

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
HEARINGS BOARD
AGENDA
FEBRUARY 12, 2008
Hearings Board Members: Mindlin, Stromberg, Fields**

- I. **CALL TO ORDER: 1:30 P.M.**, Civic Center, 1175 East Main Street
- II. **APPROVAL OF MINUTES:** Hearings Board Minutes of January 8, 2008
- III. **TYPE I PLANNING ACTIONS**
- A. **PLANNING ACTION: PA2008-00069**
SUBJECT PROPERTY: 542 A Street
OWNER/APPLICANT: David Gremmels / Carlos Delgado
DESCRIPTION: Request for a modification of a previous Site Review approval (PA #2007-01400). The modification requested is a proposed increase to the size of the shed structure at the rear of the property. The existing shed was originally proposed to be reduced from its current size, 378 square feet to 125 square feet; the applicant has requested that the shed be reduced in size by 48 square feet. COMPREHENSIVE PLAN DESIGNATION: Employment; ZONING: E-1; ASSESSOR'S MAP #: 39 1E 09AB; TAX LOT: 5400
- B. **PLANNING ACTION: 2007-02158**
SUBJECT PROPERTY: 805 Oak Street
OWNER/APPLICANT: Holden, Hugh and Liesa Fulton
DESCRIPTION: Planning Action #2007-02158 is a request for an amendment to the conditions of approval for a previously approved Land Partition (PA #2007-00985) for the property located at 805 Oak Street. The previous approval was to create two parcels, including one flag lot. The proposed amendment involves the modification of the previously approved building envelope, the removal of one tree (a 14-inch diameter Birch) that was previously proposed to be preserved, and the removal of a previously proposed pedestrian walkway located within the flag driveway. COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; ZONING: R-1-5-P; ASSESSOR'S MAP # 39 1E 04 CA; TAX LOT: 2803.
- IV. **TYPE II PUBLIC HEARINGS**
- A. **PLANNING ACTION: PA2007-01940**
SUBJECT PROPERTY: 172 Skidmore St.
APPLICANT: Urban Development Services, LLC
DESCRIPTION: Request for a Conditional Use Permit and Site Review to construct two bathroom additions totaling 115 square feet within the required setback to a historic, legal non-conforming multi-family residential development located at 172 Skidmore Street. The application includes a request for a Variance to the requirement of Section 18.92.070 that the off-street parking be paved and an Administrative Variance to Site Design and Use Standards to allow for parking between the building and the street. COMPREHENSIVE PLAN DESIGNATION: High Density Residential; ZONING: R-3; ASSESSOR'S MAP #: 391E05DD; TAX LOT: 1000
- V. **UNFINISHED BUSINESS – Adoption of Findings, Orders & Conclusions**
1. **Adoption of Findings – PA2007-02104, 1725 & 1729 Siskiyou Bv., Behnam Mehmanpazir**
- VI. **ADJOURNMENT**

**CITY OF
ASHLAND**



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

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**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
HEARINGS BOARD
JANUARY 8, 2008
MINUTES

CALL TO ORDER - Chair Melanie Mindlin called the meeting to order at 1:30 p.m. at the Community Development and Engineering Services Building, 51 Winburn Way, Ashland

Commissioners Present:	Council Liaison:
John Fields	Cate Hartzell, Council Liaison, , absent due to quasi-judicial items
John Stromberg	
Melanie Mindlin, Chair	
Absent Members:	Staff Present:
None	Adam Hanks, Permit Center Manager
	Angela Barry, Assistant Planner
	Derek Severson, Associate Planner

TYPE I PLANNING ACTIONS

PLANNING ACTION: PA2007-01557
SUBJECT PROPERTY: 593 Crowson Rd.
APPLICANT: Crowson Business Center LLC
DESCRIPTION: Request for a modification of a previous Site Review approval (PA #2005-008). The original application included Site Review approval for a business complex with offices, light industrial space and three residential units. The modifications requested include changes to the mix of industrial and office uses, to the number of parking spaces provided, and to the amount of landscaping to be provided, and the addition of second story spaces on Buildings B & D. (NOTE: The original 2005 approval also included the Annexation of the subject property and Tree Removal Permits. No modification of these approvals is requested with this application.)

This action stands approved.

PLANNING ACTION: PA2007-02101
SUBJECT PROPERTY: 11 First St
APPLICANT: Ron Yamaoka
DESCRIPTION: Planning Action #2007-02101 is a request for Site Review approval to construct a two-story mixed-use commercial and residential building to be located at 11 First Street, within the Detail Site Review Zone. Also included is a request for a Tree Removal Permit to remove four trees sized six-inches diameter at breast height and greater. {This application reinstates approvals already granted under Planning Action #2006-01546, which has expired.}

This action stands approved.

PLANNING ACTION: PA-2007-02105
SUBJECT PROPERTY: 615 Oak
OWNER/APPLICANT: Urban Development Services for Denton Graham
DESCRIPTION: A request for a Conditional Use Permit and Site Review approval to convert the a portion of the existing residence to a 594 square foot Accessory Residential Unit for the property located at 615 Oak Street.

This action stands approved.

TYPE II PUBLIC HEARINGS

PLANNING ACTION: PA2007-02104
SUBJECT PROPERTY: 1725 & 1729 Siskiyou Blvd.
OWNER/APPLICANT: Behnam Mehmanpazir
DESCRIPTION: Request for a Site Review approval for a commercial addition onto the existing bicycle shop building at 1729 Siskiyou Blvd The addition would be located at 1725 Siskiyou Blvd. The request includes and Administrative Variance to Site Design and Use Standards to exceed the maximum floor area ratio.

EX PARTE CONTACT/BIAS/CONFLICT OF INTEREST/SITE VISIT

Mindlin drove by the site and had no ex parte contacts. Stromberg and Fields had no ex parte contacts and no site visits. There were no challenges.

STAFF REPORT

Barry explained the application as outlined in the Staff Report. The application would typically have been subject to an Administrative approval as a Type I action; however, after reviewing the initial submittals, Staff identified three issues they did not feel had been sufficiently addressed to grant Administrative approval. As such, Staff scheduled this for a hearing, imposing some conditions allowing for approval rather than delaying the application.

Staff concerns include:

1. Sidewalk Improvements are Incomplete – The applicants Site Plan shows sidewalk improvements ending at the property line instead of extending the improvements to the shared flag drive that accesses the site. Site Review criteria require transportation facilities to and through the site. The gap in the sidewalk would create a barrier for pedestrians.
2. Driveway approach – The applicants have requested not to install a driveway apron. Staff does not support this approach since an apron would delineate the driveway area, narrow the vehicle area, and prevent traffic from encroaching into pedestrian space.

Staff recommended approval with the inclusion of conditions addressing the above issues.

PUBLIC HEARING

Stuart Smith spoke as the applicant. He explained that the project was originally a Tenant Improvement with a building permit, prior to the demolition of the building. He discussed the need for the Administrative Variance to Floor Area Ratio because of the financial constraints of the small size of the new building. He stated that the frontage improvements are proposed in front of the property, and that the extension of improvements beyond the property line will not help complete the transportation network, as there are currently no sidewalks on either side of the project site. He presented the board with photos of adjacent properties that have been required to install sidewalk improvements, and stated that the subject property is unique due to the slope where the driveway meets the street, the larger scope of the other developments, and the fact that a portion of the sidewalk would not be contiguous to the development. He stated that the purpose of a concrete apron is to catch runoff and that the slope of this property would make an apron problematic in this location. Additionally, he stated that they would prefer curbside sidewalk to sidewalk and parkrow, and felt that this would be a safer design as it would discourage people from walking in the street. Additionally, he objected to the proposed condition requiring street lighting.

Mindlin closed the public hearing and the record.

COMMISSIONERS' DISCUSSION AND MOTION

Commissioner Fields and Stromberg discussed whether or not the fact that the property access from the shared driveway makes it part of the proposed site and subject to improvement requirements. Commissioners discussed whether there were issues relating to connecting the required improvements to existing and future improvements.

Mindlin questioned whether bicyclist would have access to front of the building if the sidewalk ends before the driveway entrance, since they would have to cross the unimproved area.

Stromberg asked if an LID was a possibility in this case. Adam Hanks replied that this was usually only done for smaller residential type development, such as accessory units and that it might not be possible to do this type of agreement on a state highway. Fields expressed concern about storm drainage and how the improvements would affect this.

Commissioners agreed that the applicant met the criteria for the requested Administrative Variance given the existing developed site.

Stromberg/Fields m/s to approve PA2007-02104 as recommended by staff with a modification of Condition 4 to eliminate the requirement for installation of the driveway apron, but to retain the requirement that the drive be no wider than the required 20 foot width.

Roll Call: The motion was unanimously approved.

ADJOURNMENT – The meeting was adjourned at 255 p.m.

*Respectfully submitted by,
Angela Barry, Assistant Planner*



PLANNING ACTION: 2008-00069

SUBJECT PROPERTY: 542 A Street

OWNER/APPLICANT: David Gremmels / Carlos Delgado

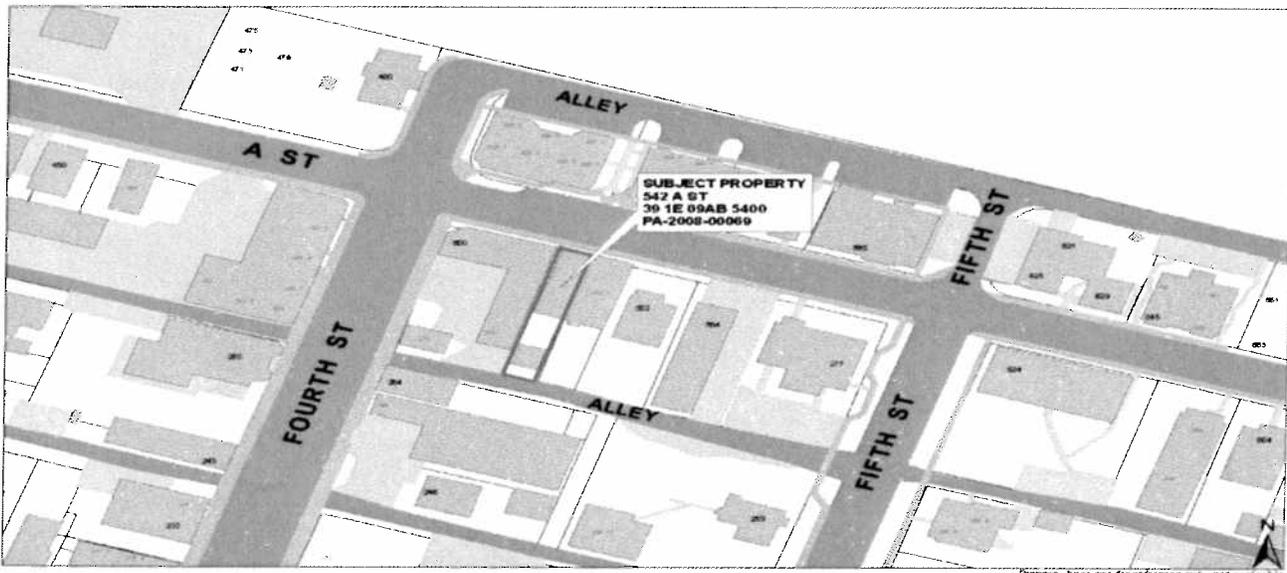
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NOTE: The Ashland Historic Commission will also review this Planning Action on **February 6, 2008 at 7:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

ASHLAND PLANNING DEPARTMENT STAFF PRELIMINARY APPROVAL: January 23, 2008

ASHLAND PLANNING COMMISSION HEARINGS BOARD MEETING: February 12, 2008, 1:00 PM

DEADLINE FOR REQUEST FOR A PUBLIC HEARING: February 4, 2008



The Ashland Planning Department Staff have preliminarily approved this request. This planning action will be reviewed by the Ashland Planning Commission Hearings Board on the meeting date shown above. The meeting will be at the Ashland Civic Center, 1175 East Main Street, Ashland, Oregon. **NO PUBLIC TESTIMONY IS ALLOWED AT THIS REVIEW.**

Any affected property owner or resident has a right to request, AT NO CHARGE, a public hearing before the Ashland Planning Commission on this action. To exercise this right, a WRITTEN request must be received in the Planning Department, 51 Winburn Way, prior to 4:30 p.m. on the deadline date shown above. The written request for the public hearing must include your name, address, the file number of the planning action and the specific grounds for which the decision should be reversed or modified, based on the applicable criteria. **IF YOU DO NOT SPECIFICALLY REQUEST A PUBLIC HEARING BY THE DEADLINE TIME AND DATE STATED ABOVE, THERE WILL BE NO PUBLIC TESTIMONY PERMITTED.** If a hearing is requested, it will be scheduled for the following month. 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.

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.

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 contact the Ashland Planning Department at 541-488-5305.

SITE DESIGN AND USE STANDARDS

18.72.070 Criteria for Approval

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

- A. All applicable City ordinances have been met or will be met by the proposed development.
- B. All requirements of the Site Review Chapter have been met or will be met.
- C. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.
- D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options. (Ord. 2655, 1991; Ord 2836 S6, 1999)

ASHLAND PLANNING COMMISSION

FINDINGS & ORDERS

PLANNING ACTION: PA2008-00069

SUBJECT PROPERTY: 542 A Street

OWNER/APPLICANT: David Gremmels / Carlos Delgado

DESCRIPTION: Request for a modification of a previous Site Review approval (PA #2007-01400).

The modification requested is a proposed increase to the size of the shed structure at the rear of the property. The existing shed was originally proposed to be reduced from its current size, 378 square feet to 125 square feet; the applicant has requested that the shed be reduced in size by 48 square feet.

COMPREHENSIVE PLAN DESIGNATION: Employment; **ZONING:** E-1; **ASSESSOR'S MAP #:** 39 1E 09AB; **TAX LOT:** 5400

SUBMITTAL DATE:	January 15, 2008
DEEMED COMPLETE DATE:	January 23, 2008
STAFF APPROVAL DATE:	January 23, 2008
DEADLINE TO REQUEST A HEARING DATE:	February 4, 2008
FINAL DECISION DATE:	February 13, 2008
APPROVAL EXPIRATION DATE:	February 13, 2009

DECISION

The applicant is requesting a modification of a previous Site Review approval for the redevelopment of a commercial building lot located at 542 A Street. The previous application was for a Site Review approval, Administrative Variance to the Site Design Standards to eliminate the required landscape buffer between property lines, a Variance to reduce the required number of off-street parking spaces as allowed for renovation of historic buildings, a Variance to use more than 50% of the provided off-street parking spaces as compact spaces and a Variance to provide the required disabled parking space on street. As part of that request, the applicant proposed to relocate and reconstruct the existing 378 square foot shed at the rear of the property. In the previous application, the shed was to be reduced to 125 square feet.

The modification request is to reduce the relocated, reconstructed shed to 330 square feet, 284 square feet as interior space and 46 square feet as exterior trash/recycling enclosure space. With this reduction, there is a loss of an approximately 28 square foot planter area which in turn reduces the landscape coverage from 17% to 16%. This reduction complies with the required 15% landscaping of the total developed lot area. The modification request does not impact the previously approved Administrative Variance, or the previously approved Variances.

The criteria for Site Review Approval are described in AMC Chapter 18.72.070, as follows:

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

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

D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.

The application with the attached conditions complies with all applicable City ordinances.

Planning Action 2008-00069 is approved with the following conditions. Further, if any one or more of the following conditions are found to be invalid for any reason whatsoever, then Planning Action 2008-00069 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 here.
- 2) That all conditions of PA#2007-01400 shall remain in effect.
- 3) That the recommendations of the Historic Commission with final approval of the Staff Advisor shall be incorporated into the building permit submittals.

Bill Molnar, Director
Department of Community Development

Date

**Modification to
Site Review and
Administrative Variance to
Approved Planning Action #2007-01400**

Subject Property:

542 A Street
Assessor's Map 39 1E 09AB Tax Lot 5400
Zoning E-1 with R overlay

Proposed Use:

Coffee house

Submitted to:

City of Ashland Planning Department

Submitted for:

David Gremmels

Prepared by:

Carlos Delgado
Carlos Delgado Architect
545 A Street
Ashland, Oregon 97520
541.552.9502

Submitted 01/15/08

RECEIVED

JAN 15 2008

City of Ashland

Attachments:

Sheet AS1.0	Site Plan
Sheet A2.1	Elevations Main Building and Storage Building
Sheet A5.1	Plan and Elevations of Storage Building

Summary of Modification:

Under the approval of Planning Action #2007-01400, the applicant proposed relocating and reducing the size of the existing 378 SF shed to 125 SF. Its use has been a workshop and storage.

Under further analysis of the needs of the tenant, this modification requests the storage shed to be a total of 330 SF (284 SF of interior space with 46 SF of exterior trash/recycling enclosure). Furthermore, the applicant is proposing the use of the shed to include storage and space for a coffee roaster to roast coffee beans. To allow for this, the proposed location of the storage shed reduces the approved parking backup space of 22 FT to 18 FT 6 IN. It has been demonstrated that this backup space in the alley is more than the existing adjacent properties' parking backup spaces. This modification also locates the parking area in congruence with the adjacent vehicular areas and is sufficient for vehicular turnaround (refer to Sheet AS1.0).

As presented in the original application, the onsite coffee roasting is a key element to relating to the historic nature of the development and restoration of this property. The storage shed has been designed to accommodate the relationship to the building by providing windows and French doors in the shed. This preserves the view and maintains sightlines for viewing the operations of the coffee roasting craft to the patrons in the main building.

Sections of the Ordinance and the Design Standards as deemed applicable to this modification, in whole or in part are inserted immediately following each section of the ordinance.

Respectfully Submitted,

Carlos Delgado
Architect

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JAN 15 2008
City of Ashland

- 542 A Street – Map 391E09AB – Lot 5400
Modification to Site Review & Administrative Variance PA #2007-01400
01/15/08

18.72.110 Landscaping Standards

Area Required. *The following areas shall be required to be landscaped in the following zones:*

E-1 - 15% of total developed lot area

- Complies: Previous approved Landscaped area = 518 SF. Lot area = 3,050 SF. Landscaping = 16.9%. The modification of the landscaped area eliminates a 28.5 SF planter thus reducing the landscaped area to 489.5 SF (16% of total developed lot area)

18.92.070 Automobile Parking Design Requirements

All required parking areas shall be designed in accordance with the parking layout chart at the end of this Chapter. Parking spaces shall be a minimum of 9 x18 feet, except that 50% of the spaces may be compact spaces in accord with 18.92.050 and shall have a 22 foot back-up space except where parking is angled.

- Compliant: Proposed parking spaces are a minimum of 9 x 18 feet (and 8 x 16 feet for compact spaces) and have a back-up space of 22 feet on an arc utilizing the alley for backup space. Refer to Sheet AS1.0

SITE DESIGN AND USE STANDARDS

SECTION II – APPROVAL STANDARDS & POLICIES

A. ORDINANCE LANDSCAPING REQUIREMENTS

The following percentages of landscaping are required for all properties falling under the Site Design and Use Standards.

E -1: 15%

- Complies: Previous approved landscaped area = 518 SF on site, or 17% of lot area. The modification of the landscaped area eliminates a 28.5 SF planter thus reducing the landscaped area to 489.5 SF (16% of total developed lot area).

RECEIVED

JAN 15 2008

City of Ashland



Carlos Delgado
ARCHITECT

545 A Street, Ashland, Oregon, 97520
541.552.9512 fax
541.552.9502
carlos@mind.net

DESCRIPTION	DATE
	1/11

TENANT IMPROVEMENT & FACADE RENOVATION

DAVID GREMMELS
542 A STREET
ASHLAND, OR 97520

ASSESSOR'S MAP NO. 391E 09AB TAX LOT NO. 5400

PRELIMINARY
NOT FOR CONSTRUCTION

RECEIVED

JAN 15 2008

City of Ashland

DRAWN - CHECKED:
TS CD

DATE:
01/15/08

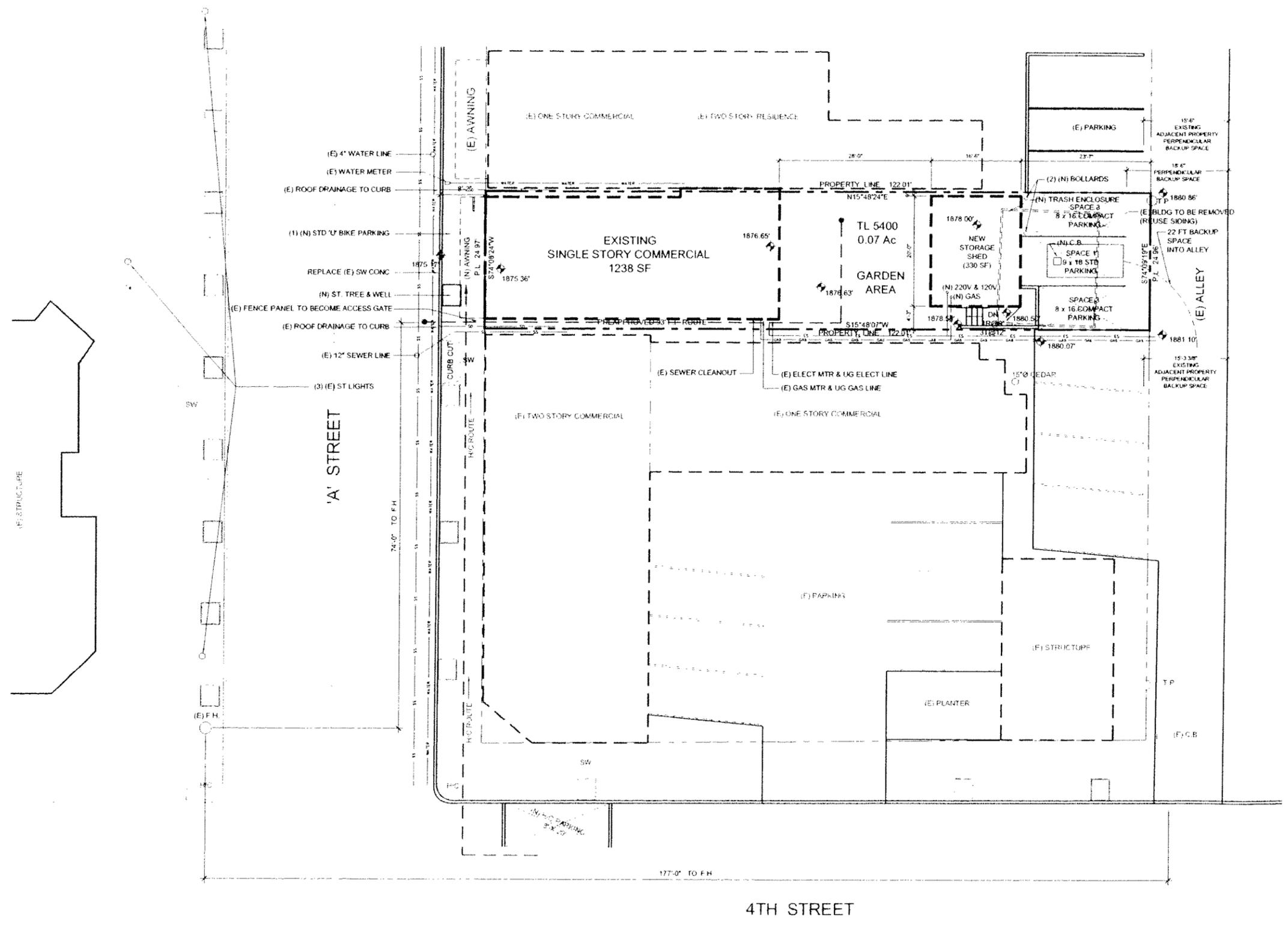
PROJECT:
0714_GREMMELS

SHEET:

AS1.0

OF 2 SHEETS

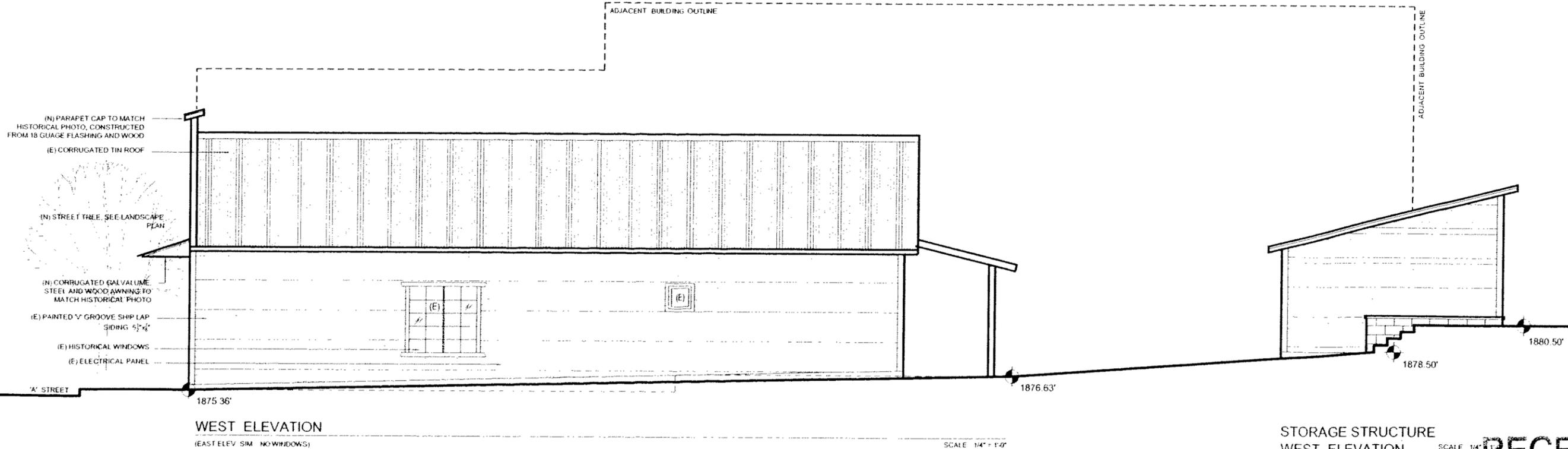
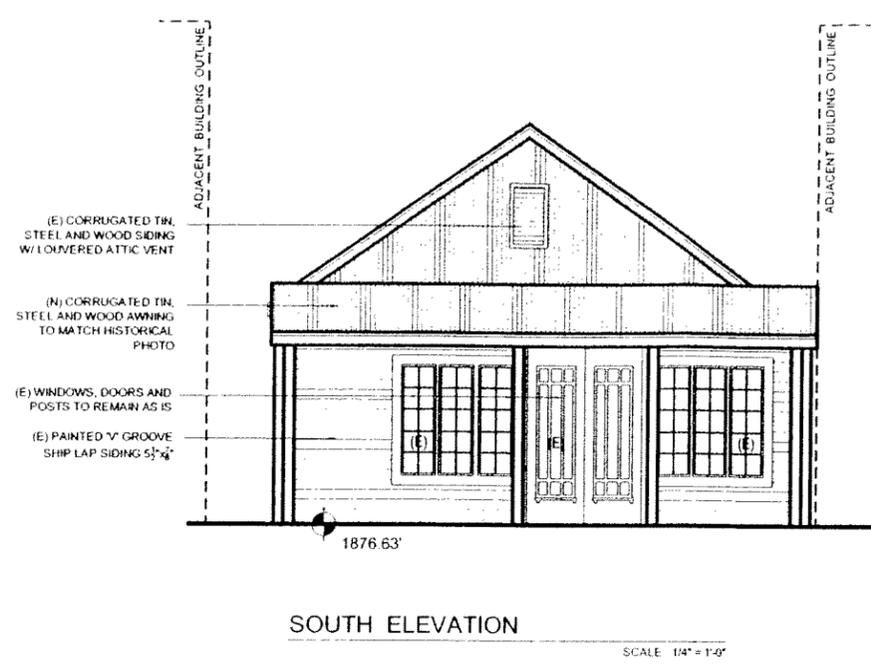
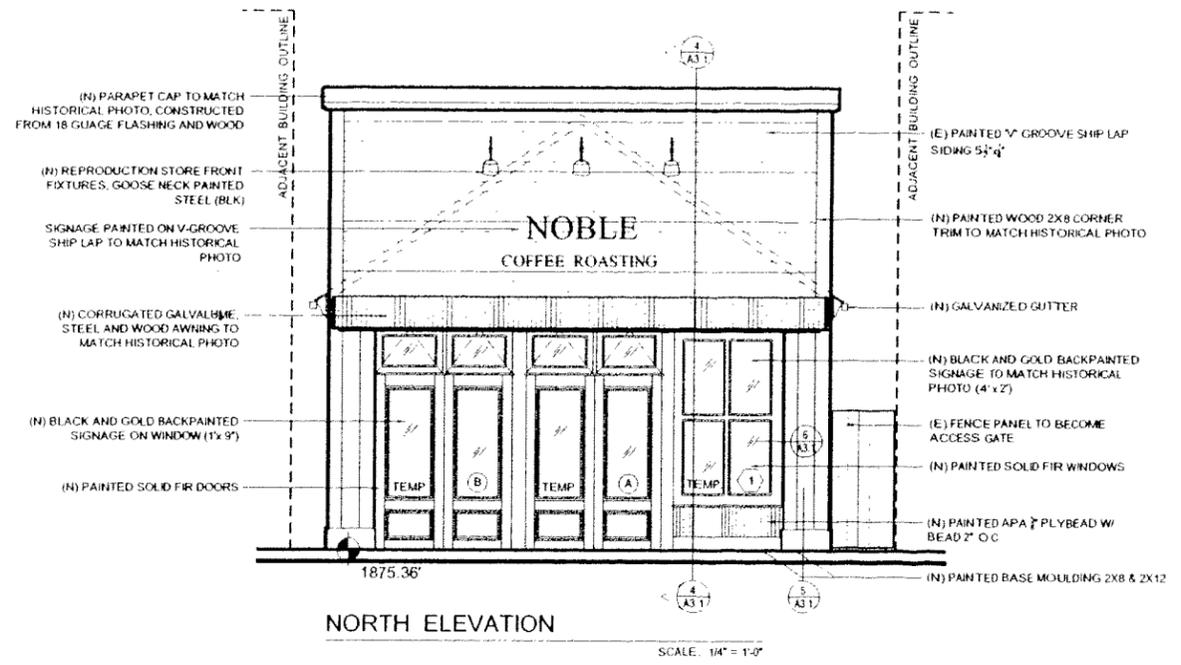
11 X 17 DWGS - HALF SCALE



SITE PLAN

SCALE: 1" = 10'-0"





PRELIMINARY
 NOT FOR CONSTRUCTION

STORAGE STRUCTURE
 WEST ELEVATION
 (REFER TO SHEET A5.1 FOR SHED PLAN & ELEVATIONS)

RECEIVED

JAN 15 2008

City of Ashland

DRAWN: _____ CHECKED: TS CD
 DATE: 01/15/08
 PROJECT: 0714_GREMMELS
 SHEET: A2.1
 OF -- SHEETS



PLANNING ACTION: 2007-02158

SUBJECT PROPERTY: 805 Oak Street

OWNER/APPLICANT: Hugh Holden & Liesa Fulton

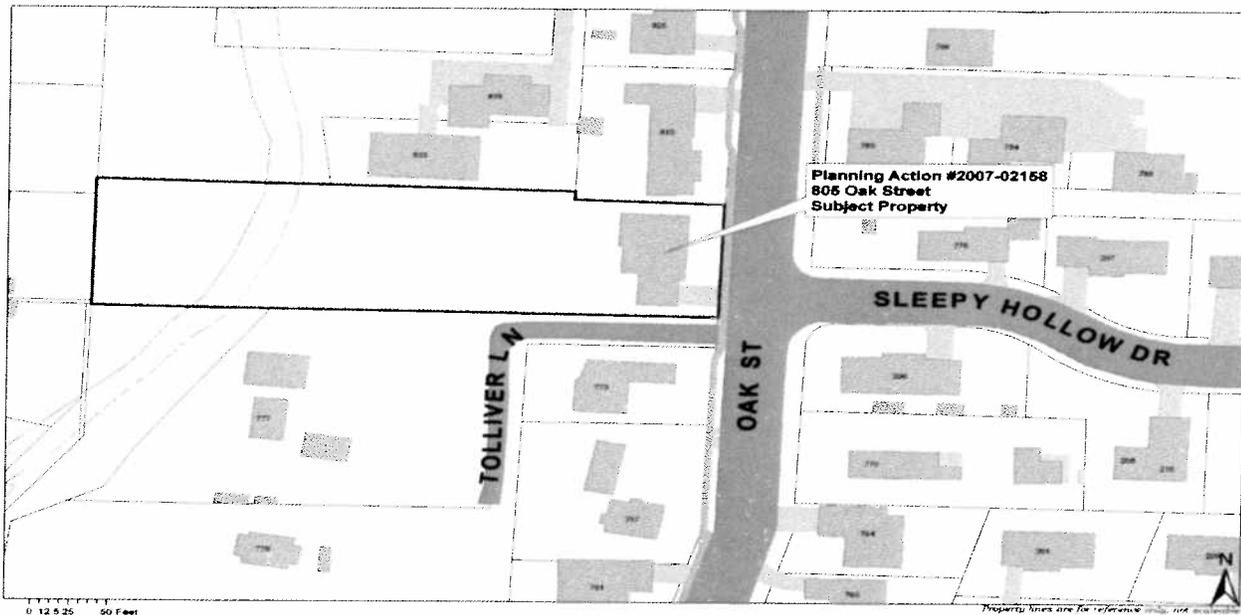
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NOTE: The Ashland Tree Commission will also review this Planning Action on **February 4, 2008 at 7:00 p.m.** in the Community Development and Engineering Services building (Siskiyou Room) located at 51 Winburn Way.

ASHLAND PLANNING DEPARTMENT STAFF PRELIMINARY APPROVAL: January 23, 2008

ASHLAND PLANNING COMMISSION HEARINGS BOARD MEETING: February 12, 2008, 1:30 PM

DEADLINE FOR REQUEST FOR A PUBLIC HEARING: February 4, 2008



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

MINOR LAND PARTITION CRITERIA

Section 18.76.050

If the proposed partition does not appear to comply with the requirements for routine administrative approval, the proposal shall be submitted to the Planning Commission and approved when the following conditions exist:

- A. The future use for urban purposes of the remainder of the tract will not be impeded.
- B. The development of the remainder of any adjoining land or access thereto will not be impeded.
- C. The tract of land has not been partitioned for 12 months.
- D. The partitioning is not in conflict with any law, ordinance or resolution applicable to the land.
- E. The partitioning is in accordance with the design and street standards contained in the Chapter 18.88, Performance Standards Options. (Ord 2836 S8, 1999)
- F. When there exists adequate public facilities, or proof that such facilities can be provided, as determined by the Public Works Director and specified by City documents, for water, sanitary sewers, storm sewer, and electricity.
- G. When there exists a 20-foot wide access along the entire street frontage of the parcel to the nearest fully improved collector or arterial street, as designated in the Comprehensive Plan. Such access shall be improved with an asphaltic concrete pavement designed for the use of the proposed street. The minimum width of the street shall be 20-feet with all work done under permit of the Public Works Department.
 1. The Public Works Director may allow an unpaved street for access for a minor land partition when all of the following conditions exist:
 - a. The unpaved street is at least 20-feet wide to the nearest fully improved collector or arterial street.
 - b. The centerline grade on any portion of the unpaved street does not exceed ten percent.
 2. Should the partition be on an unpaved street and paving is not required, the applicant shall agree to participate in the costs and to waive the rights of the owner of the subject property to remonstrate both with respect to the owners agreeing to participate in the cost of full street improvements and to not remonstrate to the formation of a local improvement district to cover such improvements and costs thereof. Full street improvements shall include paving, curb, gutter, sidewalks and the undergrounding of utilities. This requirement shall be precedent to the signing of the final survey plat, and if the owner declines to so agree, then the application shall be denied.
- H. Where an alley exists adjacent to the partition, access may be required to be provided from the alley and prohibited from the street. (amended Ord. 2757, 1995)

FLAG PARTITIONS

Section 18.76.060 Preliminary Approval of Flag Partitions.

Partitions involving the creation of flag lots shall be approved by the Planning Commission if the following conditions are satisfied:

- A. Conditions of the previous section have been met.
- B. Except as provided in subsection 18.76.060.K, the flag drive for one flag lot shall have a minimum width of 15 feet, and a 12 foot paved driving surface. For drives serving two lots, the flag drive shall be 20 feet wide, with 15 feet of driving surface to the back of the first lot, and 12 feet, respectively, for the rear lot. Drives shared by adjacent properties shall have a width of 20 feet, with a 15 foot paved driving surface. (Ord. 2815 S1, 1998)

Flag drives shall be constructed so as to prevent surface drainage from flowing over sidewalks or other public ways. Flag drives shall be in the same ownership as the flag lots served. Where two or more lots are served by the same flag drive, the flag drive shall be owned by one of the lots and an easement for access shall be granted to the other lot or lots. There shall be no parking 10 feet on either side of the flag drive entrance. Flag drive grades shall not exceed a maximum grade of 15%. Variances may be granted for flag drives for grades in excess of 15% but no greater than 18% for no more than 200'. Such variances shall be required to meet all of the criteria for approval as found in 18.100. Flag drives serving structures greater than 24 feet in height, as defined in 18.08.290, shall provide a Fire Work Area of 20 feet by 40 feet within 50 feet of the structure. The Fire Work Area requirement shall be waived if the structure served by the drive has an approved automatic sprinkler system installed.

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

Flag drives greater than 250 feet in length shall provide a turnaround as defined in the Performance Standards Guidelines in 18.88.090.
- C. Each flag lot has at least three parking spaces situated in such a manner as to eliminate the necessity for backing out.
- D. Curb cuts have been minimized, where possible, through the use of common driveways.
- E. Both sides of the flag drive have been screened with a site-obscuring fence, wall or evergreen hedge to a height of from four to six feet, except in the front yard setback area where, starting five feet from the property line, the height shall be from 30 to 42 inches in the remaining setback area. Such fence or landscaping shall be placed at the extreme outside of the flag drive in order to ensure adequate fire access.
- F. The applicant has executed and filed with the Planning Director an agreement between applicant and the city for paving and screening of the flag drive. Such an agreement shall specify the period within which the applicant, or agent for applicant, or contractor shall complete the paving to standards as specified by the Director of Public Works and screening as required by this section, and providing that if applicant should fail to complete such work within such period, the City may complete the same and recover the full cost and expense thereof from the applicant. An agreement shall also provide for the maintenance of the paving and screening to standards as indicated in this section and the assurance that such maintenance shall be continued.
- G. A site plan has been approved by the Planning Commission. The site plan shall be approved provided the regulations of the zoning and subdivision titles are satisfied. Such a site plan shall contain the map requirements listed in Section 18.76.050 and the following information:
 1. The location of driveways, turnarounds parking spaces and useable yard areas.
 2. The location and type of screening.

3. For site plans of a flag lot, the building envelope shall be identified.

H. No more than two lots are served by the flag drive.

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

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

K. Flag lots adjacent to an alley shall meet all of the requirements of this section, except that:

1. Vehicle access shall be from the alley only where required as a condition of approval;

2. No screening and paving requirements shall be required for the flagpole;

3. A four foot pedestrian path shall be installed within the flag pole, improved and maintained with either a concrete, asphalt, brick, or paver block surface from the street to the buildable area of the flag lot;

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 flaglot clearly visible from the street on a 4" X 4" post 3½ feet high. The post shall be painted white with black numbers 3 inches high running vertically down the front of the post. For flagpoles serving two or more dwellings, the addresses of such dwellings shall be on a two feet by three feet white sign clearly visible from the street with three inch black numbers. (amended Ord. 2757, 1995)

EXCEPTION TO STREET STANDARDS

18.88.050 F – Exception to Street Standards

An exception to the Street Standards is not subject to the Variance requirements of section 18.100 and may be granted with respect to the Street Standards in 18.88.050 if all of the following circumstances are found to exist:

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

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

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

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

(Ord 2836, Amended, 02/02/

TREE REMOVAL

18.61.080 Criteria for Issuance of Tree Removal - Staff Permit

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

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

1. A hazard tree is a tree that is physically damaged to the degree that it is clear that it is likely to fall and injure persons or property. A hazard tree may also include a tree that is located within public rights of way and is causing damage to existing public or private facilities or services and such facilities or services cannot be relocated or the damage alleviated. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard or a foreseeable danger of property damage to an existing structure and such hazard or danger cannot reasonably be alleviated by treatment or pruning.

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

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

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

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

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

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

4. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit. (ORD 2883 added 06/04/2002)

ASHLAND PLANNING COMMISSION

FINDINGS & ORDERS

PLANNING ACTION: 2007-02158

SUBJECT PROPERTY: 805 Oak Street

OWNER/APPLICANT: Holden, Hugh and Liesa Fulton

DESCRIPTION: A request for an amendment to the conditions of approval for a previously approved Land Partition (PA #2007-00985) for the property located at 805 Oak Street. The previous approval was to create two parcels, including one flag lot. The proposed amendment involves the modification of the previously approved building envelope, the removal of one tree (a 14-inch diameter Birch) that was previously proposed to be preserved, and the removal of a previously proposed pedestrian walkway located within the flag driveway.

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; **ZONING:**R-1-5-P;

ASSESSOR'S MAP #: 39 1E 04CA **TAX LOT#:** 2803

SUBMITTAL DATE:	December 19, 2007
DEEMED COMPLETE DATE:	January 18, 2008
STAFF APPROVAL DATE:	January 23, 2008
DEADLINE TO REQUEST A HEARING DATE:	February 4, 2008
FINAL DECISION DATE:	February 12, 2008
APPROVAL EXPIRATION DATE:	February 12, 2009

DECISION:

The Planning Commission approved the original Land Partition in August of 2007 as Planning Action #2007-00985. As part of that decision, a request for an Exception to Street Standards to allow the flag driveway 16 feet from the driveway to the south, where a minimum of 24 feet was required under controlled access standards, was denied. The findings for Planning Action #2007-00985 have been provided for reference. The current application proposes to amend the conditions of the previous approval with three modifications: 1) the modification of the previously approved building envelope; 2) the removal of one tree, a 14-inch diameter Birch, that was previously identified to be preserved; and 3) the removal of a previously proposed pedestrian walkway which had been shown within the flag driveway.

The subject property is a large, generally rectangular lot, approximately one acre in area, and located on the west side of Oak Street, just west of the intersection of Oak Street and Sleepy Hollow Drive and just north of the private drive Tolliver Lane. The parcel has roughly 100 feet of street frontage on Oak Street, and extends back from the street for a depth of approximately 415 feet. Ashland Creek runs through the rear portion of the site, near its western boundary, and the Ashland Creek floodplain extends approximately 207 feet to the east, covering a significant portion of the rear of the property. The parcel has slopes of approximately four to five percent down to the west, toward the creek corridor. The zoning for the subject parcel is R-1-5-P Single Family Residential, with 5,000 square feet being the minimum lot size. Oak Street is a collector street, and is currently paved, with curbs, gutters, and curbside sidewalks in place along the property's frontage.

There is an existing single-story home with an attached garage near the front of the parcel, oriented to Oak Street. Vehicular access to the property is from Oak Street via an existing driveway to the garage near the south end of the parcel, and a second driveway curb cut is located near the north end of the parcel's street frontage. The second curb cut is to be removed as a condition of the Land Partition approval. Oak Street is a collector street, and is currently paved, with curbs, gutters, and curbside sidewalks in place along the property's frontage.

There are numerous existing mature trees on the site, including a wide array of birches and cedars of varying sizes along the creek corridor, and eight other trees over six-inches in diameter-at-breast-height (d.b.h.) nearer to the existing home. The front yard contains four birches ranging from six- to ten-inches d.b.h., and the back yard has plums, firs and other deciduous trees of approximately eight- to ten-inches d.b.h. Under the original Land Partition approval, no tree removal was proposed, however the applicants are proposing to modify that approval by removing a 14-inch Birch tree, previously identified as Tree #6 in the applicants' original tree inventory, located just south of the flag driveway entrance.

The original approval involved the creation of two residential lots from the parent parcel, with Parcel 1, containing the existing home, to be approximately 8,501 square feet in area and fronting on Oak Street, and Parcel 2 to be a 35,060 square-foot flag lot behind the existing home and intended to accommodate future development. As part of the partitioning, the applicants proposed to remove half of the existing garage in order to accommodate the required six-foot side yard setback between the property line for the proposed flag drive and the existing home.

The approved building envelope included a 14-foot wide side yard adjacent to the north property line and a 30-foot side yard adjacent to the south property line, both significantly wider than the minimum six-foot wide side yard required in the R-1-5 zoning district. A 15-foot front yard was identified, and the rear boundary of the building envelope coincided with the City of Ashland's one hundred year floodplain boundary. In designing a home for the property to address solar access standards and accommodate the required three parking spaces and necessary vehicular circulation, the applicants have identified a need to modify the building envelope and are now proposing to provide a 23-foot sideyard adjacent to the south property line and a 7-foot side yard adjacent to the north property line. The front yard is shown as being increased to approximately 32-feet, and the limit of disturbance at the rear of the lot remains unchanged, with the floodplain boundary defining the limit of site disturbance. For staff, the primary concerns with modification of a building envelope would be in ensuring: that the floodplain remains undisturbed; that required yard areas are provided; that lot coverage falls within the limitations of the zoning district; that adequate parking and circulation can be provided; that any necessary modifications to the required Tree Protection Plan are considered; and that the proposed building complies with solar access standards. The proposed modifications to the building envelope continue to show that disturbance is being kept out of the flood plain, and while the side yards are to be reduced all proposed yard areas continue to exceed the minimum required yards for the zoning district. The application notes that lot coverage will comply with the maximum allowed

for the zoning district, and given the limits on development in the flood plain at the rear of the lot, staff does not anticipate any problem with compliance. The revised plans provided identify three parking spaces and appear to provide adequate back-up distance to allow cars to turn and exit to the street in a forward manner. Certified Arborist Tom Myers of Upper Limb-It Tree Service has provided a letter indicating that the proposed revisions to the building envelope will not require any change to the approved Tree Protection Plan, and that all trees other than the Birch to be removed at the driveway entrance would still be protected according to the approved plan. In terms of compliance with the solar access standards, the application provides calculations indicating that a proposed 14-½ foot high shadow producing point can be placed 19.05 feet from the north property line, in the modified building envelope. Staff has noted that these calculations are not in the required formula of $\{(Height - 6)/(0.445 + Slope)\}$, and that the slope identified here (-0.05) differs from that shown in the original partition (-0.013). Based on rough calculations by Staff, the slope is likely at or just less than one percent down to the north, and the required setback from the north property line should be within two- to six-inches of that identified here by the applicants. Staff has communicated these relatively minor discrepancies to the applicant, and the building permit submittal will need to demonstrate compliance and correctly identify the site's slope before a permit can be issued.

The second requested amendment to the previous approval involves the removal of a 14-inch diameter Birch Tree, previously identified in the site's tree inventory as Tree #6, located near the driveway entrance. In the original application, it was noted that the tree would benefit from retaining air and water exposure to its root system through the installation of a pervious driveway material within the tree's root zone, and that branches including a large secondary trunk would need to be pruned to ensure adequate clearance for fire apparatus access. A condition to this effect was added, along with restrictions that staging for the partial demolition of the garage be limited to the existing driveway pad. Certified Arborist Tom Myers of Upper Limb-It Tree Service has now provided a letter indicating that the removal is necessary because the driveway construction would destroy too much of the tree's root system for the tree to survive. Myers also notes that the tree is not significant, and that a co-dominant leader makes it structurally questionable. In reviewing this request, Staff noted that tree removal on single-family zoned properties containing only a single-family home is not regulated, and only the removal of significant trees is regulated on vacant single-family zoned property. At 14-inches in diameter, the tree in question is not considered to be significant, and in light of the issues raised by Myers, Staff believes that amending the conditions of the previous approval to allow its removal is justified. If Tree #6 is to be removed, Condition #3 can be modified to read "That the tree protection recommendations of the originally approved Tree Protection Plan shall be conditions of approval with the exception of those requirements relating to the preservation of Tree #6 (that a pervious driveway treatment be utilized where the consolidated drive crosses drip line area; that the tree be pruned prior to garage demolition; and that demolition equipment staging be restricted to the existing driveway pad) which are no longer necessary with its removal."

The final proposed amendment to the conditions of the Land Partition approval has to do with the removal of a four-foot wide pedestrian access way from Oak Street to the house site on the proposed Lot #2, which the applicants had previously identified for installation within the flag drive. The current request notes that in engineering the driveway to minimize its grade and comply with flag driveway standards, it has been determined that the walkway would adversely

affect the driveway design and necessitate additional retaining measures which could impact fencing on adjacent properties. Given that the pathway was previously shown on the plans as a proposal of the applicants, and that the installation of a pedestrian path is not required for flag driveways except where vehicular access is to be taken from an alley, Staff sees no issues or concerns with its removal as proposed here.

The criteria for a Partition are as follows:

- A. *The future use for urban purposes of the remainder of the tract will not be impeded.*
- B. *The development of the remainder of any adjoining land or access thereto will not be impeded.*
- C. *The tract of land has not been partitioned for 12 months.*
- D. *The partitioning is not in conflict with any law, ordinance or resolution applicable to the land.*
- E. *The partitioning is in accordance with the design and street standards contained in the Chapter 18.88, Performance Standards Options. (Ord. 2836 S8, 1999)*
- F. *When there exists adequate public facilities, or proof that such facilities can be provided, as determined by the Public Works Director and specified by City documents, for water, sanitary sewers, storm sewer, and electricity.*
- G. *When there exists a 20-foot wide access along the entire street frontage of the parcel to the nearest fully improved collector or arterial street, as designated in the Comprehensive Plan. Such access shall be improved with an asphaltic concrete pavement designed for the use of the proposed street. The minimum width of the street shall be 20-feet with all work done under permit of the Public Works Department.*
 1. *The Public Works Director may allow an unpaved street for access for a minor land partition when all of the following conditions exist:*
 - a. *The unpaved street is at least 20-feet wide to the nearest fully improved collector or arterial street.*
 - b. *The centerline grade on any portion of the unpaved street does not exceed ten percent.*
 2. *Should the partition be on an unpaved street and paving is not required, the applicant shall agree to participate in the costs and to waive the rights of the owner of the subject property to remonstrate both with respect to the owners agreeing to participate in the cost of full street improvements and to not remonstrate to the formation of a local improvement district to cover such improvements and costs thereof. Full street improvements shall include paving, curb, gutter, sidewalks and the undergrounding of utilities. This requirement shall be precedent to the signing of the final survey plat, and if the owner declines to so agree, then the application shall be denied.*
- H. *Where an alley exists adjacent to the partition, access may be required to be provided from the alley and prohibited from the street. (amended Ord. 2757, 1995)*

The criteria for a Flag Partition are as follows:

- A. *Conditions of the previous section have been met.*

- B. *Except as provided in subsection 18.76.060.K, the flag drive for one flag lot shall have a minimum width of 15 feet, and a 12 foot paved driving surface. For drives serving two lots, the flag drive shall be 20 feet wide, with 15 feet of driving surface to the back of the first lot, and 12 feet, respectively, for the rear lot. Drives shared by adjacent properties shall have a width of 20 feet, with a 15 foot paved driving surface. (Ord. 2815 S1, 1998)*

Flag drives shall be constructed so as to prevent surface drainage from flowing over sidewalks or other public ways. Flag drives shall be in the same ownership as the flag lots served. Where two or more lots are served by the same flag drive, the flag drive shall be owned by one of the lots and an easement for access shall be granted to the other lot or lots. There shall be no parking 10 feet on either side of the flag drive entrance.

Flag drive grades shall not exceed a maximum grade of 15%. Variances may be granted for flag drives for grades in excess of 15% but no greater than 18% for no more than 200'. Such variances shall be required to meet all of the criteria for approval as found in 18.100.

Flag drives serving structures greater than 24 feet in height, as defined in 18.08.290, shall provide a Fire Work Area of 20 feet by 40 feet within 50 feet of the structure. The Fire Work Area requirement shall be waived if the structure served by the drive has an approved automatic sprinkler system installed.

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

Flag drives greater than 250 feet in length shall provide a turnaround as defined in the Performance Standards Guidelines in 18.88.090.

- C. *Each flag lot has at least three parking spaces situated in such a manner as to eliminate the necessity for backing out.*
- D. *Curb cuts have been minimized, where possible, through the use of common driveways.*
- E. *Both sides of the flag drive have been screened with a site-obscuring fence, wall or evergreen hedge to a height of from four to six feet, except in the front yard setback area where, starting five feet from the property line, the height shall be from 30 to 42 inches in the remaining setback area. Such fence or landscaping shall be placed at the extreme outside of the flag drive in order to ensure adequate fire access.*
- F. *The applicant has executed and filed with the Planning Director an agreement between applicant and the city for paving and screening of the flag drive. Such an agreement shall specify the period within which the applicant, or agent for applicant, or contractor shall complete the paving to standards as specified by the Director of Public Works and screening as required by this section, and providing that if applicant should fail to complete such work within such period, the City may complete the same and recover the full cost and expense thereof from the applicant. An agreement shall also provide for the maintenance of the paving and screening to standards as indicated in this section and the assurance that such maintenance shall be continued.*
- G. *A site plan has been approved by the Planning Commission. The site plan shall be approved provided the regulations of the zoning and subdivision titles are satisfied. Such*

a site plan shall contain the map requirements listed in Section 18.76.050 and the following information:

- 1. The location of driveways, turnarounds parking spaces and useable yard areas.*
 - 2. The location and type of screening.*
 - 3. For site plans of a flag lot, the building envelope shall be identified.*
- H. No more than two lots are served by the flag drive.*
- I. For the purpose of meeting the minimum lot area requirement, the lot area, exclusive of the flag drive area, must meet the minimum square footage requirements of the zoning district.*
- J. Flag lots shall be required to provide a useable yard area that has a minimal dimension of 20 feet wide by 20 feet deep. As used in this chapter, the term "useable yard area" means a private yard area which is unobstructed by a structure or automobile from the ground upward.*
- K. Flag lots adjacent to an alley shall meet all of the requirements of this section, except that:*
- 1. Vehicle access shall be from the alley only where required as a condition of approval;*
 - 2. No screening and paving requirements shall be required for the flagpole;*
 - 3. A four-foot pedestrian path shall be installed within the flagpole, improved and maintained with either a concrete, asphalt, brick, or paver block surface from the street to the buildable area of the flag lot;*
 - 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 flaglot clearly visible from the street on a 4" X 4" post 3½ feet high. The post shall be painted white with black numbers 3 inches high running vertically down the front of the post. For flagpoles serving two or more dwellings, the addresses of such dwellings shall be on a two feet by three feet white sign clearly visible from the street with three inch black numbers. (amended Ord. 2757, 1995)*

The criteria for an Exception to Street Standards are as follows:

- A. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site;*
- B. The variance will result in equal or superior transportation facilities and connectivity;*
- C. The variance is the minimum necessary to alleviate the difficulty;*
- D. The variance is consistent with the stated Purpose and Intent of the Performance Standards Options Chapter.*

In Staff's opinion, the application with the attached conditions complies with all applicable City ordinances, and meets the approval criteria for a Land Partition. Planning Action #2007-02158 is approved with the following conditions. Further, if any one or more of the following conditions are found to be invalid for any reason whatsoever, then Planning Action #2007-02158 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 all applicable conditions of the previous Land Partition approval (Planning Action #2007-00985) shall remain conditions of approval unless otherwise modified herein.
- 3) That the tree protection requirements of the originally approved Tree Protection Plan shall remain conditions of approval with the exception of those requirements relating to the preservation of Tree #6 (that a pervious driveway treatment be utilized where the consolidated drive crosses drip line area; that the tree be pruned prior to garage demolition; and that demolition equipment staging be restricted to the existing driveway pad) which are no longer necessary with its removal.

If no appeal is filed, this request will become final when reviewed by the Ashland Planning Commission Hearings Board on February 12, 2008.

Bill Molnar, *Community Development Director*

Date

City of Ashland Community Development
20 E. Main Street
Ashland, OR 97520

Re: Modification to existing approved planning action #2007-00985

We would like to make modifications to a land partition located at 805 Oak Street - - Assessors Map #39 1E 04 CA; Tax lot 2803. The city of Ashland has approved and signed the findings, conclusions and orders document, on August 14, 2007.

These modifications include and will be described as modification of building envelope, removal of 4' sidewalk along south property line, and removal of non-significant tree at entrance to flag lot. A revised site plan will be included with these findings in order to further describe the changes requested.

1. Modification of approved building envelope. This building envelope that was delineated on the approved plan did not represent the full allowable building envelope. Due to changes in house plan and height, the envelope needs to be expanded to the south, per attached drawing. This growth in the proposed building envelope is well within the required setback and allowable lot coverage. This change is necessary to address solar setback requirements. Tom Myers, Certified arborist, met on site to review the proposed change and has determined that the existing, approved tree protection plan would not be affected by this change to the South and has written a letter (attached) to support this modification to the building envelope.

The change to the Northerly side of the building envelope, as indicated on the attached plan, does not affect the required minimum setback, solar setback or allowable lot coverage requirements. This change is necessary to due to design considerations and solar setback requirements.

2. Removal of 4-foot walk along flag drive. This walk was shown per Tom Giordano's plan due to an assumption that it was required per city code. It has subsequently been determined that the walk is not required per city code. In engineering the drive to minimize slope of grade it has been determined that inclusion of the walk would adversely affect design. By removing this walk we minimize the impact on the existing ground along fence and reduce the cost for the landowner.

RECEIVED

DEC 19 2007

City of Ashland

3. Removal of tree #6 at SW corner of property. Removal of tree has been determined to be necessary by Tom Myers after visiting the site. His supporting letter is included. The owner will mitigate a significant tree in its place if required by the city.

All other conditions that have been approved per the city of Ashland will not be impacted due to the modification to approved planning action #2007-00985

Please contact me with questions,



Aidan Jones
Expansive Design Corp.
Cell 261-7814
expdesign@charter.net

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DEC 19 2007
City of Ashland



Upper Limb-it Tree Service

PO Box 881
Ashland, OR 97520
Phone: 541-482-3667

Aidan Jones
Expansive Design Corp

12/19/2007

Tree Protection Plan for revised building envelope for 805 Oak St

The revised building envelopes for 805 Oak St will not require any changes to the existing tree protection plan. All trees on the plan must still be protected in accordance with the specifications supplied with the original tree protection plan. Tree # 6, a Birch tree in the proposed driveway will need to be removed because the driveway construction will destroy too much of the trees root system for the tree to survive. This tree is not a significant tree and is structurally questionable due to its co dominant leader. The removal of this tree can be mitigated by planting a significant tree in its place after construction of the driveway is completed. If you have any question regarding this tree report, please call me at 482-3667.

Tom Myers, Certified Arborist

DBA Upper Limb-it



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City of Ashland

**FINDINGS & SITE PLANS
FROM PREVIOUS APPROVAL
FOR REFERENCE**

Approval

work done under permit of the Public Works Department.

1. The Public Works Director may allow an unpaved street for access for a minor land partition when all of the following conditions exist:
 - a. The unpaved street is at least 20-feet wide to the nearest fully improved collector or arterial street.
 - b. The centerline grade on any portion of the unpaved street does not exceed ten percent.
 2. Should the partition be on an unpaved street and paving is not required, the applicant shall agree to participate in the costs and to waive the rights of the owner of the subject property to remonstrate both with respect to the owners agreeing to participate in the cost of full street improvements and to not remonstrate to the formation of a local improvement district to cover such improvements and costs thereof. Full street improvements shall include paving, curb, gutter, sidewalks and the undergrounding of utilities. This requirement shall be precedent to the signing of the final survey plat, and if the owner declines to so agree, then the application shall be denied.
- H. Where an alley exists adjacent to the partition, access may be required to be provided from the alley and prohibited from the street.

Further, the criteria for Flag Partition approval are described in Chapter 18.76 as follows:

- A. Conditions of the previous section have been met.
- B. Except as provided in subsection 18.76.060.K, the flag drive for one flag lot shall have a minimum width of 15 feet, and a 12 foot paved driving surface. For drives serving two lots, the flag drive shall be 20 feet wide, with 15 feet of driving surface to the back of the first lot, and 12 feet, respectively, for the rear lot. Drives shared by adjacent properties shall have a width of 20 feet, with a 15 foot paved driving surface.

Flag drives shall be constructed so as to prevent surface drainage from flowing over sidewalks or other public ways. Flag drives shall be in the same ownership as the flag lots served. Where two or more lots are served by the same flag drive, the flag drive shall be owned by one of the lots and an easement for access shall be granted to the other lot or lots. There shall be no parking 10 feet on either side of the flag drive entrance.

Flag drive grades shall not exceed a maximum grade of 15%. Variances may be granted for flag drives for grades in excess of 15% but no greater than 18% for no more than 200'. Such variances shall be required to meet all of the criteria for approval as found in 18.100.

Approval

Flag drives serving structures greater than 24 feet in height, as defined in 18.08.290, shall provide a Fire Work Area of 20 feet by 40 feet within 50 feet of the structure. The Fire Work Area requirement shall be waived if the structure served by the drive has an approved automatic sprinkler system installed.

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

Flag drives greater than 250 feet in length shall provide a turnaround as defined in the Performance Standards Guidelines in 18.88.090.

- C. Each flag lot has at least three parking spaces situated in such a manner as to eliminate the necessity for backing out.
- D. Curb cuts have been minimized, where possible, through the use of common driveways.
- E. Both sides of the flag drive have been screened with a site-obscuring fence, wall or evergreen hedge to a height of from four to six feet, except in the front yard setback area where, starting five feet from the property line, the height shall be from 30 to 42 inches in the remaining setback area. Such fence or landscaping shall be placed at the extreme outside of the flag drive in order to ensure adequate fire access.
- F. The applicant has executed and filed with the Planning Director an agreement between applicant and the city for paving and screening of the flag drive. Such an agreement shall specify the period within which the applicant, or agent for applicant, or contractor shall complete the paving to standards as specified by the Director of Public Works and screening as required by this section, and providing that if applicant should fail to complete such work within such period, the City may complete the same and recover the full cost and expense thereof from the applicant. An agreement shall also provide for the maintenance of the paving and screening to standards as indicated in this section and the assurance that such maintenance shall be continued.
- G. A site plan has been approved by the Planning Commission. The site plan shall be approved provided the regulations of the zoning and subdivision titles are satisfied. Such a site plan shall contain the map requirements listed in Section 18.76.050 and the following information:
 - 1. The location of driveways, turnarounds parking spaces and useable yard areas.
 - 2. The location and type of screening.
 - 3. For site plans of a flag lot, the building envelope shall be identified.
- H. No more than two lots are served by the flag drive.
- I. For the purpose of meeting the minimum lot area requirement, the lot area, exclusive of the flag drive area, must meet the minimum square footage requirements of the zoning district.

Approval

- J. Flag lots shall be required to provide a useable yard area that has a minimal dimension of 20 feet wide by 20 feet deep. As used in this chapter, the term "useable yard area" means a private yard area which is unobstructed by a structure or automobile from the ground upward.
- K. Flag lots adjacent to an alley shall meet all of the requirements of this section, except that:
 - 1. Vehicle access shall be from the alley only where required as a condition of approval;
 - 2. No screening and paving requirements shall be required for the flagpole;
 - 3. A four foot pedestrian path shall be installed within the flag pole, improved and maintained with either a concrete, asphalt, brick, or paver block surface from the street to the buildable area of the flag lot;
 - 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 flaglot clearly visible from the street on a 4" X 4" post 3½ feet high. The post shall be painted white with black numbers 3 inches high running vertically down the front of the post. For flagpoles serving two or more dwellings, the addresses of such dwellings shall be on a two feet by three feet white sign clearly visible from the street with three inch black numbers.

Further, the criteria for an Exception to Street Standards are described in Chapter 18.88 as follows:

- A. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site;
- B. The variance will result in equal or superior transportation facilities and connectivity;
- C. The variance is the minimum necessary to alleviate the difficulty;
- D. The variance is consistent with the stated Purpose and Intent of the Performance Standards Options Chapter.

4) The Hearings Board, following proper public notice, held a Public Hearing on August 14, 2007 at which time testimony was received and exhibits were presented. The Hearings Board approved the Land Partition application subject to conditions pertaining to the appropriate development of the site. The Hearings Board denied the requested Exception to Street Standards.

Now, therefore, the Hearings Board 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 Hearings Board 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 Hearings Board finds that both proposed parcels meet the minimum lot sizes and dimensional requirements of the land use ordinance. The parent parcel contains 43,561 square feet and is located on the west side of Oak Street between Hersey and Nevada Streets, just west of the intersection of Oak Street and Sleepy Hollow Drive. The parent parcel is generally rectangular, with 100 feet of frontage on Oak Street and a depth of approximately 415 feet. There is an existing single-story home with an attached two-car garage located on the proposed Parcel 1, which will contain a lot area of 8,501 square feet. The proposed Parcel 2 will be a 35,060 square foot flag lot. Both parcels conform to the minimum size requirement of 5,000 square feet in the Single Family Residential (R-1-5-P) zoning district. Additionally, the existing and new homes will meet the setback, solar access, and lot coverage requirements of the R-1-5-P zoning district.

2.3 The Hearings Board finds that public facilities including water, sanitary sewer, storm drainage, electric and transportation are in place and have adequate capacity to serve the existing home and the new vacant parcel. Public utilities including water, sanitary sewer, and electric are to be provided from the Oak Street right-of-way. The applicants propose to drain stormwater to Ashland Creek via an existing four-inch line. Vehicular access to both newly created parcels will be via a singly consolidated driveway access from Oak Street.

2.4 The Hearings Board finds that the request for an Exception to Street Standards is not supported by the evidence in the record. The applicants propose to provide a 16-foot separation between the proposed driveway and the existing driveway on the adjacent property to the south, where a 24-foot separation is required. A significant number of existing driveways in this vicinity do not meet the required driveway separation, and the Hearings Board finds this to demonstrate both that the situation is not based in a unique or unusual circumstance and that driveway separation on Oak Street, a collector street with high volumes of vehicular and pedestrian traffic and well-utilized on-street parking, is a problem that would be exacerbated by the requested Exception, resulting in a lesser transportation facility. The Exception cannot be shown to be the minimum necessary to alleviate the difficulty, as the application demonstrates that reduction of the driveway width would result in compliance with the Street Standards.

2.6 The Hearings Board finds that the proposal meets all applicable criteria for a Land Partition and

Approval

Flag Partition described in the Partitions Chapter 18.76, however the Hearings Board further finds that the proposal fails to meet the applicable criteria for an Exception to Street Standards as described in the Performance Standards Options Chapter 18.88.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Hearings Board concludes that the proposed Land Partition to create two lots, including one flag lot, is supported by evidence contained within the record. The Hearings Board further concludes that the proposed Exception to Street Standards is not supported by evidence contained within the record.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve the requested Land Partition as Planning Action #2007-00985 while denying the requested Exception to Street Standards. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2007-00985 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 here.
- 2) That a final survey plat shall be submitted to the City within 12 months of this approval.
- 3) That the tree protection recommendations of the project landscape architects Kencairn Sager, Inc. as delineated in the submitted Tree Protection Plan and the supplemental letter dated July 5, 2007 shall be conditions of approval, including the requirements that a pervious driveway treatment be utilized where the consolidated drive crosses drip line area of Tree #6, that Tree #6 be pruned prior to garage demolition, and that demolition equipment staging be restricted to the existing driveway pad.
- 4) That prior to the signature of the final survey plat:
 - A) 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.
 - B) That electric services shall be installed underground to service Parcels 1 and 2. The electric service plan shall be reviewed and approved by the Ashland Electric Department and Ashland Engineering Division prior to installation.
 - C) *That the sanitary sewer laterals and water services including connection with a meter at the street shall be installed for Parcel 2.*
 - D) *The requirements of the Fire Department that the driveway shall be improved to fire apparatus access standards shall be met.*
 - E) *The flag driveway shall be paved to a minimum width of 12 feet for its full length, and a 15-foot clear width to a height of 13-1/2 feet shall be maintained for the full length of the driveway; the driveway surface shall be capable of supporting 44,000 pounds for its full*

Approval

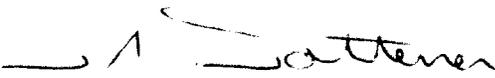
length; the driveway shall be constructed so as to prevent drainage from flowing over sidewalks or other public ways; underground utilities shall be installed beneath the driveway and any necessary easements identified on the final survey plat; the flag drive shall be screened with a site-obscuring fence, wall or evergreen hedge in accordance with 18.76.060.E; an agreement providing for the perpetual maintenance of the paving and screening of the shared driveway to City standards shall be signed, notarized, and recorded; and the curb shall be painted to prevent parking for ten feet on either side of the driveway entrance.

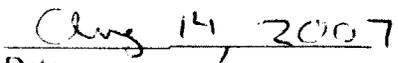
- F) That the removal of the northerly curb cut and reduction in width of the southerly curb cut shall be completed under permit from the Public Works Department, inspected and approved. The required 24-foot separation between the southerly curb cut and the adjacent driveway on the property to the south shall be maintained.
 - G) The portion of the garage that must be removed to provide the required side yard setbacks shall be removed, with any necessary building or demolitions permits obtained, and any required inspections approved.
- 5) That prior to the submittal of a building permit:
- A) The future home to be constructed on Parcel 2 shall meet the Solar Setback A in accordance with 18.70.040.A. The building permit submittals shall include identification of the highest shadow producing point, identification of the height of the shadow producing point from natural grade and the solar setback measurement called out to the north property line.
 - B) That individual lot coverage shall not exceed 50 percent of the lot area in accordance with the lot coverage regulations of the zoning district. Lot coverage calculations including all impervious surfaces shall be provided with building permit submittals.
 - C) That all easements shall be identified on the building permit submittals.
- 6) That prior to the issuance of a building permit:
- A) Tree protection fencing shall be installed according to the approved Tree Protection Plan prior to any site work, storage of materials or permit issuance. The tree protection shall be chain link fencing six feet tall and installed in accordance with 18.61.200.B.
 - B) A Tree Verification Permit shall be applied for and approved by the Ashland Planning Division prior to permit issuance, site work, building demolition, and/or storage of materials. The Verification Permit is to inspect installation of tree protection fencing for the trees to be retained on site, and on adjacent properties.
 - C) That a revised Drainage Plan shall be submitted for the review and approval of the Engineering, Building, and Planning Divisions prior to issuance of a building permit for Parcel 2.
 - D) The proposed building envelope for Parcel 2 shall be the limit of construction disturbance on the parcel. All necessary excavation for the placement of footings and forms for the

Approval

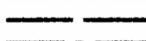
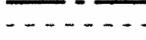
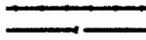
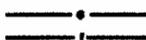
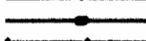
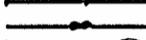
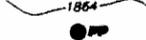
foundation and any construction staging shall occur on the buildable portion of the parcel, outside of the floodplain. The floodplain boundary shall be identified on site and protected with silt fencing, and the installation of this silt fencing at the floodplain line shall be inspected and approved by the Staff Advisor prior to the issuance of a building permit. In the event that storm drain line installation is necessary to a degree constituting development of floodplain lands, the applicants shall obtain a Physical and Environmental Constraints Review permit prior to the installation.

- 7) That prior to the issuance of a certificate of occupancy for a newly constructed home on Parcel 2:
- A) Parcel 2 shall have at least three off-street parking spaces situated in such a manner as to eliminate the necessity for backing out. These parking spaces shall be shown on the building permit submittals for Parcel 2, and shall be installed prior to the issuance of a certificate of occupancy for any new structure on the flag lot.
 - B) The driveway area in front of the garage on Parcel 1 shall be signed as a no parking area if deemed necessary by the Fire Department to maintain required fire apparatus access.
 - C) That an elevation certificate prepared by an Oregon-licensed engineer or surveyor shall be provided to certify that the actual finished floor elevation of the lowest habitable floor of the home to be constructed on Parcel 2 has been raised to at least two feet above the base flood elevation.
 - D) The requirements of the Fire Department, including provision of fire apparatus access, approved addressing, and installation of residential smoke alarms, shall be satisfactorily addressed.


Hearings Board Approval


Date

LEGEND

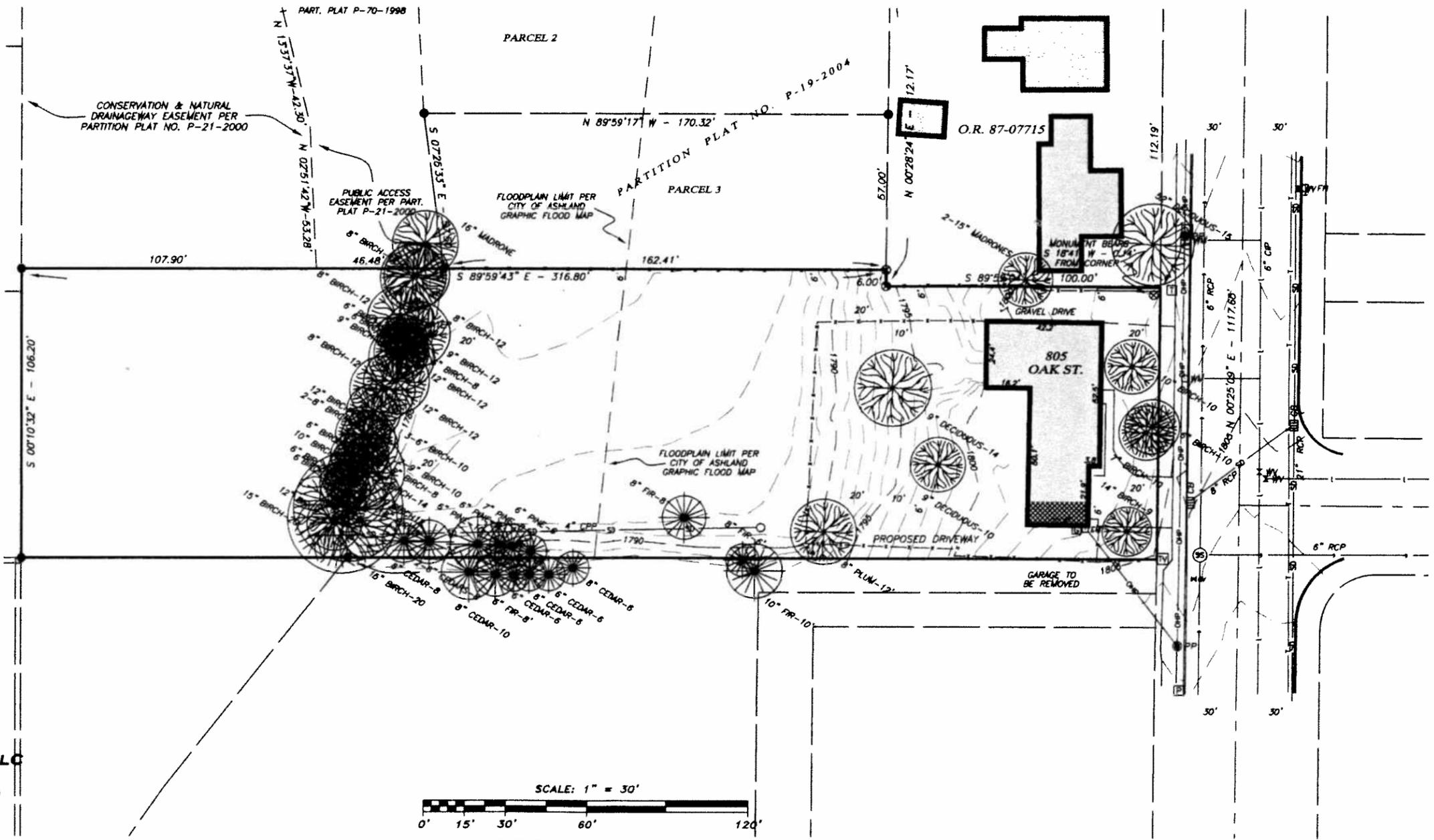
-  BRASS CAP CENTERLINE MONUMENT FOUND
-  SURVEY CONTROL POINT, AS DESCRIBED
-  PROPERTY BOUNDARY LINE
-  PROPOSED PARTITION LINE
-  BOUNDARY LINE
-  CENTERLINE
-  EASEMENT LINE
-  FENCELINE
-  WATER LINE
-  BURIED NATURAL GAS LINE
-  BURIED PHONE LINE
-  STORM DRAIN LINE
-  SANITARY SEWER LINE
-  OVERHEAD POWER LINE
-  CONTOUR LINE
-  POWER POLE
-  ELECTRIC METER
-  WATER METER
-  WATER VALVE
-  FIRE HYDRANT
-  CURB INLET
-  SANITARY SEWER MANHOLE
-  PHONE PEDESTAL
-  CATV PEDESTAL

**PRELIMINARY MAP
MINOR LAND PARTITION**

LYING SITUATE IN
SOUTHWEST QUARTER OF SECTION 4
TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN
CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR
HUGH & LIESA HOLDEN

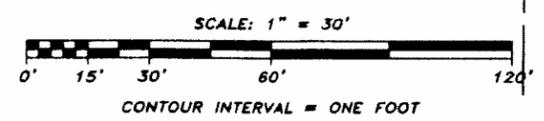
805 OAK STREET
ASHLAND, OREGON 97520



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1999
SHAWN KAUFMANN
2004 LS
RENEWAL DATE: 6/30/2007

SURVEYED BY:
POLARIS LAND SURVEYING LLC
P.O. BOX 459
ASHLAND, OREGON 97520
(541) 482-5009
DATE: JANUARY 18, 2007
PROJECT NO. 381-06



Assessor's Map No. 39 1E 04 CA, Tax Lot 2803



PLANNING ACTION: 2007-01940

SUBJECT PROPERTY: 172 Skidmore Street

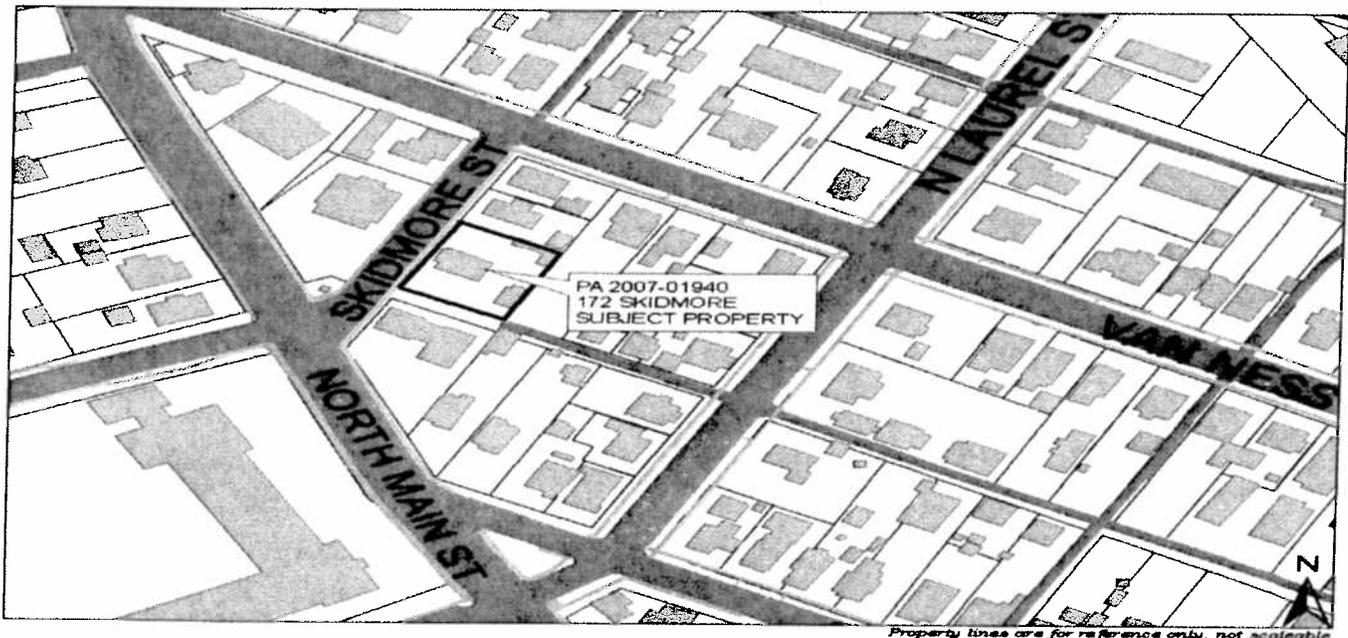
OWNER/APPLICANT: S & J Properties LLC

DESCRIPTION: Request for a Conditional Use Permit and Site Review to construct two bathroom additions totaling 115 square feet within the required setback to a historic, legal non-conforming multi-family residential development located at 172 Skidmore Street. The application includes a request for a Variance to the requirement of Section 18.92.070 that the off-street parking be paved and an Administrative Variance to Site Design and Use Standards to allow for parking between the building and the street. COMPREHENSIVE PLAN DESIGNATION: High Density Residential; ZONING: R-3-; ASSESSOR'S MAP #: 391E05DD; TAX LOT: 1000.

NOTE: The Ashland Tree Commission will also review this Planning Action on **February 4, 2008 at 7:00 PM** in the Community Development and Engineering Services building (Siskiyou Room) located at 51 Winburn Way.

NOTE: The Ashland Historic Commission will also review this Planning Action on **February 6, 2008 at 7:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

ASHLAND PLANNING COMMISSION HEARINGS BOARD MEETING: February 12, 2008, 1:30 PM



Property lines are for reference only, not scaleable.

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 HEARINGS BOARD** on meeting date shown above. The meeting will be at the **ASHLAND CIVIC CENTER, 1175 East Main Street, Ashland, Oregon.**

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

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

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

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

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

VARIANCE

18.100.020 Application

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

- A. That there are unique or unusual circumstances which apply to this site which do not typically apply elsewhere.
- B. That the proposal's benefits will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City. (Ord.2425 S1, 1987).
- C. That the circumstances or conditions have not been willfully or purposely self-imposed.(Ord. 2775, 1996)

ADMINISTRATIVE VARIANCE FROM SITE DESIGN AND USE STANDARDS

18.72.090

An administrative variance to the requirements of this chapter may be granted with respect to the requirements of the Site Design Standards adopted under section 18.72.080 if, on the basis of the application, investigation and evidence submitted, all of the following circumstances are found to exist:

- A. There is a demonstrable difficulty in meeting the specific requirements of the Site Design Standards due to a unique or unusual aspect of the proposed use of a site;
- B. Approval of the variance will not substantially negatively impact adjacent properties;
- C. Approval of the variance is consistent with the stated purpose of the Site Design and Use Chapter; and
- D. The variance requested is the minimum variance which would alleviate the difficulty.

CONDITIONAL USE PERMITS

18.104.050 Approval Criteria

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

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

SITE DESIGN AND USE STANDARDS

18.72.070 Criteria for Approval

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

- A. All applicable City ordinances have been met or will be met by the proposed development.
3. All requirements of the Site Review Chapter have been met or will be met.
2. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.
- 2). That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options. (Ord. 2655, 1991; Ord 2836 36, 1999)

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

PLANNING ACTION: 2007-01940

APPLICANT: S & J Properties LLC

LOCATION: 172 Skidmore Street

ZONE DESIGNATION: R-3

COMPREHENSIVE PLAN DESIGNATION: High Density Residential

APPLICATION DEEMED COMPLETE: February 4, 2008

120-DAY TIME LIMIT: June 3, 2008

ORDINANCE REFERENCE:

- 18.28 R-3 High Density Multi-Family Residential
- 18.61 Tree Preservation and Protection
- 18.72 Solar Access
- 18.72 Site Design and Use Standards
- 18.92 Off-Street Parking
- 18.100 Variances
- 18.104 Conditional Use Permits

REQUEST: Request for a Conditional Use Permit and Site Review to construct two bathroom additions totaling 115 square feet within the required setback to a historic, legal non-conforming multi-family residential development located at 172 Skidmore Street. The application includes a request for a Variance to the requirement of Section 18.92.070 that the off-street parking be paved and an Administrative Variance to Site Design and Use Standards to allow for parking between the building and the street.

I. Relevant Facts

A. Background - History of Application

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

B. Detailed Description of the Site and Proposal

The property is located at 172 Skidmore Street and is zoned R-3, high density multi-family residential. It is located in the Skidmore Academy Historic District. The lot has an area of 10,000 square feet. The surrounding properties to the east and north are zoned R-3

also. The properties to the south and west are zoned R-2. The property has an approximately 6 percent slope downhill to the northeast.

An existing multi-family residential complex is located on the site. The main building on the site is a historic home that was built in approximately 1883. The other buildings were likely brought onto the site at a later date, but it appears all the units were in use as residential buildings prior to the adoption of the Land Use Ordinance. The property does not conform to the density requirements for the zone, as the lot size would currently allow the construction of 4.5 units. However, a number of the units on the lot are less than 500 square feet according the application, which would make them .75 of a unit per 18.24.040 of the Ordinance. This would make the current density of the lot 5.5 units, which is one more than allowed by Code.

There are four significant trees on site, a 6-inch diameter-at-breast-height (DBH) oak, a 16-inch DBH poplar, a 48-inch DBH silver maple, and a 24-inch DBH catalpa. All the trees are to be retained and protected. The applicant is proposing to add two new maple trees behind the sidewalk on the Skidmore side of the property.

1. Site Review

The property is subject to Site Review since it is an addition to a multi-family development. The addition consists of bathrooms on the two small cottages on the north side of the property. The development is currently existing, non-conforming so the Site Review requirements would be proportional to the amount of expansion requested.

2. Conditional Use Permit

The application requires a Conditional Use Permit to modify a non-conforming structure. The existing buildings that the applicants are proposing to add bathrooms to are located within the required setbacks and the bathroom additions themselves would be within the setback area. Section 18.68.090 requires a Conditional Use Permit to expand a non-conforming structure.

3. Variance

Section 18.92.070 of the Ordinance requires that off-street parking for multi-family residential developments be paved. The applicants are requesting a Variance to this requirement in order to preserve a 6-inch oak tree on the northern edge of the property and a 48-inch silver maple on the alley side of the property.

4. Administrative Variance to Site Design Standards

The applicant is requesting an Administrative Variance to Site Design and Use Standards to place some of the parking between the building and the street. There

is a pre-existing curb cut in this location, and the applicant has formalized the parking through the use of a wooden border and the addition of gravel.

II. Project Impact

The project requires Site Review approval since it involves an addition onto a multi-family development. It requires a Conditional Use Permit for an addition onto a Non-Conforming structure. A Variance is required for to leave the parking area unpaved, and an Administrative Variance to Site Design and Use Standards is required to locate the parking between the building and the street. All the approvals except the Variance to the paving of the parking area would qualify for Administrative approval.

An issue that was not adequately addressed in the planning application was the solar setback. It does not appear that the proposed addition for Unit 8 would meet the required solar setback, as it is located 1 foot and 2 inches away from the north property line. A condition has been added to the planning approval making the approval contingent upon either meeting the solar setback requirement or the approval of a Variance to the Solar Access requirements.

A. Site Review

The property is non-conforming in regards to density and setbacks in the R-3 District. The units are legal non-conforming, and the applicant is not increasing the number of units. Adequate public facilities, including water, sewer, storm drainage, and electric, exist in the Skidmore Street right of way to serve the proposed project.

The project is subject to Residential Site Review Standards and Historic Design Standards. Since the construction is for two small-scale additions on an existing site, the applicable criteria are primarily the Historic District Criteria for Rehabilitation and Remodel and Historic District Design Standards. These standards require that the materials, details and colors match the original or existing buildings. They also require building form and roof style to be compatible and emphasize sense of entry. At the time of this writing, the Historic Commission has not yet reviewed the application. A condition has been added to the recommended conditions requiring Historic Commission recommendations with Staff Approval to be incorporated into the planning approval.

B. Conditional Use Permit

The Conditional Use Permit criteria require that the proposed use will not have a greater adverse material effect on the livability of the surrounding area when compared to the target use of the property according to seven factors. The proposal should not have any impact on traffic, air quality, or noise, since the proposed additions are bathrooms only and would likely not result in additional tenants, as would other types of additions, such as additional bedrooms or other living space.

In staff's opinion, the primary decision that the Commission must make when determining whether or not the project meets the criteria, is whether or not the location of the bathrooms within the setback area will have no greater impact on the livability of the adjacent properties than if the bathrooms were located outside the setback.

C. Variance

The applicant has requested a Variance to the requirement to pave the parking in order to preserve a 6-inch oak tree on the northern edge of the property and a 48-inch silver maple on the alley side of the property. Additionally, the applicant states that the gravel parking area better preserves the historic character of the lot. While the submitted site plan does not show that the dripline of the silver maple is within the parking area, the applicant has submitted a letter from an arborist recommending the parking not be paved in order to preserve the health of these two trees. The arborist's letter also states that the oak tree is in good health, while the silver maple is in decline. The trees could be considered to be a unique physical circumstance on the lot. The Hearings Board must also make the finding that the benefits would be greater than the negative impacts in order to approve the Variance.

D. Administrative Variance to Site Design Standards

The applicants are requesting an Administrative Variance to the Site Design Standards to locate the parking in the front yard area. There is an existing curb cut in this location, and the applicants have laid down edging and gravel to formalize this parking area. Given the large number of units on the lot and the existing development pattern, the applicant's finding for the Administrative Variance appear to be credible. It would be difficult to relocate the parking without impacting existing historic buildings or mature trees.

III. Procedural - Required Burden of Proof

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

- A. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
- B. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.
- C. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:

1. Similarity in scale, bulk, and coverage.
2. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
3. Architectural compatibility with the impact area.
4. Air quality, including the generation of dust, odors, or other environmental pollutants.
5. Generation of noise, light, and glare.
6. The development of adjacent properties as envisioned in the Comprehensive Plan.
7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.

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

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

- A. All applicable City ordinances have been met or will be met by the proposed development.
- B. All requirements of the Site Review Chapter have been met or will be met.
- C. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.
- D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options. (Ord. 2655, 1991; Ord 2836 S6, 1999)

The criteria for an Administrative Variance to the Site Design and Use Standards are described in 18.72.090 as follows:

- A. There is a demonstrable difficulty in meeting the specific requirements of the Site Design Standards due to a unique or unusual aspect of the proposed use of a site;
- B. Approval of the variance will not substantially negatively impact adjacent properties;
- C. Approval of the variance is consistent with the stated purpose of the Site Design and Use Chapter; and
- D. The variance requested is the minimum variance which would alleviate the difficulty.

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

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

- B. That the proposal's benefits will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City. (Ord.2425 S1, 1987).
- C. That the circumstances or conditions have not been willfully or purposely self-imposed.

IV. Conclusions and Recommendations

In order to approve the Conditional Use Permit, the primary finding that the Hearings Board must make that the proposed location of the proposed addition would have no greater adverse material impacts on the neighboring property than addition were designed to meet current setback requirements. In order to approve the Variance, the Hearings Board must determine that the benefits of not paving the parking outweigh the negative impacts.

If the Commission chooses to approve the project, Staff recommends that the following conditions accompany the decision:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified here.
- 2) That bicycle parking facilities, in accordance 18.92.040.J, shall be provided.
- 3) That if the proposed addition does not meet the solar setback requirements, the applicant shall apply for a Variance to the solar of Section 18.70. The approval of the addition on Unit 8 is contingent upon approval of this Variance or compliance with Solar Setback requirements.
- 4) That prior to the issuance of a building permit:
 - a) That the plans submitted for the building permit shall be in substantial conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify this Site Review approval shall be submitted and approved prior to issuance of a building permit.
 - b) That the recommendations of the Historic Commission with final approval of the Staff Advisor shall be incorporated into the building permit submittals.
 - c) Tree protection measures shall be installed according to the approved plan, inspected, and approved by the Staff Advisor. No site work, including any storage of materials, shall occur prior to completion of a Tree Protection Verification Permit inspection.
 - d) All un-permitted construction, including the gazebo structure, must obtain building permits.

- e) Exterior lighting shall be shown on the building permit submittals and appropriately shrouded so there is no direct illumination of surrounding properties.
 - f) That the building materials and the exterior colors shall be identified in the building permit submittals. The information shall be consistent with the colors, texture, dimensions and shape of materials and building details proposed and approved as part of the land use application. Exterior building colors shall be muted colors, as described in the application. Bright or neon paint colors shall not be used in accordance with II-C-2f)1) of the Detail Site Review Standards.
 - g) The inverted u-racks shall be used for the bicycle parking. The building permit submittals shall verify that the bicycle parking spacing and coverage requirements are met in accordance with 18.92.040.I.
 - h) Solar setback calculations demonstrating that all new construction complies with the Solar Setback Standard formula and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and the height(s) from natural grade shall be included in building permit submittals.
- 5) That prior to the issuance of a certificate of occupancy:
- a) All bicycle parking shall be installed in accordance with design and rack standards in 18.92.040.I and J prior to the issuance of the certificate of occupancy.
 - b) 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 the Recycling Requirements of AMC 18.72.115.A.

**PROJECT DESCRIPTION AND FINDINGS OF FACT
FOR
172 SKIDMORE STREET
ASHLAND, OREGON**



SUBMITTED TO

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

SUBMITTED BY

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

APPLICATION RESUBMITTAL – JANUARY 16TH 2008

RECEIVED

JAN 17 2008

**City of Ashland
Community Development**

I. PROJECT INFORMATION:

ADDRESS & LEGAL DESCRIPTION: 172 Skidmore Street; 391E 05DD 1000

PLANNING ACTION: There are a total of six entitlements being requested for this application:

- 1) A Site Review Permit to allow an approximate 50 square foot bathroom addition on to an existing rental unit (Unit #7) and a 65 square foot bathroom addition onto a second rental unit (Unit #8).
- 2) A Conditional Use Permit to expand a non-conforming structure (allowing one of the proposed additions to be within the rear yard setback);
- 3) A Conditional Use Permit to allow expansion of the buildings as they are considered grandfathered uses as their density exceeds current density standards;
- 4) A Conditional Use Permit to expand a non-conforming structure (allowing the existing non-conforming distance between the buildings to be less than 12');
- 5) An Administrative Variance to the Site Design Standards to allow two new parking spaces to be located within the front yard (currently existing);
- 6) A Variance to Chapter 18.92.070 E. to allow gravel parking instead of a paved or concrete surface.

OWNER:

S&J Properties LLP
Attn: James Beard
1322 E. McAndrews Road, Suite 201
Medford, OR 97504
541.773.9748

LAND USE PLANNING:

Urban Development Services, LLC
Attn: Mark Knox
700 Mistletoe Road, Suite 204
Ashland, OR 97520
541.482.3334

DRAFTING:

CCLTD
Attn: Charles Clarkson, AIA
1940 Lawnridge Street
Medford, OR 97504
541.770.7127

ARBORIST:

Upper Limb-it Tree Service
Attn: Tom Myers
P.O. Box 881
Ashland, Oregon 97520
541.482.3667

COMPREHENSIVE PLAN DESIGNATION: Multi-Family Residential

ZONING DESIGNATION: R-3 High-Density, Multi-Family Residential

LOT STATISTICS:

Total Area:	.23 acres (10,000 sq. ft.)
Total Lot Coverage:	48% (75% permitted)
Lot Slope:	4%
North Slope:	4%

APPLICABLE ORDINANCES:

High Density Multiple-Family Residential, Chapter 18.28
Tree Preservation & Protection, Chapter 18.61
General Regulations, Chapter 18.68
Site Design & Use Standards, Chapter 18.76
Site Design & Use Standards, Design Standards
Conditional Use Permits, Chapter 18.104
Variances, Chapter 18.100

ADJACENT ZONING/USE:

WEST: R-2 Low-Density, Multi-Family Residential (Mini-Market)
EAST: R-3 High-Density, Multi-Family Residential
SOUTH: R-2 Low-Density, Multi-Family Residential (Business Offices)
NORTH: R-3 High-Density, Multi-Family Residential
SUBJECT SITE: R-3 High-Density, Multi-Family Residential

EXHIBITS ATTACHED: Neighborhood Context & Vicinity Map, Assessor's Map, Aerial Photo, Utility Map, Site Photos (before remodel), Tentative Site Plan, Elevations, Mechanical Plan, Investigation Report, Arborist Report, and Correspondences.

II. PROJECT BACKGROUND & DESCRIPTION:

Background & Site Description: A pre-application meeting was held on October 17th, 2007, at which time comments, questions and observations were raised by City Staff. No other records have been found within the Planning Department files. According to historical records, the property is within the Skidmore-Academy Historic District and the site's primary structure (Stone-Casebeer House) is listed as a Historic Contributing Resource on the district's National Register of Historic Places nomination document. The property is bound by Skidmore Street to the west, residential housing to the north and east and an alley and commercial businesses to the south. The alley extends to Laurel Street and services the properties fronting along North Main Street and Van Ness Streets. There are three on-street parking spaces, two parking spaces in the front off Skidmore and three gravel parking spaces exist off the alley. The property has an approximate 4% south to north slope and a slight 1.5% west to east slope. Two large trees, 24" and 36" diameter at breast height, sit between the principal house and the alley effectively screening the three on-site parking spaces behind the trees.

The property has five detached structures including the principal building that was constructed in 1883c as a single family house and later remodeled into three units (Building A). To the rear of the property is a two-story two-unit structure likely once the garage, but in 1948 remodeled. Also in 1948 three small detached units, *without bathroom facilities*, were constructed (Building C), but in 1982 one was destroyed by a fire where the existing gazebo structure now stands. Over the past year, extensive remodeling has occurred on each of the units in an attempt to make the units safer, more livable and more aesthetically pleasing.

Overall, the site has seven rental units. The unit location and size is as follows:

Site Plan	Unit	Size	Type
Building A	Unit #1	280 sq. ft.	.75
	Unit #2	580 sq. ft.	1
	Unit #3	280 sq. ft.	.75
Building B	Unit #4	372 sq. ft.	.75
	Unit #5	140 sq. ft.	.75
Building(s) C	Unit #6	(destroyed by fire in 1982)	n/a
	Unit #7	233 sq. ft. (includes proposed 65 sq. ft. addition)	.75
	Unit #8	284 sq. ft. (includes proposed 50 sq. ft. addition)	.75
Total Density (based upon AMC, Chapter 18.28.040 A.1. R-3 densities):			5.50

Project Description: The applicant's proposal is to add a small bathroom onto Units #7 and #8 located at 172 Skidmore Street (directly across from the Mini-Market). The units are pre-existing rental units with a "detached" bathroom located in the rear of the properties main structure. The applicants are also proposing to upgrade the property with two on-site parking spaces. In order to do so, the following six entitlements are necessary:

Site Review Permit: A Site Review Permit is required when an existing multi-family development is modified. In this case, the Site Review Permit is to evaluate the exterior design of the proposed bathroom additions and other site changes such as modified parking or modified landscaping in relation to the applicable Site Design and Use Permit criteria.

There are "two" separate bathroom additions proposed – one for Unit #7 and one for Unit #8. The bathroom addition to Unit #7, illustrated on the attached site plan, is at the rear of the property. The addition will occur to the south side of the unit and measure 9'-11" X 6'-9" (approximately 65 sq. ft.). The bathroom addition to Unit #8 is also to the south side and measures 8'-4" X 5'-11" (approximately 50 square feet). The floor plan shows each bathroom consisting of a sink, shower and lavatory.

The additions' architecture is to match the existing architecture. The exterior siding, window trim, roof material and other details match the existing details. Considering the small size of the additions and the fact the units sit at the rear of the property, the exterior changes are minimal and have virtually little to no impact to the buildings' architecture. The additions were initially proposed to be larger, but after initial discussions with staff, it was believed the bathrooms should be reduced in order to further limit architectural impact.

Conditional Use Permit (1): The property owners' proposal to add a bathroom to each unit requires a Conditional Use Permit because the units exceed the maximum number of units for the zone and therefore are considered "legal non-conforming" units and subject to obtaining a Conditional Use Permit, under Chapter 18.68.090 A.1. which states:

A. A non-conforming use or structure may not be enlarged, extended, reconstructed, substituted, or structurally altered, except as follows:

1. When authorized in accordance with the same procedure as provided in Conditional

Use Chapter 18.104, a nonconforming use may be changed to one of the same or a more restricted nature.

The subject property already has 5.50 units (based upon the permitted density standards noted in Chapter 18.28.040 A.), but the site's R-3 zoning only allows 4.59 units making the existing units "legal" non-conforming uses. Overall, the applicants contend the small bathroom additions meet the above criteria and specifically the Conditional Use Permit Criteria noted in Chapter 18.104. The applicant's specific responses to the criteria are noted below in Section III, Applicable Criteria, Conditional Use Permit (1).

Conditional Use Permit (2): The second Conditional Use Permit is to expand a non-conforming structure, in accordance with Chapter 18.68.090 A.2. which states:

A. A non-conforming use or structure may not be enlarged, extended, reconstructed, substituted, or structurally altered, except as follows:

2. When authorized in accordance with the same procedure as provided in Conditional Use Chapter 18.104, an existing structure may be enlarged, extended, reconstructed, or structurally altered, except that a Conditional Use Permit need not be obtained to enlarge or extend a single-family home in the residential district, provided that the addition or extension meets all requirements of this Title.

In this case, both Units #7 and #8 are "legal" non-conforming structures because each has an existing non-conforming setback. The R-3 zone has a 10' rear yard setback and a 6' side yard setback. Currently, Unit #7 has a one foot rear yard setback and Unit #8 has a 2' side yard setback. Again, these units were built in 1948 when setback standards or density regulations in Ashland didn't exist. Nevertheless, the applicants propose to add to each building a small bathroom in order to improve the livability to the units' residences and to remedy a potential health hazard. Overall, the applicants contend the small bathroom additions meet the above criteria and specifically the Conditional Use Permit Criteria noted in Chapter 18.104. The applicant's specific responses to the criteria are noted below in Section III, Applicable Criteria, Conditional Use Permit (2).

Conditional Use Permit (3): The third Conditional Use Permit is to allow the existing non-conforming distance between buildings #7 and #8 to be less than 12'. This regulation is found in Chapter 18.28.040 E.3. which states:

3. The distance between principal buildings shall be at least one-half (1/2) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than twelve (12) feet. This requirement shall also apply to portions of the same buildings separated from each other by a court or other open space.

At their closest point, the current distance between buildings #7 and #8 is 2'-2". The applicants propose to add the bathroom addition onto Unit #8's south side creating a distance between the new addition and the Unit #7 to be approximately 3'-2" at its closest point and 5'-2" at its furthest point.

The purpose behind the chosen location of Unit #8's bathroom was specifically chosen in order to minimize the impact on the building's historical setting of "two small detached

cottages". Originally, the applicants had explored the idea of connecting the two units with the bathroom additions, but this was met negatively by the Ashland Historic Commission and the project's Architect. Overall, it was felt the bathroom location for Unit #8, as well as the bathroom location for Unit #7, allowed the small cottages to remain independent and didn't significantly compromise the building's architecture.

Administrative Variance - Parking Location: The applicants propose an amendment to the Site Design Standards to allow two new parking spaces to be located within the front yard (existing). Section II-C-1d #1 of the Site Design and Use Standards states for multi-family housing:

II-C-1d) Parking areas shall be located behind buildings on one or both sides.

Although not required to add the parking spaces as the number of units is not increasing, the applicants are proposing to add two parking spaces within the parcel's northwest corner (see **NOTE** below). Although, this area appears to be on the side of parcel's primary structure, it is "technically" the front yard as defined by Chapter 18.08.840. Nevertheless, the applicants could easily meet the "technicalities" of this definition and extend the parking area further into the property so that it sits 20' from the front property line, but unfortunately that would severely impact the properties historic setting.

Variance - Parking Paving: Parking spaces are required to be paved in accordance with Chapter 18.92.070 E.1. which states:

1. Paving. All required parking areas, aisles, turn-arounds and driveways shall be paved with concrete, asphaltic or comparable surfacing, constructed to standards on file in the office of the City Engineer.

The applicants would like to *not* pave the two parking spaces in question as the paving would likely harm an adjacent Black Oak tree shared with the adjacent neighbor to the north. According to the project's arborist, the tree in question is in good condition, but that paving adjacent to the tree could adversely affect the tree's root system. As such, the applicants would prefer to not pave this small area, approximately 380 square feet, in order to increase the tree's survival.

NOTE: *There appears to be a question as to the pre-existence of not only the two parking spaces located directly off Skidmore Street, but also the "unpaved" status of all of the site's parking spaces. This is compounded by the fact that no photos of cars parking in this space or even historic aerial photos show parking. Nevertheless, the only evidence that can be provided is the fact the driveway's apron exists and is clearly aged, letters from adjacent neighbors and hearsay from the project's local land use planner. Overall, the property owners contend the two spaces in question off Skidmore Street have been in existence prior to any site work and none of the site's spaces have ever been "formalized" with paving or paint striping which is typical of historic settings. The only improvements made to the site's parking spaces was to frame the parking areas and lay down new gravel which previously had been overgrown with grass and weeds and looked unsightly. In order to further the property owner's position, the property owners and applicants have asked neighboring property owners to write a letter attesting to the site's pre-existing parking conditions (see attached*

letters). Not only did they agree, but they also were very appreciative of the applicants' efforts to restore and clean-up the property.

Nevertheless, if the approving authority disagrees with the applicant's findings that the spaces did exist, the applicants are willing to relinquish the two parking spaces in question via a condition of approval. Also, if required to pave the site's spaces, the applicants are also reluctantly willing to so, but again, contend these are legal-non-conforming issues and permitted to remain as is. Unfortunately, the applicants can no longer afford to argue these issues as the applicants have already spent unallocated money to hire an Attorney, Private Investigator, Land Use Planner, an Architect and Arborist to improve the site's unsanitary history by adding approximately 115 square feet of bathroom space for a site that has historically been known as an affordable housing complex.

III. APPLICABLE CRITERIA:

*NOTE: For clarity, the following document has been formatted in "outline" form with the City's approval criteria noted in **bold font** and the applicant's response in regular font. Also, due to repetitiveness in the required findings of fact, there are a number of responses that are repeated in order to ensure that the findings of fact are complete.*

18.72.070 Criteria for Approval – Site Review Permit:

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

Other than the entitlements proposed herein, all applicable City ordinances have been met or will be met as proposed by the applicant. Specifically, the setback encroachments noted, are being requested under the entitlement process permitted under the Ashland Municipal Code, Chapters 18.68.090 #2 (General Regulations) and 18.68.104 (Conditional Use Permits).

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

All requirements of the Site Review Chapter have been or will be met. Specifically, the landscaping and irrigation requirements noted in Section 18.72.110 have been recently complied with during the site's complete landscaping and irrigation upgrades. Secondly, all units have or will be given curb-side recycling containers as instructed under Section 18.72.115.

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

Other than the exceptions noted herein, the development complies with the Site Design Standards adopted by the City Council for Multi-Family Housing, Chapter B. Specifically, all requirements such as landscaping, recreational space, orientation, colors and materials comply or are either pre-existing grandfathered standards.

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

All public facilities serving this property are adequate and located within the Skidmore Street right-of-way. All of the services such as water, sewer, storm, and electricity are available within the right-of-way and have capacity to serve the two existing small units. Lastly, it should be understood “capacity” for the above facilities currently exists within the adjacent public right-of-way and will not change with this application due to the fact the number of units on the property are not being increased. In essence, the applicants are requesting Planning Commission approval to allow tenants of the two subject units to have their own bathroom facilities “attached” to their units instead of having to use the “detached” bathroom facilities within the site’s main structure.

18.104.104 Approval Criteria (Conditional Use Permit Request #1):

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

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

The proposal is to add a small bathroom to the site’s two existing “legal” non-conforming grandfathered residential units, Units #7 and #8. The units are considered non-conforming because the existing number of residential units exceed the densities currently permitted in the R-3 zone. Nevertheless, the units are considered “legal” as they were built in 1948 and have been occupied by tenants ever since.

With this application, the applicants contend the uses will remain residential and are therefore in compliance with the permitted uses allowed in the R-3 zoning districts as noted in the Ashland Municipal Code, Chapter 18.28. In addition, the applicants contend all relevant Comprehensive Plan Policies, specifically Policies 1-1, 1-6, 1-7 and 1-9 (Historic Preservation); Policy V-4 (Population Projects and Growth); Policies VI-1, VI-2b, and VI-2c (Housing); and X-10 (Sanitary Sewer Treatment). The applicants also contend all City, State and Federal laws are being complied with.

B. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.

All public facilities serving this parcel are adequate and located within the Skidmore Street right-of-way. All of the services such as water, sewer, storm, and electricity are available within the right-of-way and have capacity to serve the two existing small units.

Lastly, it should be understood “capacity” for the above facilities currently exists within the adjacent public right-of-way and will not change with this application due to the fact the number of units on the property are not being increased. In essence, the applicants are requesting Planning Commission approval to allow tenants of the two subject units to have their own bathroom facilities “attached” to their units instead of having to use the “detached” bathroom facilities within the site’s main structure.

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

1. Similarity in scale, bulk, and coverage.

The proposed additions’ scale, bulk and coverage are not overwhelming to the existing buildings and have similar roof lines, roof pitch, siding materials, heights, etc.

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

The subject units are legal and have been in existence as rental units since 1948. As such, no additional traffic generation is expected with the two bathroom additions. Furthermore, considering the central location of the property and it’s close proximity to many public and private services (Minute Market, Food Co-Op, RVTD bus shelter, Helman Elementary School, Ashland hospital, Downtown, etc.), the likeliness of the tenants using alternative modes of transportation remains high.

3. Architectural compatibility with the impact area.

The proposed additions are architecturally in-keeping with the site’s existing structures as well as many other structures found throughout the immediate neighborhood.

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

The subject units are legal and have been in existence as rental units since 1948. As such, no air quality impacts such as dust and odors are expected with the two bathroom additions. However, the applicants contend that without the approval, sanitary and environmental pollutants will continue to exist which have caused problems for not only the existing tenants, but also adjacent neighbors.

5. Generation of noise, light, and glare.

The bathroom additions will not cause any discernable increase in noise, light or glare.

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

The development of adjacent properties as envisioned in the City of Ashland's Comprehensive Plan will not be impacted by the proposal. In fact, the applicants contend the two bathroom additions will make not only the site more livable, but also more livable for the adjacent neighbors who have had to deal with unsanitary conditions for the past 60 years.

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

If for any reason the Hearing Authority believes the proposed bathroom additions will cause significant harm to the public welfare of the community, the property owners and applicants would like to have the opportunity to address such concerns. Overall the property owners are very happy with their efforts and take a lot of pride in their accomplishments with restoring the site's buildings and making the site not only more aesthetically pleasing and livable, but pollutant free and environmentally safe.

18.104.104 Approval Criteria (Conditional Use Permit Request #2):

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

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

The proposal is to add a small bathroom to the site's two existing "legal" non-conforming grandfathered residential units, Units #7 and #8. The unit's location on the property is considered non-conforming because each encroaches into the setbacks currently required in the R-3 zone. Nevertheless, the units are considered "legal" as they were built in 1948 when setback regulations didn't exist. With today's current R-3 zoning regulations, the side yard setback is 6' and the rear yard setback is 10' per story.

Unit #7: The bathroom proposed for Unit #7 will be located within the property's rear yard setback, consistent with the alignment of Unit #7's rear wall which is currently 1'-11" from the rear property line. The project Architect has "jogged" the point of connection between the existing building and the new addition so that the addition does not encroach any closer towards the rear property line and now ends up greater than 3'.

It should be noted, the applicant and project Architect had discussed with the Ashland Historic Commission the idea of locating the addition onto the "front" of the building or between buildings, but based upon the negative feedback received, they decided the addition to the side(s) of the building would be more in keeping with the building's existing architecture and still maintain the site's historical presence.

Unit #8: The bathroom proposed for Unit #8 will also be located to its south side, but in this case, the addition does not encroach into a side or rear yard setback. The bathroom

addition will measure 5'-11" X 8'-4" and has been designed to minimize impact on the building's architecture.

Overall, the applicants contend the bathroom additions are permitted in the R-3 zone and all standards, as noted in the Ashland Municipal Code, Chapter 18.28, will be complied with. In addition, the applicants contend all relevant Comprehensive Plan Policies, specifically Policies 1-1, 1-6, 1-7 and 1-9 (Historic Preservation); Policy V-4 (Population Projects and Growth); Policies VI-1, VI-2b, and VI-2c (Housing); and X-10 (Sanitary Sewer Treatment). The applicants also contend all City, State and Federal laws are being complied with.

B. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.

All public facilities serving this parcel are adequate and located within the Skidmore Street right-of-way. All of the services such as water, sewer, storm, and electricity are available within the right-of-way and have capacity to serve the two existing small units. Lastly, it should be understood "capacity" for the above facilities currently exists within the adjacent public right-of-way and will not change with this application due to the fact the number of units on the property are not being increased. In essence, the applicants are requesting Planning Commission approval to allow tenants of the two subject units to have their own bathroom facilities "attached" to their units instead of having to use the "detached" bathroom facilities within the site's main structure.

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

1. Similarity in scale, bulk, and coverage.

The proposed additions' scale, bulk and coverage are not overwhelming to the existing buildings and have similar roof lines, roof pitch, siding materials, heights, etc. The alternative approach, when compared to the target use of the zone, "could" have been a much taller (single story) volume, but 10' from the rear property line. The applicants contend the lower roof line, coupled with the preservation of the existing building and its closer setback, is equal or better than the alternative.

In addition, Section 18.68.140 D. allows for accessory structures to be within 3' of the property line and 15' in height under certain provisions. The applicants believe that when compared to the "livability test" of the target zone, the additions proposed setback and small volume is much less impacting that what is permitted within the zone.

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

The subject units are legal and have been in existence as rental units since 1948. As such, no additional traffic generation is expected with the two bathroom additions. Furthermore, considering the central location of the property and its close proximity to many public and private services (Minute Market, Food Co-Op, RVTB bus shelter, Helman Elementary School, Ashland hospital, Downtown, etc.), the likeliness of the tenants using alternative modes of transportation remains high.

3. Architectural compatibility with the impact area.

The proposed addition is architecturally in-keeping with the site's existing structures as well as many other structures found throughout the immediate neighborhood. The applicants contend the alternative approach of adding the addition in front of the building is equally or less impacting to the target use of the zone as that addition could be much taller and far less architecturally compatible.

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

The subject units are legal and have been in existence as rental units since 1948. As such, no air quality impacts such as dust and odors are expected with the two bathroom additions. However, the applicants contend that without the approval, sanitary and environmental pollutants will continue to exist which have caused problems for not only the existing tenants, but also adjacent neighbors.

5. Generation of noise, light, and glare.

The bathroom addition will not cause any discernable increase in noise, light or glare when compared to the zones permitted uses.

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

The development of adjacent properties as envisioned in the City of Ashland's Comprehensive Plan will not be impacted by the proposal. In fact, the applicants contend the two bathroom additions will make not only the site more livable, but also more livable for the adjacent neighbors who have had to live with unsanitary conditions for the past 60 years. Section 18.68.140 D. allows for accessory structures to be within 3' of the property line under certain conditions and the applicants contend the proposed addition is less impacting than what is permitted within the zone.

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

If for any reason the Hearing Authority believes the proposed bathroom additions will cause significant harm to the public welfare of the community, the property owners and applicants would like to have the opportunity to address such factors. Overall the property owners are very happy with their efforts and take a lot of pride in their accomplishments with restoring the site's buildings and making the site not only more aesthetically pleasing and livable, but pollutant free and environmentally safe.

18.104.104 Approval Criteria (Conditional Use Permit Request #3):

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

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

The proposal is to add a small bathroom to the site's two existing "legal" non-conforming grandfathered residential units, Units #7 and #8. The units are considered non-conforming because the existing distance between the buildings is less than 12'. Nevertheless, the units are considered "legal" as they were built in 1948 and have been occupied by tenants ever since.

With this application, the applicants contend the uses will remain residential and are therefore in compliance with the permitted uses allowed in the R-3 zoning districts as noted in the Ashland Municipal Code, Chapter 18.28. In addition, the applicants contend all relevant Comprehensive Plan Policies, specifically Policies 1-1, 1-6, 1-7 and 1-9 (Historic Preservation); Policy V-4 (Population Projects and Growth); Policies VI-1, VI-2b, and VI-2c (Housing); and X-10 (Sanitary Sewer Treatment). The applicants also contend all City, State and Federal laws are being complied with.

B. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.

All public facilities serving this parcel are adequate and located within the Skidmore Street right-of-way. All of the services such as water, sewer, storm, and electricity are available within the right-of-way and have capacity to serve the two existing small units. Lastly, it should be understood "capacity" for the above facilities currently exists within the adjacent public right-of-way and will not change with this application due to the fact the number of units on the property are not being increased. In essence, the applicants are requesting Planning Commission approval to allow tenants of the two subject units to have their own bathroom facilities "attached" to their units instead of having to use the "detached" bathroom facilities within the site's main structure.

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

1. Similarity in scale, bulk, and coverage.

The proposed additions' scale, bulk and coverage are not overwhelming to the existing buildings and have similar roof lines, roof pitch, siding materials, heights, etc. The proposed distance is actually greater than the existing distance.

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

The subject units are legal and have been in existence as rental units since 1948. As such, no additional traffic generation is expected with the two bathroom additions. Furthermore, considering the central location of the property and its close proximity to many public and private services (Minute Market, Food Co-Op, RVTB bus shelter, Helman Elementary School, Ashland hospital, Downtown, etc.), the likeliness of the tenants using alternative modes of transportation remains high.

3. Architectural compatibility with the impact area.

The proposed additions are architecturally in-keeping with the site's existing structures as well as many other structures found throughout the immediate neighborhood.

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

The subject units are legal and have been in existence as rental units since 1948. As such, no air quality impacts such as dust and odors are expected with the two bathroom additions. However, the applicants contend that without the approval, sanitary and environmental pollutants will continue to exist which have caused problems for not only the existing tenants, but also adjacent neighbors.

5. Generation of noise, light, and glare.

The bathroom additions will not cause any discernable increase in noise, light or glare.

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

The development of adjacent properties as envisioned in the City of Ashland's Comprehensive Plan will not be impacted by the proposal. In fact, the applicants contend the two bathroom additions will make not only the site more livable, but also more livable for the adjacent neighbors who have had to deal with unsanitary conditions for the past 60 years.

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

If for any reason the Hearing Authority believes the proposed bathroom additions will cause significant harm to the public welfare of the community, the property owners and applicants would like to have the opportunity to address such concerns. Overall the property owners are very happy with their efforts and take a lot of pride in their

accomplishments with restoring the site's buildings and making the site not only more aesthetically pleasing and livable, but pollutant free and environmentally safe.

18.72.090 Administrative Variance Approval Criteria - Parking Location

An administrative variance to the requirements of this chapter may be granted with respect to the requirements of the Site Design Standards adopted under section 18.72.080 if, on the basis of the application, investigation and evidence submitted, all of the following circumstances are found to exist:

A. There is a demonstrable difficulty in meeting the specific requirements of the Site Design Standards due to a unique or unusual aspect of the proposed use of a site;

There is demonstrable difficulty in meeting the required parking standard as the site is within the Skidmore Academy National Register Historic District and extending the parking 20' further into the lot has visual impacts on the integrity of the site's historical character. By extending the parking into the "side" yard of the property, the entire area's landscaping would be and instead of a traditional apartment complex fitting the context of the historic district, the parking would create a contemporary suburban streetscape.

B. Approval of the variance will not substantially negatively impact adjacent properties;

The applicants contend the proposed parking location Variance will not negatively impact adjacent properties. In fact, the applicants contend by locating the parking another 20' into the site, it would be more detrimental the adjacent neighbors as the parking would be 20' closer to their homes and car lights and car noises such as car doors, radio, engines, etc. would be more prolific.

C. Approval of the variance is consistent with the stated purpose of the Site Design and Use Chapter; and

The proposal is clearly consistent with the stated purpose of the Site Design standards as the proposed two parking spaces minimizes the adverse impacts on the adjacent neighbors as the parking is further from their building and the historic integrity of the streetscape is less impacting when compared to the alternative design.

D. The variance requested is the minimum variance which would alleviate the difficulty.

The applicants have been very conscientious with the redevelopment of this historic property and have attempted to minimize contemporary development impacts. The proposed parking location is the minimum necessary.

18.100 Variance - Parking Paving:

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

Because the property was constructed in an era without parking requirements and standards, the placement of additional parking can be difficult and impacting to the traditional setting. By paving or hard-surfacing of the spaces (now existing), would cause the parking to be more visible creating a less traditional streetscape. In addition, the paving of the parking could impact an existing Black Oak tree along the northern property line.

B. That the proposal's benefits will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.

The applicant's proposal is far superior then the alternative as paving could harm the adjacent Black Oak Tree and further negatively impact the historic streetscape.

C. That the circumstances or conditions have not been willfully or purposely self-imposed.

As noted above, the site was developed in an era where parking requirements and standards did not exist. In addition, the adjacent Black Oak Tree was planted prior to the applicant's ownership, but if the parking area was to be paved, the adjacent tree and the historic integrity of the streetscape would be compromised. As such, the circumstances or conditions of the property have not been self-imposed.

SITE DESIGN APPROVAL STANDARDS

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

Note: According to Section B of the Site Design and Use Standards for Multi-Family Residential Development, the following standards are for "new" developments. However, the applicants have attempted to address each of the site design standards in order to avoid further delay.

II-B-1) Orientation

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

The buildings' primary orientation are toward the street.

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

The site's buildings are existing legally grandfathered structures and comply with this standard.

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

The site's buildings are existing legally grandfathered structures. Nevertheless, the proposed application meets the Site Design Standards,

Section II-B-1c as the buildings are accessible from the street. As noted above, the applicants are requesting an exception to the parking location as the parking is between the buildings and the street.

II-B-2) Streetscape

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

One additional street tree, chosen from the adopted street tree list, will be planted between the proposed parking area and the existing home.

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

The proposed application meets the Site Design Standards, Section II-B-2b. The site's landscaping is not changing other than the added footprint changes.

II-B-3) Landscaping

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

The site's landscaping exists and already complies with the 90% coverage provision.

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

The proposed application meets the Site Design Standards, Section II-B-3b. The site's landscaping exists and already complies and incorporates a variety of deciduous and evergreen trees and shrubs and flowering plant species for the Southern Oregon climate – most of which are drought tolerant.

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

The proposed application meets the Site Design Standards, Section II-B-3c as no trees are proposed to be removed.

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

The existing building and their proposed additions comply with this standard.

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

The proposed application meets the Site Design Standards, Section II-B-3e as the existing Silver Maple and Black Oak Tree sit adjacent to the parking areas.

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

The proposed application meets the Site Design Standards, Section II-B-3f as the irrigation system is in place.

II-B-4) Open Space

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

The proposed application meets the Site Design Standards, Section II-B-4a.

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

The proposed application meets the Site Design Standards, Section II-B-4b.

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

The proposed application meets the Site Design Standards, Section II-B-4c as the site has less than 20 units, but still has the side yard lawn area to play.

II-B-5) Natural Climate Control

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

The proposed application meets the Site Design Standards, Section II-B-5a as the site's landscaping currently exists.

II-B-6) Building Materials

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

The proposed application meets the Site Design Standards, Section II-B-6a. No bright or neon-type paint colors will be used on the buildings and will match existing paint colors.

IV-C HISTORIC DISTRICT DESIGN STANDARDS

1) Construct buildings to a height of existing buildings from the historic period on and across the street. Avoid construction that greatly varies in height (too high or too low) from older buildings in the vicinity.

As evidenced with the attached plan submittals, the proposed building heights do not vary too high or too low from the older buildings within the area.

2) Relate the size and proportions of new structures to the scale of adjacent buildings. Avoid buildings that in height, width, or massing, violate the existing scale of the area.

The subject additions have a similar proportion in height, width, and mass as other buildings found along the street.

3) Break up uninteresting boxlike forms into smaller, varied masses which are common on most buildings from the historic period. Avoid single, monolithic forms that are not relieved by variations in massing

The proposed building additions are very small and do not create "boxlike" forms.

4) Maintain the historic facade lines of streetscapes by locating front walls of new buildings in the same plane as the facades of adjacent buildings. Avoid violating the existing setback pattern by placing new buildings in front or behind the historic facade line.

The proposed additions sit significantly back from the front property line and the buildings are existing.

5) Relate the new roof forms of the building to those found in the area. Avoid introducing roof shapes, pitches, or materials not traditionally used in the area.

The roof designs of the two additions are traditional in appearance.

6) Respect the alternation of the wall areas with door and window elements in the façade. Also consider the width-to-height ratio of bays in the façade. Avoid introducing incompatible façade patterns that upset the rhythm of openings established by the surrounding structures.

The two building designs comply with the above standard and clearly respect the idea of symmetrical window patterns.

7) The use of a raised platform is a traditional siting characteristic of most of the older buildings in Ashland. Avoid bringing the walls of the building straight out of the ground without a sense of platform.

The proposed building additions are designed to be compatible with the existing historic buildings.

8) Articulate the main entrances to the building with covered porches, porticos, and other pronounced architectural forms. Avoid facades with no strong sense of entry.

The proposed building additions are designed to be compatible with the existing historic buildings.

9) Utilize accurate restoration of, or visually compatible additions to, existing buildings. For new construction, traditional architecture that well represents our own time, yet enhances the nature and character of the historic district should be used. Avoid replicating or imitating the styles, motifs, or details of older periods. Such attempts are rarely successful and, even if well done, present a confusing picture of the true character of the historical area.

The applicants have met with the Ashland Historic Commission and have design the proposed bathroom additions with their suggestions in mind.

II-D PARKING LOT LANDSCAPING & SCREENING STANDARDS

II-D-1) Screening at Required Yards

1) Parking abutting a required landscaped front or exterior yard shall incorporate a sight obscuring hedge screen into the required landscaped yard.

2) The screen shall grow to be at least 36 inches higher than the finished grade of the parking area, except for required vision clearance areas.

3) The screen height may be achieved by a combination of earth mounding and plant materials.

4) Elevated parking lots shall screen both the parking lot and retaining wall.

The two parking spaces proposed by the applicant sit directly adjacent to the street's sidewalk. Screening is provided from the parking to the adjacent neighbor to the north.

II-D-2) Screening Abutting Property Lines

Parking abutting a property line shall be screened by a 5' landscaped strip. Where a buffer between zones is required, the screening shall be incorporated into the required buffer strip and will not be an additional requirement.

The property abutting the north property is screened by a 5' landscape strip.

II-D-3) Landscape Standards:

1) Parking lot landscaping shall consist of a minimum of 7% of the total parking area plus a ratio of 1 tree for each seven parking spaces to create a canopy effect.

Approximately 90% of the parking area consists of landscaping and includes the adjacent Black Oak Tree as a shade tree.

2) The tree species shall be an appropriate large canopied shade tree and shall be selected from the street tree list to avoid root damage to pavement and utilities, and damage from droppings to parked cars and pedestrians.

The existing shade tree is a Black Oak Tree which does not have droppings such as fruit barring trees.

3) The tree shall be planted in a landscaped area such that the tree bole is a least 2 feet from any curb or paved area.

The tree exists.

4) The landscaped area shall be planted with shrubs and/or living ground cover to assure 50% coverage within 1 year and 90% within 5 years.

The landscaping exists. No changes, other than the building footprints will affect the site's landscaping.

5) Landscaped areas shall be evenly distributed throughout the parking area and parking perimeter at the required ratio.

The project complies with the above standard.

6) That portion of a required landscaped yard, buffer strip or screening strip abutting parking stalls may be counted toward required parking lot landscaping but only for those stalls abutting landscaping as long as the tree species, living plant material, coverage and placement distribution criteria are also met. Front or exterior yard landscaping may not be substituted for the interior landscaping required for interior parking stalls.

The project complies with the above standard.

II-E. STREET TREE STANDARDS:

All development fronting on public or private streets shall be required to plant stmnt trees in accordance with the following standards and chosen from the recommended list of street trees found in this section.

II-E-1) Location for Street Trees

Street trees shall be located behind the sidewalk except in cases where there is a designated planting strip in the right-of-way, or the sidewalk is greater shall include irrigation, root barriers, and generally conform to the standard established by the Department of Community Development.

The application identifies two new street trees (2" Maples) along the Skidmore Street frontage. The planting of the trees will include root barriers, staking and irrigation to ensure survival. The proposed street trees are listed on the project's landscaping plan and have been chosen from the City's adopted Street Tree List.

II-E-2) Spacing, Placement, and Pruning of Street Trees

All tree spacing may be made subject to special site conditions which may, for reasons such as safety, affect the decision. Any such proposed special condition shall be subject to the Staff Advisor's review and approval. The placement, spacing, and pruning of street trees shall be as follows:

a) Street trees shall be placed the rate of one tree for every 30 feet of street frontage. Trees shall be evenly spaced, with variations to the spacing permitted for specific site limitations, such as driveway approaches.

The plans show two new street trees along the Skidmore Street frontage. The trees are planted 30' on center and have been strategically placed so as not to interfere with vision clearance issues.

b) Trees shall not be planted closer than 25 feet from the curb line of intersections of streets or alleys, and not closer than 10 feet from private driveways (measured at the back edge of the sidewalk), fire hydrants, or utility poles.

The proposed plan shows the trees' placement being in compliance with this standard.

c) Street trees shall not be planted closer than 20 feet to light standards. Except for public safety, no new light standard location shall be positioned closer than 10 feet to any existing street tree, and preferably such locations will be at least 20 feet distant.

The proposed plan shows the trees' placement being in compliance with this standard.

d) Trees shall not be planted closer than 2½ feet from the face of the curb except at intersections where it shall be 5 feet from the curb, in a curb return area.

The two trees to be planted on-site will be at least 2½ feet from the face of sidewalk. The street trees planting specifications are shown on the attached landscaping plan complying with the street tree planting standards.

e) Where there are overhead powerlines, tree species are to be chosen that will not interfere with those lines.

The applicants have chosen a tree from the Street Tree List that is not going to interfere with overhead power lines or any other type of overhead utility.

J) Trees shall not be planted within 2 feet of any permanent hard surface paving or walkway. Sidewalk cuts in concrete for trees shall be at least 10 square feet, however, larger cuts are encouraged because they allow additional air and water into the root system and add to the health of the tree. Space between the tree and such hard surface may be covered by permeable non permanent hard surfaces such as grates, bricks on sand, or paver blocks.

The proposed plan shows the trees' placement being in compliance with this standard.

g) Trees, as they grow, shall be pruned to provide at least 8 feet of clearance above sidewalks and 12 feet above street roadway surfaces.

The proposed trees and their placement have been chosen by a professional landscape designer with the intent to provide for a nicely landscaped site that also complies with the above standard.

h) Existing trees may be used as street trees if there will be no damage from the development which will kill or weaken the tree. Sidewalks of variable width and elevation may be utilized to save existing street trees, subject to approval by the Staff Advisor.

There is one existing tree on site that appears to meet the street tree standards and will not be impacted by the bathroom additions.

II-E-3) Replacement of Street Trees

1) Existing street trees removed by development projects shall be replaced by the developer with those from the approved street tree list. The replacement trees shall be of size and species similar to the trees that are approved by the Staff Advisor.

The applicants are not proposing to remove any trees.

II-E-4) Recommended Street Trees

1) Street trees shall conform to the street tree list approved by the Ashland Tree Commission.

The applicants have chosen the street trees from the adopted Street Tree List. The trees chosen are appropriate to the urban environment of the area.

18.61 Tree Preservation and Protection:

A. All tree removal and tree topping activities, unless exempted below, shall be carried out in accordance with the requirements of this chapter.

No trees are proposed to be removed with this application. Other than the very small bathroom additions, no site alterations are proposed with this application. In addition, the site's trees are located on the opposite side of the property and separated by the site's primary structure. Nevertheless, staff has asked the application include a Tree Preservation and Protection Plan (attached). The plan was completed by Tom Myers of Upper-Limb-It Tree Service, who is a certified Arborist.

B. No person who is required to install or maintain tree protection measures pursuant to this chapter shall do any development activities including, but not limited to clearing, grading, excavation or demolition work on a property or site which requires a planning action without approved tree protection measures properly installed and maintained pursuant to this Chapter.

Applicants agree that no physical development activities shall commence prior to installing and maintaining tree protection measures as outlined within the Tree Protection Plan.

RECEIVED

JAN 17 2008



CCLTD

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Ms. Angela Barry
Assistant Planner
the City of Ashland Community Development
51 Winburn Way
Ashland, Oregon 97520

Tuesday, December 18, 2007

re: 172 Skidmore St, Ashland, Oregon
Permit Application for Bathroom Additions

Dear Angela :

With respect to this permit application; there are couple of comments we would like to bring to your attention .

Please note in fig.2 , there has been an adjustment of these drawings to an exact measurement from the south and east property lines. Building (# 7) is actually moving away from the property line as you look at the bathroom addition. Note that we adjusted the wall of the bathroom (#7) in 3" in order to be further away from the property line.

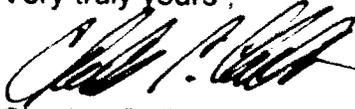
Please note that moving the bathrooms in Fig. 1 to the south side on building (#8) would require partial demolition to the existing building and would cause a conflict with the Historical Committee.

Placing the bathrooms as in Fig.2 is the only way to flow with the existing structures and have them look nice for the original time period they were built ; there is no other way to do this.
(see page 2)

(Page 2)

We would appreciate if you would please re-visit this issue and respond to our input.

Very truly yours ,

A handwritten signature in black ink, appearing to read 'Charles C. Clarkson', with a long horizontal line extending to the right from the end of the signature.

Charles C. Clarkson AIA
architect / planner
CCLTD Projects Company ,
Medford, Oregon
CCC/jrc
file: 0713-L2.wpd

cc: James Beard- S and J Properties
Mark Knox- Urban Development Services

PRELIMINARY:
NOT
FOR
CONSTRUCTION



**CCLTD PROJECTS
COMPANY**
ARCHITECTURE
PLANNING
AND DEVELOPMENT
SERVICES

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Consultant

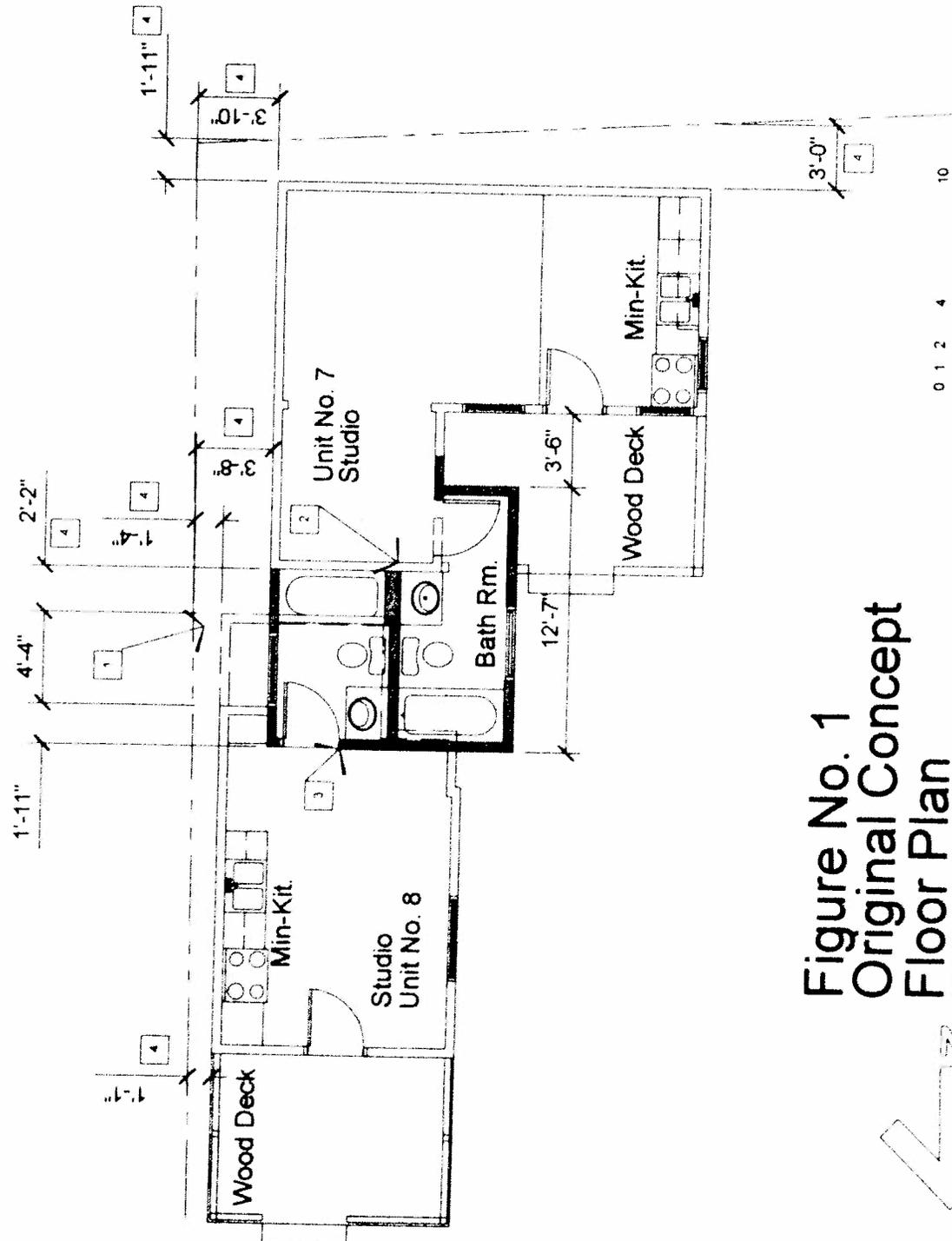
**s and j
properties**
711 Medford Ct
Medford, Oregon 97504

**dwellings
nos 7 and 8
floor plan**

fig. 1

General Engineering Notes

- 1 DEMOLITION WORK REQ'D. FOR ORIGINAL BACK TO BACK RESTROOM ORIGINAL CONCEPT
- 2 TYPICAL EXISTING WALL WITH LIGHT COSMETIC REMODELING
- 3 PROPOSED BATHROOM ADDITIONS
- 4 VERIFIED BLDG. CORNER DISTANCE



**Figure No. 1
Original Concept
Floor Plan**



Upper Limb-it Tree Service

PO Box 881
Ashland, OR 97520
Phone: 541-482-3667

November 1, 2007

Attn: Mark Knox
Urban Development Services
700 Mistletoe Rd
Ashland, OR 97520

Tree Report 172 Skidmore

Two trees could be adversely affected if the two parking areas at 172 Skidmore were to be paved. The first, tree #1, is a black oak in good condition. The existing parking area of gravel is not having any detrimental effect because air can still get to the tree's root system. I would recommend that there be no changes made to the parking area. Tree # 3 is a Silver maple that is in decline. Any further disruption of the maple's root system could cause its demise. Here again I recommend that the existing parking area be left unchanged. If you have any questions regarding this report, please call me at 482-3667.

Tom Myers, Certified Arborist

DBA Upper Limb-it



RECEIVED

NOV 9 2007

CITY OF ASHLAND



**Upper Limb-it
Tree Service**
PO Box 881
Ashland OR 97520
Phone 541 482 3567

Tree Inventory for 172 Skidmore

11/1/2007

Tree #	Species	DBH in inches	Height in feet	Crown Radius in feet	Condition	Species tolerance to construction	Tree Protection zone radius in feet	Notes
1	<i>Quercus kelloggii</i>	8	22	6	good	moderate	6	
2	<i>Populus trichocarpa</i>	16	42	14	good	poor	20	
3	<i>Acer saccharinum</i>	48	35	32	poor	moderate	48	top dying
4	<i>Catalpa speciosa</i>	24	38	15	good	good	18	

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NOV 9 2007

City of Ashland Department

CITY OF ASHLAND

July 11, 2007

S & J Properties LLP
711 Medford Center PMB 126
Medford, OR 97504

Dear Mr. Beard:

This letter is in response our meeting of several weeks ago regarding your request for a formal determination from the City regarding the current definition or status of the property under your ownership at 172 Skidmore St in Ashland.

While not absolute, the background information provided by Rogue Investigations was helpful in coming to a decision on how to classify the property as it relates to the land use zoning regulations.

From the data provided and on site review by both Planning and Building Staff, there is adequate evidence to conclude that all seven units were consistently in use from prior to the adoption of the land use code to current, which results in a classification of legal non-conforming.

This means that the seven units as they are situated and used can continue in that manner indefinitely. The classification of legal non-conforming does not grant the property any other right than continued use in its current configuration, nor does the classification imply that the property is in conformance with the standards of the zone in which it is located.

I hope this provides you the clarification you were requesting. Please feel free to contact me if you have any questions or clarifications regarding this letter.

Sincerely,



Adam Hanks
Permit Center Manager

C: 172 Skidmore land use file





Rogue Investigations, Inc.

Robert S. Churma, Investigator
License #1998154 • Bonded

Client: James Beard
Location: 172 Skidmore St, Ashland Oregon
Investigator: Robert S. Churma, OBI #1998154
Assignment: Complete a background search of 172 Skidmore St and compile a report on the information obtained.

Mr. Beard retained my services to ascertain if there was any relative information that would support his belief that the property at 172 Skidmore Street, Ashland, OR, had been used as rental property and did have eight rentals on the property prior to 1968.

Actions Taken:

I first contacted the Jackson County Assessors Office and obtained the names of all prior owners of the property prior to 1970. I attempted to locate and interview the prior property owners, however, I was unable to locate them.

I contacted the Jackson County Historical Society and I was able to locate a cross directory titled Directory of Residents and Businesses of the City of Ashland, spring of 1948. I looked up 172 Skidmore and found that the directory listed (6) different persons residing on the property. 172 Skidmore St. listed Delbert Lacey, Mrs. Mabel J. Barber, Lyle Massey, and C. A. Purvis. 172 ½ Skidmore St. listed William Yates Jr. and Mrs. Stella Short.

Refer to exhibit "A" photocopies of the 1948 Directory face and page

I also located the R. L. Polk Ashland City Directory for 1964. I looked up 172 Skidmore St. and found that this directory listed (6) different residences at the location. There were two persons listed at the location. Unit #1 Eedger R. Powell, and Unit #2 Clyde D. Rosson.

Refer to exhibit "B" photocopies of the 1964 R. L. Polk Directory face and page

ENCLOSURE

NOV 9 1998

Page #2

I searched the Ashland Oregon, Daily Tidings rental section for January February and March 1950.

I located a rental add in the Ashland Daily Tidings for Friday January 20, 1950 for a first floor furnished three room rental for 172 Skidmore, Ashland, OR.

Refer exhibit "C" Photocopies of Ashland Daily Tidings rental section

I located another rental add in the Ashland Daily Tidings for Monday February 6, 1950. First floor, furnished three room apartment at 172 Skidmore St, Ashland, OR.

Refer exhibit "D" Photocopies of Ashland Daily Tidings rental section

I located another rental add in the Ashland Daily Tidings for Friday February 24, 1950. Small furnished cabin at 172 Skidmore, Ashland, OR.

Refer exhibit "E" Photocopies of Ashland Daily Tidings rental section

I located another rental add in the Ashland Daily Tidings for Thursday March 9, 1950. Cabin good looking, almost new 172 Skidmore, Ashland, OR.

Refer exhibit "F" Photocopies of Ashland Daily Tidings rental section

The Historical Society had no further cross directories for Ashland.

I contacted the Southern Oregon University Library and I located a R. L. Polk Cross Directory for Ashland Oregon 1968. 172 Skidmore listed (8) apartments, showing unit #1 occupied by Charles L. Wimer Jr, unit #3 occupied by Louis M. Willis, unit #4 occupied by Lisa Door, and Unit #5 occupied by Stewart Eidman.

R. L. Polk + D

May 1968

© 1999 by Robert L. Polk + D

Page #3

Refer to exhibit "G" photocopies of the 1968 R. L. Polk Directory face and page

I contacted the R.L. Polk Company to ascertain if they had a library of prior publications, primarily 1965, 1966, and 1967, however, I was advised that they did not retain an inventory of old directories. I was referred to the Allen County Library in Fort Wayne, Indiana.

I contacted the library, however, I was unable to obtain any useful information at that location.

I contacted the Ashland City Offices, Planning Department, and Police Department to ascertain if they might possibly have retained some of the old directories. I was advised that none of the locations retained the old directories. The police department referred me to the Medford Police Department Dispatch Center since they now dispatch for Ashland and all of the directories APD had were sent to Medford.

I contacted the Medford Police Department Dispatch Center and asked if they had any of the above listed directories. I was told that they did not have any of the old directories.

I again contacted the County Assessor's Office and asked to look through the complete file for 172 Skidmore St. While I was looking over the documents with one of the appraisers, I located a document dated 1965 that had diagrams for the property. This document showed that there were (8) different units on the property. The appraiser advised that it appeared to him that that was probably when the other two units were added to the property. I asked if the appraiser who actually appraised the property at that time was still with the Assessor's Office. I was advised that none of the appraisers for that time were still with the county.

Refer to exhibit "H" photocopies of the 1965 diagram document

Exhibit D

Exhibit E

Exhibit F

Page #4

I discussed the various documents in the property envelope with the appraiser. The envelope had a document titled Valuation Summary of Real Property. I was told that this document showed the appraisals from 1961 through 1972. I was advised that rental property was appraised using the number of rental units and potential income they would generate.

While reviewing the assessments from 1961 through 1965 the land was appraised at \$1,580.00, assessed value \$400.00. Improvements were appraised at \$5,780, assessed value \$1,450.00 Total appraisal \$7,360.00, assessed value \$1,850.

1966 through 1968 the land was appraised at \$2,700.00, assessed value of \$680.00. The improvements were appraised at \$6,950.00 and assessed value was \$1,740.00. Total appraisal went up to \$9,650.00 and the assessment went up to \$2,420.00. I asked what would increase the assessment and appraisal so much in one year in 1966 and I was advised that that was possibly when the two additional rental units were added to the property.

Refer to exhibit "I" photocopies of the 1961 through 1972 Valuation Summary of Real Property Document.

Summary:

My research of the property located at 172 Skidmore Street, Ashland Oregon as detailed in this report and attached exhibits reveals that in 1948 the property had six occupied rental units. The Ashland Directory of residences and businesses for 1948 lists the property as having (6) rental units.

The Ashland Daily Tidings in January, February, and March 1950 under rentals in the advertisement section, has ads for cabins and lower floor room rentals at 172 Skidmore.

The R.L. Polk Reverse Directory for 1964 lists (6) dwellings and then in 1968 they show the property as having (8) dwellings.

A Diagram document from 1965 shows what appears to be (8) structures on the property. The Valuation Summary of Real Property shows a jump in

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NOV 9 1968

Page #5

appraisal and assessment for the property in 1966 and remains the same until 1970. This corroborates the 1965 diagram document.

The documentation reveals that in 1965 the other two rental units were added to the property and later listed in the 1968 R.L. Polk Directory.

Robert S. Churma DPSST #33446
Rogue Investigations, Inc.

11/9/07
NOV 9 2007
C...

NAGEL & PADILLA, LLC*Certified Public Accountants***Richard A. Nagel, CPA*****Julie Padilla, CPA**

*also Licensed in California

290 North Main Street, Suite 8, Ashland, OR 97520 (541)488-1551 Fax 488-1552
www.nagelpadilla.com

November 5, 2007

City of Ashland
Community Development Department
Attn: Angela Barry, Assistant Planner
51 Winburn Way
Ashland, Oregon 97520

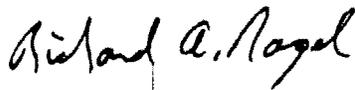
Dear Ms. Barry

It is my understanding the property owners of 172 Skidmore Street are attempting to add two small bathrooms onto the side of the cottages (Unit #7 and #8) and in doing so it requires City of Ashland approval. It is also my understanding there is some question as to the pre-existence of the two parking spaces in front of these units, accessed directly off of Skidmore Street.

As a longtime lease holder of the building directly across the alley from the units in question (8 years) I can attest the spaces in question have been in existence for the entire time and during this time have never been paved.

If you have any questions, please do not hesitate to contact me at 290 N Main, Suite 8, Ashland, Oregon 97520. 541-488-1551

Sincerely,



Richard A. Nagel CPA
Nagel & Padilla LLC
Certified Public Accountants

NOV 9

October 29th, 2007
City of Ashland
Community Development Department
Attn: Angela Barry, Assistant Planner
51 Winburn Way
Ashland, OR 97520

It is my understanding the property owners of 172 Skidmore Street are attempting to add two small bathrooms onto the side of the cottages (Unit #7 and #8) and in doing so it requires City of Ashland approval. It is also my understanding there is some question as to the pre-existence of the two parking spaces in front of these units, accessed directly off of Skidmore Street.

As a resident and employee here for five years, I can attest the spaces in question have been in existence since this time and during this time have never been paved.

If you have any questions, please do not hesitate to contact me. My mailing address is 304 North Main Street, Ashland.

Sincerely,

Tammy L Crow, Ashland Minute Market

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CITY OF ASHLAND
COMMUNITY DEVELOPMENT DEPARTMENT
OCT 30 2007
3:47 PM

PROJECT DATA:

Site Area Analysis

TOTAL SITE AREA = 10,000 SF
RIGHT OF WAY AREA 2,500 SF

TOTAL ALLOWABLE SITE AREA (USED) = 12,500 SF

Parking :

SEE REQUIRED PARKING TABLE

Zoning :

ZONING R3 - DOWNTOWN
APPROVED EXISTING NON-CONFORMING USE

Historical District :

SKIDMORE SCHOOL HISTORICAL DISTRICT
INSIDE EXISTING GRANDFATHERED SETBACKS OF THE EXISTING UNITS ARE PERMITTED.

Planning :

THE ADDITIONS WHERE THE BATHROOMS ARE TO BE ATTACHED WITH THE BUILDINGS AND CLASSIFIED AS EXISTING NON-CONFORMING USE.

Building Data:

UNIT NUMBER	SIZE & OR AREA	UNIT DESCRIPTION	UNIT COUNT	PARKING PER UNIT RATIO	AREA OF PROPOSED ADDITION
UNIT NO. 1 AREA =	14' X 20' = 280 SF	FIRST FLOOR ON GRADE	3/4 UNIT	1	N/A -NO CHANGE
UNIT NO. 2 AREA =	580 SF	FIRST FLOOR ON GRADE (ODD SHAPE)	1 UNIT	1 1/2	N/A -NO CHANGE
UNIT NO. 3 AREA =	14' X 20' = 280 SF	SECOND FLOOR ABOVE	3/4 UNIT	1	N/A -NO CHANGE
UNIT NO. 4 AREA =	372 SF	FIRST FLOOR ON GRADE (ODD SHAPE)	3/4 UNIT	1	N/A -NO CHANGE
UNIT NO. 5 AREA =	14' X 10' = 140 SF	SECOND FLOOR ABOVE	3/4 UNIT	1	N/A -NO CHANGE
UNIT NO. 6 AREA =		UNIT REMOVED IN PAST HISTORY	-0-	-0-	N/A -0-
UNIT NO. 7 AREA =	322 S.F.	(258 SF EX) BLDGS. C-UNIT 7	3/4 UNIT	1	64 SF
UNIT NO. 8 AREA =	280 S.F.	(209 SF EX) BLDGS. C-UNIT 8	3/4 UNIT	1	71 SF
TOTALS:	1,963 SF BLDG FOOT PRINT		5 1/2 UNITS	7 1/2 SPACES	

Drawing Notes

- EXISTING TREES (TO REMAIN)
- GRAVEL DRIVEWAY (EXISTING)
- EXISTING PARKING TO REMAIN
- EXISTING MULTI-FAMILY UNITS (TO REMAIN)
- SAME AS 4 EXCEPT PROPOSED LOCATION OF ADDITION
- EXISTING LAWN TO REMAIN
- EXISTING MONUMENT SIGN TO REMAIN w. 6'-0" x 9'-0" planter
- EXISTING DECK-PORCH
- NEW DECK-PORCH
- RELOCATED GAZEBO
- TRASH DUMPSTER LOCATION
- WOOD FENCE NEAR PROPERTY LINE

PRELIMINARY NOT FOR CONSTRUCTION



CCLTD PROJECTS COMPANY

ARCHITECTURE DESIGN PLANNING AND DEVELOPMENT SERVICES

Charles C. Clarkson
AIA
lic. OR CA NCARB
architect
1940 LawnrIDGE St.
Medford, Oregon 97504
(541) 770-7127 (phone)
(541) 282-5545 (fax)
ccltdprojects
@charter.net

General Notes

No.	Revision/Issue	Date
2	Changed Bathroom to 2-bay 2-clear Gazebo	01/16/08 ecc
1	Add Building Area Calc. & Impervious Lot Coverage Ratio	11-05-07

Owner (Project Name and Address)

172 Skidmore St.
Ashland, Oregon
for s & j properties llc.
medford, oregon

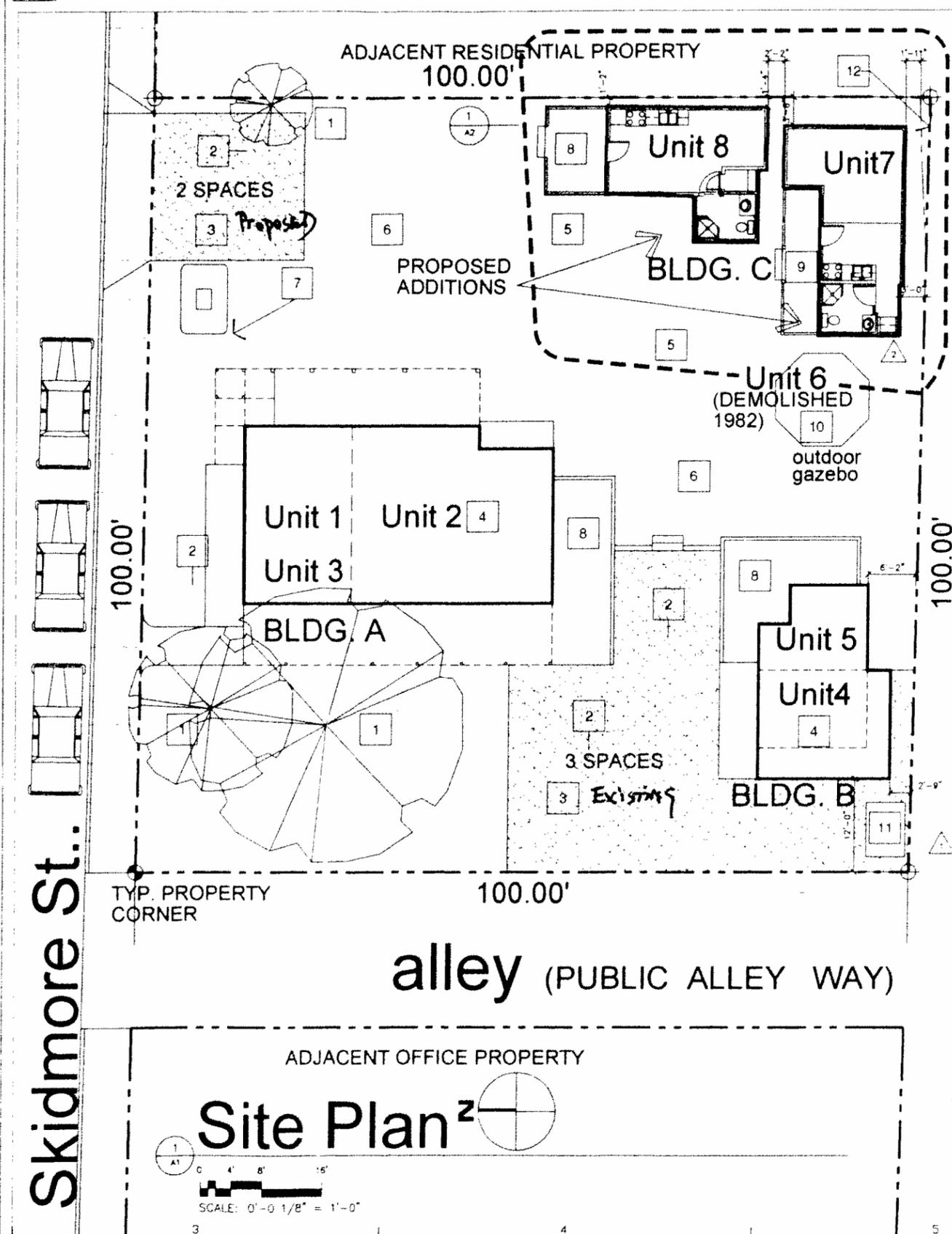
Drawing Name/Description

Proposed Bath room Additions
Site Plan & Data and Details

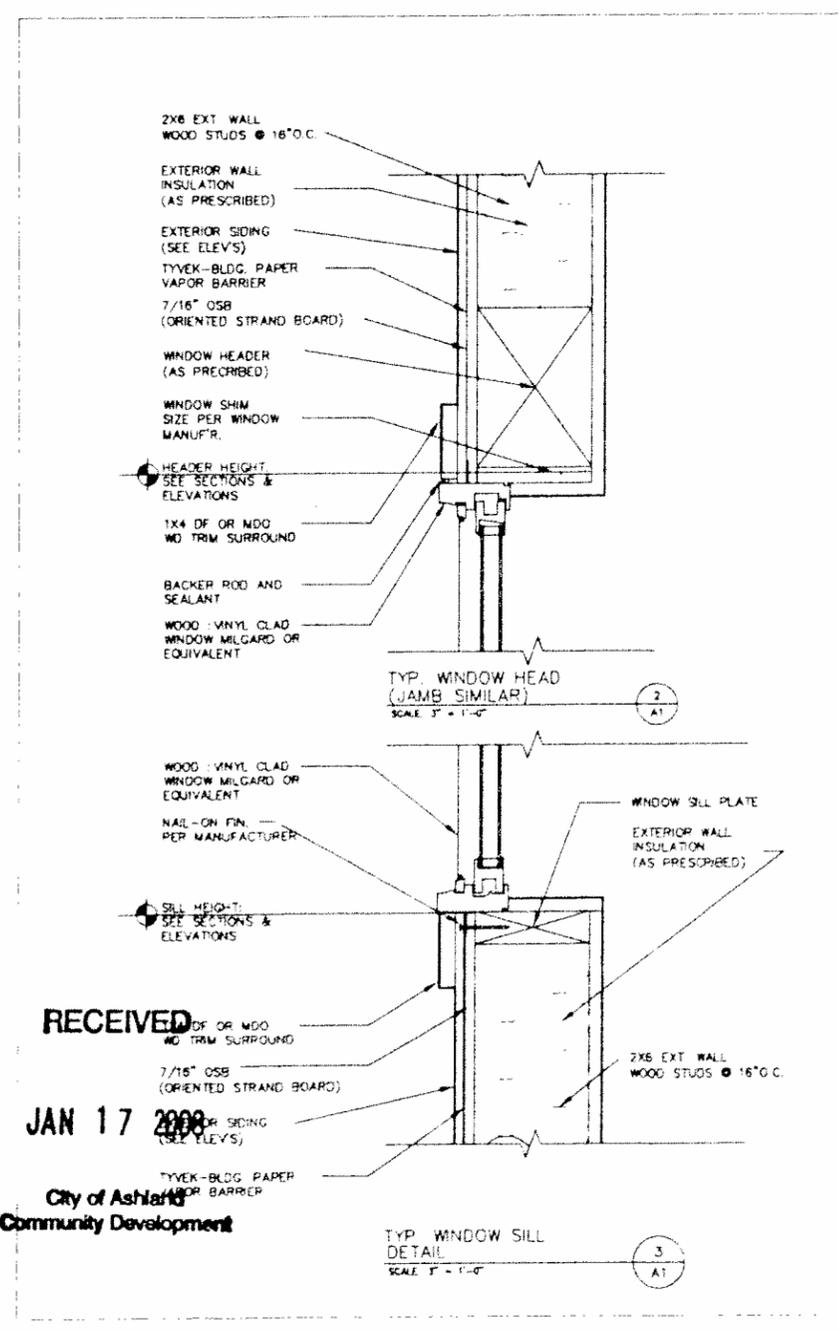
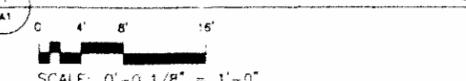
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Project	0713 (0603)
Date	08-10-07
Scale	as noted

a1



Site Plan



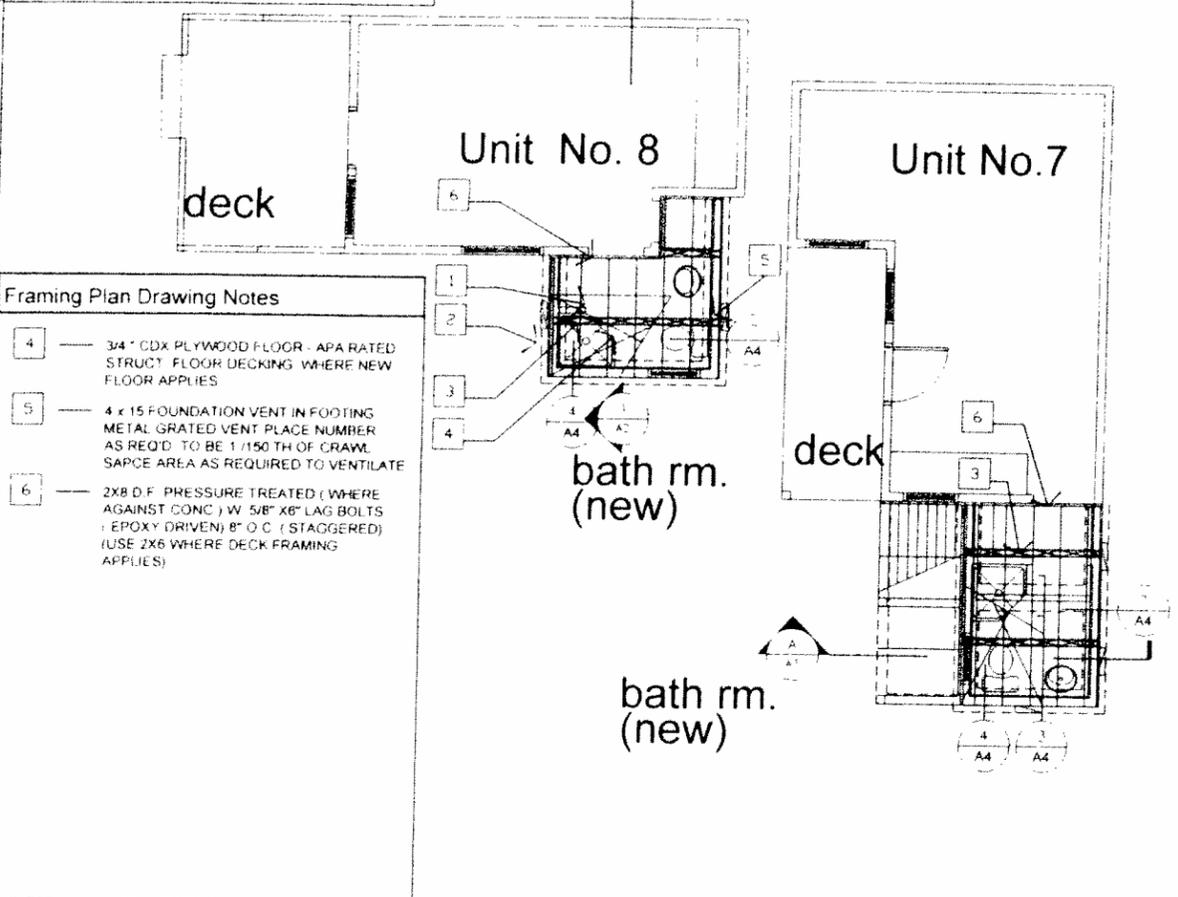
CCLTD PROJECTS CO. 0713
11/05/07
08/10/07
S.J. PROPERTIES, LLC

FloorFraming Plan Drawing Notes

- 1 — NEW 9" BCI (OR EQUIVALENT) JOISTS AT 16" O.C.
- 2 — NEW EXTRA JOIST AND RIM JOIST BLOCKING
- 3 — MID SPAN INTERMEDIATE BLOCKING OF AS PER MANUFACTURER REQUIREMENTS

Framing Plan Drawing Notes

- 4 — 3/4" CDX PLYWOOD FLOOR - APA RATED STRUCT. FLOOR DECKING WHERE NEW FLOOR APPLIES
- 5 — 4 x 15 FOUNDATION VENT IN FOOTING METAL GRATED VENT PLACE NUMBER AS REQ'D. TO BE 1/150 TH OF CRAWL SPACE AREA AS REQUIRED TO VENTILATE
- 6 — 2X8 D.F. PRESSURE TREATED (WHERE AGAINST CONC.) W/ 5/8" X 6" LAG BOLTS (EPOXY DRIVEN) 8" O.C. (STAGGERED) (USE 2X6 WHERE DECK FRAMING APPLIES)



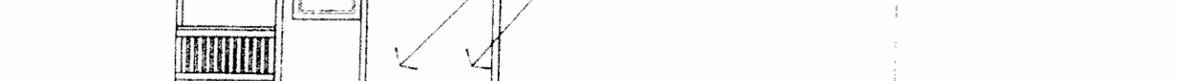
Foundation -Floor Frmg.



north elevation



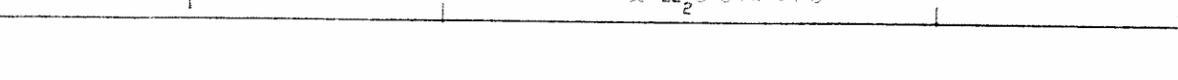
south elevation



west elevation



east elevation



cross section

Drawing Notes Elevations

- 1 — EXISTING BEVEL SIDING TO REMAIN
- 2 — NEW BEVEL SIDING MATCH TO EXISTING
- 3 — NEW 2x6 BARGE RAFTER (OR MATCH TO EXISTING) (OR 5/4 MDO) EQUIVALENT)
- 4 — EXISTING GABLE END SIDING TO REMAIN
- 5 — 1x4 CEDAR (OR MDO EQUAL) VERT. TRIM (MATCH TO EXISTING)
- 6 — (NEW) ASPHALT-FIBERGLASS ROOFING TO MATCH EXISTING
- 7 — (EXISTING) ASPHALT-FIBERGLASS ROOFING TO REMAIN
- 8 — (NEW) GABLE END VENT TO MATCH EXISTING
- 9 — (NEW) TEXTURED ACCENT SIDING TO MATCH TO EXISTING
- 10 — (NEW) GABLE ATTIC VENT MATCH TO EXISTING

Drawing Notes Cross Section

- s1 — (NEW) 2x6 D.F. NO. 2 (OR BETTER) ROOF RAFTERS AT 24" O.C.
- s2 — (NEW) 2x8 D.F. NO. 2 (OR BETTER) ROOF BLOCKING IN BETWEEN RAFTERS
- s3 — (NEW) 2x6 D.F. NO. 2 (OR BETTER) VERTICAL WALL STUDS AT 16" O.C. W/ R-21 BATT INSULATION
- s4 — (NEW) 2x6 D.F. NO. 2 (OR BETTER) VERTICAL STRUT (PONY WALL FRAMING)
- s5 — (NEW) 2x6 D.F. NO. 2 (OR BETTER) horizontal CEILING JOISTS AT 24" O.C.
- s6 — (NEW) 4x8 D.F. NO. 2 (OR BETTER) TYP. WINDOW HEADER
- s7 — (NEW) FLOOR ASSEMBLY PL./WD. DECKING W/ BCI JOISTS (PER PLAN) W/ R-30 FLOOR INSULATION
- s8 — (NEW) 3 1/8" X 9" BCI GLULAM (OR EQUIVALENT) BEAM AT PATIO DECK
- s9 — (NEW) 6" x 12" DEEP CONC. FTG. W/ #4 RE-BAR TOP AND BOTTOM
- s10 — (NEW) 4x4 D.F. NO. 2 POST W/ COLUMN CAP AND BASE - SEE FRAMING PLANS



CCLTD PROJECTS COMPANY

ARCHITECTURE DESIGN PLANNING AND DEVELOPMENT SERVICES

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architect
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Medford, Oregon 97504
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(541) 282-5545 (fax)
ccltdprojects
@charler.net

General Notes

- Insulation Schedule**
- i1 — FLOOR INSULATION R-30 BATT /FACED
 - i2 — WALL INSULATION R-21 BATT /FACED
 - i3 — ROOF/CEILING INSULATION R-38 BATT /FACED

No.	Revisions/Date	Date

Owner /Project Name and Address

s and j properties llc
medford, oregon
172 Skidmore St.
Ashland, Oregon

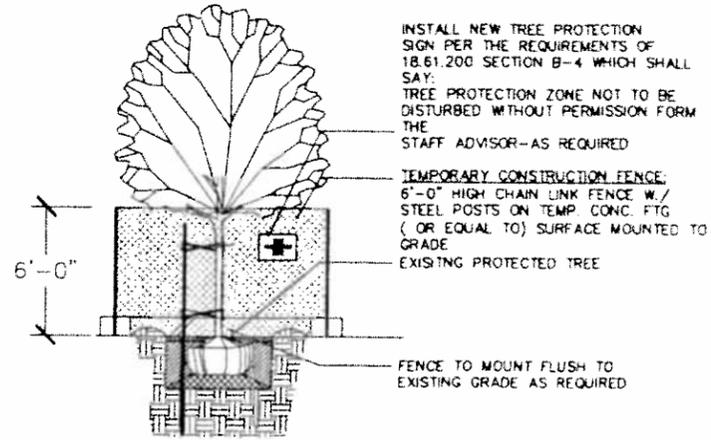
Drawing Name/Description

Proposed Bath room Additions
Foundation/Flr. Frmg & Ext. Elevations

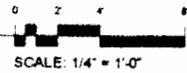
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Project No.	0713 (0603)
Date	08/10/07
Scale	as noted
Sheet	a3

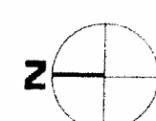
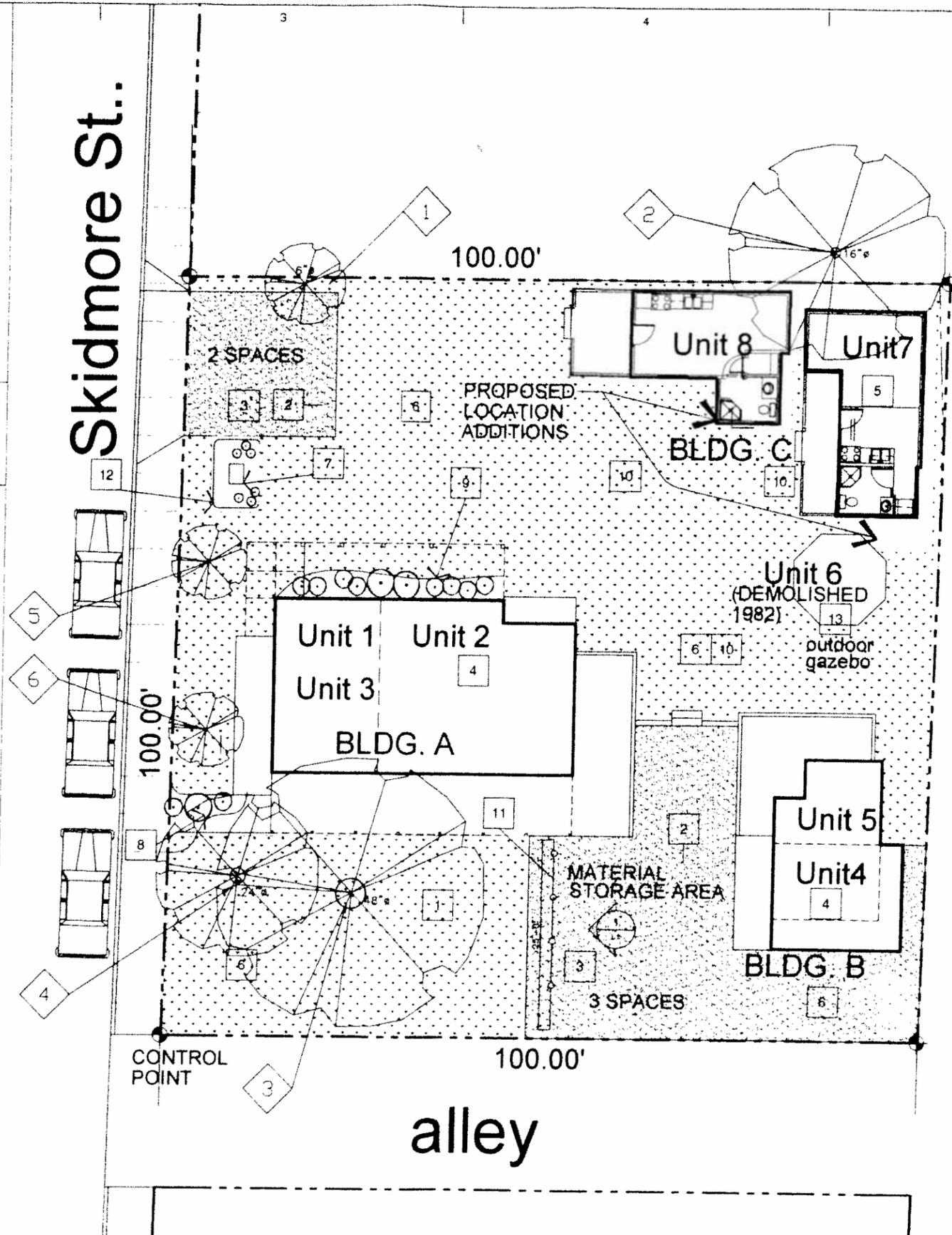
S&J PROPERTIES 08/10/07 CCLTD PROJECTS CO



1
L1
Elevation :
Tree Protection
Detail



Skidmore St..



Site Plan • Landscape and
Tree Protection Plan

General-Drawing Notes

- 1 EXISTING TREES (TO REMAIN)
- 2 GRAVEL DRIVEWAY (EXISTING)
- 3 EXISTING PARKING TO REMAIN
- 4 EXISTING MULTI-FAMILY UNITS (TO REMAIN)
- 5 SAME AS 4 EXCEPT PROPOSED LOCATION OF ADDITION
- 6 EXISTING LAWN TO REMAIN
- 7 EXISTING MONUMENT SIGN TO REMAIN
- 8 LOW SHRUB AREA
- 9 LOW SHRUB AREA (UNDER DECK)
- 10 EXISTING LAWN TO BE REPAIRED AFTER CONSTRUCTION
- 11 TYPICAL TREE PROTECTION FENCE SCREEN

TREE SURVEY LIST

- TREE NO. 1
EXISTING TREE:
6" DIAMETER BLACK OAK
- TREE NO. 2
EXISTING TREE:
16" DIAMETER POPLAR
NOTE:
EXISTING NEIGHBOR FENCE
IN PLACE - PROVIDE CANOPY
PROTECTION
- TREE NO. 3
EXISTING TREE:
48" DIAMETER
SILVER MAPLE TREE
- TREE NO. 4
EXISTING TREE:
24" DIAMETER
CATALPA TREE
- TREE NO. 5
(NEW) MAPLE TREE
FOR STREET FRONT
2" CALIPER PLANTING
- TREE NO. 6
(NEW) MAPLE TREE

Notes-Continued

- 12 EXISTING PLANTER AROUND MONUMENT
- 13 OUTDOOR GAZEBO: RELOCATED

No.	Revision/Issue	Date
2	Add 2 New Street Trees	01/15/08
1	Add Landscape Plan	11/05/07

Owner / Project Name and Address
172 Skidmore St.
Ashland, Oregon
for s & j properties llc.
medford.oregon

Drawing Name/Description
Proposed
Bath room
Additions
Landscape and
Tree Protection Plan

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Sheet
0713
Date
10/31/07
L1

J. PROPERTIES, LLC 11/05/07 01/15/08 10/31/07 CCLTD PROJECTS CO. 0713

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JAN 17 2008
City of Ashland
Community Development