountain Avenue along the property’s frontage are improved, with variable width sidewalks and parkrow planting strips, curbs, gutter and paving already in place. The Commission finds that the applicants have proposed to widen both the sidewalks and parkrows fully to Avenue standards and to plant new street trees along both frontages. The applicants note that they propose to provide three feet of additional right-of-way along East Main Street as envisioned in the Transportation System Plan and Pedestrian Place Ordinance, noting that they hope this will accommodate future installation of a bus shelter and associated bicycle parking facilities. The application also indicates that the vehicle trips for 28 multi-family residential units do not reach the threshold level to trigger the requirements for a Traffic Impact Analysis (TIA). A condition of approval has been added below to require that sidewalk widening, installation of a full parkrow planting strip with street trees and irrigation, and right-of-way dedication be included on the civil plans reviewed with the Final Plan approval, and that they be installed prior to the signature of the final survey plat.

2.4 The Planning Commission finds that the development of attached housing 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 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 Commission finds that the proposed development will comply with all applicable provisions for the underlying zone detailed in AMC 18.2 including building and yard setbacks, lot area, dimension, density, floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

The second approval criterion is that, *“The proposal complies with applicable overlay zone requirements (part 18.3).”* In this instance, the property is located within the High-Density, Multi-Family Residential R-3 zoning district and the Pedestrian Places overlay zone, and the Commission finds that all applicable standards have been addressed.

The subject property is located within the “Pedestrian Places” overlay, which envisioned the development of a neighborhood center and arts community around the intersection to complement surrounding civic uses, schools, and the nearby historic district and take into account the existing house on the property. The overlay includes envisioned frontage improvements and intersection treatments which have been adopted into the Transportation System Plan (TSP). TSP project #R42 envisions improvements at this intersection to include: enhanced corners treatments, widened sidewalks, street trees, stormwater detention planters, bus shelters for future RVT route 8B, special concrete crosswalks and paving at the intersection, and ornamental streetlights. The overlay also provides some flexibility for properties including allowing additional special permitted uses (professional, financial, business and medical offices, and personal service establishments; stores, shops, and offices supplying commodities or performing services; and restaurants) not typically permitted in residential zones subject to certain development standards and limitations. The Commission finds that the current application does not propose special permitted uses in conjunction with the subdivision, but the frontage improvements and corner treatment have been designed with the Pedestrian Places concepts in mind and the option to utilize the allowances of the overlay would remain for the property in the future.

The third criterion for the 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 (which addresses Exceptions) below.”* The application materials assert that to the best of the applicants’ knowledge, the proposal complies with Site Development and Design Standards including provisions for access management, building orientation, and parking configuration.

The Planning Commission finds that the Site Development and Design Standards require that, *“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.”* The Commission finds that Unit #21E on Lot #27 at the project entry on Mountain Avenue needs to have a stronger primary orientation with an entry to Mountain Avenue to better address this standard, and a condition has been recommended below to require that this be addressed in the Final Plan submittal.

With regard to the Open Space and Recreation Area requirements, the Planning Commission notes that *“Open Space”* is defined in AMC 18.6.1 as, *“A common area designated on the final plans of the development, permanently set aside for the common use of the residents of the development. Open space area is landscaped and/or left with a natural vegetation cover, and does not include thoroughfares, parking areas, or improvements other than recreational facilities.”* The Commission further notes that there are two separate open space and recreation area requirements which apply in the Land Use Ordinance. Within the Residential Development standards which apply to all residential project subject to Site Design Review, AMC 18.4.2.030.H reads as follows:

**Open Space.** Residential developments that are subject to the provisions of this chapter shall conform to all of the following standards.

1. Recreation Area. An area equal to at least eight percent of the lot area shall be dedicated to open space for recreational use by the tenants of the development.
2. Surfacing. Areas covered by shrubs, bark mulch, and other ground covers that do not provide suitable surface for human use may not be counted towards this requirement.
3. Decks and Patios. Decks, patios, and similar areas are eligible for open space.
4. Play Areas. Play areas for children are required for projects of greater than 20 units that are designed to include families. Play areas are eligible for open space.

The Performance Standards Options Chapter, AMC 18.3.9.050.A.2 also includes an open space requirement:

**Open Space Required.** All developments with a base density of ten units or greater shall be required to provide a minimum of five percent of the total lot area in Open Space; that area is not subject to bonus point calculations, however, density bonuses shall be awarded to open space areas in excess of the five percent required by this subsection.”

The Planning Commission finds that within the R-3 zone, at least 25 percent of the site must be landscaped; that multi-family residential property requires that eight percent of the site be provided as recreational space, and that the Performance Standards require that at least five percent of the site be provided in common open space.

The Planning Commission finds that the use of the term “open space” appears to be used inconsistently throughout the Land Use Ordinance. The initial information presented with the application did not clearly identify how the applicable standard had been met, and the Commission consequently imposed a condition to address the treatment of open space. While the application indicates that approximately 9½ percent of the site is provided in open space, the provided landscape plan illustrates virtually any area which could be considered as open space or recreation area - with the exception of the area with the child’s play structure southeast of the relocated house - either bisected by pedestrian thoroughfares or heavily planted with trees, shrubs and ground cover which are not suitable for recreational use, and individual units include private porch or deck areas, some of these have dimensions of a depth of only five feet and include circulation routes to an entry door or an area for the door swing of a built-in storage closet. A condition has accordingly been added to require that a revised plan be provided with the final plan submittal demonstrating that the open and recreation space requirements are met illustrating all areas to be counted towards open and recreation space and their dimension and treatment. Landscaped areas counted toward recreation space in this revised plan will need to be surfaced for recreational use and not include thoroughfares for pedestrian circulation, and private, individual patio, porch or deck areas shall not be included. Areas containing above-ground utility infrastructure such as transformers, vaults and cabinets are also not to be included as open/recreational space.

The fourth approval criterion for Site Design Review addresses city facilities and requires 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.*” Public facilities requirements are addressed in detail in the Outline Plan section of these Findings in 2.3 above.

2.5 The Planning Commission finds that the Pedestrian Places Overlay provides that, “*The solar access setback in chapter 18.4.8 Solar Access applies only to those lots abutting a residential zone to the north.*” Performance Standards subdivisions are generally subject to the solar access requirements of AMC 18.4.8 which require that land divisions creating new lots either demonstrate that the lots are designed to permit the location of a 21-foot high structure with a solar setback which does not exceed 50 percent of the lot's north-south lot dimension or to identify a solar envelope to define the height requirements that will protect the applicable solar access standard. The Planning Commission finds that the applicants have proposed a Solar Access Performance Standard which when combined with low roof pitches, driveway placement and the avoidance of large, north-facing gables results in shading generally at the foot of buildings or on the walls of garages/unheated spaces. The application materials include solar studies to illustrate the proposed shading, and the findings note that the shadow for the two third-floor apartment units (#27-28) fall on the garage walls of Units #16-19 or are no higher on the south facing walls than the window sills.

2.6 The Planning Commission finds that the applicants have provided a survey identifying 25 trees on the property which are greater than six-inches in diameter at breast height. Of these, 14 are proposed to be removed in conjunction with the application including Tree #14, a Fir, and Tree #15, a Western Cedar tree which the applicants note as the most significant. The application notes that the project arborist has indicated that both of these trees are damaged or stressed from the lack of proper care and water and both require significant pruning.

The application further explains that the remaining trees proposed for removal are identified as dead or in marginal to fair condition. The applicants indicate that in conversations with their arborist, all of the site's trees have been neglected and have either been compromised due to a lack of water, a lack of maintenance or the impact of adjacent urban development in the form of the sidewalks constructed along the property's frontages.

The application also points out that in the location where the old house is proposed to be relocated, there are two trees (#9 and #18) which are in good condition and which will not be impacted by the home's proposed relocation, new footing or new utilities. Tree #18 is to have a portion of a new sidewalk and a parking space over its root zone, but the application explains that the parking space is proposed with compact dimensions and a porous surface to minimize impacts to the tree and the arborist is to be consulted during the construction of the home's new footings.

The application asserts that the trees to be removed are the minimum number of trees on the site that should be removed based on their health, condition or location, and are the minimum necessary for consistency with ordinance standards and requirements. The applicants emphasize that the removals will

not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, existing windbreaks, tree densities, sizes, canopies or species diversity. The application further explains that the property is mildly sloped and proposed cuts and fills are to be primarily limited to the Phase II (multi-family) portion of the development where few trees exist and those that do are proposed for removal due to their health or proximity to proposed construction disturbance. The applicants emphasize that including the required street trees along both frontages, 37 new trees of at least two-inch caliper will be planted to mitigate the 14 trees that are proposed to be removed.

After reviewing the application at its regular meeting on July 6, 2017, the Tree Commission recommended that the application be approved subject to four recommendations: 1) That the recommendations of the project arborist shall be conditions of the approval, including that the trees to be protected be watered during construction and that the project arborist shall supervise any activity within the tree protection zones; 2) That existing Trees #1, #2, #7, #8 and #9 be fully enclosed with tree protection fencing and protected during all site disturbance. Protection of these trees will necessitate closing the East Main Street driveway during construction; 3) That the applicants make every effort to preserve and protect Tree #14 (40-inch d.b.h. Douglas Fir) as proposed by the applicants during the July 6<sup>th</sup> Tree Commission meeting, including having an arborist on-site during all disturbance (demolition, foundation removal, house move, and all excavation) and utilizing a post and beam foundation within the tree protection zone for the relocated house; and 4) That the applicants pursue the option of preserving and protecting Tree #24 (24-inch d.b.h. Oak Tree), which may necessitate meandering the sidewalk to curbside within its tree protection zone.

Subsequent to the Tree Commission meeting and a Planning Commission site visit to the subject property which included some neighbors concerned with tree removals, the applicants noted that in addition to saving #14 and #24 as recommended by the Tree Commission, it might also be possible for them to save two additional Walnut trees in the southwest corner of the property meaning that only ten to 12 trees would be removed and a total of 32 new trees would be planted. Planning Commissioners note that Walnut trees can be toxic to plantings around them and detrimental to the use of surrounding open space. The Planning Commission finds that the Tree Commission's recommendations were based in careful consideration of the site and its trees, and has included a condition making the Tree Commission recommendations conditions of approval, with the understanding that the applicants would have the option of preserving the Walnut trees in the southwest corner, but would not be required to do so.

### **SECTION 3. DECISION**

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the proposal for Outline Plan approval, Site Design Review approval for a 29-unit, 28-lot Performance Standards Option subdivision, and Tree Removal Permit is supported by evidence contained within the whole record.

The Planning Commission is appreciative of this infill development proposal and the applicants' efforts to more efficiently use the property while preserving the old home on the site and the larger, significant trees that surround it.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve Planning Action #2017-01059. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2017-01059 is denied. The following are the conditions and they are attached to the approval:

1. That all proposals of the applicant shall be conditions of approval unless otherwise modified herein.
2. That the plans submitted for the building permit shall be in substantial conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify the current Site Design Review approval shall be submitted and approved prior to issuance of a building permit.
3. That any new addresses shall be assigned by City of Ashland Engineering Department.
4. That permits shall be obtained from the Ashland Public Works Department prior to any work in the public right of way, including but not limited to permits for new driveway approaches or any necessary encroachments.
5. That all recommendations of the Tree Commission from their July 6, 2017 regular meeting shall be conditions of approval, where consistent with applicable criteria and standards and with final approval of the Staff Advisor.
6. That the Final Plan submittal shall include:
  - a. A revised treatment for the unit at the project entry on Mountain Avenue (Unit 21E, Lot 27) which includes a strong orientation/entry oriented to Mountain Avenue.
  - b. A revised plan to demonstrate that the open and recreation space requirements are met illustrating all areas to be counted towards open and recreation space and their dimension and treatment. Landscaped areas counted toward recreation space need to be surfaced for recreational use and not include thoroughfares for pedestrian circulation. Individual patio, porch or deck areas shall not be included. Areas containing above-ground utility infrastructure such as transformers, vaults and cabinets are not to be included as open/recreational space. Common area and open space improvements (i.e. landscaping and irrigation, etc.) shall be installed or bonded for in accordance with the procedures in the Subdivision chapter prior to signature of Final Survey Plat
  - c. Final site lighting details.
  - d. Final trash enclosure placement and screening details.
  - e. Lot coverage calculations demonstrating how lot coverage is to be allocated to comply with the 75 percent lot coverage allowance in the R-3 zoning district, including all building footprints, driveways, parking, and circulation areas.
  - f. All easements for public and private utilities, fire apparatus access, and reciprocal utility, maintenance, access and parking shall be indicated on the Final Plan submittal for review by the Planning, Engineering, Building and Fire Departments.
7. That prior to Final Plan approval:
  - a. That a final utility plan for the parcels shall be submitted for review and approval by the



Planning, Engineering, and Building Divisions with the Final Plan application. The utility plan shall include the location of connections to all public facilities including the locations of water lines and meter sizes, fire hydrants, sanitary sewer lines, storm drain lines and electric services.

- b. That the location and final engineering for all storm drainage improvements associated with the project, shall be submitted for review and approval by the Departments of Public Works, Planning and Building Divisions with the Final Plan application.
- c. That the applicant shall submit an electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment with the Final Plan application. This plan must be reviewed and approved by the Electric Department prior to the signature of the final survey plat. Transformers and cabinets shall be located in areas least visible from streets and outside of vision clearance areas, while considering the access needs of the Electric Department. Electric services shall be installed underground to serve all 29 units prior to signature of the final survey plat. At the discretion of the Staff Advisor, a bond may be posted for the full amount of underground service installation (with necessary permits and connection fees paid) as an alternative to installation of service prior to signature of the final survey plat. In either case, the electric service plan shall be reviewed and approved by the Ashland Electric Department and Ashland Engineering Division prior to installation.
- d. That the engineered construction drawings for the public sidewalks along Mountain Avenue and East Main Street shall be submitted for review and approval of the Ashland Planning and Engineering Divisions with the Final Plan application, prior to work in the street right-of-way or installation of improvements in the pedestrian corridor. The sidewalks shall be a minimum of six feet in width with seven-foot landscaped parkrows between the sidewalk and the street. All frontage improvements, including but not limited to the sidewalk, street trees, and street lighting, shall be constructed across the entire frontage of the site. The sidewalk shall be constructed to City of Ashland Street Standards. If necessary to accommodate city standard avenue improvements or to align frontage improvements, necessary additional right-of-way shall be dedicated to the city, including the three additional feet of right-of-way along East Main Street proposed by the applicants to accommodate the potential for future sidewalk widening envisioned in the Pedestrian Places concept plan. All public improvements including but not limited to the sidewalk, street trees, and street lighting shall be installed to City of Ashland standards under permit from the Public Works Department and in accordance with the approved plan prior to signature of the final survey plat.
- e. That CC&Rs for the Homeowner's Association shall be provided for review and approval of the Staff Advisor with the Final Plan application. The CC&R's shall describe responsibility for the maintenance of all common use-improvements including landscaping, driveways, planting strips, shared garage spaces and street trees.
- f. That all fencing shall be consistent with the provisions of the "Fences and Walls" requirements in AMC 18.4.4.060. The draft CC&Rs shall include stipulations on height limitations for front, side and rear yard, and shall note that fences adjacent to common open space areas shall not exceed four feet. The location and height of fencing shall be identified at the time of building permit submittals, and fence permits shall be obtained prior to

installation.

- g. The approved Tree Protection Plan and accompanying standards for compliance shall be noted in the CC&Rs. The CC&Rs must state that deviations from the plan shall be considered a violation of the Planning Application approval and therefore subject to penalties described in the Ashland Municipal Code.

8. That the building permit submittals shall include:

- a. Identification of all easements, including but not limited to any public or private utility easements.
- b. Solar setback calculations demonstrating that all new construction complies with the proposed solar access performance. Permit submittals shall include calculations, elevation drawings or cross sections clearly identifying the highest shadow producing point(s) and their height(s) from natural grade to support the required calculations.
- c. Demonstration that exterior lighting shall be directed onto the property and shall not directly illuminate adjacent properties. Exterior lighting details including fixture specifications, placement details and shrouding details (*if necessary*) shall be provided on building permit submittals.
- d. That exterior building materials and paint colors shall be compatible with the surrounding area and consistent with those described in the application materials. Sample exterior building colors shall be provided with the building permit submittals for review and approval of the Staff Advisor. Very bright or neon paint colors shall not be used in accordance with the Site Design and Development Standards.
- e. That the building permit submittals shall identify the required sheltered bicycle parking spaces for each home. The building permit submittals shall verify that the bicycle parking design, spacing and coverage requirements in AMC 18.4.3.070 are met, and all bicycle parking shall be installed in accordance with the approved plan prior to the issuance of the certificate of occupancy.
- f. 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.

9. That prior to the issuance of a building permit:

- a. That the tree protection fencing and other tree preservation measures shall be installed according to the approved plan, inspected and approved by the Staff Advisor prior to any site work, storage of materials or issuance of the building permit. The tree protection shall be chain link fencing six feet tall and installed in accordance with 18.4.5.030.C. and no construction shall occur within the tree protection zone including dumping or storage of materials such as building supplies, soil, waste, equipment, or parked vehicles.
- b. That all necessary building permits fees and charges, including permits for new electric and water services, and system development charges for water, sewer, storm water, parks,

and transportation shall be paid prior to the issuance of a building permit.

- c. The requirements of the Ashland Fire Department, including approved addressing, fire apparatus access and approach, fire flow, hydrant distance and clearance, and fire sprinklers where applicable, shall be complied with prior to issuance of the building permit or the use of combustible materials. Fire Department requirements shall be included on the engineered construction documents. If a fire protection vault is required, the vault shall not be located in the sidewalk corridor.

10. That prior to the issuance of a certificate of occupancy:

- a. That the required bicycle parking shall be installed according to the approved plan, inspected and approved by the Staff Advisor.
- b. That all landscaping and irrigation shall be installed in accordance with the approved plans, inspected and approved by the Staff Advisor.
- c. That the screening for the trash and recycling containers shall be installed in accordance with the Site Design and Development Standards prior to the issuance of a certificate of occupancy. An opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure in accordance with 18.4.4.040.
- d. That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.

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Planning Commission Approval

August 8, 2017  
Date



**PLANNING ACTION:** PA-2017-01199

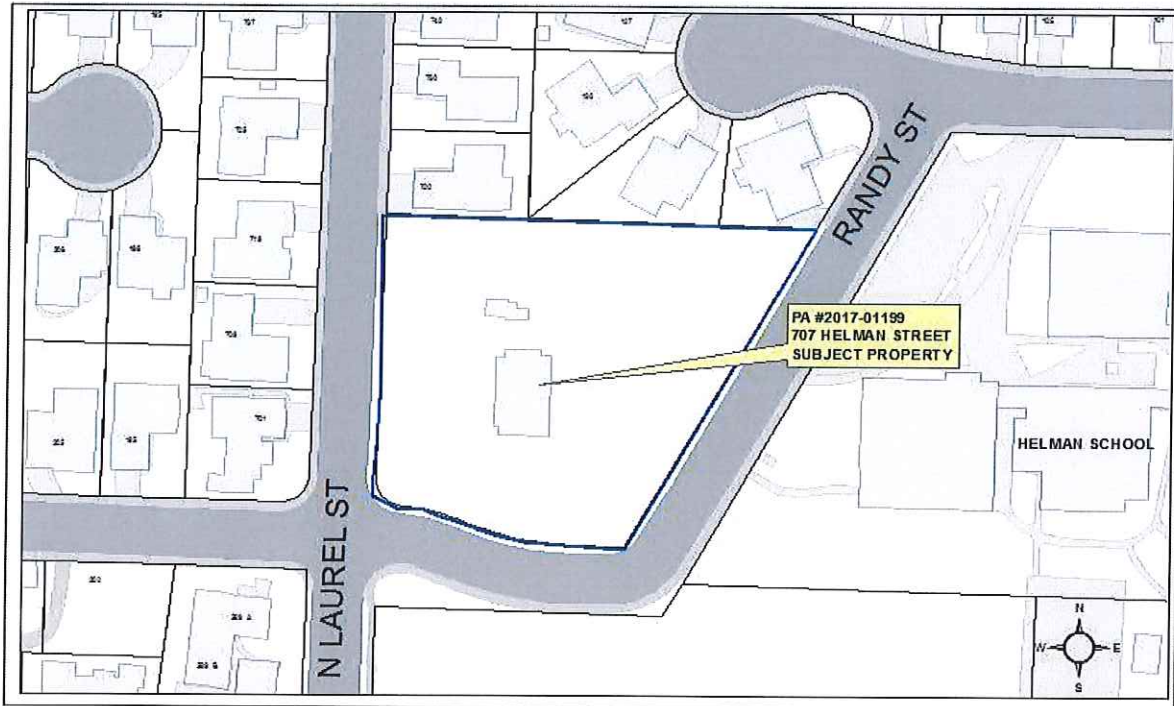
**SUBJECT PROPERTY:** 707 Helman Street

**OWNER/APPLICANT:** PDK Properties

**DESCRIPTION:** A request for preliminary subdivision plat approval to create an eight-lot subdivision for the property located at 707 Helman Street. The application also includes a request for an Exception to Street Standards to install curbside sidewalks along the full frontage of the property where city Street Standards would typically require that a park row planting strip with street trees be installed between the curb and sidewalk. The application also includes a Tree Removal Permit to remove one significant tree (#33) an 18-inch diameter Ponderosa Pine. **COMPREHENSIVE PLAN DESIGNATION:** Single-Family Residential; **ZONING:** R-1-5; **ASSESSOR'S MAP:** 39 1E 04BC; **TAX LOT #:** 100.

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, August 3, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**ASHLAND PLANNING COMMISSION MEETING:** *Tuesday, August 8, 2017 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.



## SUBDIVISION CRITERIA

### **18.5.3.070**

- A. **Approval Criteria.** The approval authority, pursuant to subsection [18.5.3.030.A](#), may approve, approve with conditions or deny a preliminary subdivision plat on findings of compliance with all of the following approval criteria.
1. The subdivision plan conforms to applicable City-adopted neighborhood or district plans, if any, and any previous land use approvals for the subject area.
  2. Proposed lots conform to the requirements of the underlying zone, per part [18.2](#), any applicable overlay zone requirements, per part [18.3](#), and any applicable development standards, per part [18.4](#) (e.g., parking and access, tree preservation, solar access and orientation).
  3. Access to individual lots necessary to serve the development shall conform to the standards contained in section [18.4.3.080](#) Vehicle Area Design.
  4. The proposed streets, utilities, and surface water drainage facilities conform to the standards in chapter [18.4.6](#), and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.
  5. All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas (e.g., landscaping, tree preservation, common areas, access, parking, etc.) is ensured through appropriate legal instrument (e.g., Covenants, Conditions and Restrictions (CC&R's)).
  6. Required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.
- B. **Conditions of Approval.** The approval authority may attach such conditions as are necessary to carry out provisions of this ordinance, and other applicable ordinances and regulations.

## 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**

August 8, 2017

**PLANNING ACTION:** #2017-01199  
**OWNER/APPLICANT:** PDK Properties  
**LOCATION:** 707 Helman Street  
**ZONE DESIGNATION:** R-1-5  
**COMP. PLAN DESIGNATION:** Single Family Residential

**ORDINANCE REFERENCES:**

(See also <http://www.codepublishing.com/OR/Ashland/#!/LandUse/index.html#NT>)

18.2.4	General Regulations for Base Zones
18.2.5	Standards for Residential Zones
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
18.4.8	Solar Access
18.5	Application Review Procedures and Approval Criteria
18.5.3	Land Divisions & Property Line Adjustments
18.5.7	Tree Removal
18.6.1	Definitions

**APPLICATION DEEMED COMPLETE ON:** July 23, 2017

**REQUEST:** A request for preliminary subdivision plat approval to create an eight-lot subdivision for the property located at 707 Helman Street. The application also includes a requests for: An Exception to Street Standards to install curbside sidewalks along the full frontage of the property where city Street Standards would typically require that a park row planting strip with street trees be installed between the curb and sidewalk, and a Tree Removal Permit to remove one significant tree (#33), an 18-inch diameter Ponderosa Pine.

**I. Relevant Facts**

**1) Background - History of Application**

Materials provided by the applicant at the pre-application conference note that the existing 1,971 square foot home located on top of the knoll near the center of the property was constructed in 1910 for the son of Abel Helman. By 1948, the

site was the home of Clarence and Sadie Williams and was known as the “Cherry Knoll Dairy.” These materials recognized that the property, though outside the adopted historic district, had historic significance but that the home has fallen into significant disrepair, and that damage to the structure from prior neglect was significant enough that the cost to remedy it would outweigh any reasonable value. They also suggest that the placement of the home significantly impacted the potential lot layout if the property were to be subdivided.

The applicants requested a Demolition Permit in June of 2017 noting that the uninsulated home had a failing sandstone and block foundation that lacked footings; had unsupported porches with framing directly in contact with the soil; the interior had been gutted with all wall surfaces stripped; the exterior had significant amounts of rot, with the rear porch completely rotten and lacking a floor; all mechanical, electrical, and plumbing systems were either not in place or in need of replacement, including a broken sewer lateral. The demolition application indicated that the first deferred maintenance notes in the County Assessor’s records appeared in 1988 and the condition was allowed to worsen for 30 years. The application included a report from a professional structural engineer who determined that the building was unsafe and advised that any consideration of renovation should give serious consideration to the value of the existing structure. The requested demolition was approved by the Building Official on June 14, 2017 subject to approval by the Planning Commission of a redevelopment plan for the property. Notice of the demolition approval was posted on-site and published in the local newspaper, and no hearing was requested during the appeal period.

There are no planning actions of record for the property.

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

### ***Site Description***

The subject property is roughly trapezoidal in shape, located at the northeast corner of the intersection of Laurel and Randy Streets, and has an approximate area of 1.14 acres or 49,901 square feet. Despite the Helman Street address, the property does not front on Helman Street, but is located directly across Randy Street from Helman School. The property consists of a knoll with a 1,971 square foot residence at the top. The knoll slopes fairly evenly, but has steeper slopes immediately adjacent to the Laurel Street right-of-way. The application notes that there are some trees on the property, but that they have had decades of neglect, and indicates that there are no other significant natural features on the property.

The subject property and adjacent properties are zoned R-1-5, a Single Family Residential zoning with a 5,000 square foot minimum lot size. The property is not located within any Historic District and is also outside of the Performance Standards Option overlay.

The parent parcel is accessed via a gravel driveway that enters the property near the intersection of Randy and Laurel Streets, and another driveway accesses the lot near the north property line from Randy Street.



Randy Street is a Neighborhood Street and is paved with curbs and gutters in place, but there are sidewalks in place along the subject property's frontage. City standard frontage improvements would include a five- to six-foot sidewalk and a seven-foot parkrow planting strip with irrigated street trees.

North Laurel Street is a Neighborhood Collector Street and is paved with curbs and gutters in place. Curbside sidewalks are in place on Laurel Street immediately to the north of the subject property, and sidewalks with parkrow planting strips are in place along Laurel Street across Randy Street to the south. City standard frontage improvements would include a five- to six-foot sidewalk and an eight-foot parkrow planting strip with irrigated street trees.

### ***Current Proposal***

The current application requests preliminary subdivision plat approval to create an eight-lot subdivision for the property located at 707 Helman Street. Each of the homes in the subdivision is proposed to meet Earth Advantage® Platinum standards. The application also includes a request for an Exception to Street Standards to install curbside sidewalks along the full frontage of the property where city Street Standards would typically require that a park row planting strip with street trees be installed between the curb and sidewalk. The application also requires a Tree Removal Permit to remove one significant tree (#33) an 18-inch diameter Ponderosa Pine.

## **II. Project Impact**

As detailed in AMC 18.5.3.030.A.2, review of a preliminary plat for subdivision approval is subject to the approval criteria in AMC 18.5.3.050 and are reviewed through the Type II procedure, with a decision by the Planning Commission following a public hearing.

### **Preliminary Subdivision Plat Approval**

The first approval criterion for preliminary plat approval is that, "*The subdivision plan conforms to applicable City-adopted neighborhood or district plans, if any, and any previous land use approvals for the subject area.*" The application materials provided assert that the subdivision plan conforms to applicable standards, and that there are no neighborhood plans or previous land use approvals that affect the subject property.

The second approval criterion for preliminary plat approval is that, "*Proposed lots conform to the requirements of the underlying zone, per part 18.2, any applicable overlay zone requirements, per part 18.3, and any applicable development standards, per part 18.4 (e.g., parking and access, tree preservation, solar access and orientation).*" The application materials suggest that the proposed subdivision conforms to the requirements of the underlying R-1-5 zone, and that there are no overlay zone requirements which apply to the property. The application further indicates that the proposed subdivision complies with the standards in part 18.4, including that each lot will have two off-street parking spaces, the two proposed flag lots will have a third required visitor's space, and each residence is to have a garage which will accommodate bicycle parking as well.



The third approval criterion for preliminary plat approval is that, *“Access to individual lots necessary to serve the development shall conform to the standards contained in section 18.4.3.080 Vehicle Area Design.”* The application indicates that access is consistent with AMC 18.4.3.080, explaining that proposed driveways and parking are to meet the standards of the ordinance and that the number of driveways has been reduced to minimize the impacts of multiple driveways on the streetscape including potential conflicts for pedestrians and vehicles.

The fourth approval criterion for preliminary plat approval is that, *“The proposed streets, utilities, and surface water drainage facilities conform to the standards in chapter 18.4.6, and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.”* The application explains that the proposed street improvements are limited to five-foot wide curbside sidewalks along the property’s full frontage, and an Exception to Street Standards has been requested to install these sidewalks without the standard park row planting strip configuration. This Exception is addressed later in this document. The application further notes that the utility plan is consistent with standards, and that there is limited future development potential on adjacent lands as the neighborhood is largely developed. Utilities for the projects are discussed as follows:

- **Water:** The application materials provided note that six-inch water services are available in both the Laurel Street and Randy Street rights-of-way. The application proposes to utilize the existing meter for one lot, and install seven new meters to serve the remaining lots.
- **Sanitary Sewer:** The application materials provided note that six-inch sanitary sewer services are available in both of the adjacent rights-of-way and will be stubbed out to each lot. The application further notes that the existing sewer line serving the house has failed and will be decommissioned in conjunction with the development.
- **Electric Service:** Electric service is to be undergrounded and the city street light on the south side of Randy Street is to be re-serviced from the new underground transformers. Pedestrian scale streetlights are to be installed where required, and the applicants note that they anticipate street light installation to be required at the intersection of Randy and Laurel Streets.
- **Stormwater Drainage:** The existing home is served by an eight-inch storm drain line in the Laurel Street right-of-way. The application notes that dealing with the site’s stormwater had proven complicated due to a general lack of facilities in the immediate area. The proposal is to place individual stormwater catchment and detention systems placed around the perimeter of the property that will slow and treat run-off before it is directed into the city system.

Conditions have been recommended below to require that final utility plans be provided for the review and approval of the Planning, Building, Public Works/Engineering, and Electric

Departments prior to the signature of the final survey plat, and that any meters, vaults, transformers, etc. be placed outside of the sidewalk pedestrian corridor.

The fifth approval criterion for preliminary plat approval is that, *“All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas (e.g., landscaping, tree preservation, common areas, access, parking, etc.) is ensured through appropriate legal instrument (e.g., Covenants, Conditions and Restrictions (CC&R’s)).”* The application explains that the proposed private shared driveways and turn-around areas will have easements for access and maintenance, and CC&R’s or a similar instrument will be created to address shared easement responsibilities. Conditions have been recommended below to require that easements be identified on the final plat submittal, and that a draft of the CC&R’s or similar instrument be provided for review and approval of the Staff Advisor prior to the signature of the final survey plat.

The sixth and final approval criterion for preliminary plat approval is that, *“Required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.”* The applicants explain that to their knowledge, there are no applicable state or federal permits necessary for the development of the site.

### **Solar Access**

The solar access requirements of AMC 18.4.8 require that all land divisions creating new lots either demonstrate that all lots are designed to permit the location of a 21-foot high structure with a solar setback which does not exceed 50 percent of the lot's north-south lot dimension, or to identify a solar envelope to define the height requirements that will protect the applicable solar access standard. The application includes a table delineating the required setbacks for ten, 12 and 18 foot eaves for each of the proposed lots to define the height requirements that will protect the applicable solar access standard, as required in the ordinance.

### **Exception to Street Standards**

The application includes a request for an Exception to Street Standards in order to install five-foot wide curbside sidewalks for the full frontage of the parent parcel, rather than installing the typically required seven-foot parkrow planting strip with irrigated street trees between the curb and sidewalk.

The first criterion for an Exception is that, *“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.”* The application asserts that there are physical constraints to creating a parkrow planting strip with a sidewalk, explaining that due to the topography of the property, installation of standard street improvements would require substantial amounts of excavation and the construction of retaining walls to retain the slope behind the sidewalk.

The second criterion is that, *“The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable: 1) For transit facilities and related improvements, access, wait time, and ride experience; 2) 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; and 3) 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.*” The application suggests that the curbside sidewalk will provide for an adequate level of comfort for walking along the roadway, noting also that Randy Street in particular has low amounts of vehicle traffic. The applicants emphasize that the curbside sidewalk would connect with an existing curbside pattern found throughout the neighborhood and would complete the link in the Safe Routes to School for Helman Elementary School.

The third criterion is that, *“The exception is the minimum necessary to alleviate the difficulty.”* The application indicates the request to match the existing development pattern with a curbside sidewalk rather than creating retaining walls to support cuts necessary to accommodate standard park row planting strip installation is the minimum exception necessary to address topographical constraints.

The fourth criterion is that, *“ The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.”* The application asserts that the Exception is consistent with the Purpose and Intent of the Street Standards, which allows for variations to fit the site and situation. The applicants further suggest that the placement of street trees behind the sidewalk will maintain the desired low-speed environment where people feel comfortable and the maximum number of people can walk. The applicants also note that a new curb cut with truncated dome to facilitate pedestrian connectivity across both Laurel and Randy Streets to improve neighborhood connectivity.

In visiting the site, staff would concur with the applicant’s assessment that particularly along Laurel Street significant excavation and retaining would be needed to accommodate sidewalk and parkrow installation. Slopes along Laurel exceed 35 percent for much of the frontage, and there is as much as an eight-foot elevation gain in the 15 feet immediately behind the curb. While the Randy Street frontage is less steep, it has two areas where the slopes appear to exceed 35 percent as well, and other areas where the slopes are in excess of 25 percent. In staff’s view, given the slopes and the established sidewalk pattern in the neighborhood, curbside sidewalks seem an appropriate treatment.

For staff, a consideration with the Exception request is that a standard parkrow configuration accommodating street trees between the curb and sidewalk is intended to establish canopy trees between pedestrians and cars, providing a physical buffer and calming traffic while also reducing the heat island effect and absorbing carbon monoxide. With a curbside sidewalk and street trees placed behind the sidewalk, these benefits might be lessened to a degree that the Commission could determine that granting an Exception might be more appropriate if some level of existing tree canopy were preserved on-site, particularly given the number of trees which are suggested as able to be preserved in the arborist’s report. Staff’s preliminary assessment in visiting the site is that the existing trees appear to provide limited benefit in terms of canopy coverage and appropriately selected street trees with irrigation placed behind a curbside sidewalk may well be the best option for the long-term establishment of healthy canopy coverage. As this report is being prepared, the Tree Commission has not yet reviewed the application; staff recommends that a condition be included to make their recommendations a condition of approval.

## Trees

All planning actions are required to include a Tree Preservation/Protection Plan in accordance with AMC 18.4.5.030. With regard to protecting trees on adjacent properties within 15 feet of the property line, the application notes that trees on the property to the north are protected by a six-foot tall solid wood fence and that homes will be sufficiently setback from the north property line due to solar setbacks that the neighbors' trees will not be negatively impacted.

The application notes that there are 41 trees on the property, and that all have been evaluated by an ISA-certified arborist. The application indicates that the arborist found that the trees have been neglected for years and that only a few merit considering preservation. The application further indicates that many of the trees are less than 18-inches in diameter at breast height and as such are "below the threshold of required preservation." The application suggests that the trees that are in the best health are poorly placed when considered in light of the property's highest and best use as single-family residentially-zoned property as they fall within the buildable areas, storm water detention facilities, driveways and circulation areas, or where retaining walls will be necessary for the new public sidewalk. The application concludes that due to the trees' conditions and placement relative to the development of the site, all of the site's trees will be removed and emphasizes that because of the property's single family zoning and the presence of a single family residence, it is exempt from the tree removal permit requirements.

AMC 18.5.7.020.C.2 does provide that, "Removal of trees in single family residential zones on lots occupied only by a single family detached dwelling and associated accessory structures, except as otherwise regulated by chapters 18.3.10 Physical and Environmental Constraints and 18.3.11 Water Resource Protection Zones" is exempt from Tree Removal Permit requirements. However, in this case the dwelling on the property has been approved for demolition, and the current application proceeds as the redevelopment of a vacant residential property. In AMC 18.5.7.030.B.3, "Removal of significant trees, as defined in part 18.6, on vacant property zoned for residential purposes including but not limited to R-1... zones," requires a Tree Removal Permit, and the application has provided written findings for a Tree Removal Permit addressing the removal of Tree #33, an 18-inch diameter Ponderosa Pine.

The Tree Removal findings provided indicate that the tree is located in the building envelope for the proposed Lot #8, and its removal will not have a negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees or existing windbreaks, and will not have a significant negative impact of the tree densities, sizes and canopies. The application emphasizes that the tree is a stand-alone tree, not part of a windbreak, and that a structure will be built in this location eliminating potential erosion and soil stability concerns. The application further suggests that alternative lot layouts were considered, but the applicants ultimately determined that it came down to the expense of losing one entire building lot to preserve the tree given that the critical root zone would extend roughly 31 ½ feet from the tree leaving less than a 30-foot by 60-foot area to accommodate a residence, yard area, driveway and parking. The application concludes that the tree should be considered exempt from removal permit requirements, is not preservable due to its placement and proximity to buildable areas, and will be mitigated with a five- to six-foot tall conifer on one of the private lots in addition to the planting of street trees along the property's perimeter.

As this report is being prepared, the Tree Commission has not yet reviewed the application, and staff recommends a condition be included to make their recommendations a condition of approval.

### **III. Procedural - Required Burden of Proof**

**The criteria for Preliminary Plat approval for a new Subdivision are detailed in AMC 18.5.3.070 as follows:**

- A. *Approval Criteria.*** *The approval authority, pursuant to subsection 18.5.3.030.A, may approve, approve with conditions or deny a preliminary subdivision plat on findings of compliance with all of the following approval criteria.*
1. *The subdivision plan conforms to applicable City-adopted neighborhood or district plans, if any, and any previous land use approvals for the subject area.*
  2. *Proposed lots conform to the requirements of the underlying zone, per part 18.2, any applicable overlay zone requirements, per part 18.3, and any applicable development standards, per part 18.4 (e.g., parking and access, tree preservation, solar access and orientation).*
  3. *Access to individual lots necessary to serve the development shall conform to the standards contained in section 18.4.3.080 Vehicle Area Design.*
  4. *The proposed streets, utilities, and surface water drainage facilities conform to the standards in chapter 18.4.6, and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.*
  5. *All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas (e.g., landscaping, tree preservation, common areas, access, parking, etc.) is ensured through appropriate legal instrument (e.g., Covenants, Conditions and Restrictions (CC&R's)).*
  6. *Required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.*
- B. *Conditions of Approval.*** *The approval authority may attach such conditions as are necessary to carry out provisions of this ordinance, and other applicable ordinances and regulations.*

**The criteria for an Exception to Street Standards are described in AMC 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 detailed in AMC 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**

The proposal would redevelop a long-neglected property in an otherwise already developed neighborhood with eight new Earth Advantage® Platinum homes, and in so doing construct new sidewalks along the property's full frontage while limiting the number of driveways to two to minimize conflict points in the streetscape opposite Helman Elementary School.

In staff's view, the application with the attached conditions complies with all applicable City ordinances, and merits approval. Should the Commission concur, staff would recommend that following conditions be attached to the approval:

1. That all proposals of the applicant shall be conditions of approval unless otherwise modified herein.
2. That all recommendations of the Ashland Tree Commission from their August 3, 2017 regular meeting shall be conditions of approval, where consistent with the applicable standards and with final approval by the Staff Advisor.
3. That one replacement tree (a five- to six-foot conifer) to mitigate the Ponderosa Pine tree removed shall be planted and irrigated according to the approved plan within 12 months of the Ponderosa Pine's removal.
4. That any new addresses shall be assigned by City of Ashland Engineering Department.
5. That permits shall be obtained from the Ashland Public Works Department prior to any work in the public right of way.
6. That prior to the signature of the final survey plat:
  - a. That a final survey plat shall be submitted within 18 months of the final decision date of the preliminary partition plat for review and approval by the City of Ashland.
  - b. All easements for public and private utilities, fire apparatus access, and reciprocal utility, maintenance, and access shall be indicated on the final survey plat as required by the Ashland Engineering Division.
  - c. That a final utility plan for the parcels shall be submitted for review and approval by the Planning, Engineering, and Building Divisions prior to signature of the final survey plat. The utility plan shall include the location of connections to all public facilities including the locations of water lines and meter sizes, fire hydrants, sanitary sewer lines, storm drain lines and electric services.
  - d. That the location and final engineering for all storm drainage improvements associated with the project, shall be submitted for review and approval by the Departments of Public Works, Planning and Building Divisions prior to signature of the final survey plat.

- e. That the applicant shall submit an electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric Department prior to the signature of the final survey plat. Transformers and cabinets shall be located outside of the sidewalk corridor, in areas least visible from streets and outside of vision clearance areas, while considering the access needs of the Electric Department.
- f. That the electric services shall be installed underground to serve all eight parcels prior to signature of the final survey plat. At the discretion of the Staff Advisor, a bond may be posted for the full amount of underground service installation (with necessary permits and connection fees paid) as an alternative to installation of service prior to signature of the final survey plat. In either case, the electric service plan shall be reviewed and approved by the Ashland Electric Department and Ashland Engineering Division prior to installation.
- g. That the sanitary sewer laterals and water services including connection with meters at the street shall be installed at the applicants' expense for all eight parcels prior to the signature of final survey plat.
- h. That the two new driveway approaches shall be permitted through the Engineering Division. The driveway curb cuts shall be installed, the old/unused curb cuts closed, and all work inspected and approved prior to the signature of the final survey plat.
- i. That the flag drive shall be paved to a 22-foot width as proposed, with a vertical clearance of 13 feet, six inches, and be able to withstand 44,000 pounds prior to the signature of the final survey plat. The flag drive shall be constructed so as to prevent surface drainage from flowing over the private property lines, sidewalks and/or public ways in accordance with AMC 18.5.3.060.G.
- j. That CC&Rs or similar instrument shall be provided for review and approval of the Staff Advisor prior to signature of the final survey plat. The CC&R's shall describe responsibility for the shared use and maintenance of driveways and circulation areas.
- k. That street trees, one per 30 feet of street frontage, shall be installed on the Laurel and Randy Street frontages prior to the signature of the final survey plat. All street trees shall be chosen from the adopted Street Tree List and shall be planted in accordance with the specifications contained therein. The street trees shall be irrigated.
- l. Engineered construction drawings for the public sidewalks along Laurel and Randy Streets shall be submitted for review and approval of the Ashland Planning and Engineering Divisions prior to work in the street right-of-way and prior to installation of improvements in the pedestrian corridor. All public improvements including but not limited to five-foot curbside sidewalks, street trees, and street lighting shall be installed to City of Ashland standards across the entire frontage of the property under permit from the Public Works Department and in accordance with the approved plan prior to signature of the final survey plat. If necessary for alignment of frontage improvements, the area for city standard street improvements shall be dedicated as public



street right-of-way or a public pedestrian access easement provided. The right-of-way dedication shall be submitted for review and approval of the City of Ashland Engineering and Planning Departments.

7. That the building permit submittals shall include:
  - a. Identification of all easements, including but not limited to any public or private utility easements.
  - b. Solar setback calculations demonstrating that all new construction complies with Solar Access Standard A and the solar envelopes described in the application. Permit submittals shall include solar calculations in the form of  $[(\text{Height} - 6) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$  and elevation drawings or cross sections clearly identifying the highest shadow producing point(s) and their height(s) from natural grade to support the calculations.
  - c. Demonstration that exterior lighting shall be directed onto the property and shall not directly illuminate adjacent properties. Exterior lighting details including fixture specifications, placement details and shrouding details (*if necessary*) shall be provided on building permit submittals.
  - d. Lot coverage calculations including all building footprints, driveways, parking, and circulation areas. Lot coverage shall be limited to no more than fifty percent as required in AMC 18.2.5.030.A.
  - e. That storm water from all new impervious surfaces and run-off 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. That all necessary building permits fees and charges, including permits for new electric and water services, and system development charges for water, sewer, storm water, parks, and transportation shall be paid prior to the issuance of a building permit.
  - b. The applicable requirements of the Ashland Fire Department, including approved addressing, fire apparatus access including easement and turn-around, firefighter access pathway, fire flow, hydrant distance and clearance, work area, fire season fire prevention requirements, and weed abatement during construction shall be complied with prior to issuance of the building permit or the use of combustible materials. Fire Department requirements shall be included on the engineered construction documents. If a fire protection vault is required, the vault shall not be located in the sidewalk corridor.
  
9. That prior to the issuance of a certificate of occupancy:
  - a. That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.

EIGHT LOT SUBDIVISION

# HELMAN HEIGHTS

PDK Properties, LLC  
707 Helman Street



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City of Ashland

June 22, 2017

**Subject Property**

**Property Address:** 707 Helman Street  
**Map & Tax Lots:** 39 1E 04BC Tax Lots: 100  
**Zoning:** R-1-5  
**Adjacent Zones:** R-1-5

**Lot Area:** 1.14 acres  
49,901 square feet

**Property Owner:** PDK Properties  
588 Parsons, Suite H  
Medford, OR 97501

**Engineering Services:** CEC Engineering  
Tony Bakke  
PO BOX 1724  
Medford, OR 97501

**Surveyor:** Terra Survey  
274 Fourth Street  
Ashland, OR 97520

**Site Planning:** Steve Ennis, Architect  
1108 E Jackson Street  
Medford, OR 97504

**Arborist:** Madara Design Inc.  
Tom Madara  
2994 Wells Fargo Rd.  
Central Point, OR 95702

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

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**Request:**

A request for Subdivision Approval of an eight-lot subdivision. An exception to street standards to not install landscape parkrows along the frontages of the property is also requested.

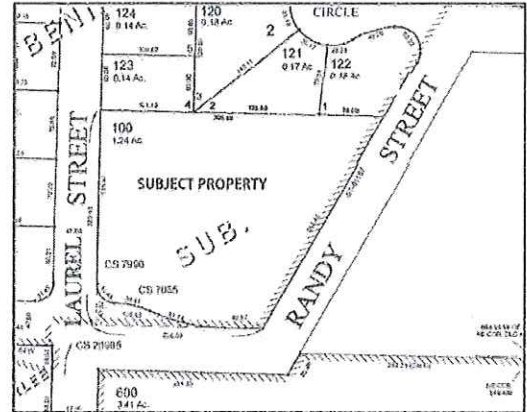
**Property Description:**

The subject property is a 1.14-acre parcel northeast of the intersection of Laurel Street and Randy Street.

The property consists of a knoll and at the top of the knoll, is the existing, 1,971 square foot, single family residential home.

The knoll slopes fairly evenly with steeper slopes along the Laurel Street right-of-way.

The property is accessed via a gravel driveway that enters the property near the intersection of Randy and Laurel Street, another driveway accesses the lot near the north property line from Randy Street.



The site is largely devoid of natural features. There are some trees on the site but they have had decades of neglect

Laurel Street has a 47-foot wide right-of-way and is improved with pavement, curb and gutter. A five-foot curbside sidewalk terminates at the northwest corner of the property. Along the frontage of the property there is a steep embankment from where it appears the road cut for Laurel Street was made forming the west side of the knoll.

Randy Street is adjacent the south and east boundaries of the property. The Randy Street right-of-way varies from 90-feet the intersection of Laurel and Randy and narrows to 47-feet in width. The Randy Street improvements shift to the north (towards the property) to align the intersection. Randy Street consists of curb, gutter and 32-feet of paving. The south side of Randy Street (along the Helman Elementary School frontage) is a six-foot curbside sidewalk. There are no sidewalks along the frontage of the property. A five-foot curbside sidewalk terminates at the northeast corner of the property.

There is a fire hydrant on the east side of the property along Randy Street, another hydrant is located across Randy Street, and another hydrant across Laurel Street to the west of the property. There is an overhead power pole at the intersection of Randy and Laurel Streets at the southwest corner of the property that serves the lot. This power pole also services a cobra head City street light that is to the south of the property across Randy Street. Water and sewer service is in Laurel Street. There is no storm drain service on the property.

The property is not within the Performance Standards Option overlay.

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The Benner Subdivision is to the north and west of the property. Benner Subdivision was developed in 1978. This lot was not part of Benner Subdivision but was owned by the property owners that created the Benner Subdivision. The lots in the Benner Subdivision are developed as approximately 6,000 to 9,000 square foot parcels with single family residential homes. The lot to the east and south, across Randy Street is the campus of Helman Elementary School. The adjacent properties are also zoned Single Family Residential (R-1-5).

**Project Details:**

The proposal is for an eight-lot, single family residential subdivision. The 49,901-square foot parcel is proposed to be developed into eight lots that comply with the standards from AMC 18.25 for 5,000 square foot minimum lot area, single family residential lots. The proposed lots range in size from 5,279 square feet to 7,399 square feet.

Each of the homes in the subdivision is proposed to meet the Earth Advantage Platinum Standards. The homes will be oriented towards the public street which the lots abut. Due to topographical constraints, some homes may have a stronger orientation to a "side" street (Lot #6), but will retain a presence on the public street. A walkway / at grade stair will be provided to each residence from the sidewalk to increase orientation to the public street. Though not specifically required by code, a few of the conceptual elevations of structures that would be constructed in the subdivision have been provided in the attachments.

Due to the topography of the property, a Solar Envelope as allowed in AMC 18.4.8.040.B. The proposed Subdivision Site Plan has the setbacks for the Solar Envelopes shown and notes detailing single story on the lots restricted as such. A 31.2-foot setback is shown on Lots 2 – 4. This depicts the height of an 18-foot tall eave. The property owner, PDK Properties, intends to construct the homes on the property and the Solar Envelopes were created based on their typical home design, height and roof pitches. Attached is the Solar Envelope table that details the required setbacks for each parcel based on standard eave heights.

To reduce driveway curbcuts, the eight lots are proposed to be accessed via two driveways. Lots #1, #2 – 5 and #8 are proposed to be accessed via the shared 22-foot wide private driveway connection to the east portion of Randy Street. Lots #6 and #7 are proposed to be accessed from a 20-foot wide shared driveway that enters the property from the south portion of Randy Street. This driveway is more than 50-feet from the intersection.

The proposal involves the removal of the existing structure to facilitate development of the site. A demolition permit had been filed with the City of Ashland Building Official for review and approval. The proposed demolition has been found to comply with the standards from Demolition and has a conditional approval in place.

The residence has fallen into significant disrepair due to years of neglect. The previous occupant lived as a hoarder, and had numerous cats that lived within the structure. The interior of the residence was

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guttered by a different previous property owner. A structural evaluation was performed by an Oregon Licensed and Registered Structural Engineer and it was found that there are numerous structural deficiencies with the residence. The 1996, Jackson County Assessor's tax report on the property notes "extensive deferred maintenance", and "extremely poor condition". The assessed value in 1996, was \$24,000 due to the conditions of the structure. The conditions of the structure did not improve between 1996 and 2017. A local house moving company that has been moving houses for nearly 40 years, found the structure could not readily be relocated on the property without significant risk of structural failure. Removing the structure from the property unless just within the immediate vicinity would be cost prohibitive due to lack of a passable route out of the neighborhood. Along with condition, the placement of the home substantially impacts the potential lot layout for subdivision. It is the property owner's intention to remove the residence from the property as soon as possible from a safety and health perspective. Therefore, the structure will be removed.

**Trees:**

The property is occupied by the single-family residence and many, smaller stature trees are scattered throughout the site. The most significant tree is a Ponderosa Pine to the east of the existing residence. An arborist report is attached with additional details regarding the trees on the site. Due to the trees conditions and placement as it affects the development of the site, the trees will be removed from the site. The property, zoned single family residential and is occupied by a residence is exempt from the tree removal permit requirements. Since the residence is proposed for removal, findings addressing removal of the 18-inch ponderosa pine have been provided.

**Public Improvements:**

A five-foot-wide curbside sidewalk that connects the existing five-foot wide curbside sidewalks that terminate at the north property line on both the east and west side of the property is proposed to install along the frontage of the property. An Exception to Street Standards to not install landscape parkrows along the frontage of the property is requested.

All necessary utilities to service the development either exist or will be installed in order to provide connection to city facilities.

A pedestrian scale street light where required by the City of Ashland is tentatively proposed at the intersection of Randy and Laurel Street.

**Findings of Fact:**

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 Times New Roman font and the applicant's responses are in Calibri font.

**CRITERIA from the Ashland Land Use Ordinance**

**18.2.2.030 Allowed Uses**

A. Uses Allowed in Base Zones. Allowed uses include those that are permitted, permitted subject to special use standards, and allowed subject to approval of a conditional use permit.

A Subdivision request for the creation of an eight-lot, Earth Advantage Platinum, single-family residential development is a permitted use in the Single Family Residential zone.

**18.2.4.010 Access and Minimum Street Frontage**

Each lot shall abut a public street other than an alley for a width of not less than 40 feet; except, where a lot is part of an approved flag partition or abuts a cul-de-sac vehicle turn-around area, the minimum width is 25 feet.

Each lot, excepting two flag lots will abut a public street with a width of more than 40-feet. Two lots, Lots #2 and #3, will be connected to the public right-of-way via flag pole connections.

**18.2.4.020 Accessory Structures and Mechanical Equipment**

Mechanical equipment will not be located between the main structures on the site and any street adjacent to a front or side yard. Every attempt will be made to place such equipment so that it is not visible from adjacent public streets.

**18.2.4.040 Vision Clearance Area**

The proposed Lot #6 is at the intersection of Randy and Laurel Street. The Vision Clearance triangle falls just to the edge of the proposed building envelope,

**18.2.4.050 Yard Requirements and General Exceptions**

A. In addition to the requirements of chapters 18.2.5 and 18.2.6, yard requirements shall conform to the Solar Access standards of chapter 18.4.8.

The proposed subdivision complies with all yard requirements. A Solar Envelope has been proposed to demonstrate compliance with the Solar Access Standards from chapter 18.4.8. The individual building permits for the single family residences will demonstrate compliance with the standard setbacks in the zone, the building envelopes where applicable and the solar envelopes, lot coverage standards and design requirements for single family residences.

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**B.** Eaves and awnings may encroach three feet into required yards; all other architectural projections may encroach 18 inches into required yards.

Eave, awning and architectural projections will demonstrate compliance with the standards upon building permit submittal.

**C.** The following general exceptions are allowed for structures that are 30 inches in height or less, including entry stairs, uncovered porches, patios, and similar structures:

1. The structures are exempt from the side and rear yard setback requirements.
2. The front and side yards abutting a public street may be reduced by half.

Compliance with these standards will be demonstrated with the individual lot building permit submittals.

#### **18.2.5.030 Unified Standards for Residential Zones**

Each lot within the proposed subdivision complies with the minimum lot area in the R-1-5 zone. Lots #2 and #3 are proposed as flag lots and the buildable area of the lots, excluding the flag pole exceeds 5,000 square feet. Lot #6, the corner lot has more than 6,000 square feet of lot area.

Each lot has a minimum, average lot width of 50-feet or more. Each lot has a minimum lot depth of 80-feet. Each lot is deeper than it is wide. None of the proposed lot depth exceeds 150-feet.

The proposed building envelopes comply with the minimum setbacks in the zone. A 10-foot PUE will be provided along the frontages of the property, if at time of building permit, the reduced front porch setback may be utilized along the Randy Street lot frontages. The Laurel Street lots are proposed to be outside of the steep slope along the street right-of-way and it is unlikely that the reduced front porch setback would be utilized.

At the time of the building permit application, demonstration with minimum lot coverages will be provided. Additionally, the single family residential design standards from AMC 18.2.5.090 will be complied with at the time of building permit submittal.

#### **18.5.3.020 Land Divisions and Property Line Adjustments.**

**A.** Applicability. The requirements for partitions and subdivisions apply, as follows.

1. Subdivisions are the creation of four or more lots from one parent lot, parcel, or tract, within one calendar year.

The request is for an eight-lot subdivision, Helman Heights.

#### **18.5.3.070 Preliminary Subdivision Plat Criteria**

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**A. Approval Criteria.** The approval authority, pursuant to subsection 18.5.3.030.A, may approve, approve with conditions or deny a preliminary subdivision plat on findings of compliance with all of the following approval criteria.

1. The subdivision plan conforms to applicable City-adopted neighborhood or district plans, if any, and any previous land use approvals for the subject area.

The proposed subdivision conforms to applicable standards. There are no neighborhood plans or previous land use approvals that affect the subject property.

2. Proposed lots conform to the requirements of the underlying zone, per part 18.2, any applicable overlay zone requirements, per part 18.3, and any applicable development standards, per part 18.4 (e.g., parking and access, tree preservation, solar access and orientation).

The proposed eight lot subdivision conforms to the requirements of the underlying R-1-5 zone. There are no overlay zone requirements that apply to the property. The proposed subdivision complies with the standards from 18.4. as demonstrated in these findings.

**Parking and Access:** Each proposed lot will have two automobile parking spaces. The two flag lots will have a third parking space for guest parking provided adjacent to the future garage. Lots fronting on the streets, Lot #1, Lots #4 – 8 will have on-street guest parking.

Each residence will have a garage to accommodate bicycle parking.

**Tree Preservation:** There are 41 trees on the property. They have been evaluated by an ISA Certified Arborist. The Arborist found that the trees have been neglected for many years. There are only a few trees that are substantial enough to consider preservation. Many of the trees are less than 18-inches in diameter at breast height and are below the thresholds of required preservation. The trees that are in the best condition health-wise are poorly placed with consideration of the ultimate allowed density of the single family residentially zoned property as utilized to its highest and best use. The trees fall within buildable areas, the storm water detention facilities, where the retaining walls for the new public sidewalk are located, or within driveway and turn around areas. The trees on the adjacent property to the north are protected with a 6-foot tall solid panel wood fence. Additionally, the structures will be more than ten feet away from the north property line due to the solar setbacks and will not have a negative impact on the trees. See the attached Arborist Evaluation for additional information.

**Solar Access and Orientation:** The proposed subdivision is proposed to have solar envelopes as allowed in AMC 18.4.8.040.B. The proposed Subdivision Site Plan has the setbacks for the Solar Envelopes shown and notes detailing single story on the lots restricted as such. The property owner, PDK Properties, intends to construct the homes on the property and the Solar Envelopes were created based on their typical home design, height and roof pitches. See the Solar Envelope setback standards in the attachments. The slopes were calculated for each individual lot. Each lot can be constructed in a manner that does not preclude the property to the north from access to passive and active solar. Each lot has

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been designed in a manner that the solar standard of not more than a six-foot shadow on the north property on December 21<sup>st</sup> at noon is met.

3. Access to individual lots necessary to serve the development shall conform to the standards contained in section 18.4.3.080 Vehicle Area Design.

The required automobile parking facilities will be located on the property it is intended to serve.

The automobile parking will not be located in a required front and side yard setback area abutting a public street, except the private driveway.

The off-street parking will not exceed a contiguous area of more than 25 percent of the area of the front yard, or a contiguous area 25 feet wide and the depth of the front yard, whichever is greater.

Required parking areas will be designed in accordance with the standards and dimensions.

Parking spaces will be a minimum of 9 feet by 18 feet.

The guest parking spaces will have minimum dimensions of 8 feet by 16 feet.

Parking spaces will have a back-up maneuvering space not less than 22 feet.

The proposed subdivision will have a reduced number of driveways to reduce pedestrian and vehicle conflicts and to reduce the impacts to the street frontage with multiple driveway access points. The proposed lots will have a pedestrian connection to the lots from the adjacent streets in the form of walkways or along the Private Driveway, a material differentiating pedestrian route from the vehicle driving surface.

Randy Street is a Residential Street, the proposed driveway accessing Lots #6 and #7 is more than 35-foot from the intersection of Laurel and Randy which exceeds the minimum 35-foot of separation.

The proposed private driveway is separated from any other driveways by more than 24-feet.

The plans submitted demonstrate that the driveway intersection with the street have been minimized through the use of shared driveways. All necessary access easement for ingress, egress, maintenance and emergency vehicle access will be provided on the survey plat. There are two driveway proposed to access the eight lots.

All curb cuts and driveway approaches not shown on the proposal will be removed and replaced with standard curb, gutter and sidewalks.

There are no alleys.

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The proposed driveway widths comply with the minimum access standards. The private, shared driveway is over 50-feet in length and will meet the design requirements of section 18.5.3.060.

Two driveway accesses are proposed for the eight-lot subdivision.

The width of the driveways will comply City of Ashland engineering standards for driveways.

The driveways will have a minimum 13.5 feet vertical clearance.

The grade of the driveway is less than 20 percent.

The proposed driveways will conform to the standards from 18.5.3.

The driveways will be paved with concrete, asphalt, porous solid surface, or comparable surfacing.

Provisions have been made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property.

4. The proposed streets, utilities, and surface water drainage facilities conform to the standards in chapter 18.4.6, and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.

The proposed street improvements, the five-foot curbside sidewalk to match the existing sidewalks to the north of the development requires an Exception to the Street Standards. The proposed utility plan demonstrates compliance with the standards in 18.4.6. There is limited future development on adjacent lands due to the developed nature of the adjacent properties.

Water service is available in both Laurel and Randy Streets to service the new lots, seven new meters will be installed. The existing meter will be utilized for one of the lots.

Sanitary sewer service is available and will be stubbed out to each lot. The existing sewer line on the property has failed and will be decommissioned.

Electric service will be undergrounded and the city street light on the south side of Randy Street will be re-serviced from the new underground transformers.

Storm water was more complicated due to a lack of facilities in the immediate area. The proposal is for individual storm water catchment and detentions systems placed around the perimeter of the property that will slow and treat storm water run-off before it is directed to the weep holes and into the City's system on Laurel and Randy Streets. The project Civil Engineer has been working with the City of Ashland Engineering Division to determine the best course of action for dealing with the storm water.

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Pedestrian scaled street lights where required by the City of Ashland will be installed. It is anticipated that a street light will be installed at the intersection of Randy and Laurel Street.

5. All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas (e.g., landscaping, tree preservation, common areas, access, parking, etc.) is ensured through appropriate legal instrument (e.g., Covenants, Conditions and Restrictions (CC&R's)).

The proposed private, shared driveways and turnaround areas will have easements for access, maintenance and CC&R's or similar legal instrument will be created to address the shared easement responsibilities.

6. Required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.

To the applicant's knowledge, there are no applicable State or Federal permits for the development of the site.

**18.5.3.060 Additional Preliminary Flag Lot Partition Plat Criteria**

A. The criteria of section 18.5.3.050 are met.

The proposed subdivision is subject to the standards of 18.5.3.070 which has similar or more stringent standards than those found in 18.5.3.050 for Minor Land Partition. It can be found that the Subdivision Standards exceed those of the partition standards.

B. For the purpose of meeting the minimum lot area requirement, the lot area, exclusive of the flag drive area, must meet the minimum square footage requirements of the zoning district.

Both proposed flag lots exceed the minimum square footage requirements in the zoning district excluding the flag drive area.

C. Flag drives shall be in the same ownership as the flag lots served. Where two or more lots are served by the same flag drive, the flag drive shall be owned by one of the lots and an easement for access shall be granted to the other lot or lots.

The proposed private driveway serves as the vehicular access to more than two lots. This is to reduce the number of driveway accessing the property. The driveway will be in the same ownership as the lots served. Easements will be provided for access to the other lots.

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D. Except as provided in subsection 18.5.3.060.H, below, the flag drive serving a single flag lot shall have a minimum width of 15 feet and contain a 12-foot-wide paved driving surface. For drives serving two flag lots, the flag drive shall be 20 feet wide, with a 15-foot-wide driving surface to the back of the first lot, and a 12-foot-wide driving surface to the rear lot. Drives shared by adjacent properties shall have a width of 20 feet, with a 15-foot paved driving surface. Width shall be increased on turns where necessary to ensure fire apparatus remain on a paved surface during travel.

The proposed private driveway has 22-feet of width proposed. This will provide adequate fire apparatus access.

E. Curb cuts have been minimized, where possible, through the use of common driveways. No more than two flag lots are served by the flag drive.

The proposed lots are "flag lots" for the purposes of having a connection with a public street. The driveway is a shared common driveway intended to minimize the number of curb cuts for the eight-lot subdivision. As a standard practice, the lots that have street frontage (Lots #1, #4, #5 & #8) all have physical connection to the public street but utilize the shared driveway to consolidate access as required in other sections of the municipal code.

F. Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent for not more than 200 feet. Such variances shall be required to meet all of the criteria for approval in chapter 18.5.5 Variances.

The driveway grade is less than 15 percent.

G. Flag drives shall be constructed to prevent surface drainage from flowing over sidewalks or other public ways.

The driveway will be constructed in a manner that prevents surface drainage from flowing over the sidewalk.

H. Flag lots adjacent to an alley shall meet all of the requirements of this section.

There are no alleys present. The flag lots are created to maintain a connection to the public street but the driveway is intended to function similar to an alley.

4. The flag pole width shall be no less than eight feet wide and the entrance of the pole at the street shall be identified by the address of the flag lot clearly visible from the street on a four-inch by four-inch post that is 3½ feet high. The post shall be painted white with black numbers three inches high running vertically down the front of the post. For flagpoles serving two or more dwellings, the addresses of such

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dwelling shall be on a two foot by three-foot white sign clearly visible from the street with three-inch black numbers.

Addressing that conforms to the required standards from the Oregon Residential Structural Specialty Code and the Oregon Fire Code will be provided.

I. Flag drives and fire work areas shall be deemed Fire Apparatus Access Roads under the Oregon Fire Code and subject to all requirements thereof.

The proposed driveway will be deemed a Fire Apparatus Access Road. No parking will be allowed on the private driveway.

J. When required by the Oregon Fire Code, flag drives greater than 150 feet in length shall provide a turnaround (see Figure 18.4.6.040.G.5). The Staff Advisor, in coordination with the Fire Code Official, may extend the distance of the turnaround requirement up to a maximum of 250 feet in length as allowed by Oregon Fire Code access exemptions.

Though the driveway is greater than 150-feet in length, the lots past the 150-foot point have access on a public street and will be addressed according to the lot frontage on the public street. If necessary, Lot #3 could have Fire Suppression System installed in order to allow for the extension of the distance of the turnaround requirements.

K. Each flag lot has at least three parking spaces situated to eliminate the necessity for vehicles backing out.

Both Lots #2 and #3 will have at least three parking spaces situated in a manner that eliminates the necessity for vehicles to back out. The other lots accessed via the driveway will all have on-street parking adjacent to their frontage, eliminating the need for additional parking on the lot itself.

L. There shall be no parking within ten feet of the centerline of the drive on either side of the flag drive entrance.

Both sides of the driveway will be painted yellow to eliminate the parking within 10-feet of the driveway.

M. Flag drives serving structures greater than 24 feet in height, as defined in part 18.6, shall provide a fire work area of 20 feet by 40 feet clear of vertical obstructions and within 50 feet of the structure. The fire work area requirement shall be waived if the structure served by the drive has an approved automatic sprinkler system installed.

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The structure will be less than 24-feet in average height or will provide fire suppression systems to allow for the waiving of this requirement.

N. Both sides of the flag drive have been screened with a site-obscuring fence, wall or evergreen hedge to a height of from four to six feet, except in the front yard setback area where, starting five feet from the property line, the height shall be from 30 to 42 inches in the remaining setback area. Such fence or landscaping shall be placed at the extreme outside of the flag drive in order to ensure adequate fire access.

The driveway will be screened with a site obscuring fence excepting where the individual driveways are located.

O. The applicant has executed and filed with the Community Development Department an agreement between applicant and the City for paving and screening of the flag drive. Such an agreement shall specify the period within which the applicant, or agent for applicant, or contractor shall complete the paving to standards as specified by the Public Works Director and screening as required by this section, and providing that if applicant should fail to complete such work within such period, the City may complete the same and recover the full cost and expense thereof from the applicant. An agreement shall also provide for the maintenance of the paving and screening pursuant to this section, and assurance ongoing maintenance.

Any agreement required by the City of Ashland for the screening of the driveway will be executed as required.

P. Flag lots shall be required to provide a useable yard area that has a minimal dimension of 20 feet wide by 20 feet deep. As used in this chapter, the term "useable yard area" means a private yard area which is unobstructed by a structure or automobile from the ground upward.

The flag lots have adequate buildable area that a yard of 20 feet X 20 feet can be provided. The proposed building envelopes provide for a 15 feet X 60 feet yard which is more than 2x the area required by code.

#### **18.4.6.020 Exceptions and Variances.**

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.

There are physical constraints to creating a park row and sidewalk. Due to the topography of the property, approximately five-feet behind the curb line, installation of standard street improvements would require substantial amounts of excavation and then retaining walls to retain the slope behind the sidewalk.

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

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i. For transit facilities and related improvements, access, wait time, and ride experience.  
N/A

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.  
N/A

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.

The proposed curb sidewalk will provide for an adequate level of comfort for walking along the roadway. Randy Street in particular has low amounts of vehicle traffic. The proposed sidewalk will connect the existing curbside sidewalk pattern that is found throughout the neighborhood. The proposed sidewalk will complete the link in the safe routes to school for Helman Elementary.

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

The request to match the existing sidewalk development patten and not create a wall adjacent to the sidewalk due to amount of earth retention that would be necessary to create a park row and sidewalk is the minimum necessary.

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

The proposed exception is consistent with the Purpose and Intent of the Street Standards. The code allows for variations to fit the site and situation. The proposed sidewalk with street trees behind the sidewalk maintains the desired low-speed environment where people feel comfortable and the maximum number of people can walk. A new truncated dome to provide pedestrian connectivity across both Randy and Laurel Streets will be installed, improving neighborhood connectivity.

**18.5.7.040 Approval Criteria Tree Removal Permit.**

Tree That is Not a Hazard.

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.

The tree proposed for removal is an 18-inch DBH Ponderosa Pine tree. The tree is located in the building envelope of proposed Lot #8.

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.

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The removal of the tree will not have a negative impact on erosion, soil stability, flow of surface waters, protection or adjacent trees or existing windbreaks. A structure will be built upon where the tree is removed from, eliminating potential erosion and soil stability concerns. There are no surface waters. The pine is a stand along tree and is not part of a wind break.

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.

The removal of the tree will not have a significant negative impact on the tree densities, sizes and canopies. It is a single tree in a fully developed neighborhood. Due to the density of residential development sought in the comprehensive plan for residential properties, there are not many large pine trees in the neighborhood. Just on the other side of Helman Elementary School there are numerous trees along the Ashland Creek Corridor. The tree falls within the buildable area for Lot #8. Alternative lot layouts were considered but it came at the expense of losing one entire building lot to preserve a single tree. The required tree protection zone is at the dripline but the critical root zone falls roughly 31.5 feet away from the tree leaving less than a 30-foot by 60-foot area for the residence, the yard area, driveway, parking, etc. The impacts to the tree would be substantial and with the root zone of the Ponderosa pine extending well beyond the dripline of the tree, it would difficult to ensure the stand-alone Ponderosa pines survival.

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 tree removal is technically exempt from the tree removal ordinance due to the presence of a single-family home in the single family zone. The preservation of the tree would negatively impact the site development to its potential density of eight lots. According to the submittal requirements for a Subdivision any natural features, such as rock outcroppings, ... and isolated preservable trees are required on the plans. This pine tree is not isolated and it can be found that due to its placement and proximity to buildable areas, it is not preservable. Additionally, with the numerous amounts of necessary site improvements for the storm water detention facilities, the retaining walls to construct the required public sidewalk, all of the trees on the site will be negatively impacted and will be removed.

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.

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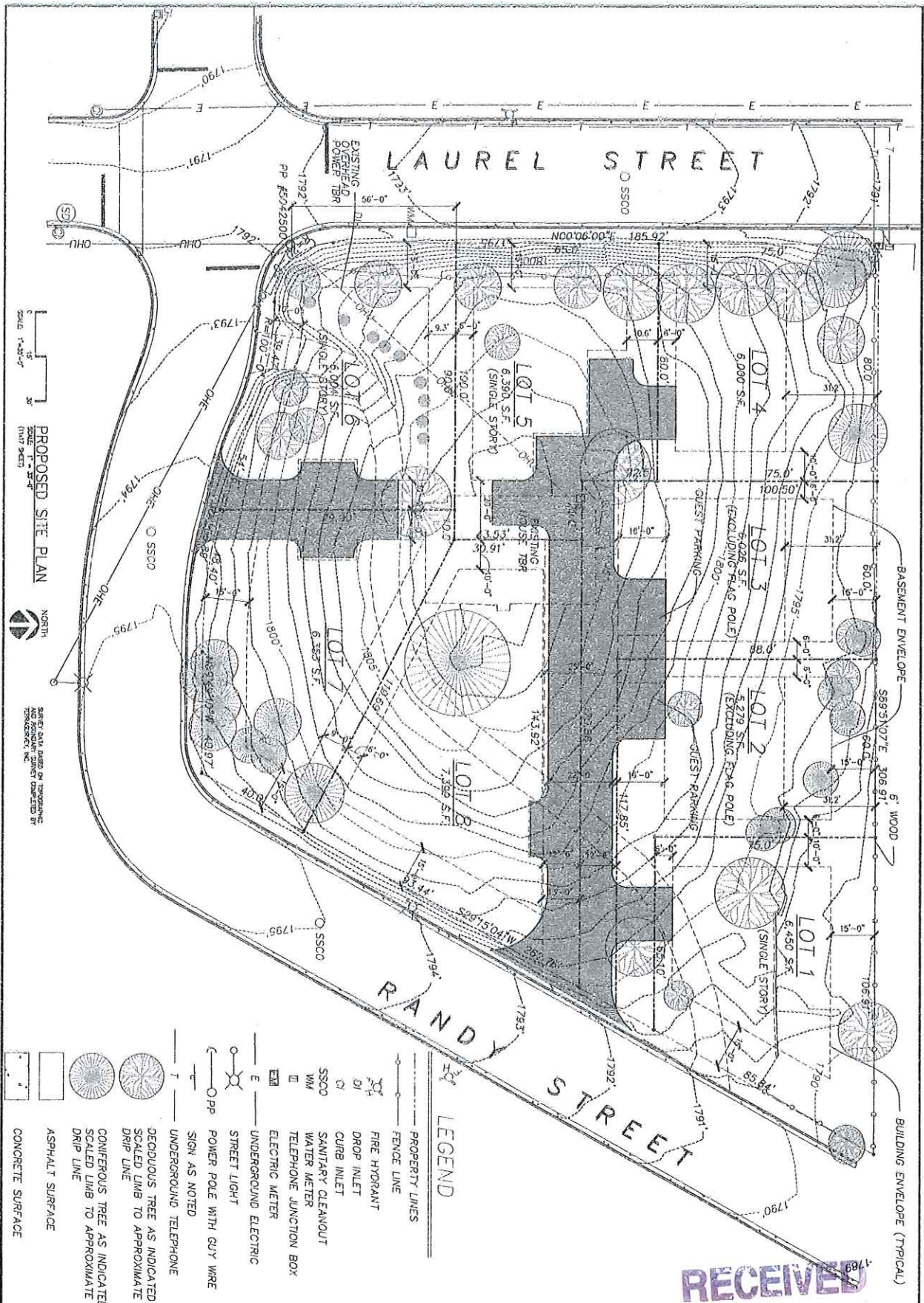
The tree will be mitigated for with a five to six foot tall, conifer tree on one of the lots prior to the issuance of the certificate of occupancy. Additionally, street trees will be planted along the lot frontages that will mitigate the removal of the other trees on the property.

**Attachments:**

- 1) Solar Envelopes
- 2) Topographical Survey
- 3) Proposed Site Plan
- 4) Conceptual Grading and Erosion Control Plan
- 5) Conceptual Utility Plan
- 6) Arborist Report
- 7) Tree Inventory
- 8) Conceptual Elevations

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 118 EAST JACKSON STREET  
 MEDFORD, OREGON 97504

CITY OF ASHLAND

DATE	07/26/17
PROJECT NAME	PDK PROPERTIES
PROJECT ADDRESS	707 HELMAN STREET ASHLAND, OR 97520
PROJECT TITLE	PROPOSED SUBDIVISION
SHEET NO.	SD-2



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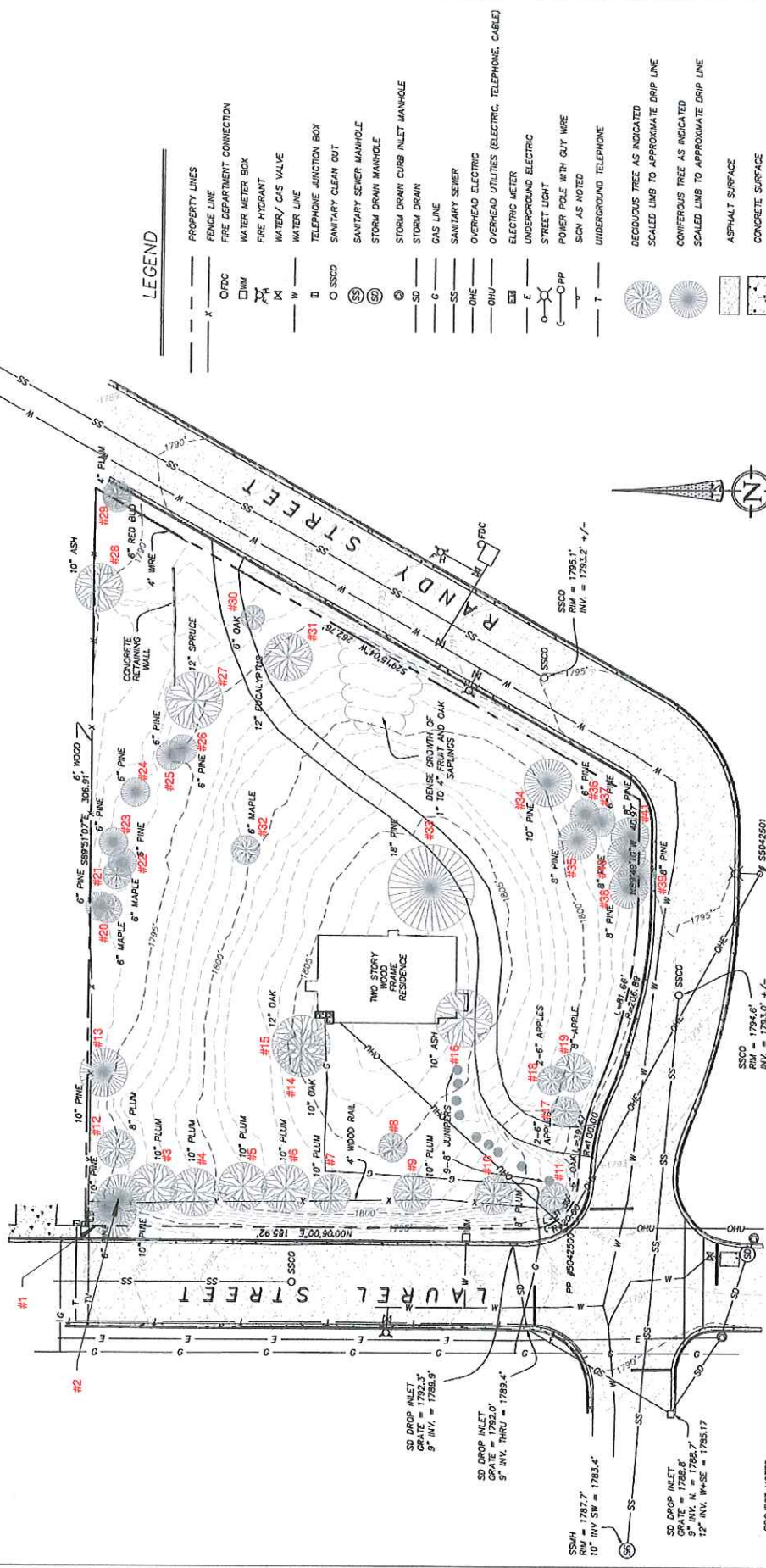
JUN 26 2017

City of Ashland

TOPOGRAPHIC AND BOUNDARY SURVEY

FOR  
TAYLORED ELEMENTS  
588 PARSONS DRIVE, STE. H  
MEDFORD, OREGON 97501

LOCATED IN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 39 SOUTH,  
RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF ASHLAND,  
JACKSON COUNTY, OREGON



LEGEND

- PROPERTY LINES
- FENCE LINE
- FIRE DEPARTMENT CONNECTION
- WATER METER BOX
- FIRE HYDRANT
- WATER/GAS VALVE
- WATER LINE
- TELEPHONE JUNCTION BOX
- SANITARY CLEAN OUT
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- STORM DRAIN CURB INLET MANHOLE
- STORM DRAIN
- GAS LINE
- SANITARY SEWER
- OVERHEAD ELECTRIC
- OVERHEAD UTILITIES (ELECTRIC, TELEPHONE, CABLE)
- ELECTRIC METER
- UNDERGROUND ELECTRIC
- STREET LIGHT
- POWER POLE WITH OUT WIRE
- SIGN AS NOTED
- UNDERGROUND TELEPHONE
- DECIDUOUS TREE AS INDICATED
- SCALED LIMB TO APPROXIMATE DRIP LINE
- CONIFEROUS TREE AS INDICATED
- SCALED LIMB TO APPROXIMATE DRIP LINE
- ASPHALT SURFACE
- CONCRETE SURFACE

TERRASURVEY, INC.  
PROFESSIONAL LAND SURVEYORS  
274 FOURTH STREET  
ASHLAND, OREGON 97520  
(541) 425-6474  
termap@isp.net  
JOB NO. 1119-17

DATE: 04-30-17  
**NOT TO SCALE**

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
DIGITAL COPY  
OREGON  
JULY 24, 2008  
FRED A. BERNTZ  
NSL 5877

Renewal: 18-31-17

PROJECT NOTES:  
BASIS OF BEARING AND PROPERTY LINE BASED ON FOUND MONUMENTS PER FILED SURVEY NUMBER 7108 AT THE JACKSON COUNTY SURVEYOR'S OFFICE.  
VERTICAL DATUM IS BASED ON CITY OF ASHLAND VERTICAL DATUM BEING A FOUND BRASS DISK MARKED 70' IN NORTH CURB OF NEVADA STREET APPROXIMATELY 428 FEET WEST OF THE INTERSECTION OF NEVADA AND HERSEY STREETS.  
ELEVATION = 1786.14'.  
UTILITIES SHOWN HEREON ARE FROM FIELD SURVEY TIES OF EXPOSED STRUCTURES, AND PUBLIC UTILITY LOCATE MARKS.  
A SIGNED AND SEALED PAPER COPY AND A DIGITAL COPY OF THIS SURVEY HAS BEEN PROVIDED TO THE CLIENT. IN THE EVENT OF A DISCREPANCY BETWEEN THE TWO THE PAPER COPY WILL HOLD.



Landscape Architecture,  
 Design & Consultation  
 541-664-7055  
 2994 Wells Fargo Rd  
 Central Point, Or 97502  
 madaradesigninc.com  
 CERTIFIED ARBORIST: THOMAS MADARA

Client: Taylored Elements  
 Kyle Taylor  
 588 Parsons Dr. Ste. A  
 Medford, Oregon 97501

June 14, 2017

Site: 707 Helman St.  
 Ashland, Oregon 97520

**TREE SURVEY**

The following is a Tree Survey for the site noted above. The survey was done on 6/12/2017. The observations were made on-site. This survey uses the attached drawing with Red Highlighted numbers as a reference to the tree numbers below.

<u>Tree #</u>	<u>Tree Type</u>	<u>Observed Condition</u>	<u>Final Status</u>
1-2	Pine	Actually 4-Pines so closely grouped that all are unbalanced. All are infested with insect that are not life threatening	Save West most
3	Peach	Mature, Poorly pruned. Riddled with damage	Remove
4-7, 9,10	Plumb	Mature trees, Moderate	
8	Pine	Not of a size the requires noting	N/A
11	Oak	Juvenile, Good	
12	Plumb	Mature, Poor	Remove
13	Pine	Adolescent, Fair, Previously Topped creating poor form, close to property line	Remove
14, 15	Oak	Mature, heavily infested with Ivy. Remove Ivy and reevaluate	
16	Oak	Mature, Poor, Few living branches	Remove
17-19	Apple	Mature, Poor, Few living branches	Remove
20	Ash	Juvenile, Moderate	
21	Pine	Juvenile, Moderate, one sided because of proximity to Ash	Remove
22-26	Pine	Adolescent, Good	
27	Spruce	Mature, Good, In need of quality pruning	

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Landscape Architecture,  
Design & Consultation  
541-664-7055

<u>Tree #</u>	<u>Tree Type</u>	<u>Observed Condition</u>	<u>Final Status</u>
28	Ash	Multi-stemmed from previous damage and poor pruning	Remove
29	Redbud	Juvenile, Moderate, Poorly pruned, placed just behind curb at edge of street	Remove
30	Oak	Medium aged, Moderate	
31	Eucalyptus	Mature, Poor, Extensively Damaged	Remove
32	Locust	Adolescent, Good	
33	Ponderosa	Mature, Good, Inside Future Building Envelope	Remove
34	Pine	Mature, Poor, Badly Damaged	Remove
35-41	Pine	Adolescent, Good	

**Note:**

Overall, the site is mature and has been left unattended for a number of years. Tree care has been completely lacking during this time. Some trees would benefit from renewed care, but most of the ones in better condition are poorly placed relative to any new uses of the site.

Pruning should be done by an International Society of Arboriculture Certified Arborist after consultation as to the final disposition of the trees on-site.

Oregon State Landscape Architect Board, License Number 528  
Oregon Landscape Contractors License, License Number 11416  
International Society of Arboriculture, License Number PN-6204-A

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SOLAR ENVELOPES

HELMAN HEIGHTS				
		SOLAR ENVELOPE SETBACK (FT.)		
LOT	SLOPE	10' EAVE	12'EAVE	18' EAVE
1	-0.045	10	15	30
2	-0.06	10.3	15.58	31.17
3	-0.06	10.3	15.58	31.17
4	-0.06	10.3	15.58	31.17
5	-0.07	10.6	16	32
6	-0.015	9.3	13.95	27.9
7	0	8.98	13.4	26.9
8	-0.06	10.3	15.58	31.17

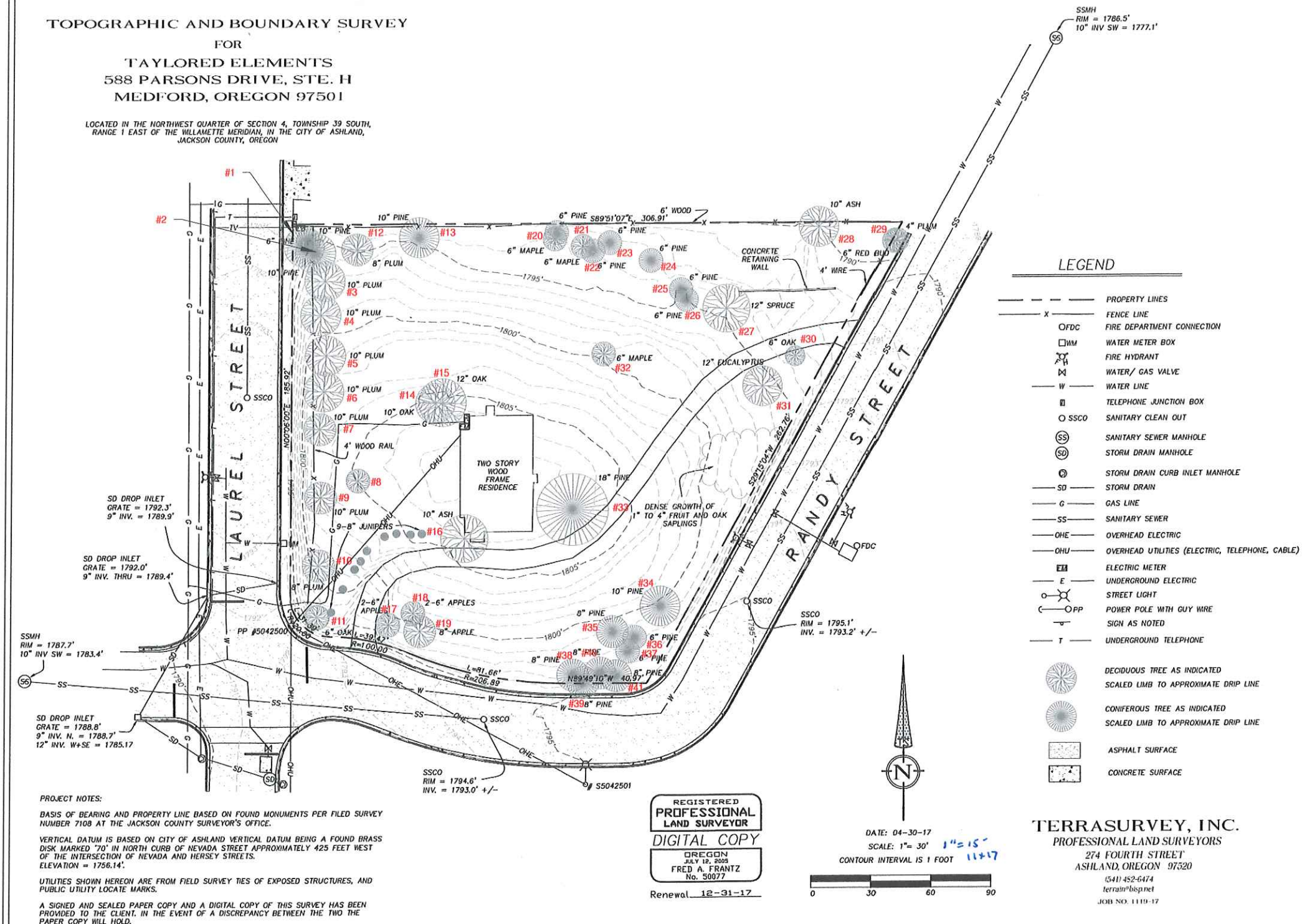
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TOPOGRAPHIC AND BOUNDARY SURVEY

FOR  
 TAYLORED ELEMENT'S  
 588 PARSONS DRIVE, STE. H  
 MEDFORD, OREGON 97501

LOCATED IN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 39 SOUTH,  
 RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF ASHLAND,  
 JACKSON COUNTY, OREGON



LEGEND

- PROPERTY LINES
- X FENCE LINE
- OFDC FIRE DEPARTMENT CONNECTION
- WM WATER METER BOX
- PH FIRE HYDRANT
- M WATER/ GAS VALVE
- W WATER LINE
- J TELEPHONE JUNCTION BOX
- SSCO SANITARY CLEAN OUT
- SS SANITARY SEWER MANHOLE
- SDM STORM DRAIN MANHOLE
- SD STORM DRAIN
- G GAS LINE
- SS SANITARY SEWER
- OHE OVERHEAD ELECTRIC
- OHU OVERHEAD UTILITIES (ELECTRIC, TELEPHONE, CABLE)
- EM ELECTRIC METER
- E UNDERGROUND ELECTRIC
- SL STREET LIGHT
- PP POWER POLE WITH GUY WIRE
- SIGN AS NOTED
- T UNDERGROUND TELEPHONE
- DECIDUOUS TREE AS INDICATED  
 SCALED LIMB TO APPROXIMATE DRIP LINE
- CONIFEROUS TREE AS INDICATED  
 SCALED LIMB TO APPROXIMATE DRIP LINE
- ASPHALT SURFACE
- CONCRETE SURFACE

**PROJECT NOTES:**  
 BASIS OF BEARING AND PROPERTY LINE BASED ON FOUND MONUMENTS PER FILED SURVEY NUMBER 7108 AT THE JACKSON COUNTY SURVEYOR'S OFFICE.  
 VERTICAL DATUM IS BASED ON CITY OF ASHLAND VERTICAL DATUM BEING A FOUND BRASS DISK MARKED '70' IN NORTH CURB OF NEVADA STREET APPROXIMATELY 425 FEET WEST OF THE INTERSECTION OF NEVADA AND HERSEY STREETS.  
 ELEVATION = 1756.14'.  
 UTILITIES SHOWN HEREON ARE FROM FIELD SURVEY TIES OF EXPOSED STRUCTURES, AND PUBLIC UTILITY LOCATE MARKS.  
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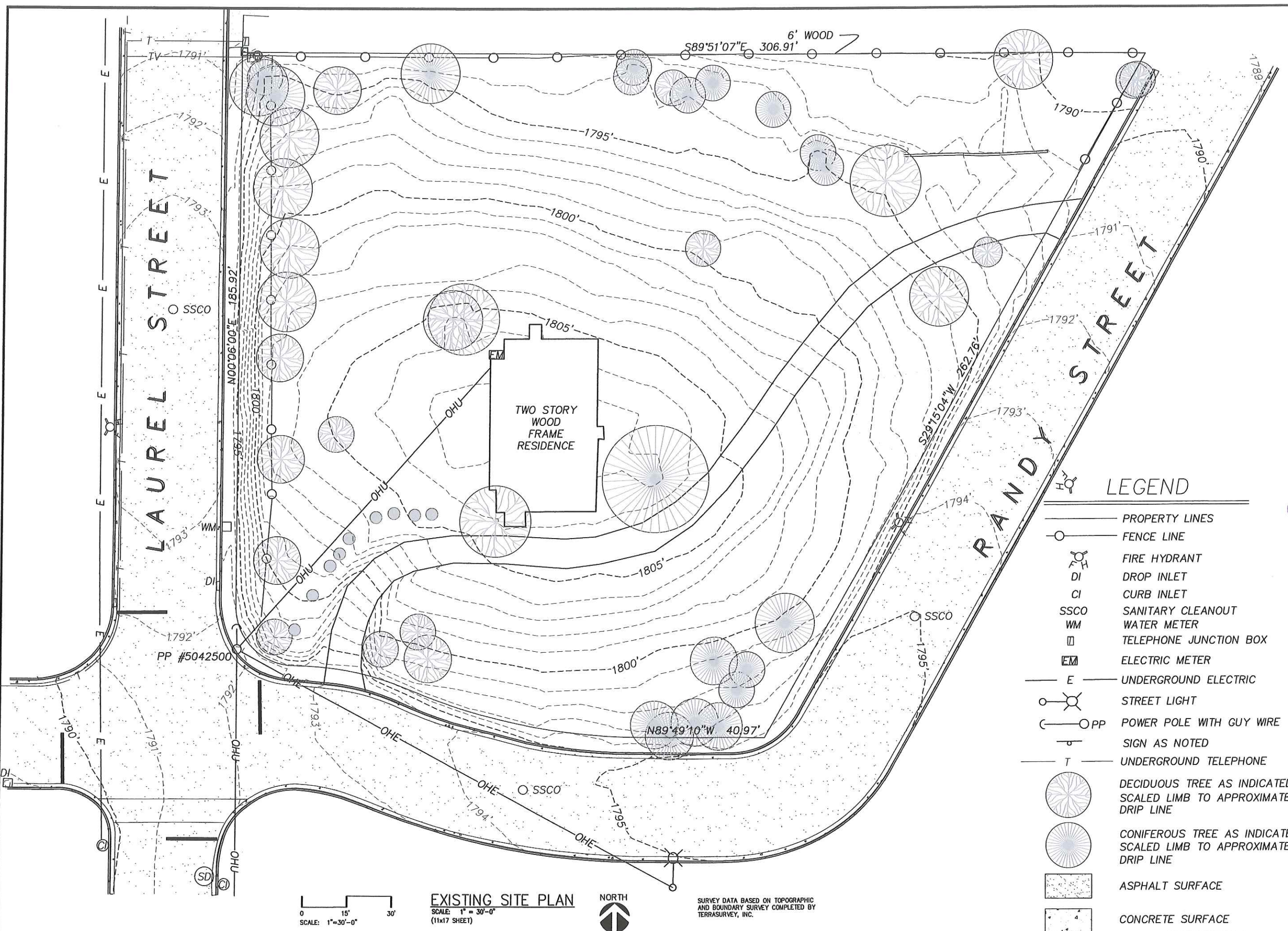
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
 DIGITAL COPY  
 OREGON  
 JULY 12, 2009  
 FRED A. FRANTZ  
 No. 50077  
 Renewal 12-31-17

DATE: 04-30-17  
 SCALE: 1" = 30' 11+17  
 CONTOUR INTERVAL IS 1 FOOT  
 0 30 60 90

TERRASURVEY, INC.  
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 (541) 452-6474  
 terrasurvey@bisp.net  
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**STEVE ENNIS ARCHITECT**  
 1108 EAST JACKSON STREET  
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PROJECT FOR  
**PKD PROPERTIES**

PROJECT NAME  
**PROPOSED SUBDIVISION**

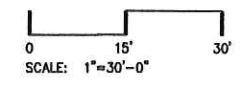
PROJECT ADDRESS  
**707 HELMAN STREET  
 ASHLAND, OR. 97520**

SHEET TITLE  
**EXISTING SITE PLAN**

FILE NAME AB1705SP	SHEET NO. SD-1
PROJECT NUMBER 1705	
DATE 08/23/17	

**LEGEND**

- PROPERTY LINES
- - - FENCE LINE
- FH FIRE HYDRANT
- DI DROP INLET
- CI CURB INLET
- SSCO SANITARY CLEANOUT
- WM WATER METER
- TJB TELEPHONE JUNCTION BOX
- EM ELECTRIC METER
- E UNDERGROUND ELECTRIC
- STREET LIGHT
- PP POWER POLE WITH GUY WIRE
- SIGN AS NOTED
- T UNDERGROUND TELEPHONE
- DECIDUOUS TREE AS INDICATED  
SCALED LIMB TO APPROXIMATE DRIP LINE
- CONIFEROUS TREE AS INDICATED  
SCALED LIMB TO APPROXIMATE DRIP LINE
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- CONCRETE SURFACE

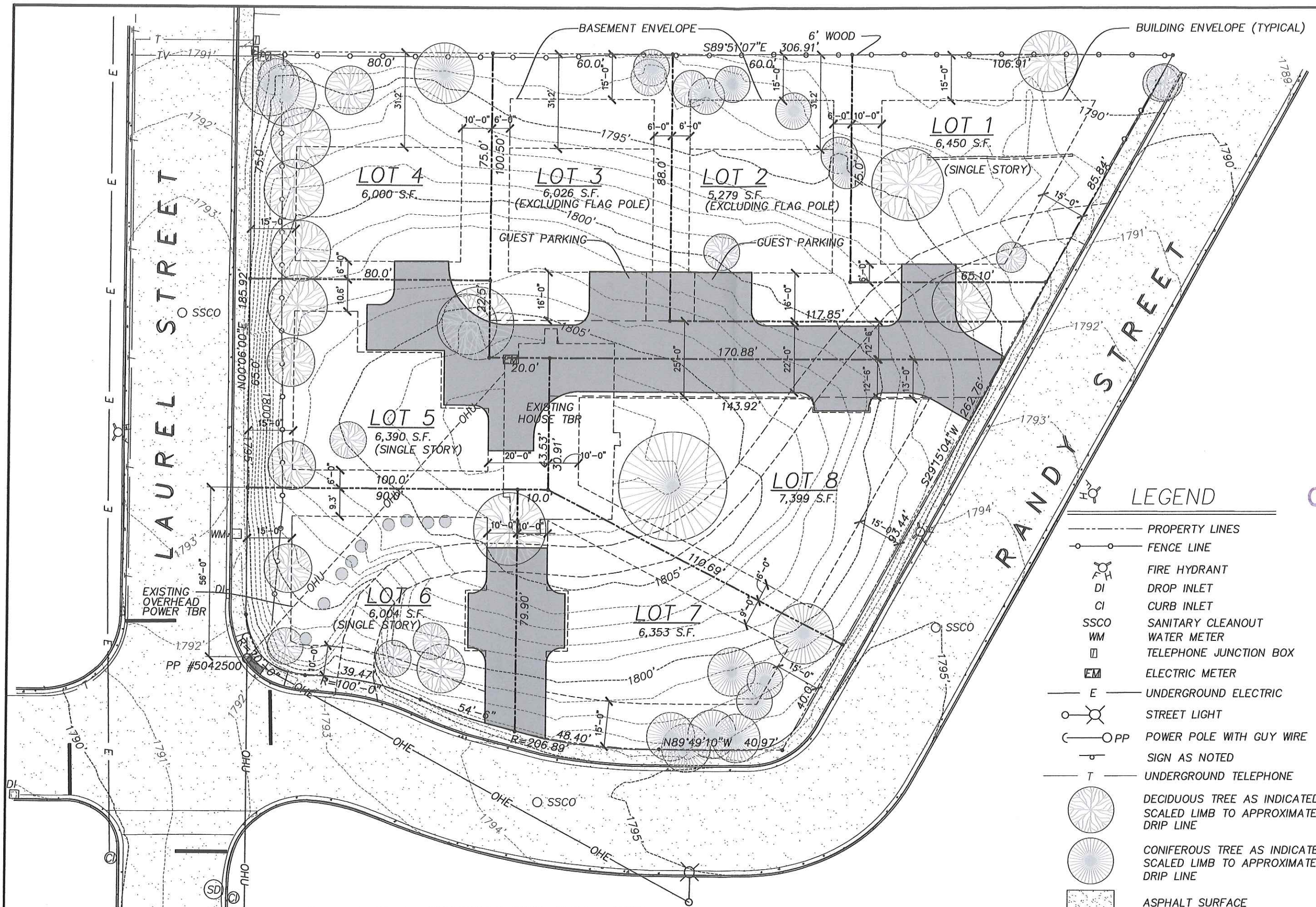


**EXISTING SITE PLAN**  
 SCALE: 1" = 30'-0"  
 (11x17 SHEET)



SURVEY DATA BASED ON TOPOGRAPHIC AND BOUNDARY SURVEY COMPLETED BY TERRASURVEY, INC.





MARK	DATE	REVISION

STEVE ENNIS  
ARCHITECT  
1108 EAST JACKSON STREET  
MEDFORD, OREGON 97504

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PROJECT FOR  
PDK PROPERTIES

PROJECT NAME  
PROPOSED SUBDIVISION

PROJECT ADDRESS  
707 HELMAN STREET  
ASHLAND, OR. 97520

SHEET TITLE  
PROPOSED SITE PLAN

FILE NAME 1705SP	SHEET NO. SD-2
PROJECT NUMBER 1705	
DATE 06/23/17	

LEGEND

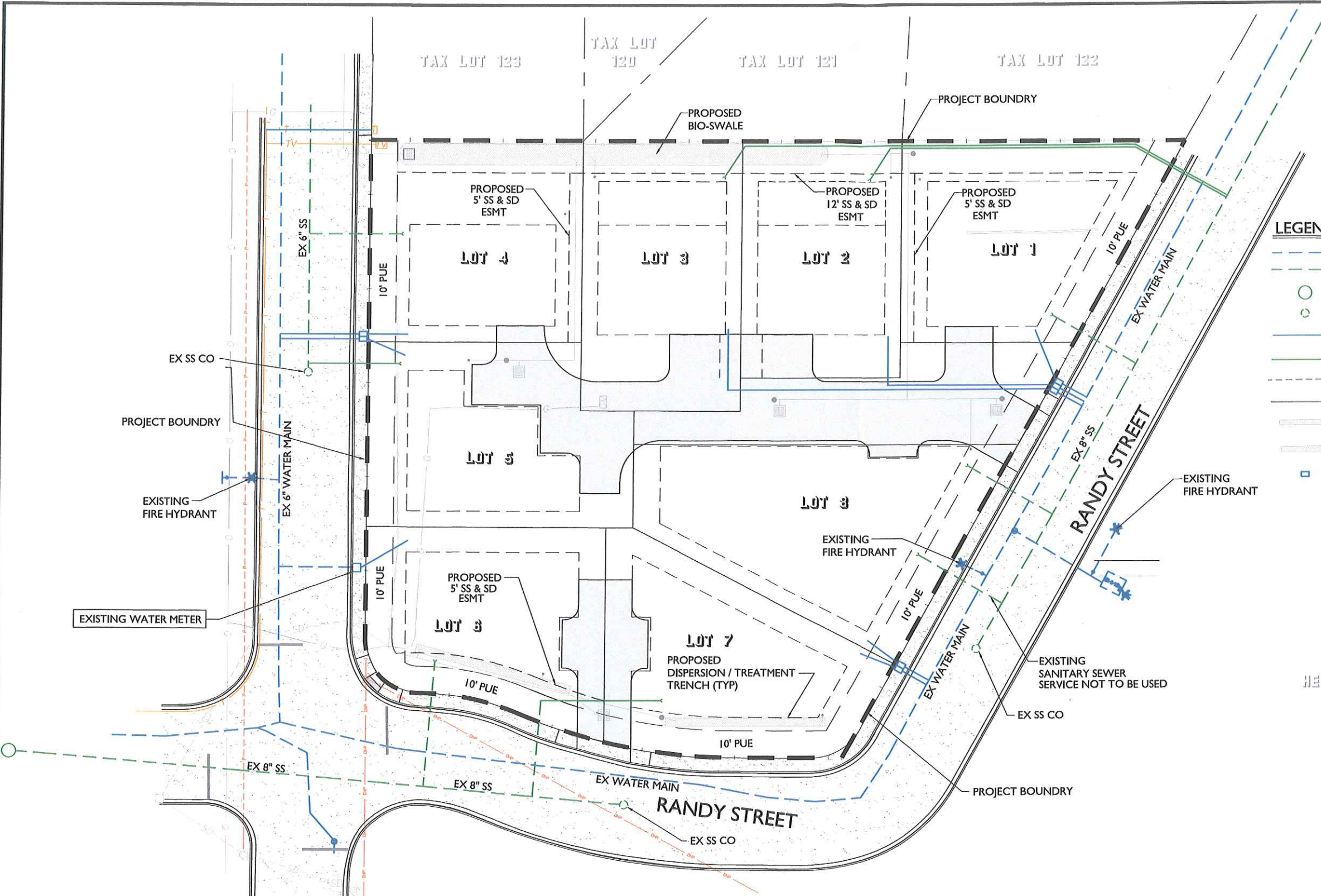
- PROPERTY LINES
- o- FENCE LINE
- ⊕ FIRE HYDRANT
- DI DROP INLET
- CI CURB INLET
- SSCO SANITARY CLEANOUT
- WM WATER METER
- ☐ TELEPHONE JUNCTION BOX
- EM ELECTRIC METER
- E- UNDERGROUND ELECTRIC
- ⊙ STREET LIGHT
- ⊙-PP POWER POLE WITH GUY WIRE
- ⊙ SIGN AS NOTED
- T- UNDERGROUND TELEPHONE
- ⊙ DECIDUOUS TREE AS INDICATED  
SCALED LIMB TO APPROXIMATE DRIP LINE
- ⊙ CONIFEROUS TREE AS INDICATED  
SCALED LIMB TO APPROXIMATE DRIP LINE
- ASPHALT SURFACE
- CONCRETE SURFACE

PROPOSED SITE PLAN  
SCALE: 1" = 30'-0"  
(11x17 SHEET)



SURVEY DATA BASED ON TOPOGRAPHIC AND BOUNDARY SURVEY COMPLETED BY TERRASURVEY, INC.

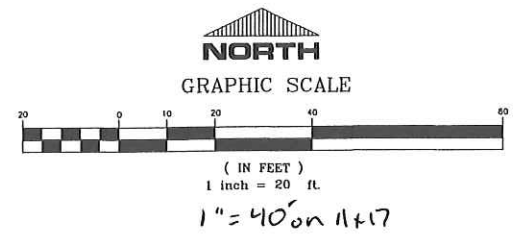




**LEGEND**

- EXISTING WATER MAIN
- EXISTING SANITARY SEWER
- EXISTING SEWER MANHOLE
- EXISTING SEWER CLEAN OUT
- PROPOSED WATER
- PROPOSED SEWER SERVICE
- EXISTING STORM DRAIN
- PROPOSED STORM DRAIN
- PROPOSED DRAINAGE BIO-SWALE
- PROPOSED DISPERSION / TREATMENT TRENCH
- PROPOSED WATER METER

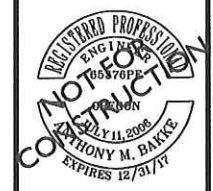
TAX LOT 2900  
HELMAN ELEMENTARY SCHOOL



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

DRAWN BY:	BRO	DATE:	06/17
CHECKED BY:	AMB	DATE:	06/17
APPROVED:		DATE:	
APPROVED:		DATE:	
APPROVED:		DATE:	

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BAR IS ONE INCH ON ORIGINAL DWG.  
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0 1"

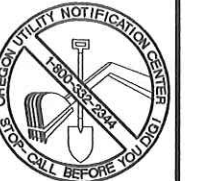
NO.	REVISION	DATE	BY

**CONSTRUCTION ENGINEERING CONSULTANTS, INC.**

HELMAN HEIGHTS  
707 HELMAN STREET, TAX LOT 100  
CONCEPTUAL UTILITY PLAN

PROJECT NO. \_\_\_\_\_  
DRAWING NO. \_\_\_\_\_  
1 OF 1



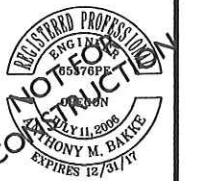


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PH. (541) 778-8686 • FAX (541) 778-8188

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CHECKED BY:	AMB
APPROVED:	
APPROVED:	
APPROVED:	
APPROVED:	



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IF NOT ONE PCH ON THIS SHEET  
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NO.	REVISION	DATE	BY

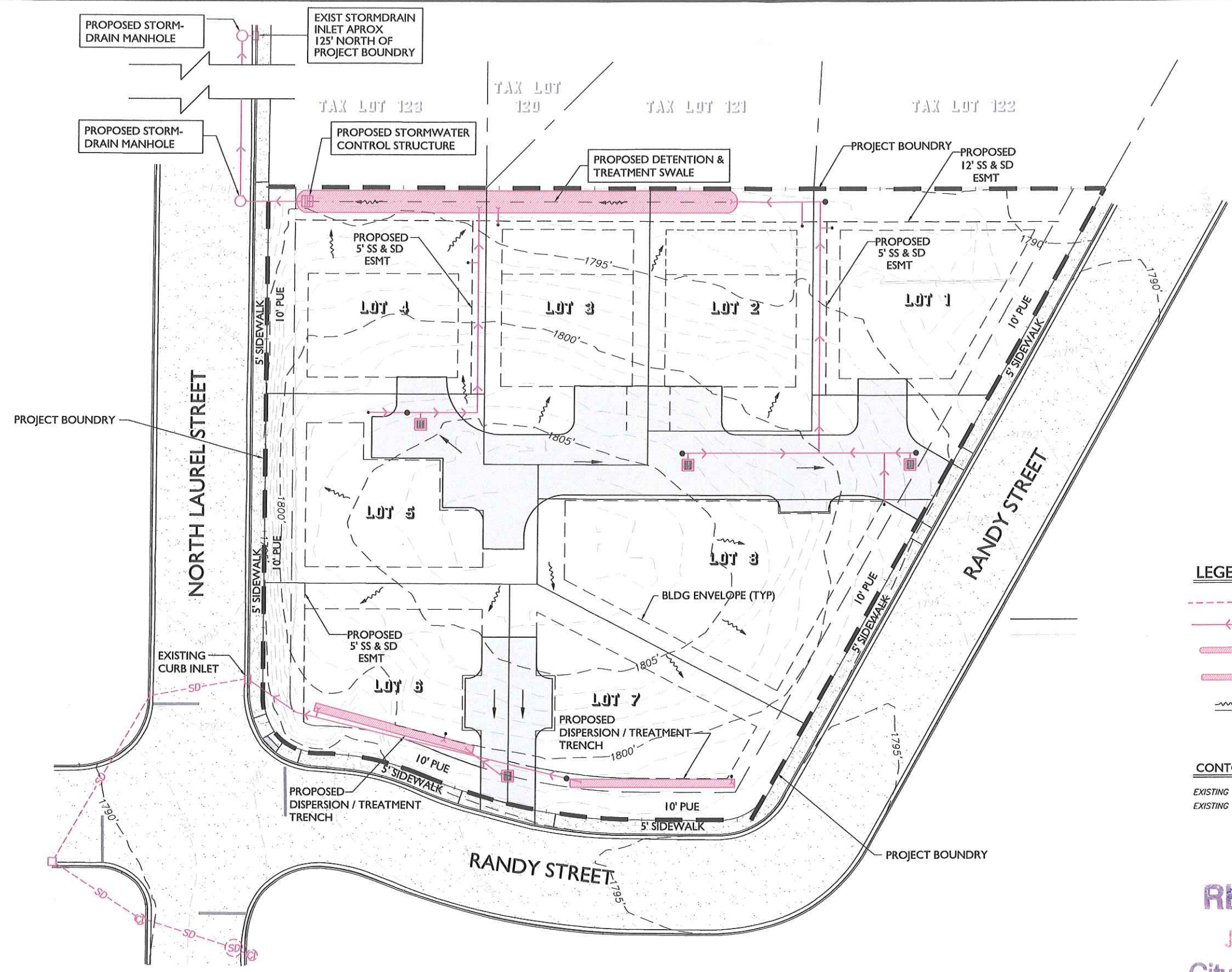
CONSTRUCTION ENGINEERING CONSULTANTS, INC.

PROJECT NO. \_\_\_\_\_

HELMA HEIGHTS  
707 HELMAN STREET, TAX LOT 100  
CONCEPTUAL GRADING  
& DRAINAGE PLAN

DRAWING NO. \_\_\_\_\_

1 OF 1



**LEGEND**

- EXISTING STORM DRAIN
- PROPOSED STORM DRAIN
- PROPOSED DRAINAGE BIO-SWALE
- PROPOSED DISPERSION / TREATMENT TRENCH
- PROPOSED SURFACE DRAINAGE DIRECTION

**CONTOURS**

EXISTING CONTOUR INTERVAL = 1'    --- ELEV ---  
 EXISTING INDEX INTERVAL = 5'    --- ELEV ---

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