

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
JUNE 10, 2008
Hearings Board Members: Dimitre, Dotterer, Church**

- I. **CALL TO ORDER: 1:30 P.M.**, Civic Center, 1175 East Main Street
- II. **APPROVAL OF MINUTES:** Hearings Board Minutes of May 13, 2008 to be approved at full Planning Commission meeting

III. **TYPE I PLANNING ACTIONS**

A. **PLANNING ACTION: 2008-00741**

SUBJECT PROPERTY: *135 Susan Lane*

APPLICANT: *Milo Shubat*

DESCRIPTION: *Request for a Conditional Use Permit to construct a 21 ½ square foot addition to an existing residence located at 135 Susan Lane and to exceed the Maximum Permitted Floor Area for a single-family dwelling in the Historic District by approximately 20 percent.*

COMPREHENSIVE PLAN DESIGNATION: *Single-Family Residential*; ZONING: *R-1-7.5*;

ASSESSOR'S MAP #: *39 1E 05 DD*; TAX LOT: *8102*

B. **PLANNING ACTION: 2008-00731**

SUBJECT PROPERTY: *358 High Street/ 60 Wimer Street*

APPLICANT: *Mark and Elizabeth Schoenleber*

DESCRIPTION: *Request for a Conditional Use Permit for a three-unit (includes owner's quarters) Traveler's Accommodation for the property located at 358 High Street and 60 Wimer Street*

COMPREHENSIVE PLAN DESIGNATION: *Low Density Multi-Family Residential*; ZONING: *R-2*

ASSESSOR'S MAP #: *39 1E 05 DD*; TAX LOTS: *3700 & 3800*

C. **PLANNING ACTION: 2008-00594**

SUBJECT PROPERTY: *954 Siskiyou Blvd.*

APPLICANT: *Gregory Adams*

DESCRIPTION: *Request for a Conditional Use Permit and Site Review approval for an office use in and R-2 zone, with an apartment upstairs for the property located at 954 Siskiyou Blvd.*

COMPREHENSIVE PLAN DESIGNATION: *Low Density Multi-Family Residential*; ZONING: *R-2*

ASSESSOR'S MAP #: *39 1E 09 DD*; TAX LOT: *100*

D. **PLANNING ACTION: 2008-00813**

SUBJECT PROPERTY: *Water Street Bridge/Overpass*

APPLICANT: *City of Ashland*

DESCRIPTION: *Request for a Governmental Sign Conditional Use Permit for the installation of artwork on the underside of the Oregon Dept of Transportation bridge/overpass located within the right of way between the properties addressed as 51 Water St and 96 North Main St.* COMPREHENSIVE PLAN

DESIGNATION: *Commercial* ZONING: *C-1* ASSESSOR'S MAP #: TAX LOT: *N/A – Located within ODOT Public right of way*

IV. **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).



PLANNING ACTION: 2008-00741

SUBJECT PROPERTY: 135 Susan Lane

OWNER/APPLICANT: Milo Shubat

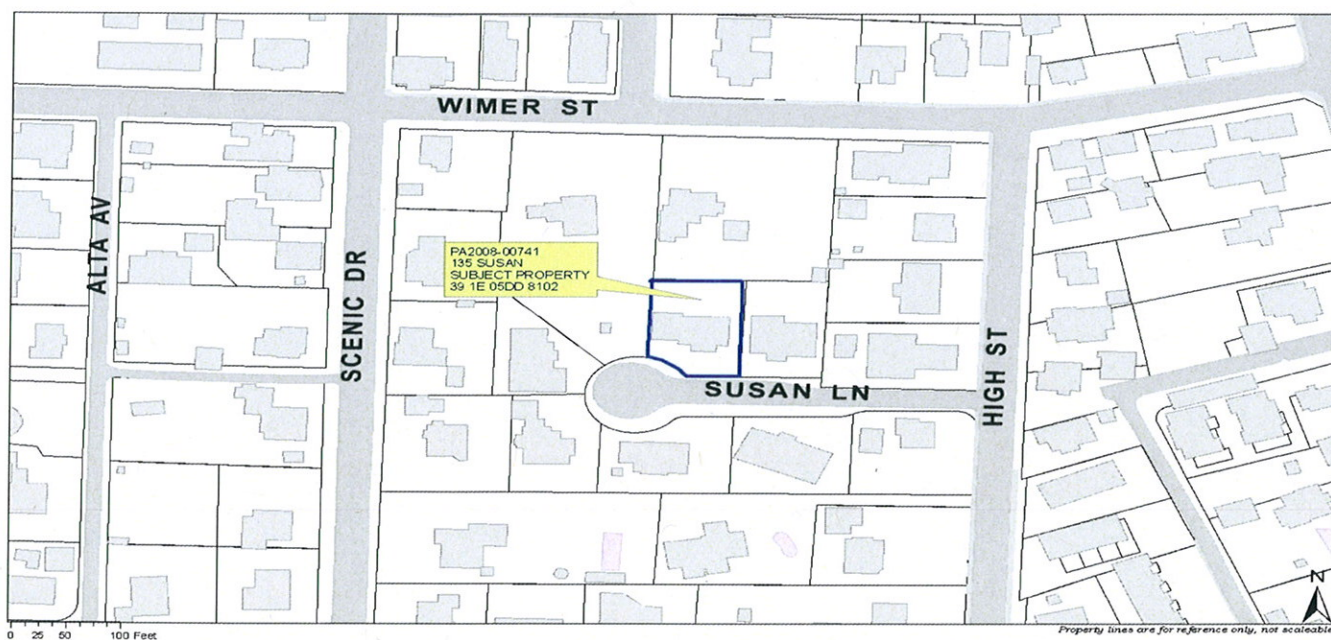
DESCRIPTION: Request for a Conditional Use Permit to construct a 21 ½ square foot addition to an existing residence located at 135 Susan Lane and to exceed the Maximum Permitted Floor Area for a single-family dwelling in the Historic District by approximately 20 percent. **COMPREHENSIVE PLAN DESIGNATION: Single-Family Residential; ZONING: R-1-7.5; ASSESSOR'S MAP #: 39 1E 05 DD; TAX LOT: 8102**

NOTE: The Ashland Historic Commission will also review this Planning Action on **June 4, 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: May 21, 2008

ASHLAND PLANNING COMMISSION HEARINGS BOARD MEETING: June 10, 2008, 1:30 PM

DEADLINE FOR REQUEST FOR A PUBLIC HEARING: June 2, 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.

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CONDITIONAL USE PERMITS

18.104.050 Approval Criteria

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

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

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

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

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

ASHLAND PLANNING COMMISSION

FINDINGS & ORDERS

PLANNING ACTION: 2008-00741

SUBJECT PROPERTY: 135 Susan Lane

OWNER/APPLICANT: Milo Shubat

DESCRIPTION: Request for a Conditional Use Permit to construct a 21 ½ square foot addition to an existing residence located at 135 Susan Lane and to exceed the Maximum Permitted Floor Area for a single-family dwelling in the Historic District by approximately 20 percent. **COMPREHENSIVE PLAN**

DESIGNATION: Single-Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP #:** 39 1E 05 DD; **TAX LOT:** 8102

SUBMITTAL DATE:	May 7, 2008
DEEMED COMPLETE DATE:	May 21, 2008
STAFF APPROVAL DATE:	May 21, 2008
DEADLINE TO REQUEST A HEARING DATE:	June 2, 2008
FINAL DECISION DATE:	June 11, 2008
APPROVAL EXPIRATION DATE:	June 11, 2009

DECISION

The property is located at 135 Susan Lane, in the Skidmore Academy Historic District. The lot is slightly over 10,000 square feet.. The house was constructed in 1993, which was after the City's inventory of historic resources was completed, so it is not ranked.

The applicants are requesting a remodel that includes a 21.5 square foot addition. The home currently exceeds the Maximum Permitted Floor Area (MPFA) by 522 square feet. The ordinance allows for a home to exceed the MPFA by up to 25% through a Conditional Use Permit. The proposed addition would bring the home to just over 20% larger in size than allowed by ordinance.

The addition is on the rear of the home and is not visible from the street. Initial review provided by the Historic Review Board during the pre-application did not raise any concerns due to the fact that the project cannot be seen from the street. At the time of this writing, the application has not been to the full Historic Commission, but a condition has been included requiring the recommendations of the Historic Commission to be included in the final design.

No trees are to be removed or impacted by the project.

The criteria for approval of a conditional use permit to exceed the Maximum Permitted Floor Area are described in Chapter 18.20 and are as follows:

- K. New structures and additions to existing structures within the Historic District shall not exceed the MPFA unless a Conditional Use Permit is obtained. In no case shall the permitted floor area exceed 25% of the MPFA. In addition to the findings for a Conditional Use Permit, the standards noted in Section IV of the Site Design and Use Standards shall be considered in the request."*

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

Planning Action 2008-00741 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 2008-00741 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 building permit submittals shall include:
 - a) All recommendations of the Historic Commission from the June 4, 2008 meeting, with final approval of the Staff Advisor, shall be conditions of approval and incorporated into the building permit submittals.

Bill Molnar, Director
Department of Community Development

Date

FINDINGS
Conditional Use Permit for a Remodel / Addition
At 135 Susan Lane, Ashland Oregon

May 7, 2008

Owner – Tim Austin and Rosemarie Barone

This Conditional Use Permit Application is for approval of a second floor addition to the rear of an existing single-family home at 135 Susan Lane. The subject property, originally built in 1993, is located on an R-1-7.5 / Skidmore Academy Historic lot and is currently larger than allowed by the MPFA calculation by 522 SF. The proposed addition allows the creation of a new (3rd) bedroom on the second floor by the addition of 21.5 SF as shown in the accompanying drawings. The addition will be to the rear (north elevation) of the house at approximately the center of the façade. All exterior detailing will be matching or otherwise compatible with the existing materials, and there is no increase in overall height to the structure, nor is the addition visible from the street elevation. While the owners realize there is an MPFA ordinance, the existing house does not have enough upstairs bedrooms for their family (3 children) and the proposed addition allows for the preservation of the upstairs family room with a minimum of required additional floor area by converting an existing hall closet into a bedroom

Approval of this application is contingent upon criteria found in the R-1 / Conditional Use Permits (Chapter 18.104), Accessory Residential Unit (Chapter 18.20), Site Review (Chapter 18.72) and Tree Preservation and Protection (Chapter 18.61) chapters of the Ashland Land Use Ordinance. The following findings address these criteria.

**Ordinance
Reference
18.104.050**

- A. The proposed use is in conformance with the following R-1-7.5 regulations:
- Minimum lot area – 7500 SF req'd / 10,018 SF existing
 - Minimum lot width – 60' req'd for corner lots / 87' existing
 - Minimum lot depth – 80' – 150' req'd / 98' existing
 - Yard requirements - 20' front 10' rear; 6' side yards (10' at lot abutting a public street) / all currently comply
 - Max. Building Height – 35' or 2.5 stories req'd / No change to existing height
 - Maximum Lot Coverage – 45% allowed / 34% currently including decks, porches walks and driveway.
 - Solar Setbacks – The proposed addition will not encroach on the solar setback of 40.5'.

FINDINGS
Conditional Use Permit for Remodel / Addition
At 135 Susan Lane, Ashland Oregon

18.104.050
(Cont.)

- B. Sewer: No increased impact.
Water: No increased impact
Electrical: No increased impact.
Storm Drain: No increased impact – impervious surfaces stay the same.
Fire Hydrant: No increased impact.
Transportation: No increased impact.
- C. "The proposed 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" – to this end, the following issues are addressed:
1. "Similarity in scale, bulk and coverage" – The change to the exterior of the structure is negligible, and there will be no addition to the footprint.
 2. "Generation of traffic" – The proposed addition allows the creation of an additional segregated bedroom on the upper floor, thereby creating a total of 3 bedrooms on the upper floor. In the current configuration, the same net number of inhabitants are housed by the sharing of an existing bedroom by two children, hence there are not anticipated to be any additional vehicle trips attributable to the addition.
 3. "Architectural compatibility with the impact area" – All exterior detailing will be matching or otherwise compatible with the existing materials, and there is no increase in overall height to the structure, nor is the addition visible from the street (public) elevation.
 4. Air quality issues pertaining to the proposed addition are addressed in #2 above with regard to additional vehicle trips. The proposed use at the unit is residential; therefore no environmental pollutants are anticipated.
 5. "Generation of noise, light and glare" – As the proposed addition will create one new exterior window, there will only be the addition of an interior light source at the second floor. In addition, the net number of inhabitants will not change with the addition.
 6. "The development of adjacent properties as envisioned in the Comprehensive Plan" – All adjacent properties are currently developed.
 7. Other factors found to be relevant by the Hearing Authority – None.

FINDINGS
Conditional Use Permit for Remodel / Addition
At 135 Susan Lane, Ashland Oregon

18.24.040.K New structures and additions to existing structures within the Historic District shall not exceed the MPFA unless a Conditional Use Permit is obtained. In no case shall the permitted floor area exceed 25% of the MPFA. In addition to the findings for a Conditional Use Permit, the standards noted in Section IV of the Site Design and Use Standards shall be considered in the request.

MPFA calculation: Using the MPFA calculation, the maximum allowed floor area for 135 Susan Street is 2,702 SF. The existing floor area of the house is 3,224 SF – 522 SF over the allowed, or 19.3%. The proposed addition is 21.5 SF or < 1% over allowed. In addition, per 18.24.040.I.2, the MPFA shall not exceed 3,249 SF. After the proposed addition (21.5 SF), the subject property will be at 3,245.5 bringing the structure to just above 20% over the allowed floor area.

Regarding the Section IV Site Design and Use Standards for Historic District Development, the proposed addition does not significantly alter the exterior appearance of the structure. The structure itself is not historic; however it does attempt to emulate an historic style not out of place in the neighborhood. All new exterior trims and sidings will match the existing structure, the new roof pitch matches an existing roof and the overall appearance of the structure from the street is unchanged.

FINDINGS
Conditional Use Permit for Remodel / Addition
At 135 Susan Lane, Ashland Oregon



Existing street elevation



Existing rear elevation

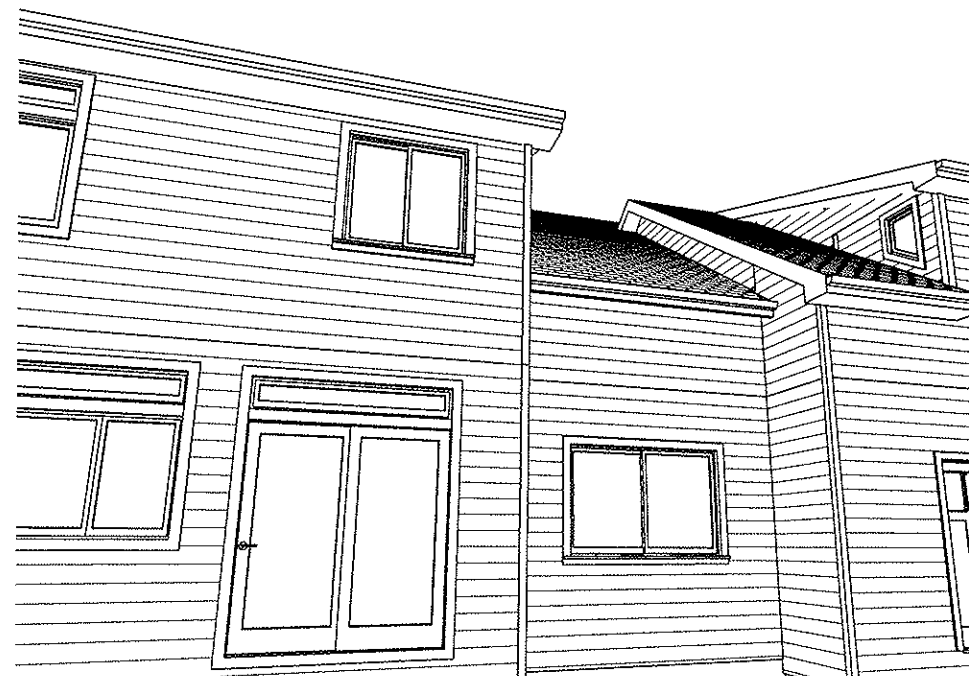
FINDINGS
Conditional Use Permit for Remodel / Addition
At 135 Susan Lane, Ashland Oregon

Site trees – For the proposed addition, the primary construction access to the upper floor area will be via an exterior stair on the west garage elevation. All material staging and demolition removal will be in front of the garage in the existing driveway. There will be no work within 20' of any of the existing trees and access to and from the site will be confined to the existing paved drive and exterior stairway. In addition, the rear access to the area of work is from an existing deck structure which is reached via a concrete patio.



REMODELED REAR ELEVATION

SCALE: 1/8" = 1' 0"

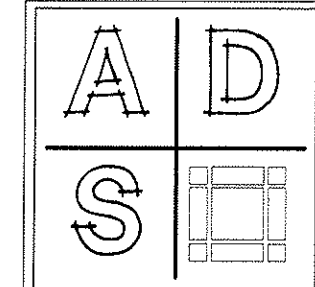


EXISTING REAR PERSPECTIVE



REMODELED REAR PERSPECTIVE

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ASHLAND
DESIGN
SOLUTIONS LLC

350 TAYLOR ST. ASHLAND, OR
541.488.4603

PROPOSED REMODEL AT 135 SUSAN
LANE, ASHLAND

39 1E 05DD TL 8102

TIM AUSTIN & ROSEMARIE BARONE,
OWNERS

PRELIMINARY
NOT FOR CONSTRUCTION

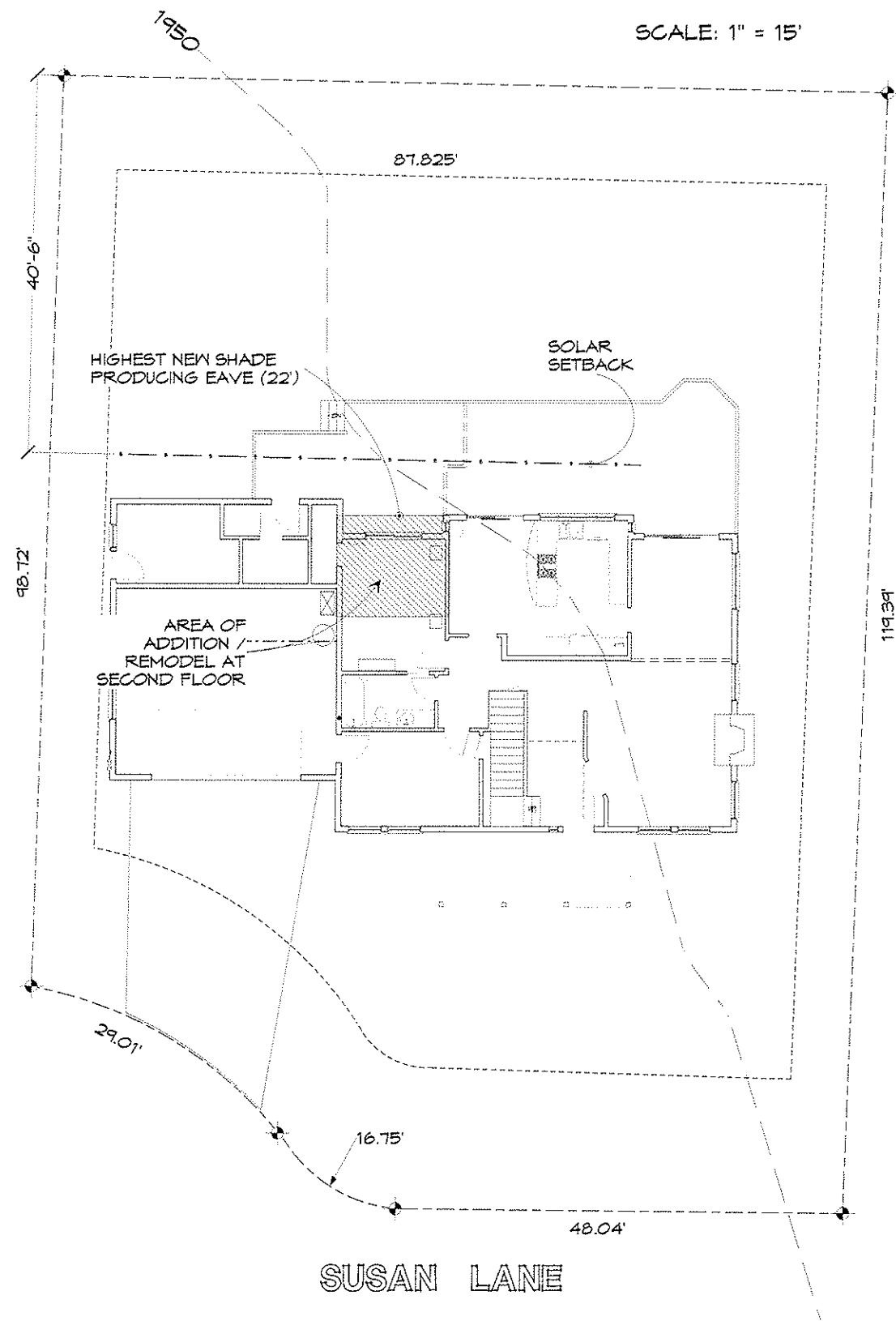
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SHEET
CUP-3

VERSION: 2_0
DATE: 4.14.08
DRAWN: M. SHUBAT
SCALE: SHOWN

SITE PLAN

SCALE: 1" = 15'



PROJECT INFO

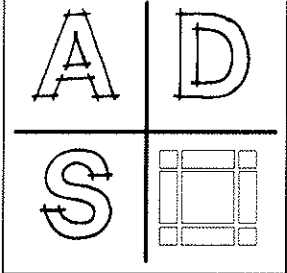
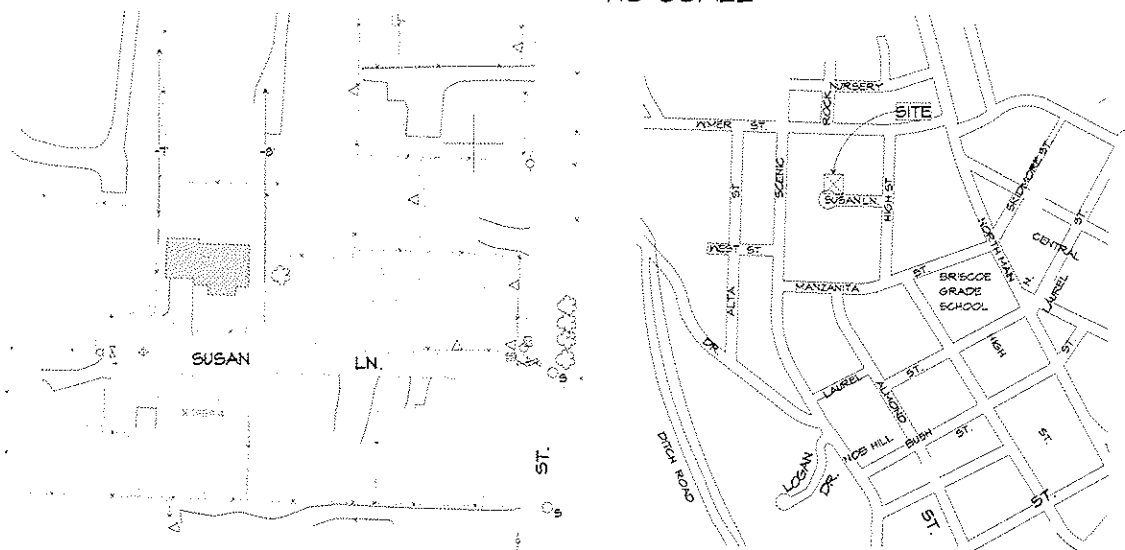
PROPERTY DESCRIPTION	39 1E 05DD TL 8102
CITY OF ASHLAND, JACKSON CO. OREGON	
ZONING	R-1-7.5 / SKIDMORE ACADEMY
ADJACENT ZONES	R-1-7.5
NEW CLIMATIZED FLOOR AREA	21.5 SF
NEW ADDITION AT SECOND FLOOR - TO BE WOOD FRAMED WITH ASPHALT SHINGLE ROOFING, CEMENT FIBER SIDINGS / TRIMS	

EXISTING LOT COVERAGE

LOT AREA	10,018 SF
BUILDING FOOTPRINT	1,755
DRIVE/WALKS	880 SF
GRADE LEVEL	
DECK/PORCH	820 SF
TOTAL	3,455 SF - 34%

VICINITY MAP

NO SCALE



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SHEET SIZE: 11" X 17"

SHEET
CUP-1

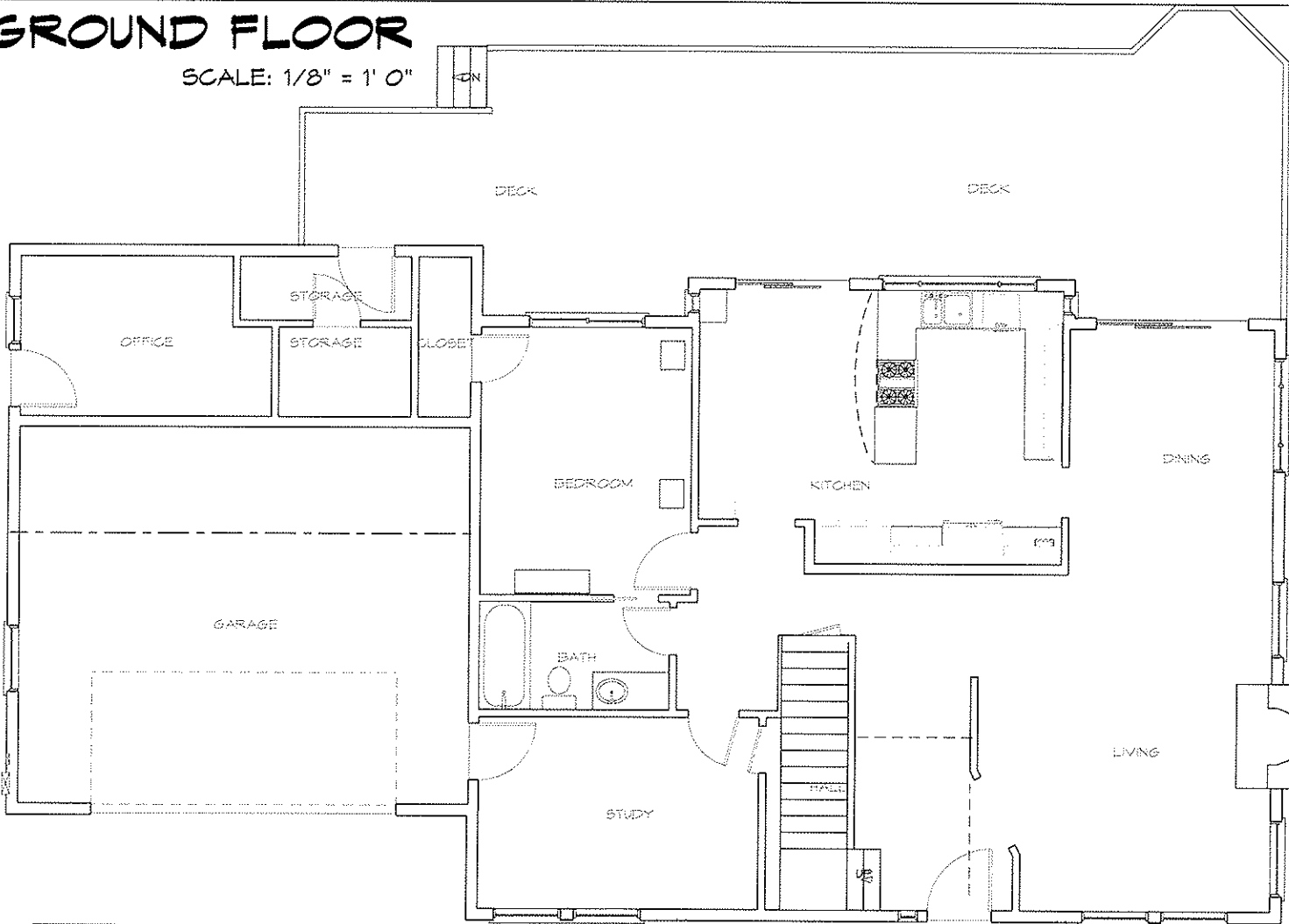
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SCALE: SHOWN

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EXISTING GROUND FLOOR

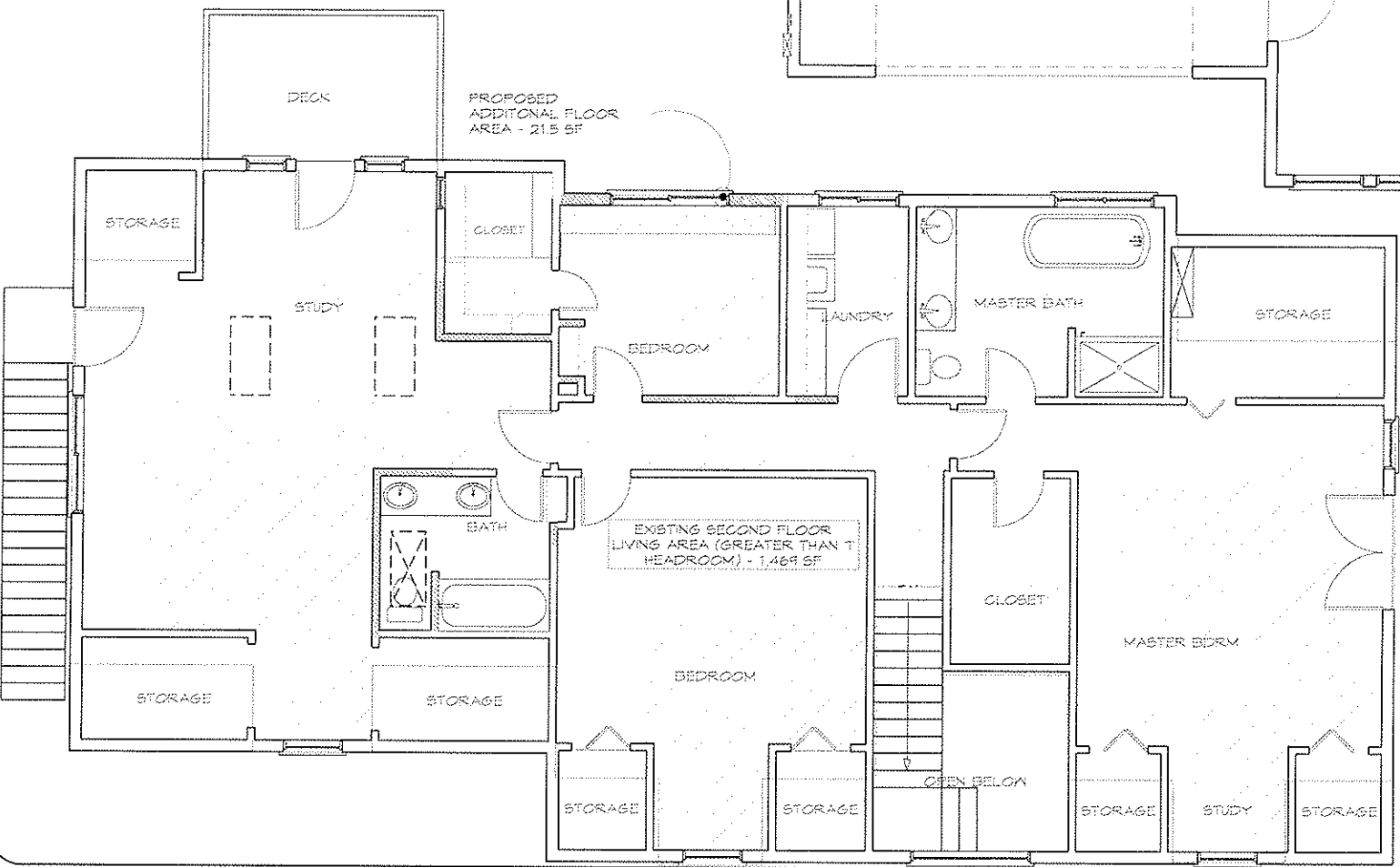
SCALE: 1/8" = 1' 0"

GROUND FLOOR AREA		
	GARAGE / STOR	590 SF
	CLIMATIZED	1,165 SF
SECOND FLOOR	EXISTING	1,469 SF
	ADDITION	21.5 SF
	TOTAL	3,245.5 SF



REMODELED SECOND FLOOR

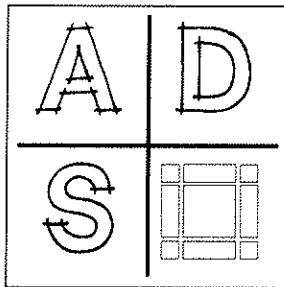
SCALE: 1/8" = 1' 0"



MPFA CALCULATION

LOT AREA	10,018 SF
ADJ. FACTOR	0.71
ADJ LOT AREA	7,112 SF
MPFA	2,702 SF
(E) FA	3,224 SF
TOTAL FLOOR AREA W/ ADDITION	3,245.5 SF
MAXIMUM PERMITTED PER 18.20.040-G	3,249 SF
OVER PERMITTED	543.5 SF / 20%
PROPOSED ADDITION AS PERCENTAGE OF ALLOWED	<1%

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LANE, ASHLAND
39 1E 05DD TL 8102
TIM AUSTIN & ROSEMARIE BARONE,
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PRELIMINARY
NOT FOR CONSTRUCTION

SHEET SIZE: 11" X 17"

SHEET
CUP-2

VERSION: 2.0
DATE: 4.14.08
DRAWN: M. SHUBAT
SCALE: SHOWN



PLANNING ACTION: 2008-00731

SUBJECT PROPERTY: 358 High St. / 60 Wimer St.

OWNER/APPLICANT: Mark and Elizabeth Schoenleber

DESCRIPTION: Request for a Conditional Use Permit for a three-unit (includes owner's quarters) Traveler's Accommodation for the property located at 358 High Street and 60 Wimer Street.

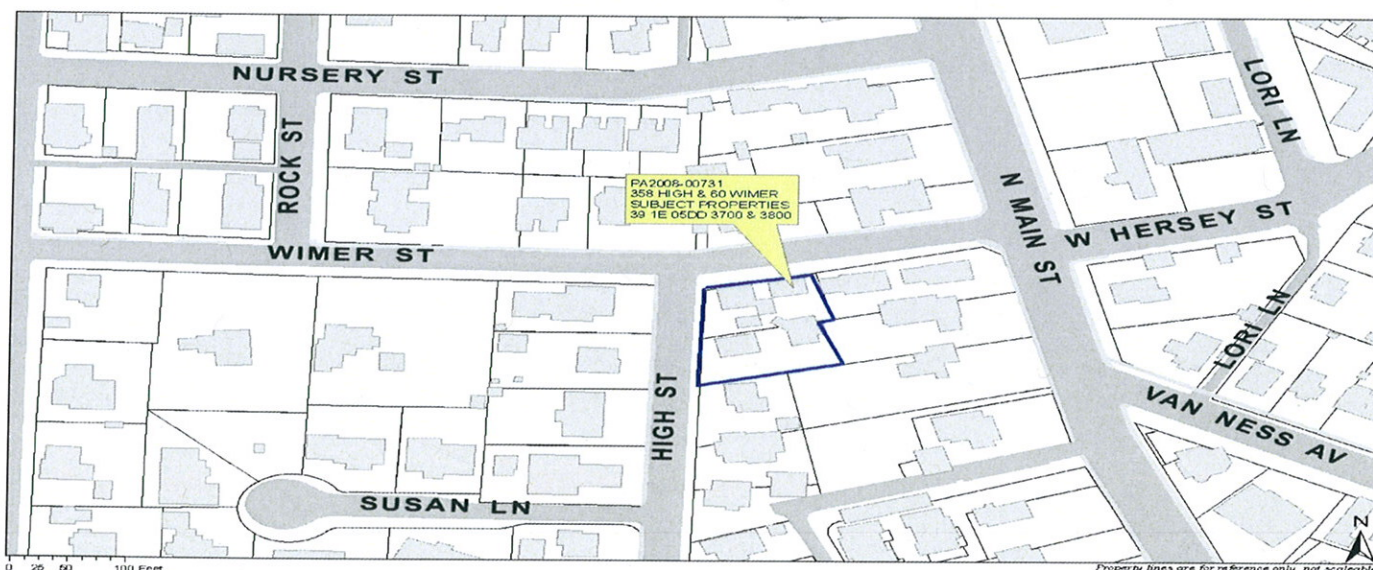
DESIGNATION: Low Density Multi-Family Residential; ZONING: R-2 ASSESSOR'S MAP #: 39 1E 05 DD; TAX LOTS: 3700 & 3800.

NOTE: The Ashland Historic Commission will also review this Planning Action on **June 4, 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: May 21, 2008

ASHLAND PLANNING COMMISSION HEARINGS BOARD MEETING: June 10, 2008, 1:30 pm

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 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.

TRAVELER'S ACCOMMODATIONS

18.24.030.K Approval Criteria

K. Travelers accommodations, subject to the following:

1. That all residences used for travelers accommodation be business-owner occupied. The business-owner shall be required to reside on the property occupied by the accommodation, and occupancy shall be determined as the travelers accommodation location being the primary residence of the owner during operation of the accommodation. "Business-owner" shall be defined as a person or persons who own the property and accommodation outright; or who have entered into a lease agreement with the property owner(s) allowing for the operation of the accommodation. Such lease agreement to specifically state that the property owner is not involved in the day to day operation or financial management of the accommodation, and that the business-owner is wholly responsible for all operations associated with the accommodation, and has actual ownership of the business. (ORD 2806 S1, 1997)
2. That each accommodation unit shall have 1 off-street parking space, and the owners shall have 2 parking spaces. All spaces shall be in conformance with the requirements of the Off-Street Parking section of this Title.
3. That only one ground or wall sign, constructed of a non-plastic material, non-interior illuminated of 6 sq. ft. maximum size be allowed. Any exterior illumination of signage shall be installed such that it does not directly illuminate any residential structures adjacent or nearby the traveler's accommodation in violation of 18.72.110.
4. That the number of accommodation units allowed shall be determined by the following criteria:
 - a. That the total number of units, including the owner's unit, shall be determined by dividing the total square footage of the lot by 1800 sq. ft. Contiguous lots under the same ownership may be combined to increase lot area and the number of units, but not in excess of the maximum established by this ordinance. The maximum number of accommodation units shall not exceed 9 per approved travelers accommodation with primary lot frontage on arterial streets. The maximum number of units shall be 7 per approved travelers accommodation with primary lot frontage on designated collector streets; or for travelers's accommodations not having primary frontage on an arterial and within 200 feet of an arterial. Street designations shall be as determined by the Ashland Comprehensive Plan. Distances shall be measured via public street or alley access to the site from the collector or arterial.
 - b. Excluding the business-owner's unit and the area of the structure it will occupy, there must be at least 400 sq. ft. of gross interior floor space remaining per unit.
5. That the primary residence on the site be at least 20 years old. The primary residence may be altered and adapted for travelers's accommodation use, including expansion of floor area. Additional structures may be allowed to accommodate additional units, but must be in conformance with all setbacks and lot coverages of the underlying zone.
6. Transfer of business-ownership of a travelers accommodation shall be subject to all requirements of this section, and subject to Conditional Use Permit approval and conformance with the criteria of this section. All travelers's accommodations receiving their initial approvals prior to the effective date of this ordinance shall be considered as approved, conforming uses, with all previous approvals, conditions and requirements remaining in effect upon change of business-ownership. Any further modifications beyond the existing approvals shall be in conformance with all requirements of this section.
7. An annual inspection by the Jackson County Health Department shall be conducted as required by the laws of Jackson County or the State of Oregon. (Ord. 2776 S1, 1996)
8. That the property on which the travelers accommodation is operated is located within 200 feet of a collector or arterial street as designated in the City's Comprehensive Plan. Distances shall be measured via public street or alley access to the site from the collector or arterial. (Ord. 2613 S1, 1991)

ASHLAND PLANNING COMMISSION

FINDINGS & ORDERS

PLANNING ACTION: 2008-00731

SUBJECT PROPERTY: 358 High St. / 60 Wimer St.

OWNER/APPLICANT: Mark and Elizabeth Schoenleber

DESCRIPTION: Request for a Conditional Use Permit for a three-unit (includes owner's quarters) Traveler's Accommodation for the property located at 358 High Street and 60 Wimer Street.

COMPREHENSIVE PLAN DESIGNATION: Low Density Multi-Family Residential; **ZONING:** R-2

ASSESSOR'S MAP #: 39 1E 05 DD; **TAX LOTS:** 3700 & 3800.

SUBMITTAL DATE: May 19, 2008

DEEMED COMPLETE DATE: May 21, 2008

STAFF APPROVAL DATE: May 21, 2008

DEADLINE TO REQUEST A HEARING DATE: June 2, 2008

FINAL DECISION DATE: June 11, 2008

APPROVAL EXPIRATION DATE: June 11, 2009

DECISION

The proposal is a request for a Conditional Use Permit approval to operate a three-unit (including the owner's quarters) Traveler's Accommodation at 358 High St. and 60 Wimer St. The applicants propose to use the existing home at 358 High Street and a detached studio area over the garage as guest units, with the home at 60 Wimer to serve as the owners' quarters. No changes are proposed to the site or existing buildings as part of this proposal.

The subject property consists of two lots and is located on the southeast corner of High and Wimer Streets. The corner lot (60 Wimer) is just under 7,000 square feet, while the adjacent lot (358 High) is approximately 7,800 square feet. The properties across High Street are zoned R-1-7.5, while other surrounding properties are zoned R-2. The site has established landscaping.

Four parking spaces, one for each of the two guest units and two for the owners' unit, are required. The applicants have a two-car garage at 60 Wimer and two spaces in the driveway at 368 High Street to meet the parking requirements.

Under the parcel's R-2 Low Density, Multi-Family Residential zoning, Travelers' Accommodations are permitted as a Conditional Use Permit with the number of potential units determined by dividing the lot area by 1,800. The combined lots are approximately 14,800 square feet, which could allow for up to 8 units, however only two are requested and any additional units would require parking to be reconfigured, as there does not appear to be adequate existing parking for additional units. The lot at 60 Wimer is not large enough to have a legal second living unit, so a condition has been added to the approval that this guest unit will not include a kitchen, which would constitute a second living unit under the Land Use Ordinance.

As required by ordinance, the subject parcel is within 200 feet of the nearest collector or arterial street, as Wimer Street is classified as a collector. The existing homes were built in 1932 and 1947, and so are

well over the required 20-years old. More than the required 400 square feet per guest unit is provided by the proposal. The owner's of the Traveler's Accommodation will live on site, as required by the Land Use Ordinance.

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 a Travelers Accommodation are described in AMC Chapter 18.24, as follows:

- 1. That all residences used for travelers' accommodation be business-owner occupied. The business-owner shall be required to reside on the property occupied by the accommodation, and occupancy shall be determined as the travelers' accommodation location being the primary residence of the owner during operation of the accommodation. "Business-owner" shall be defined as a person or persons who own the property and accommodation outright; or who have entered into a lease agreement with the property owner(s) allowing for the operation of the accommodation. Such lease agreement to specifically state that the property owner is not involved in the day to day operation or financial management of the accommodation, and that the business-owner is wholly responsible for all operations associated with the accommodation, and has actual ownership of the business. (ORD 2806 S1, 1997)*
- 2. That each accommodation unit shall have 1 off-street parking space, and the owners shall have 2 parking spaces. All spaces shall be in conformance with the requirements of the Off-Street Parking section of this Title.*

3. *That only one ground or wall sign, constructed of a non-plastic material, non-interior illuminated of 6 sq. ft. maximum size be allowed. Any exterior illumination of signage shall be installed such that it does not directly illuminate any residential structures adjacent or nearby the traveler's accommodation in violation of 18.72.110.*
4. *That the number of accommodation units allowed shall be determined by the following criteria:*
 - a. *That the total number of units, including the owner's unit, shall be determined by dividing the total square footage of the lot by 1800 sq. ft. Contiguous lots under the same ownership may be combined to increase lot area and the number of units, but not in excess of the maximum established by this ordinance. The maximum number of accommodation units shall not exceed 9 per approved travelers' accommodation with primary lot frontage on arterial streets. The maximum number of units shall be 7 per approved travelers' accommodation with primary lot frontage on designated collector streets; or for traveler's accommodations not having primary frontage on an arterial and within 200 feet of an arterial. Street designations shall be as determined by the Ashland Comprehensive Plan. Distances shall be measured via public street or alley access to the site from the collector or arterial.*
 - b. *Excluding the business-owner's unit and the area of the structure it will occupy, there must be at least 400 sq. ft. of gross interior floor space remaining per unit.*
5. *That the primary residence on the site be at least 20 years old. The primary residence may be altered and adapted for traveler's accommodation use, including expansion of floor area. Additional structures may be allowed to accommodate additional units, but must be in conformance with all setbacks and lot coverages of the underlying zone.*
6. *Transfer of business-ownership of a traveler's accommodation shall be subject to all requirements of this section, and subject to Conditional Use Permit approval and conformance with the criteria of this section. All traveler's accommodations receiving their initial approvals prior to the effective date of this ordinance shall be considered as approved, conforming uses, with all previous approvals, conditions and requirements remaining in effect upon change of business-ownership. Any further modifications beyond the existing approvals shall be in conformance with all requirements of this section.*
7. *An annual inspection by the Jackson County Health Department shall be conducted as required by the laws of Jackson County or the State of Oregon. (Ord. 2776 S1, 1996)*
8. *That the property on which the travelers' accommodation is operated is located within 200 feet of a collector or arterial street as designated in the City's Comprehensive Plan. Distances shall be measured via public street or alley access to the site from the collector or arterial. (Ord. 2613 S1, 1991)*

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

Planning Action 2008-00731 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 2008-00731 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 the applicant will pay all transient occupancy taxes (7% hotel/motel tax) for rentals prior to approval prior to further operation of Traveler's Accommodation prior to issuance of a business license .
- 3) That only one dwelling unit is permitted on tax lot 39 1E 09DD 3700 (60 Wimer Street). The unauthorized kitchen must be removed and inspected, and an agreement signed not to install a kitchen and not to use the accessory structure as more than one unit prior to issuance of a business license.
- 4) The property owner shall sign in favor of a local improvement district to install future street frontage improvements on Wimer Street and on High Street and agree not to remonstrate against the formation of a local improvement district for Wimer Street and High Street. This agreement shall be signed and notarized for recording prior to issuance of a business license.
- 5) That the applicant shall obtain a City of Ashland business license prior to further operation of the Traveler's Accommodation.
- 6) That the approval shall be for two guest units and one owners' unit only, and any future expansion of the establishment or other modifications to the original proposal shall be subject to the conditional use permit procedure.
- 7) That an annual inspection by the Jackson County Health Department shall be conducted as required by the laws of Jackson County or the State of Oregon.
- 8) That a sign permit in compliance with Chapter 18.96 of the Ashland Land Use Ordinance shall be obtained prior to the placement of any signage on the property.
- 9) All recommendations of the Historic Commission from the June 4, 2008 meeting, with final approval of the Staff Advisor, shall be conditions of approval and incorporated into the building permit submittals.

Bill Molnar, Director
Department of Community Development

Date

Mark and Elizabeth Schoenleber
Cottage Industry
60 Wimer Street
Ashland Oregon 97520

Proposal: To operate 358 High Street and 58 Wimer Street as travelers accommodations.

358 High Street (c.1931) Existing

24' X 32' = 768 sq. ft. - 2 bedroom 1 bath, wood frame – metal roof

lot size 68.5 X 112.5 = 7537.5 sq. ft./1800 = 4.1

other existing buildings - Pottery 1- 324 sq. ft. Pottery 2 - 640 sq. ft.

Garden shed 96 sq. ft. Total 1060 sq. ft. + 768 sq. ft. = 1828 sq. ft. MPFA .82

58 Wimer Street (c.1991) Existing

22'X 30' = 660 sq. ft. 2 bedroom one bath, wood framed – apartment over garage

lot size 67 'X 105' = 7035 sq. ft. /1800 = 3.9

other existing buildings 60 Wimer (c.1947) (residence) 1344 sq. ft., laundry 240 sq. ft.

Total 1584 sq. ft. + 660 sq. ft. = 2324 sq. ft. MPFA .85

These properties are contiguous with each cottage sitting on either side of our residence at 60 Wimer. We believe we are in compliance with all requirements. With the ability to park 3 vehicles in the garage (2) and driveway (44' X 20') (1) of 60 Wimer and 1 or 2 vehicles in the driveway (20' X 38') of 358 High – along with 61' of curb (60 Wimer) and 45'+ 6' of curb on High Street, gives us adequate parking.

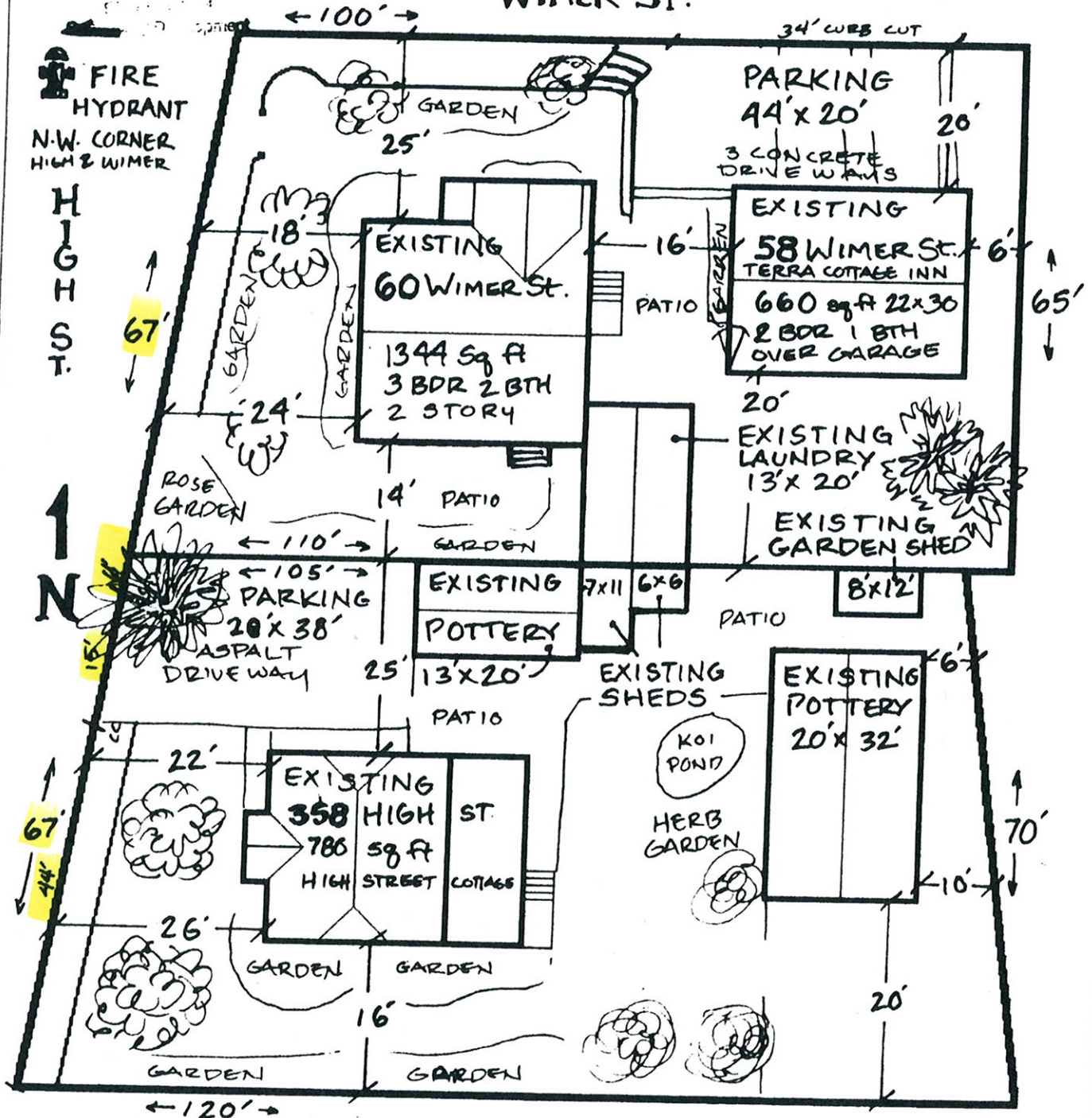
Proposed names: 358 High Street – The High Street Cottage
58 Wimer Street – The Terra Cottage Inn

Thank you for your consideration, Mark and Elizabeth Schoenleber

RECEIVED

APR 7 2008

WIMER ST.



60 WIMER ST. OWNER RESIDENCE

58 WIMER ST. PROPOSED TRAVELERS ACCOMMODATION

358 HIGH ST. PROPOSED TRAVELERS ACCOMMODATION

SCALE: 1/16" = 1'

TERRA COTTAGE INN

HIGH STREET COTTAGE

Mark and Elizabeth Schoenleber
60 Wimer Street 482-3610
Ashland Oregon 97520

Terra Cottage Inn / High Street Cottage 58 Wimer Street / 358 High Street

Conditional Use Permit Chapter 18.104.050

- A. Our proposed operation of 358 High Street and 58 Wimer Street (Ashland Oregon) as Traveler's Accommodations is in conformance with all standards within the zoning district based on both locale, required scale and in compliance with other required elements as described in the following.
- B. The two facilities are existing; (358 High St. (c. 1931) 58 Wimer St. (c. 1991)) and all services will remain the same. The property is billed as 'a walk to everything' location...(is that adequate transportation?) We also provide bicycles and hand drawn maps for best car free routes. We also inform guests that the bus stop is two doors down.
- C. For the past twenty years (17 years for 58 Wimer) 58 and 60 (c. 1947) Wimer have been an owner occupied/rent by the room rental. It has always had a least 7 occupants, almost all owning an automobile. The impact on the overall livability and parking in the general neighborhood has changed greatly. The following will illustrate the appropriateness and factors, which comply in relationship to zoning.
 - 1. There are no changes to existing structures. Both 58 and 60 (owner residence) Wimer are on one property (60 Wimer) from fence to curb (my measurement) the total was 7035' - When we purchased 60/58 Wimer in 2004, 58 had 220 wiring and a range installed- a 1991 document states that based on size, (660 sq.ft.) it did not qualify. We are asking for a change in policy to allow said range.
 - 2. As stated above, we push the 'walk to everything' motto; we do offer bicycles (w/ helmets) and a hand drawn map with alternative, car free routes. We have reduced parking in our neighborhood by at least 7 cars.
 - 3. There are no changes in architecture.
 - 4. We use only free and clear soaps and cleaning products, we push the 'green life style'/ reduced carbon footprint, as a part of the Ashland travelers' experience.
 - 5. In comparison to previous rental experiences and rental neighbors along Wimer and North Main, the two cottages (58 Wimer and 358 High) don't create any noise... all lighting is muted and appropriate, there is no glare.
 - 6. The two properties are adjacent and contiguous, we do not envision making them joined.
 - 7. Other factors that we would like to present would be: The nature of our property ; a working Pottery Studio accompanied with a 'greenish' Travelers' Accommodation makes us a somewhat unique asset to our community and becomes an 'Ashland appropriate' addition to our beautiful / unique city.

Terra Cottage Inn / High Street Cottage (58 Wimer Street / 358 High Street)

Criteria from 18.24.030 for Travelers' Accommodations

1. We, Mark and Elizabeth Schoenleber are the owners and residents of both 358 High Street and 58/60 Wimer Streets. Our actual residence is 60 Wimer but both of our Pottery Studios sit on the 358 High Street property. 58 Wimer is an existing (c.1991) 2 bedroom; one bath apartment (660 sq. ft.) over the over sized two-car garage. The two properties are adjacent and contiguous and we are the sole proprietors and operators of any and all business conducted on said properties.
2. 58/60 Wimer Street has a two car garage (actually hold two cars) and a parking area of 20' X 44' (concrete) along Wimer Street. 358 High Street has a 20' X 38' (asphalt) parking area which can park two cars with clear passage for each. There is also over 110' of open curb on High Street (combining both contiguous properties).
3. The only signage is a parking sign (made of Terra Cotta Stoneware) which is only one foot square. We do not envision future signage, but if so it will fall well within the guidelines established with 18.72.110.
4. There are two 'Travelers' Accommodation' units on two properties.

High Street Cottage

358 High Street (c.1931) Existing

24' X 32' = 768 sq. ft. - 2 bedroom 1 bath, wood frame – metal roof

lot size 68.5 X 112.5 = 7537.5 sq. ft./1800 = 4.1

Other existing buildings: Pottery 1- 324 sq. ft. Pottery 2 - 640 sq. ft.

Garden shed 96 sq. ft. Total 1060 sq. ft. + 768 sq. ft. = 1828 sq. ft. MPFA .82

Terra Cottage Inn

58 Wimer Street (c.1991) Existing

22' X 30' = 660 sq. ft. 2 bedroom one bath, wood framed – apartment over garage

lot size 67 'X 105' = 7035 sq. ft. /1800 = 3.9

Other existing buildings: 60 Wimer (c.1947) (residence) 1344 sq. ft., laundry 240 sq. ft.

Total 1584 sq. ft. + 660 sq. ft. = 2324 sq. ft.

MPFA .85

With contiguous nature of the properties and the use of both as one functioning pottery / tourist destination / community asset, we are asking to maintain and continue to use the kitchen range in the 58 Wimer.

5. The primary residence (60 Wimer) (c.1941) is 60 years old and not been altered or expanded.

6. It is not our intention to sale said properties, but it is our understanding that should the transfer of business-ownership change, it will be subject to review and approval subject to Conditional Use Permit and conformance with all requirements and regulations.
7. We understand and will be in compliance with Jackson County Health Department in regards to annual inspections as required by Ord.2776 S1,1996.
8. We are located on Wimer Street (a collector or arterial street) one property west of North Main Street.

*Thank you for your
CONSIDERATION,*

Mark Schould
Elizabeth Schould

05-05-08



PLANNING ACTION: 2008-00594

SUBJECT PROPERTY: 954 Siskiyou Blvd.

OWNER/APPLICANT: Gregory Adams

DESCRIPTION: Request for a Conditional Use Permit and Site Review approval for an office use in and R-2 zone, with an apartment upstairs for the property located at 954 Siskiyou Blvd.

COMPREHENSIVE PLAN DESIGNATION: Low Density Multi-Family Residential; ZONING: R-2 ASSESSOR'S MAP #: 39 1E 09 DD; TAX LOT: 100

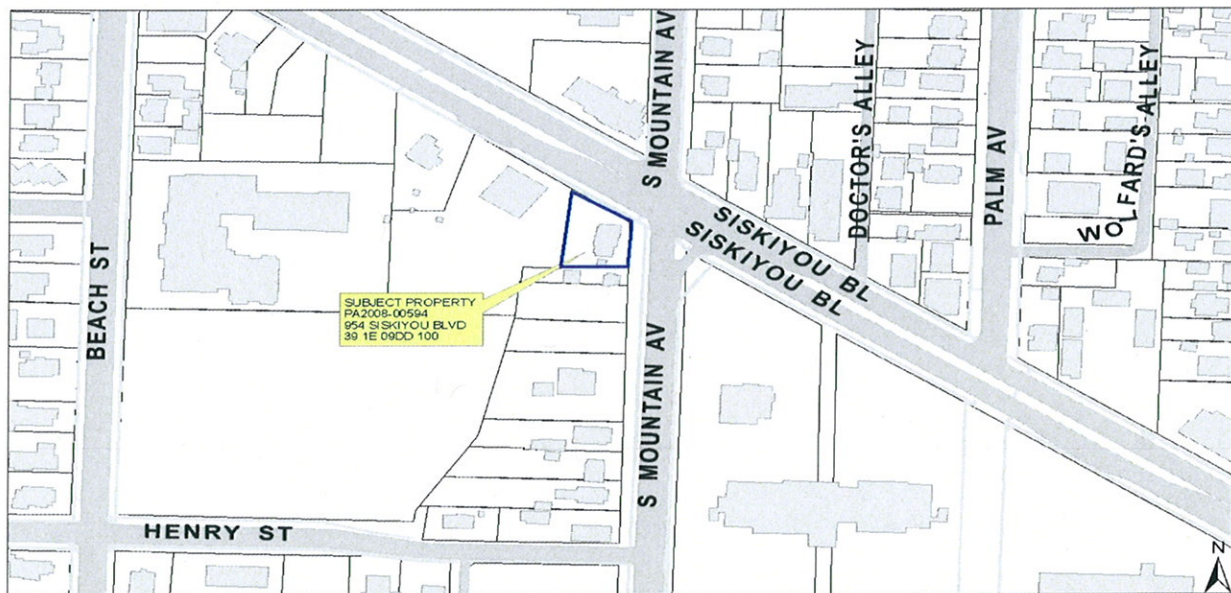
NOTE: The Ashland Historic Commission will also review this Planning Action on **June 4, 2008 at 7:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

NOTE: The Ashland Tree Commission will also review this Planning Action on **June 5, 2008 at 6:00 p.m.** in the Community Development and Engineering Services building (Siskiyou Room) located at 51 Winburn Way.

ASHLAND PLANNING DEPARTMENT STAFF PRELIMINARY APPROVAL: May 21, 2008

ASHLAND PLANNING COMMISSION HEARINGS BOARD MEETING: June 10, 2008, 1:30 pm

DEADLINE FOR REQUEST FOR A PUBLIC HEARING: June 2, 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.

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.
- 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: 2008-00594

SUBJECT PROPERTY: 954 Siskiyou Blvd.

OWNER/APPLICANT: Gregory Adams

DESCRIPTION: Request for a Conditional Use Permit and Site Review approval for an office use in and R-2 zone, with an apartment upstairs for the property located at 954 Siskiyou Blvd. **COMPREHENSIVE PLAN**

DESIGNATION: Low Density Multi-Family Residential; **ZONING:** R-2 **ASSESSOR'S MAP #:** 39 1E 09 DD;

TAX LOT: 100

SUBMITTAL DATE: May 12, 2008

DEEMED COMPLETE DATE: May 21, 2008

STAFF APPROVAL DATE: May 21, 2008

DEADLINE TO REQUEST A HEARING DATE: June 2, 2008

FINAL DECISION DATE: June 11, 2008

APPROVAL EXPIRATION DATE: June 11, 2009

DECISION

The subject property is located at 954 Siskiyou Blvd., and is zoned R-2 and located in the Hargadine Historic District. The lot is 7,062 square feet. The property is slightly sloped, with an approximately five percent rise to the south, and a slight rise to the west from Mountain Avenue.

The applicant is requesting a Conditional Use Permit and Site Review approval for an office use and an upstairs apartment in an R-2 zone. As part of the proposal, the applicant is proposing to restore the existing historic home, which is currently in very poor condition.

The proposal requires four parking spaces, which are to be provided on either side of the existing building. The applicant is providing a 5-foot wide landscape buffer on either side of the parking as required by the Site Design Standards.

There are 3 trees greater than 6-inches diameter-at-breast-height (dbh) on the site and one in the parkrow. The applicant is requesting to remove one of the on-site trees, a black thorn locust tree, in order to accommodate the parking for the site. The proposal also includes removal of the black thorn locust in the park row on Mountain Street. The application is proposing to mitigate the trees with flowering plum trees. Street trees on both frontages are required as a condition of the approval.

The applicant's findings state that the office use will not cause any negative impact due to the nature of the surrounding uses, of which many are currently not residential and the busy intersection of Mountain and Siskiyou. The restoration of the historic home will provide a community benefit that outweighs the impact of the office use. The office use must be a small, professional office as allowed for under Section 18.24.030 of the Land Use Ordinance, which allows the following uses as Conditional Uses:

Professional offices or clinics for an accountant, architect, attorney, dentist, designer, doctor or other practitioner of the healing arts, engineer, insurance agent or adjuster, investment or management counselor or surveyor.

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 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 criteria for a Tree Removal Permit are described in AMC Chapter 18.61.080, as follows:

- 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.*

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

Planning Action 2008-00594 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 2008-00594 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 the restoration of the historic home, as proposed by the applicant, will be completed prior to issuance of a business license for the office use and prior to certificate of occupancy of the upstairs residential unit.
- 3) That the conditional use permit approval shall be limited to the office uses permitted as conditional uses in section 18.24.030.E. of the Land Use Ordinance. That if the staff advisor determines a proposed use creates a greater trip generation than the current listed use; future commercial uses shall be required to obtain a conditional use permit approval as a new application.
- 4) That all conditions of the Historic Commission, where consistent with the applicable ordinances and standards and with final approval by the Staff Advisor, shall be conditions of approval unless otherwise modified herein.
- 5) That any changes to the exterior of the buildings, additions or new structures, or changes to the site layout and landscaping shall require additional Site Review approvals.
- 6) That the applicants shall obtain a sign permit prior to the installation of any signage on the site. Signage shall be subject to the requirements of the Sign Regulations found in Chapter 18.96 of the Ashland Municipal Code and to the limitations placed on Conditional Use Permit signage found in Chapter 18.24.070.B.2, and shall be reviewed by the Historic Commission Review Board and the Staff Advisor prior to the issuance of a sign permit.
- 7) That the windows on the ground floor shall not be tinted so as to prevent views from outside of the building into the interior of the building
- 8) That the front entrances adjacent to Siskiyou Blvd. shall remain functional and open to the public during all business hours.
- 9) 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 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.
- c) That the applicant shall submit a revised landscape plan that includes street trees on Mountain Avenue and Siskiyou Boulevard, 1 per 30 feet of street frontage.
- d) That the recommendations of the Ashland Tree Commission consistent with the Site Design and Use Standards shall be conditions of approval, with final approval of the Staff Advisor, and shall be addressed in the landscape, irrigation and tree protection plans prior to the issuance of a building permit
- e) That an irrigation system plan shall be submitted with the building permit submittals for review and approval of the Staff Advisor.
- f) All private easements and public utility easements on the property shall be shown on the building permit submittals.
- g) That a drainage plan shall be submitted at the time of a building permit for review and approval by the Engineering, Building, and Planning Divisions.
- h) A final utility plan for the project shall be reviewed and approved by the Planning, Engineering and Building Divisions prior to issuance of a building permit.
- i) The applicant submit an electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric Department prior to building permit submittals. Transformers and cabinets shall be located in areas least visible from the street, while considering the access needs of the Electric Department.
- j) That mechanical equipment shall be screened from view from Siskiyou Blvd. Location and screening of mechanical equipment shall be detailed on the building permit submittals.
- k) Exterior lighting shall be shown on the building permit submittals and appropriately shrouded so there is no direct illumination of surrounding properties.
- l) At the time of building plan submittal, the bike rack details and shelter requirements shall be submitted for review and approval by the Staff Advisor. 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.
- m) Solar setback calculations demonstrating that all new construction complies with Solar Setback Standard A in the formula $[(\text{Height} - 6) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$ and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and the height(s) from natural grade shall be included in building permit submittals.

- n) Lot coverage calculations including all building footprints, driveways, parking, and circulation areas shall be included in building permit submittals. Lot coverage shall be limited to no more than 65 percent as required in AMC 18.24.040.G.
 - o) Tree protection measures shall be installed according to the approved plan, inspected, and approved by the Staff Advisor. No site work including tree removal or any storage of materials shall occur on the property prior to completion of a Tree Removal/Protection Verification Permit inspection
- 10) That prior to the issuance of a certificate of occupancy:
- a) That all landscaping in the new landscaped areas shall be installed according to the approved plan, and tied into the existing irrigation system, prior to the issuance of a certificate of occupancy.
 - b) That an opportunity to recycle site shall be located on the site, or an individual recycle bin shall be provided for the apartment in conformance with 18.72.040 prior to issuance of the certificate of occupancy for the upstairs apartment.
 - c) The landscaping and irrigation system shall be installed according to the approved plan, inspected and approved by the Staff Advisor.
 - d) 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.
 - e) That street trees, 1 per 30 feet of street frontage, be installed All street trees shall be chosen from the adopted Street Tree List and shall be installed in accordance with the specifications noted in Section E of the Site Design and Use Standards. The street trees shall be irrigated, and shall be selected and placed to comply with the vision clearance standards of the City of Ashland.
 - f) That the screening for the trash and recycling enclosure shall be installed in accordance with the Site Design and Use Standards prior to the issuance of a certificate of occupancy. An opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure in accordance with the Recycling Requirements of AMC 18.72.115.A.
 - g) That no obstructions including landscaping and structures greater than two and one half feet high including landscaping, signage or structures, shall be placed in the vision clearance areas adjacent to the street and driveway in accordance with 18.72.120.C.
 - h) All required parking areas shall be paved and striped

Bill Molnar, Director
Department of Community Development

Date

May 9, 2008
Medford, Oregon

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MAY 12 2008

City of Ashland
Community Development

Angela Barry
Assistant Planner
City of Ashland, Or.

In response to your letter of April 29, 2008 I have added the following information which should be included in my application so as to be deemed complete.

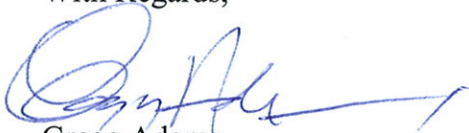
1. The accompanying revised site plan shows the parking layout as needed to provide proper backup area. Additionally please note the landscaped 5 foot buffer. The disabled parking space is the nearest space to the handicapped accessible door on the South end of the building. It is noted on the floor plan originally presented.
2. The tree inside the parking area adjacent to the West side of the building is a black thorn locust. It was not intentionally planted, but was a volunteer start from another tree offsite. It is a very dirty tree with very sharp thorns that are not compatible with a high density urban environment. In many ways it is considered a very undesirable urban tree. It is not an allowable species in Ashland, or Medford as an ornamental for road or parking locations. This tree will be removed during the construction process and will be replaced by two flowering plums as shown on the site plan in the Northwest portion of the property, as per the mitigation requirement of AMC 18.61.084. The removal of this tree will allow for parking spaces to be developed, meeting code requirements required for the approval of this application.. It will also remove a tree that is notorious for tire punctures, and human puncture wounds, and is not compatible with human or vehicular passageways. Removal of the tree will have no effect on the soil stability as the site will be stabilized during construction. The tree provides no windbreak, or protects any trees, as there are no trees near it. Please also note the removal of the eight inch dbh Blackthorn Locust near the street right of way along Mountain Ave. The developer met with Dave Wood on the site to show him this tree and to see if it was a hazard for the utility department as it was hanging over the City right of way. He said it was not a hazard however, he suggested it's removal would be smart as it is a tree not recommended for areas of car or pedestrian traffic, and it was not intentionally planted in its' location but was a volunteer. Please note the removal of this tree and its replacement with the tree shown to the North on the landscape plan. The two existing cedars referred to in your letter

are still healthy although the tops are dead. The tops died according to Mr. Wood most probably due to lack of water. This summer water will again be added to aid the trees.

3. The applicant is a professional Environmental Health Specialist who advises and participates in worldwide humanitarian efforts. He is also a designer of land use projects and a professional consultant. The applicant does not want to pigeonhole his intended use of the property, but will stipulate that any use will meet the requirements of the R-2 zoning district.

The applicant has filled out the requested form titled "Applicant's Statement of Completeness and submits it with this update and the revised site and landscape plans.

With Regards,



Gregg Adams

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MAY 12 2008

City of Ashland
Community Development

Conditional Use and Site Plan Approval

Purpose: Conditional Use permit to allow downstairs office use and an upstairs residential unit in an R-2 Zoning District. Application is in conjunction with a site plan approval request as per (Section 18.72).

Narrative: The request is to allow an office use on the street level of an existing building in a historic district. The building will be restored to its original historic appearance as shown by the attached copy of a photo of the building when first constructed in 1903. (Attached Exhibit "A").

The site will continue to provide housing, as the applicant has proposed the upstairs remain as a separate residential unit.

The existing home is in especially poor condition through years of neglect, and very hard use as a dormitory for University students. The structure is also on the busiest corner in the City of Ashland, as shown by the traffic count on Attached Exhibit "B". The site is surrounded by parking lots, streets and existing office buildings.

The University overlay district shows that this piece of property is within their long-term development plans. They show the site to be used as a future visitor center, with this area becoming the main access point into the University. The applicant's proposal corresponds with the type of use that is anticipated for this site in the future.

All the surrounding uses are presently either of a commercial or office nature. Allowance of this conditional use permit will bridge the present with the future without changing the character of the area. The applicant has offered to sell the site to the University for the costs incurred to date. The University had just spent their funds that might have been available for this purchase on their new building being constructed in Medford. At this time they are unable to purchase this property, however they have indicated to the applicant, their support for this proposal

The location of the structure at the busiest intersection in the City of Ashland severely detracts from its potential as a desirable home site. The only feasible way to justify the expenditure of money necessary to repair the home is by the change of use to one that benefits from such a busy intersection.

The applicant originally had planned to restore the structure as a home but when work was initiated to evaluate its functionality, it quickly became impossible to justify the project in terms of extreme traffic noise and the hidden defects soon discovered within and outside the structure.

The existing structure has approximately 1100 square feet downstairs and 500 square feet upstairs. This proposal will not change the size of either floor.

The site has slightly over 7000 square feet.

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APR 11 2008

City of Ashland
Community Development

APR 11 2008

Findings. Showing conformance with 18.104.050 Approval Criteria.City of Fort Collins
Community Development Department

- 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 subject property is a legally created lot with an existing structure. There are no zoning violations or non-conformance situations with the property. In the pre-application conference the staff indicated that they were not aware of any section of the Comprehensive Plan that was relevant to the application except the housing element (Chapter 6).

The original site, before being partitioned, had a total of two legal dwelling units. There will continue to be two dwelling units as a new house is proposed on the previously partitioned lot and this proposal calls for the continued use of one dwelling unit in the existing home.

As the proposal for this Conditional use is presented there will be no net loss of dwelling units. The proposal allows for a second type of dwelling unit (Apt.) that complements the proposed office use downstairs, while providing an affordable rental unit, or owner occupied unit within the University Campus.

Section 6.11(2) encourages mixed uses as a development option whenever they will not disrupt an existing residential area. There are no existing residential developments next to or within the immediate vicinity of the subject property. There is only office and commercial use next to the subject property. The subject Conditional Use permit will fully complement the surrounding area and provide a transition from commercial and University uses to the East and the office uses to the West.

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

The attached exhibits highlight and show the availability of all utilities to service the site.

- 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 site has an existing home built in 1903. The conditional use permit will not change this. The only change will be in the use of the downstairs for an office rather than living quarters. The ground floor of every building to the East for one mile is used as either office or retail space. On all properties abutting the subject property the use is either parking or office. Across the street all buildings utilize offices on the ground floor. The use of the ground floor of this structure as an office will conform to the overwhelming use of all the adjoining properties.
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 use as an office within the University neighborhood, and directly along the bus line will promote the efficient use of pedestrian and mass transit.
3. Architectural compatibility with the impact area: The architecture of the building will be restored to the appearance of its original condition.
4. Air quality, including the generation of dust, odors, or other environmental pollutants: No adverse impact will be generated.
5. Generation of noise, light, and glare: As the use will be principally daytime there will be no negative impact.
6. The development of adjacent properties as envisioned in the Comprehensive Plan: All adjacent properties are developed, with most properties already used for office and commercial uses. The approval of this application will not hinder the development of adjoining properties as envisioned in the Comprehensive Plan. As a matter of record if the use of this structure were to remain solely residential it would most likely hinder the development of the adjacent University, medical buildings, and high school as they expand to meet the future needs, and present even a greater conflict in uses.

18.104.060 Conditions

- A. Regulation and limitation of uses: As presented
- B. Special yards, spaces: As shown on site plan.
- C. Fences and walls: As shown on site plan.
- D. Dedications, including the present or future construction of streets and sidewalks and

APR 11 2008

City of Portland
Department

bonds for such construction or irrevocable consent improvement petitions for such improvements: None required.

E. Regulation of points of vehicular and pedestrian ingress and egress: New access previously developed and previous legal egress-ingress to Siskiyou Blvd. Has been eliminated as per a prior land use approval.

F. Regulation of signs: As per code

G. Regulation of building materials, textures, colors and architectural features: As per specifications.

H. Landscaping, including screening and buffering where necessary to increase compatibility with adjoining uses: As per site plan

I. Regulation of noise, vibration, dust, odors or similar nuisances: N/A

J. Regulation of hours of operation and the conduct of certain activities: As per code. Request 7 a.m. to 10 p.m.

K. The period of time within which the proposed use shall be developed: Within 12 months.

L. Duration of use: Perpetually or until an alternative use is approved.

M. Preservation of natural vegetative growth and open space: N/A

List of Exhibits:

- A. Historical Elevation
- B. City of Ashland Traffic Count
- C. Photographs of existing structure and lot
- D. Aerial showing commercial development on all sides

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APR 11 2008

Planning Department

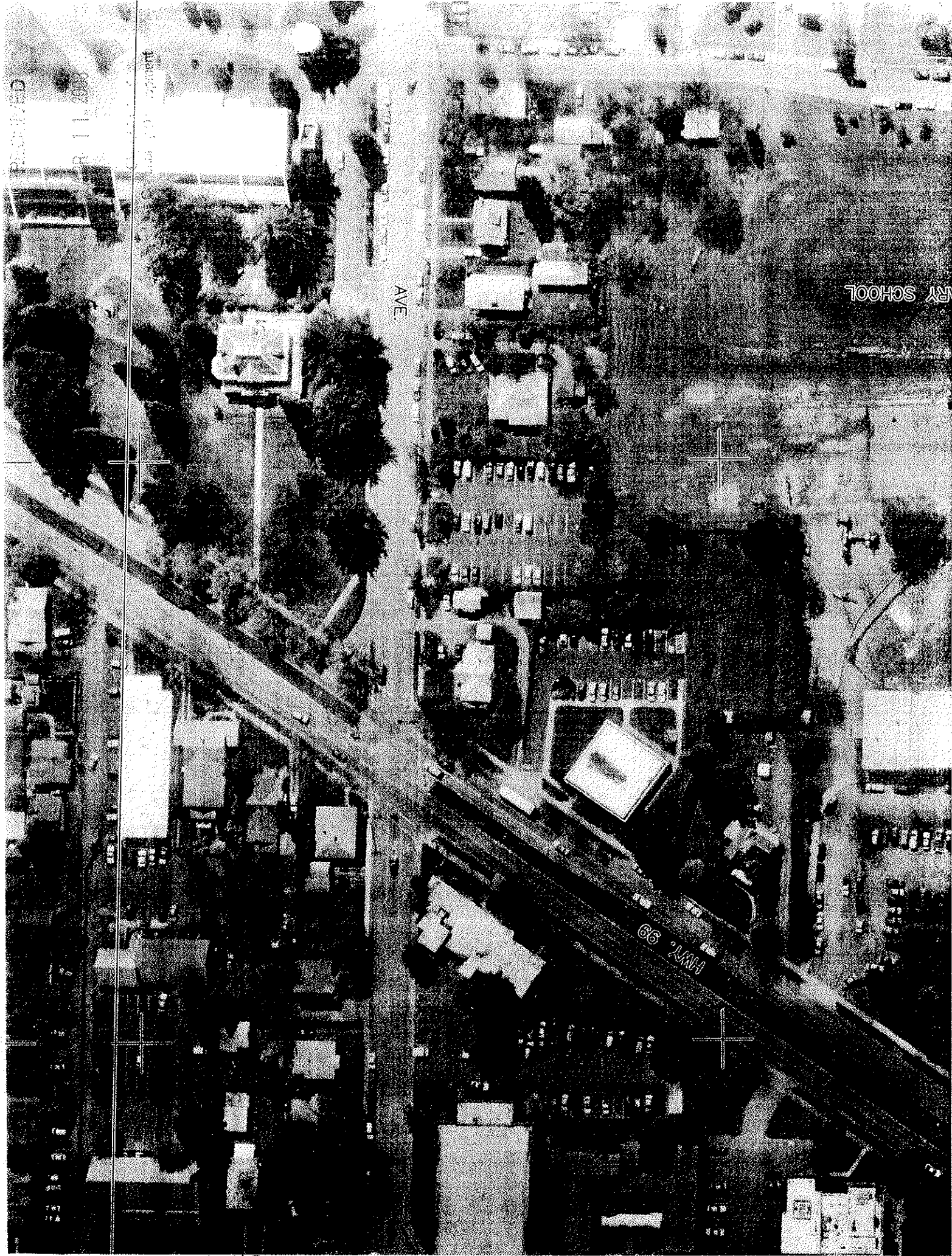
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APR 11 2008

U.S. DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY

Ex. A





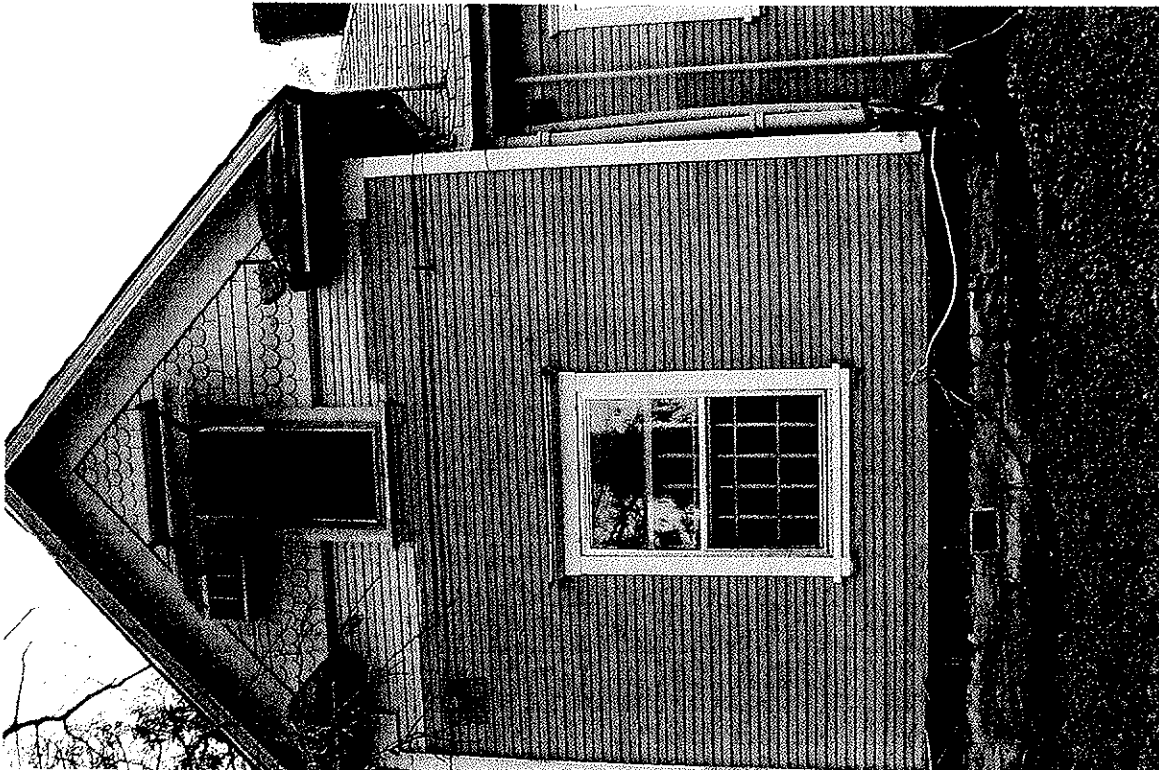
PROVIDE

EXC

APR 11 2008

City of Chicago
Department of Public Works

City of Chicago
Department of Public Works



Ex.C

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APR 11 2008

City of Chicago
Department of Public Works



Ex C

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APR 11 2008

City of Astoria
Community Development



Ex. C

RECEIVED

APR 1 2008

City of St. Louis
Office of the Mayor



Ex. C

RECEIVED

APR 11 2008

Office of
Civil Rights



Ex B.

Mile
Post

Location Description

2001 ADT
All Vehicles

ROGUE VALLEY HIGHWAY NO. 63 (Continued)

RESUME TWO-WAY TRAFFIC

12.37	South city limits of Phoenix, 0.22 mile north of Cabbage Lane.....	11,100
13.94	North City limits of Talent, 0.02 mile north of Suncrest Road.....	11,000
14.40	0.20 mile south of West Valley View Road.....	11,000
14.92	South city limits of Talent.....	9,400
15.82	Talent Automatic Recorder, Sta. 15-014, 0.92 mile south of Talent.....*	9,400
17.03	0.01 mile south of Valley View Road.....	19,100

North city limits of Ashland

18.64	0.02 mile north of Kersey Street.....	19,800
18.70	0.01 mile south of Van Ness Street.....	17,800
18.93	0.05 mile north of Helman Street.....	18,100

SOUTHBOUND - ONE-WAY TRAFFIC

On E. Main Street

19.06	0.01 mile south of Church Street.....	13,000
19.24	0.01 mile south of Pioneer Street.....	13,700
19.41	0.01 mile south of 2nd Street.....	13,400

NORTHBOUND - ONE-WAY TRAFFIC

On "C" Street

19.16N	0.01 mile north of Oak Street.....	15,400
19.22N	0.01 mile south of Pioneer Street.....	13,900
19.48N	0.01 mile south of 3rd Street.....	13,700

RESUME TWO-WAY TRAFFIC

On Siskiyou Boulevard

19.62	0.01 mile north of Union Street.....	20,500
19.88	0.01 mile north of Liberty Street.....	20,000
20.16	0.01 mile south of Mountain Avenue.....	22,800
20.58	0.01 mile north of Indiana Street.....	19,300
20.64	0.01 mile south of Green Springs Highway (ORE66).....	11,500
20.85	0.01 mile south of Walker Avenue.....	10,100
21.55	0.02 mile north of Clay Street.....	7,400
21.92	South city limits of Ashland, 0.05 mile south of Tolman Creek Road.....	3,600
22.41	0.01 mile south of Crowson Road.....	1,900
23.52	0.60 mile north of Pacific Highway (I-5), at South Ashland Interchange.....	1,700

EAST PORTLAND FREEWAY NO. 64

Mile Post indicates distance from
Pacific Highway (I-5), in Tualatin

1.27	Stafford Automatic Recorder, Sta. 03-016, 1.27 miles east of Pacific Highway (I-5).....*	79,700
3.56	0.40 mile east of Wankers Corner Interchange, (Stafford Road).....	84,000
7.00	0.60 mile east of 10th Street, S. West Linn Interchange.....	88,700
9.12	On Willamette River Bridge, 0.30 mile east of Oswego Highway (ORE43), West Linn Interchange.....	99,100
9.69	0.40 mile east of Pacific Highway East (ORE99E), Oregon City Interchange.....	107,000
10.75	On Clackamas River Bridge, 0.30 mile south of S.E. 82nd Drive (ORE213-South Junction), Gladstone Interchange.....	135,500

From City of Ashland⁹⁰ Public Works Dept.
2/15/08.

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APR 17 2008

COMMUNITY DEVELOPMENT



Elevation of Restored Building

Addendum to Conditional Use Permit application and Site Plan Review for 954 Siskiyou Blvd., Ashland

The existing floor plan has an accumulation of alterations and additions that have been added through the years by the prior owners. All architecturally significant interior features, including doors, light fixtures, floors, casings and mouldings, stairway and ceilings have been totally destroyed or altered from their original condition.

During the remodel of the interior of the building no walls will be altered with the exception of non bearing dividing walls added after the original structure was built.

A handicap accessible bathroom already exists in the building and will be improved to meet current standards. Handicap access will be provided by a ground level door to the outside on the South side of the building, through the Break/Work Area, and connecting via pavement to the handicapped parking space on the West side of the building.

Prior to any electrical , plumbing or mechanical systems work on the structure, appropriate permits will be obtained, as will structural permits if structural changes are made.

The attached diagrams show both the existing floor plan and the proposed floor plan. It is the intent to retain the elevation of the home fronting Siskiyou Boulevard to be the visual front of the structure, as it was when originally built. The other three sides will be brought back to their original appearance and an outside stairway added to serve the upstairs residential unit and provide covered bicycle parking and enclosed refuse storage.

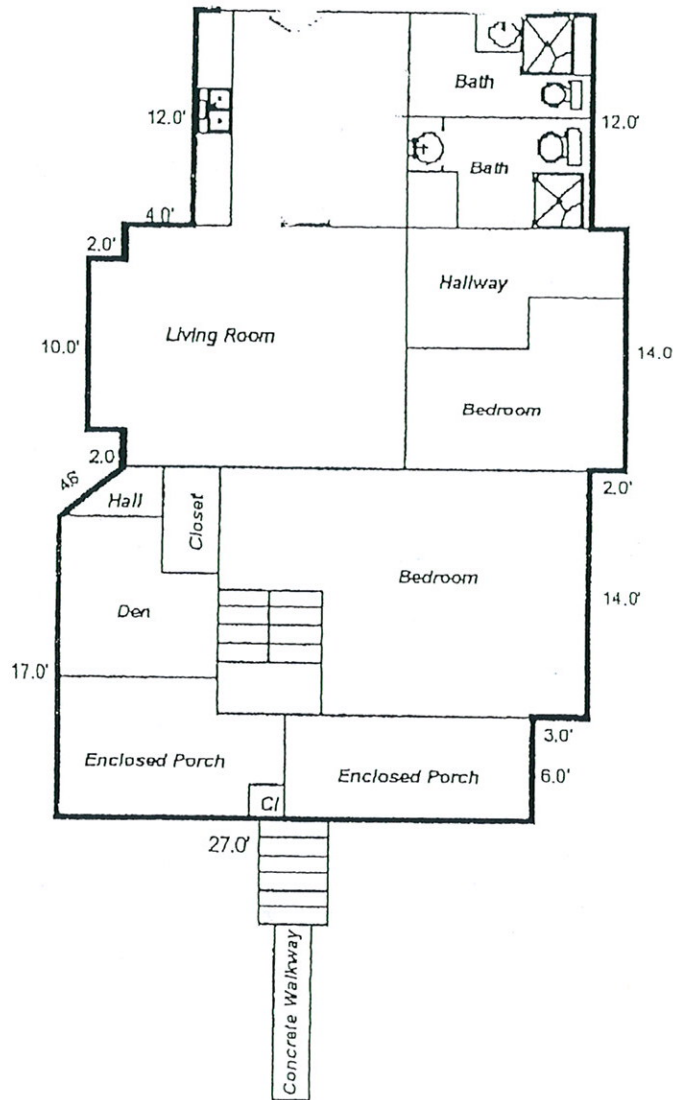
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APR 14 2008

City of Ashland

Field ☐ Office ☐ Coun

954 SISKIYOU EVD.
Existing Floor PLAN 1100' ±



Sketch by Apex IV™

Comments

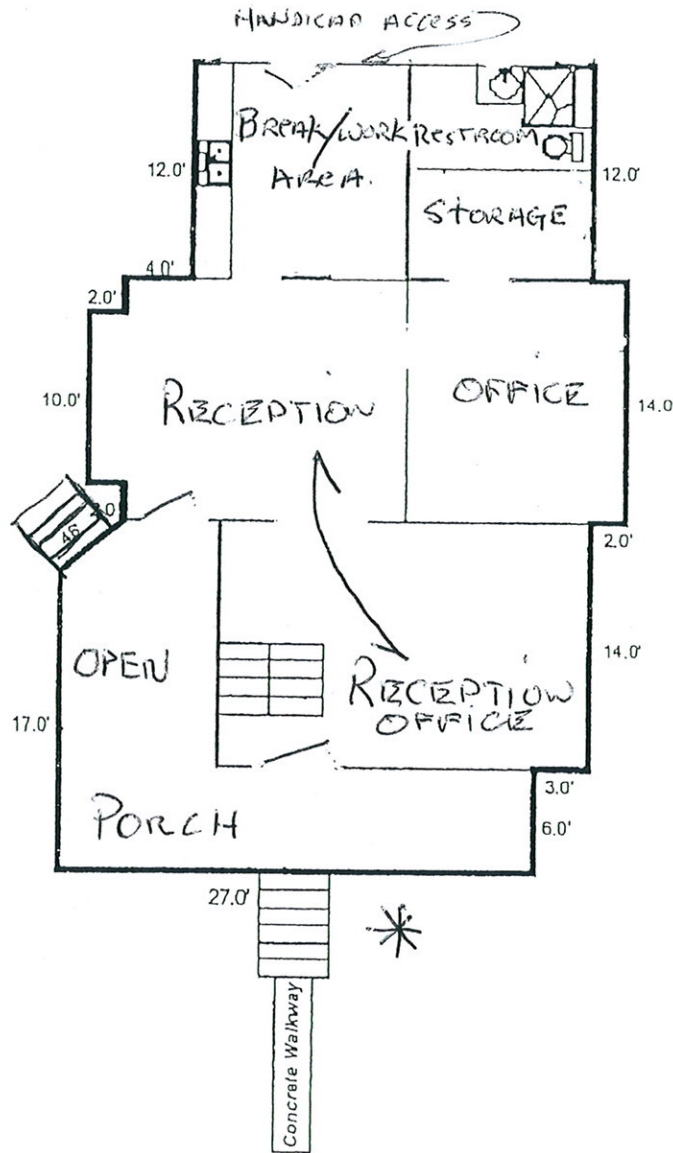
SISKIYOU BLVD

RECEIVED

APR 14 2008

City of Ashland
Field ☐ Office ☐ Coun

954 SISKIYOU BLVD
PROPOSED FLOOR PLAN 100%



Sketch by Apex IV™

Comments

SISKIYOU BLVD

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APR 14 2008

City of Ashland

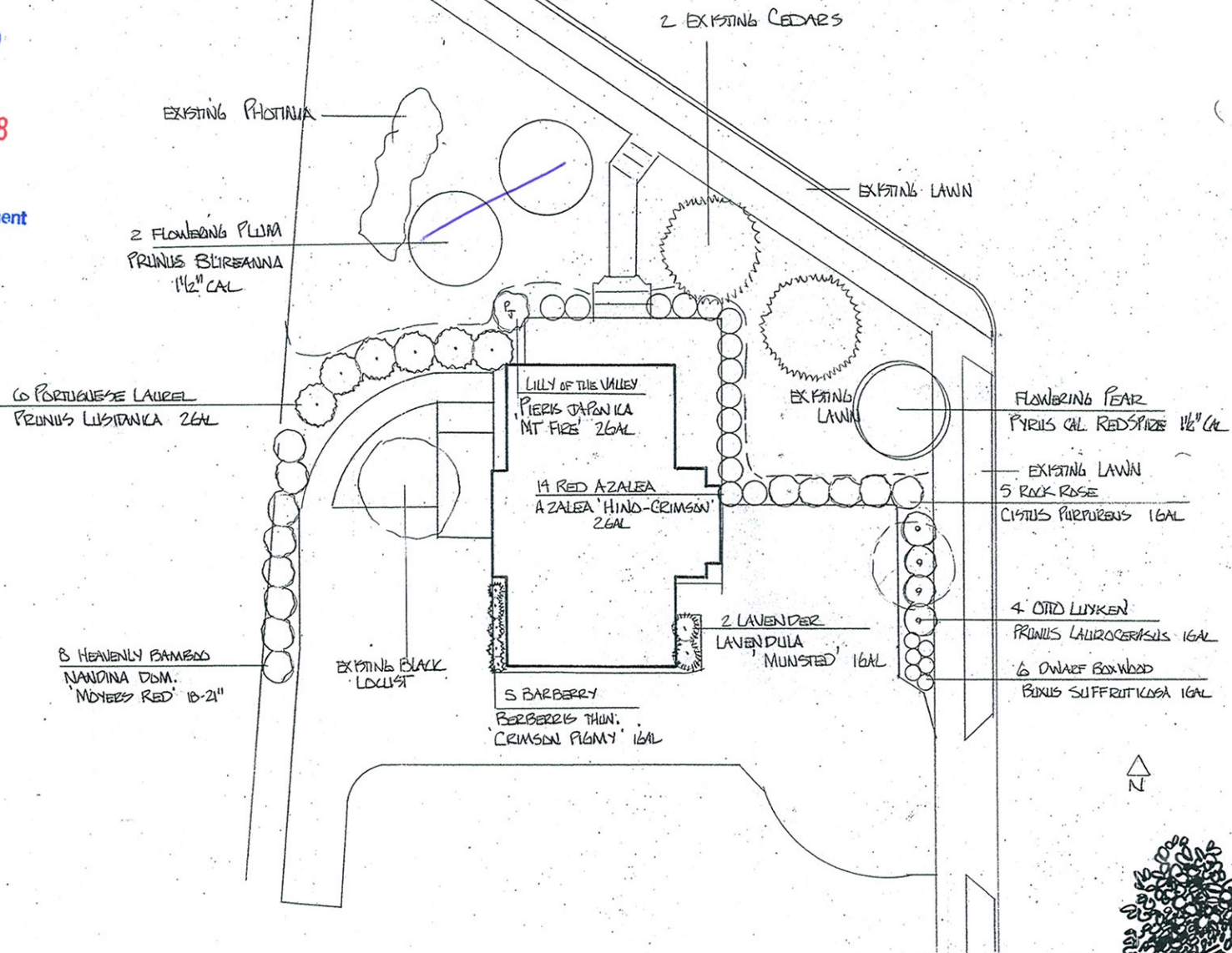
Field ☐ Office ☐ Court

* Siskiyou Blvd. WILL BE THE VISUAL FRONT
ELEVATION OF BUILDING

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MAY 12 2008

City of Ashland
Community Development



SCALE
1"=10'-0"

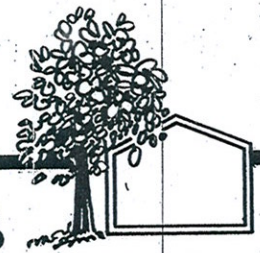
954 SISKIYOU

ASHLAND, ORE.

NATURAL SYSTEMS

779-2965

MEDFORD, OREGON



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MAY 12 2008

City of Ashland
Community Development

May 08, 2008
02:41 PM
2433-GA parcel 1 28 4-8-08
DRAWN: BDR

ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH ON O.A.R. 952-001-0010 THROUGH 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING: (503) 232-1981, "THE OREGON UTILITY NOTIFICATION CENTER". ALL DIGGING IN EASEMENTS AND RIGHT OF WAY: CALL 2 TO 10 BUSINESS DAYS BEFORE EXCAVATION. "TRACER WIRE" IS REQUIRED ON ALL "UTILITIES".

954 SISKIYOU CONDITIONAL USE:

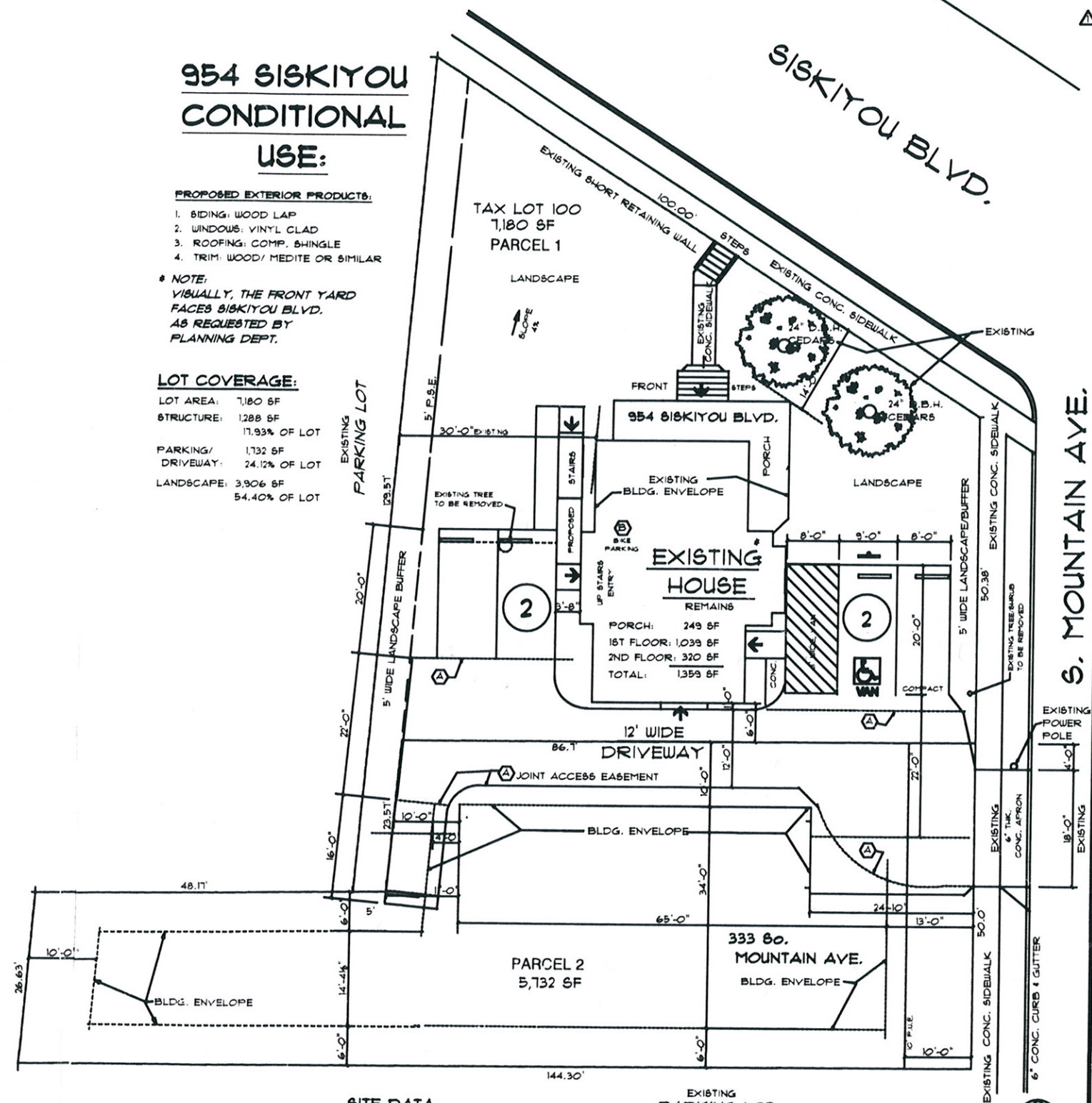
PROPOSED EXTERIOR PRODUCTS:

1. SIDING: WOOD LAP
2. WINDOWS: VINYL CLAD
3. ROOFING: COMP. SHINGLE
4. TRIM: WOOD/ MEDITE OR SIMILAR

* NOTE:
VISUALLY, THE FRONT YARD
FACES SISKIYOU BLVD.
AS REQUESTED BY
PLANNING DEPT.

LOT COVERAGE:

LOT AREA: 7,180 SF
STRUCTURE: 1,288 SF
17.93% OF LOT
PARKING/
DRIVEWAY: 1,732 SF
24.12% OF LOT
LANDSCAPE: 3,906 SF
54.40% OF LOT



SITE DATA:

PARCEL 1
ZONE: R-2, SINGLE FAMILY RESIDENCE
OCCUPANCY: R, 4 B (OFFICE)
USE: SINGLE FAMILY RESIDENCE
OFFICE SPACE
LOT AREA: 7,180 SF
BLDG. AREA: 1,359 SF EXISTING
FOOT PRINT: 1,288 SF EXISTING
LOT COVERAGE: 17.93%

EXISTING PARKING LOT

REQUIRED SETBACKS:
FRONT: 12'
SIDE: 6', 12'
REAR: 6'
PARKING REQUIRED: 5
PARKING PROVIDED: 5
BUILDING HEIGHT: 18'
COMMERCIAL: 1,039 SF
RESIDENTIAL: 320 SF

SITE PLAN

EXISTING PROVIDED SETBACKS:
FRONT: 14'0"
SIDE: 21', 29'
REAR: 6'
5' 1,359 SF/250 SF SPACE = 5.4
1/250 SF SPACE = 4 SPACES
1 PER UNIT = 1 SPACE

REVISIONS BY
5/1/08
PLANNING REV.
CONTRACT 2008 BDR
ORIGINALS AND COPIES OF THESE PLANS
ARE COPYRIGHTED AND ARE PROPERTY
OF THE DESIGNER AND ARE NOT TO BE
REPRODUCED, REPRODUCED OR REPRODUCED
WITHOUT THE WRITTEN PERMISSION OF
BRIAN ROGERS
PLANS PREPARED BY:
BRIAN ROGERS
BUILDING DESIGNER
110 E. 6TH ST. SUITE 10
MEDFORD, OR 97501
541-851-9333
PLANS PREPARED FOR:
GREGG ADAMS
621-4506
CLIENT: 954 SISKIYOU BLVD.
PROJECT: ASHLAND, OREGON
395 IE 9DD: TAX LOT 100
DATE: 4/8/08
SCALE: AS NOTED
DRAWN: B.D.R.
JOB: GA-2433
SHEET: 41
OF SHEETS



PLANNING ACTION: 2008-00813

SUBJECT PROPERTY: Water Street Bridge/Overpass

OWNER/APPLICANT: City of Ashland

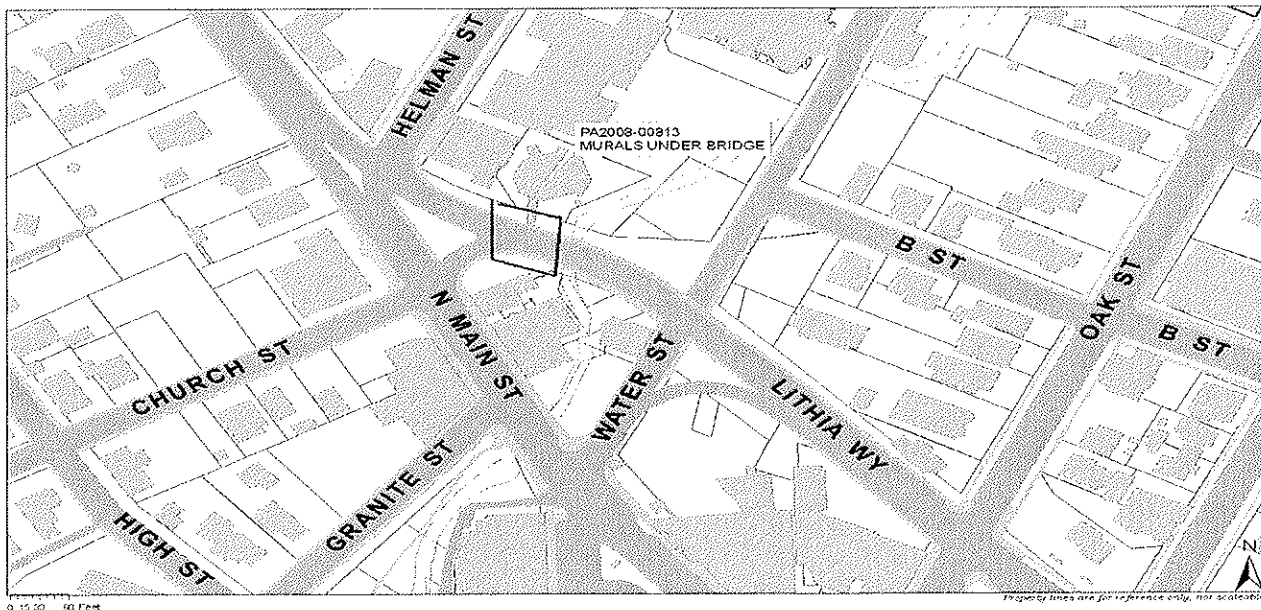
DESCRIPTION: Request for a Governmental Sign Conditional Use Permit for the installation of artwork on the underside of the Oregon Dept of Transportation bridge/overpass located within the right of way between the properties addressed as 51 Water St and 96 North Main St. COMPREHENSIVE PLAN DESIGNATION: Commercial ZONING: C-1; ASSESSOR'S MAP #: TAX LOT: N/A – Located within ODOT Public right of way

NOTE: The Ashland Historic Commission will also review this Planning Action on **June 4, 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: May 21, 2008

ASHLAND PLANNING COMMISSION HEARINGS BOARD MEETING: June 10, 2008, 1:30 PM

DEADLINE FOR REQUEST FOR A PUBLIC HEARING: June 2, 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.

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.

Governmental Signs

Section 18.96.150

Governmental agencies may apply for a Conditional Use to place a sign that does not conform to this Code when the Commission determines that, in addition to the criteria for a conditional use, the sign is necessary to further that agency's public purpose. (Ord. 2557, 1985; Ord. 2440, 1988)

ASHLAND PLANNING COMMISSION

FINDINGS & ORDERS

PLANNING ACTION: 2008-00813

SUBJECT PROPERTY: Water Street Bridge/Overpass.

APPLICANT: City of Ashland

DESCRIPTION: Request for a Governmental Sign Conditional Use Permit for the installation of artwork on the underside of the Oregon Dept of Transportation bridge/overpass located within the right of way between the properties addressed as 51 Water St and 96 North Main St.

COMPREHENSIVE PLAN DESIGNATION: Commercial **ZONING:** C-1; **ASSESSOR'S MAP #:**

TAX LOT: N/A – Located within ODOT Public right of way

SUBMITTAL DATE:	May 21, 2008
DEEMED COMPLETE DATE:	May 21, 2008
STAFF APPROVAL DATE:	May 21, 2008
DEADLINE TO REQUEST A HEARING DATE:	June 2, 2008
FINAL DECISION DATE:	June 11, 2008
APPROVAL EXPIRATION DATE:	June 11, 2009

DECISION

Following direction from the Ashland City Council, the City of Ashland Public Arts Commission has made an application for a Conditional Use Permit to install framed artwork on the underside of the Water Street bridge overpass. The artwork was donated to the City of Ashland by an adjacent property owner. The donation of the art was approved, with conditions, by the Ashland City Council.

The artwork meets the definition of a sign but does not conform to the Sign Code for placement of signs. With a Conditional Use Permit, a sign, which does not conform, to the Sign Code may be permitted when it is determined that the sign furthers the purposes of the Governmental agency applying for the Conditional Use Permit. *(18.96.150 - Governmental agencies may apply for a Conditional Use to place a sign that does not conform to this Code when the Commission determines that, in addition to the criteria for a conditional use, the sign is necessary to further that agency's public purpose. (Ord. 2557, 1985; Ord. 2440, 1988))*

As recognized by the City of Ashland, the intent of the Public Arts Commission is to encourage artists capable of creating works of art in public places and enhance Ashland's standing as a regional leader in the arts. A stated goal of the Public Arts Commission is "The encouragement of human interaction with public places, areas which provide for public ownership and accessibility, via the placement of works of art." The area under the Water Street bridge overpass is State of Oregon Right-of-Way property but the landscaping and grounds maintenance is performed by the City of Ashland Parks and Recreation Department, making the area a sort of functional access from North Main Street to the nearby Bluebird Park.

Based on the information provided in the application Staff feels the installation of the artwork on the under side of the Water Street bridge overpass meets the requirements for a Conditional Use Permit and furthers the goals of the City of Ashland Public Arts Commission and the City of Ashland as a whole.

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

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

Planning Action 2008-00813 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 2008-00813 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 electrical permits as required by the City of Ashland shall be obtained prior to the installation of the artwork or any lighting shown on the submitted plans.
- 3) That all engineering for the lighting and artwork installation shall be submitted and approved by the Oregon Department of Transportation.
- 4) That all permits as required by the Oregon Department of Transportation shall be obtained and evidence of such permits shall be provided to the City of Ashland prior to the artwork installation.
- 5) That the Intergovernmental Agreement for the maintenance of the artwork shall be approved, recorded and on file with the City of Ashland and the Oregon Department of Transportation prior to the installation of the artwork.

Bill Molnar, Director
Department of Community Development

Date

Amy Anderson - FW: Haines Art Installation: ODOT comments on file no. 2008-00813

From: "PYLES David" <David.PYLES@odot.state.or.us>
To: "Amy Anderson" <andersona@ashland.or.us>
Date: 6/3/2008 9:16 AM
Subject: FW: Haines Art Installation: ODOT comments on file no. 2008-00813
CC: <adam@ashland.or.us>, "Bill Molnar" <bill@ashland.or.us>

Amy:

The Oregon Department of Transportation appreciates the opportunity to review and coordinate comments for the noticed, city proposed Governmental Sign Conditional Use Permit (CUP, file no. 2008-00813) for the installation of artwork on the underside of the Water Street Bridge between properties addressed as 51 Water St. and 96 North Main St. The mural artwork is proposed to be attached to the underside of the ODOT maintained bridge, within the state highway right-of-way. We offer the following recommended revisions to the final conditions of approval, in support of the city's and Mr. Haines' art project. Please enter this correspondence into the project record, for consideration by the Ashland Historic Commission's recommendation and Community Development Director's final decision.

We recommend the following conditions of approval be applied by the City of Ashland in an approving decision of file no. 2008-00813:

- The applicant shall submit engineered plans for the mural installation and associated illumination (lighting), performed by a registered Professional Engineer in the State of Oregon. Final plans shall be reviewed for approval by the Oregon Department of Transportation, prior to actual installation and provision of any and all work performed to install the mural artwork to the Water Street Bridge. No installation work shall be performed without ODOT's final approval of plans.
- The applicant and/or owner of the artwork shall obtain all necessary permits as required by the ODOT (e.g., a Miscellaneous and/or Utility Permit requiring a bond and insurance, with a traffic control plan). The City of Ashland shall verify evidence of approved ODOT permits prior to the artwork installation on the Water Street Bridge.
- The City of Ashland shall enter into an Intergovernmental Agreement (IGA) with the Oregon Department of Transportation for the maintenance responsibility and liability of the proposed mural installation. The ODOT shall not maintain the artwork installation as part of routine bridge maintenance responsibilities; and, the IGA shall indemnify the state of liability. The IGA will be recorded and on file with the City of Ashland and ODOT prior to the installation of the artwork.
- The Oregon Department of Transportation retains the exclusive right to remove, or request removal, at any future date, upon notice to the City of Ashland and owner of the artwork, if the artwork is determined by a state Professional Engineer to be adversely impacting or otherwise detrimental to the structural integrity or design life of the Water Street Bridge.

Our Development Review Team and District Management staff appreciate the coordination on the proposed artwork project. The applicant is encouraged to contact Mr. Adam Stallsworth, Area Permit Specialist, at (541) 774-6328, for assistance to obtain valid ODOT permits.

Please copy me on the city's final decision. Please contact me if you have questions or require additional information concerning this correspondence regarding the proposed Water Street Bridge artwork project. We look forward to working with the City of Ashland on future projects.

Kind regards,

David J. Pyles | Development Review Planner III

The ODOT Region 3 / District 8 | 100 Antelope Rd. | White City, OR 97503

☎: (541) 774.6399 | 📠: (541) 774.6349 | ✉: David.Pyles@odot.state.or.us

From: STALLSWORTH Adam O

Sent: Tuesday, June 03, 2008 8:16 AM

To: PYLES David

Subject: FW: Haines Art Installation

FYI

Adam Stallsworth

From: Adam Hanks [mailto:adam@ashland.or.us]

Sent: Monday, June 02, 2008 3:42 PM

To: STALLSWORTH Adam O

Subject: Haines Art Installation

Adam,

I heard about some activity late last week regarding some ODOT concerns. Has everything been cleared up or are there still problems? If there are, we would probably pull it from the upcoming agenda so we can figure out the concerns. We do have conditions of approval that required ODOT permits so I think things are ok.

Please let me know the status from your end.

Thanks,
Adam

Adam Hanks | Permit Center Manager

City of Ashland, Dept of Community Development | 51 Winburn Wy | Ashland, OR 97520

(541) 552.2046 | (541) .488 . 6006 | adam@ashland.or.us

This email is official business of the City of Ashland, and it is subject to Oregon public records law for disclosure and retention. If you have received this message in error, please contact me at (541) 552-2046. Thank you.

CITY OF ASHLAND

May 16, 2008

City of Ashland
Planning Department
20 East Main Street
Ashland, OR 97520

Dear Planning Department and Planning Commission:

I am writing on behalf of the Public Art Commission to request a conditional use permit (CUP) for the installation of public art under the Lithia Way overpass as permitted under AMC 18.96.150. The Public Arts Commission, as an official advisory Commission to the City Council, is facilitating the CUP application as the governmental agency as specified in AMC 18.96.150. The complete section within the Municipal Code that defines the Public Arts Commission (AMC 2.17) is also attached for reference.

The mission and purpose of the Public Art Commission, as detailed in AMC 2.17.005 is to "...enhance the cultural and aesthetic quality of life in Ashland by actively pursuing the placement of public art in public spaces..." The installation of the panels furthers the mission of the PAC and therefore we feel the application meets the criteria of AMC 18.96.150 that "...the sign is necessary to further that agency's public purpose"

Ashland citizen Lloyd Haines has donated eight panels of art to the City of Ashland under the condition of installing the art under the Lithia Way overpass. At the direction of the City Council the PAC evaluated the pieces and recommended acceptance of the art with the condition that Mr. Haines secure the appropriate permits from the Oregon Department of Transportation.

The Public Art Commission believes the art enhances the aesthetics of the area under the overpass and complements improvements previously completed in that area. Acceptance of the gift provides decoration, lighting and additional visual creativity for pedestrians utilizing the existing public pedestrian easement "shortcut" from the west end of downtown to the Water Street parking lot. To prevent any potential negative impacts, the lighting will be directed upward to prevent any direct illumination of any commercial or residential property in the area. The PAC does not find the work offensive and the installation is technically feasible based on preliminary input from ODOT and City of Ashland Building Division. Further the "receipt" of the donation and the installation and maintenance is of no cost to the City of Ashland.

In addition to these findings, please find the enclosed technical documents provided by Mr. Haines for the installation of the art and the associated up lighting that enhances the art in the evenings.

Thank you for your consideration of our request. Please feel free to contact me with any questions or concerns you have about this proposal.

Sincerely,

Melissa Markell, Chair
Public Art Commission

C: Ann Seltzer, Staff liaison
Adam Hanks, Permit Center Manager

Chapter 2.17

PUBLIC ARTS COMMISSION

Sections:

2.17.005	Purpose.
2.17.010	Created.
2.17.020	Members; Terms.
2.17.030	Officers.
2.17.050	Meetings; Quorum; Voting.
2.17.060	Rules and Regulations.
2.17.070	Powers and Duties.
2.17.080	Compensation.
2.17.090	Policies.

Section 2.17.005 Purpose.

The mission of the Public Arts Commission is to enhance the cultural and aesthetic quality of life in Ashland by actively pursuing the placement of public art in public spaces and serving to preserve and develop public access to the arts. The continued vitality of the arts in the City of Ashland is a vital part of the future of the city as well as of its citizens. The arts are an important part of the cultural and economic life of the entire community of Ashland and enrich the participants in the arts as well as those who observe them. Several organizations which exist in Ashland are active in the arts and provide leadership to the community on arts related matters. The creation of a Public Arts Commission for the City of Ashland will assist those organizations, and other organizations and individuals, to make arts a more important part of the city's life.

(Ord 2890, Added, 11/19/2002)

Section 2.17.010 Created.

The Public Arts Commission for Ashland is created and shall have the powers and duties provided in this chapter.

(Ord 2890, Added, 11/19/2002)

Section 2.17.020 Members; Terms.

The Public Arts Commission shall consist of seven members appointed by the mayor and confirmed by city council. The commission shall contain five members from a broad spectrum of citizens including artists and those with a background in the arts, arts organizations, education, structural and landscape architecture, and two citizens at large. The mayor shall also designate a non-voting council member as liaison to the commission. At least five members of the commission shall reside inside the city limits. The appointees shall have three-year terms. The original appointees shall be appointed: two for one year, two for two years and three for three years, thereafter all terms will be for three years. All members may vote on any matter coming before the commission, except as the ethics laws of the State of Oregon may provide. Any commissioner who is absent from four or more meetings in a one- year period without being excused, shall be considered no longer active and the position vacant, and a new commissioner shall be appointed to fill the vacancy.

(Ord 2890, Added, 11/19/2002)

Section 2.17.030 Officers.

At its first meeting the Public Arts Commission shall elect a chair and a vice-chair who shall hold office for one year, except that the first chair and vice- chair shall serve until the end of the calendar year. At the first meeting of each calendar year, the chair or vice-chair from the previous year shall preside over elections for chair and vice-chair. Neither the chair nor vice-chair shall serve as an officer for more than two consecutive terms.

(Ord 2890, Added, 11/19/2002)

ASHLAND MUNICIPAL CODE

Section 2.17.050 Meetings; Quorum; Voting.

The Public Arts Commission shall hold an official meeting at least monthly and may hold special meetings as set by the commission. A majority of the members constitutes a quorum for meetings. Provided a quorum is present, any item must be approved by a simple majority of the voting members present at a meeting to pass, unless otherwise provided.

(Ord 2890, Added, 11/19/2002)

Section 2.17.060 Rules and Regulations.

The Public Arts Commission shall establish such rules and regulations for its government and procedures consistent with the laws of the state and the ordinances of the city.

(Ord 2890, Added, 11/19/2002)

Section 2.17.070 Powers and Duties.

The Public Arts Commission shall be specifically responsible for, but not limited to, the following:

- A. The commission shall ensure the arts continue to be of value as an integral part of Ashland.
- B. The commission shall promote the arts in Ashland to enrich the lives of its citizens through education and demonstration.
- C. The commission may assist the city council, the Ashland Parks and Recreation Commission, historic commission and the planning commission in using public art to enhance existing development in public parks and other public lands and in public structures.
- D. The commission shall advise the planning commission, the Ashland Parks and Recreation Commission, other city commissions and committees and city departments regarding artistic components of all municipal government projects under consideration by the city. The commission may also serve as a resource for artistic components of land use developments.
- E. The commission shall develop and recommend to the city council policies and programs that would enhance and encourage the planning, placement and maintenance of public displays of art in locations open to the public within the community.
- F. The commission shall encourage connections with other local, regional and national organizations working for the benefit of art and preservation of artistic values, and other similar activities.
- G. The commission shall recognize and encourage groups and organizations that enrich Ashland life by bringing cultural and artistic values and artifacts to the city.
- H. The commission shall pursue gifts and grants for support of arts programs and activities and the procurement of public art.

(Ord 2890, Added, 11/19/2002)

Section 2.17.080 Compensation.

Voting members of the commission shall receive no compensation for services rendered. The commission may receive gifts, bequests or devises of property on behalf of the city to carry out any of the purposes of this chapter. These shall be placed in a special account for use of the commission.

(Ord 2890, Added, 11/19/2002)

Section 2.17.090 Policies.

- A. The Public Arts Commission shall operate in the general public interest serving the community as a whole. It shall serve no special interests.

ASHLAND MUNICIPAL CODE

B. The Public Arts Commission shall not endorse any commercial product or enterprise.
(Ord 2890, Added, 11/19/2002)

MEMBER OF THE
OREGON AND
CALIFORNIA BAR

LLOYD MATTHEW HAINES

ATTORNEY AT LAW

96 N. MAIN STREET, SUITE 202
ASHLAND, OREGON, 97520

TEL: (541) 482-9300
FAX: (541) 482-9334
Email: lloydmhaines@
yahoo.com

April 16, 2008

Adam Hanks, Planning Department
City of Ashland
20 E Main
Ashland, OR 97520

RE: Lithia Viaduct Mural Donation

Dear Adam:

Further to our telephone conversation, enclosed please find two sets of plans that have been forwarded to the Oregon Department of Transportation regarding the proposed installation of murals and lighting under the Lithia Way Bridge. Additionally, you will find a check in the amount of \$882 which represents the planning fee relating to the mural donation process. Lastly, you will find a copy of my letter to Adam Stallsworth, Permit Specialist, Oregon Department of Transportation, requesting they review the installation plans and coordinate with you to process the matter.

By way of historical background, on March 18, 2008, the Ashland City Council, by a vote of 4 to 2, agreed to accept the donation of the murals with a few conditions. Those conditions included ODOT approval, my paying the planning fee, and the matter being processed by the Planning Department with the intention that a conditional use permit be issued to the City of Ashland permitting the installation of the art.

This letter is a formal request that you take any and all reasonable and necessary steps to commence the planning process to approve the installation of the murals. As I understand it, the City will be requesting a conditional use permit from the Planning Department for installation of the murals. As such, the application for the CUP will be generated by the City, on behalf of the City, and will be submitted to the Planning Department of Ashland. Further, the basis for requesting the conditional use permit is the benefit of public art, improving the viaduct area (especially making it pedestrian friendly), and the art will be an additional attraction for visitors to Ashland.

RECEIVED

MAY 21 2008

City of Ashland
Community Development Department

As you are also aware, there were conditions that were involved in this process. They include, but are not limited to, the bonding of the construction work, the insuring of the art work once installed, and an agreement on my part to maintain the work after it is installed. Additionally, this donation is conditioned upon the art work remaining on the bridge. If it is removed by the City or ODOT, it may be installed by Ashland as public art in another public, visible location. And if it is not, the ownership of the murals will revert to me. These other conditions will be contained in an agreement between myself and the City, which will be executed after the various approvals are procured, and prior to the art work being installed.

I request that this matter be processed at your earliest possible convenience, and that you coordinate with ODOT for their approval as well. It will be wonderful if the art can be reinstalled during the tourist season so the public will have the benefit of viewing it.

Feel free to contact me if you have any questions or concerns. I remain,

Very truly yours,



Lloyd M. Haines

RECEIVED

MAY 21 2008

City of Ashland
Community Development

LMH:sm



ACE Engineering, LLC

P.O. Box 231 Telephone (541) 552-1417
Ashland, Oregon 97520 Facsimile (541) 552-1391

LITHIA WAY MURALS - BR 08049
2008-06
4/7/2008



DESIGN WEIGHT OF MURALS

PAINTED SURFACE : $2 \text{ PSF} \times 4' \times 8' = 64 \#$
FRAME : $3 \text{ PLF} (4' + 4' + 8' + 8') = 72 \#$

TOTAL:

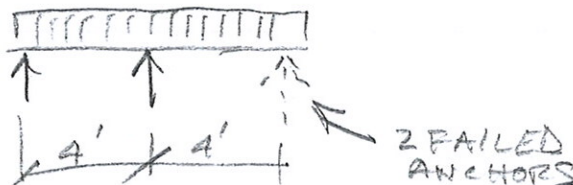
136# TOTAL

6-ANCHORS PROVIDED PER FRAME:

TENSION PER ANCHOR - $136 \# / 6 = 23 \# / \text{ANCHOR}$

CONSIDER 2-ANCHORS PER FRAME FAIL

TENSION PER ANCHOR $\frac{(136 \# / 8') (4' + 4')^2}{2.4'} / 2 \text{ ANCHORS}$
 $= 63 \# / \text{ANCHOR}$



TENSION OK SINCE IT IS EXTREMELY SMALL.

SEISMIC LOAD ON MURALS - USE 0.25g

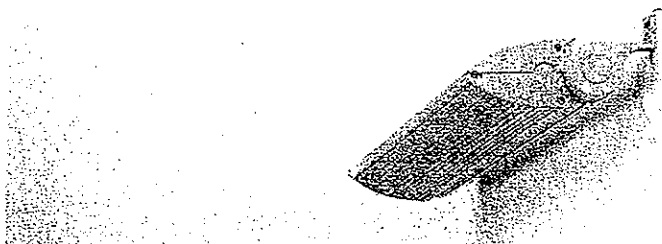
$V = 0.25 \cdot 136 \# = 34 \#$

SEISMIC LOAD SINCE IT IS EXTREMELY SMALL.

SEISMIC LOAD ON CONDUIT \neq LIGHTS

$V = 0.25 \cdot (0.5 + 0.2) \cdot 12' = 2.1 \#$ - REALLY SMALL
CONDUIT WIRE CONNECT AT 12' OC OK.

Mounting Options



Close to Wall Arm Bracket

200° rotation

SHA - Set of 2 arms with end caps
(threaded, solid)

SHAX - One intermediate arm

• The SHAX can be used in combination with the HB arms only - same distance from wall



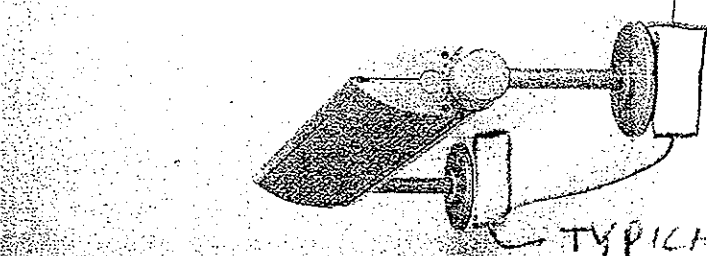
Very Short Arm and Wall Plate

200° rotation

HB - Set of 2 end hubs and wall plates

HBX - One intermediate hub and a wall plate

• Can be used in combination with SHX arms same distance from wall (for continuous rows)

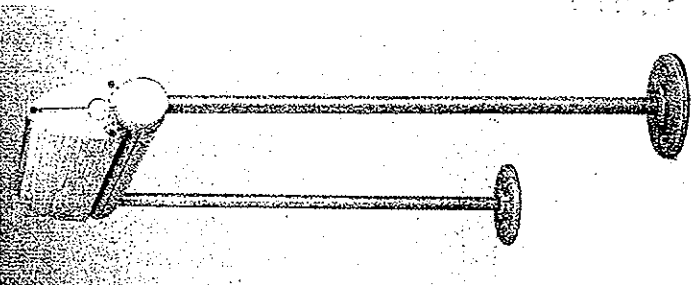


Short Arm and Wall Plate

360° rotation

HBS - Set of 2 end hubs and wall plates

HBSX - One intermediate hub and a wall plate
(for continuous rows)



Long Straight Arm and Wall Plate

360° rotation

HBL - Set of 2 end hubs and wall plates

HBLX - One intermediate hub and a wall plate
(for continuous rows)



Curved Arm and Wall Plate

360° rotation

HBC - Set of 2 end hubs and wall plates

HBCX - One intermediate hub and a wall plate
(for continuous rows)

Sign In

Thomas & Betts

INVESTORS CATALOG SUPPORT FIND DISTRIBUTOR

ABOUT THOMAS & BETTS

PRODUCTS

MARKETS

BRANDS

HOME / SITE MAP

US ELECTRICAL CATALOG SEARCH

Enter Search Info into applicable box and then click on Search button....

New Search

Quick Help

Guide

T&B Catalog Number

UPC - 11 Digits

Competitor Number

Keyword

Search

From T&B...

**Red Dot® Weatherproof While-in-Use Kits**

Meet NEC® 406.8(B) code requirements for wet locations with these new Weatherproof While-in-Use Kits. For complete product information, Click Here

Helpful Info

Installation Instructions
Material Safety Data Sheets
Product Information

Brand --> Red Dot® Weatherproof Boxes & Covers

Filter Your Search

Type

- ▶ Code Keeper® Wet Location Covers (31)
- ▶ Dry-tite® Device Boxes, Covers & Accessories (182)
- ▶ Universal While-In-Use Covers (15)

Material

- ▶ Brass (3)
- ▶ Die Cast Aluminum (169)
- ▶ Die Cast Zinc (7)
- ▶ Neoprene (2)
- ▶ More...

Volume (cu.in.)

- ▶ 11-20 (45)
- ▶ 21-50 (21)
- ▶ 22.0 (3)
- ▶ 30.0 (1)
- ▶ More...

228 items

11 12 13 14 15 16 17 18 19 20

Compare



DS-47

Red Dot® Weatherproof Boxes & Covers

D-Pak® Dry-tite® Silver Round Outlet Box with 5 outlets, cast mounting lugs, 4 closure plugs and ground screw. Box material-Die Cast Aluminum, diameter-4 1/8" and hub size-1/2".

Compare



DS-47B

Red Dot® Weatherproof Boxes & Covers

D-Pak® Dry-tite® Silver Round Outlet Box and Blank Cover with 5 outlets, cast mounting lugs, 4 closure plugs and ground screw. Box material-Die Cast Aluminum, diameter-4 1/8" and hub size-1/2".

Compare



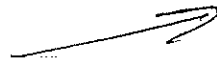
DS-47-BR

Red Dot® Weatherproof Boxes & Covers

D-Pak® Dry-tite® Bronze Round Outlet Box with 5 outlets, cast mounting lugs, 4 closure plugs and

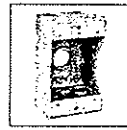
2-Per Fixture

*Junction
Boxes*



D1H5-1-LM

☐ Compare



D1H5-1-LM
Red Dot® Weatherproof Boxes & Covers
D-Pak® Single Gang Silver Dry-tite® Universal Box with mounting lugs, two closure plugs and ground screw. Material-Die Cast Aluminum with Aluminum lacquer finish. Volume-17; Hub Size-*3/4"*; 5 Outlets-2-Top, 2-Bottom, 1-Back.

Y2"

☐ Compare



DLC-31
Red Dot® Weatherproof Boxes & Covers
D-Pak® Dry-tite® Single Gang Silver Lampholder Cover with gasket and screws. Hub size-1/2", three holes, device mount.

☐ Compare



DLC-31-BR
Red Dot® Weatherproof Boxes & Covers
D-Pak® Dry-tite® Single Gang Bronze Lampholder Cover with gasket and screws. Hub size-1/2", three holes, device mount.

☐ Compare



DLC-31-WH
Red Dot® Weatherproof Boxes & Covers
D-Pak® Dry-tite® Single Gang White Lampholder Cover with gasket and screws. Hub size-1/2", three holes, device mount.

☐ Compare

228 items

☐ 11 12 13 14 15 16 17 18 19 20 ☐
Compare

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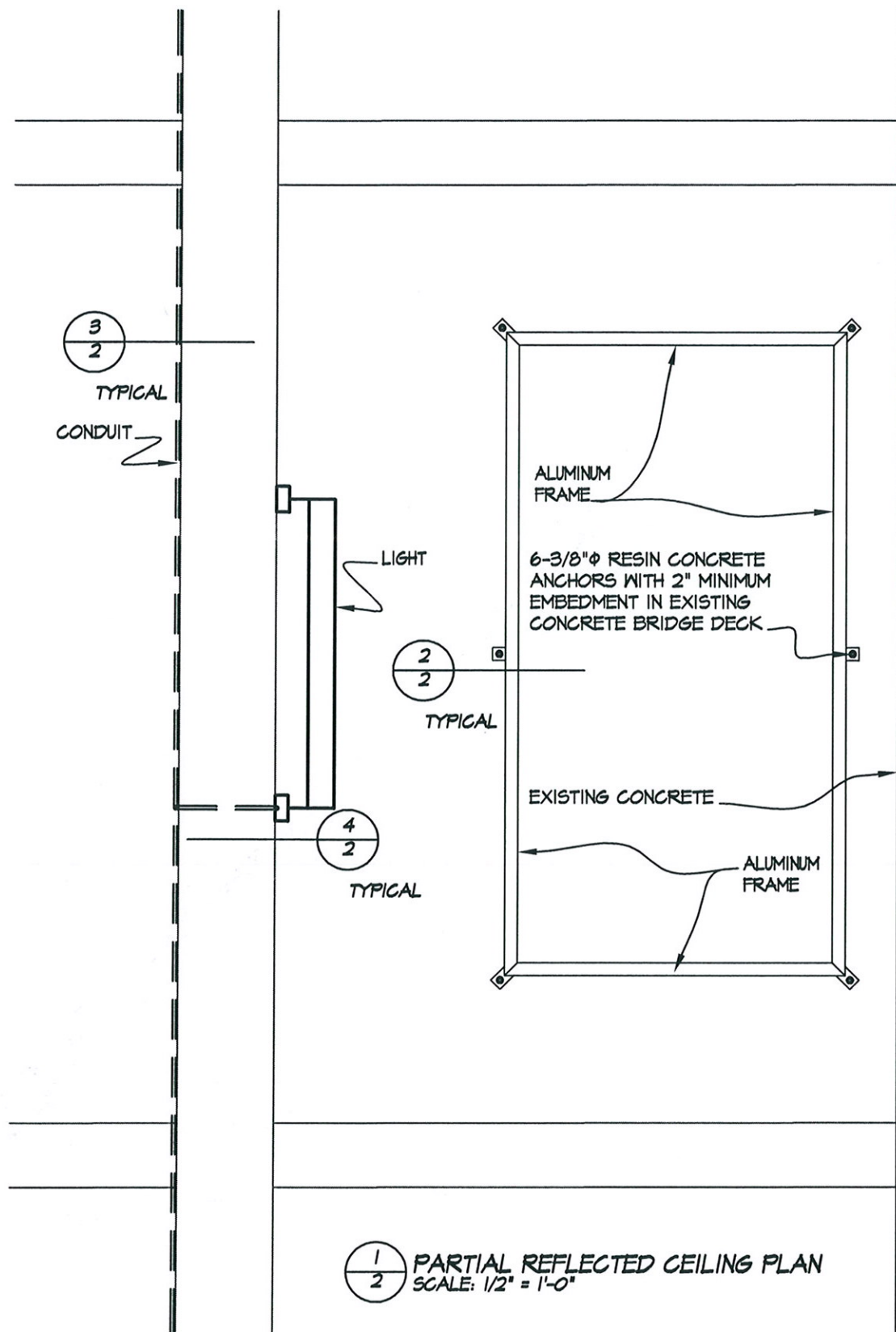
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EXISTING CONCRETE BRIDGE DECK

3/8" ϕ RESIN CONCRETE ANCHOR EMBEDDED 2" MINIMUM IN EXISTING CONCRETE DECK

ALUMINUM FRAME

2/2 FRAME CONNECTION DETAIL
SCALE: 1" = 1'-0"

EXISTING CONCRETE BRIDGE GIRDER

GALVANIZED CONDUIT

GALVANIZED CONDUIT CLIP

RESIN CONCRETE ANCHOR EMBEDDED 2" MINIMUM IN EXISTING CONCRETE GIRDERS & COLUMNS

PROVIDE CONDUIT CLEPS AT REASONABLE SPACING TO PREVENT CONDUIT DEFLECTION

3/2 CONDUIT CONNECTION DETAIL
SCALE: 1" = 1'-0"

EXISTING CONCRETE BRIDGE GIRDER

ALUMINUM ELECTRICAL BOX

LUMINAIRE, SEE ELECTRICAL SUBMITTAL

TWO RESIN CONCRETE ANCHORS PER ELECTRICAL BOX EMBEDDED 2" MINIMUM IN EXISTING CONCRETE GIRDER

4/2 LIGHT CONNECTION DETAIL
SCALE: 1" = 1'-0"

ACE Engineering, LLC
Ashland, Oregon
Telephone (541) 552-1417
Facsimile (541) 552-1391

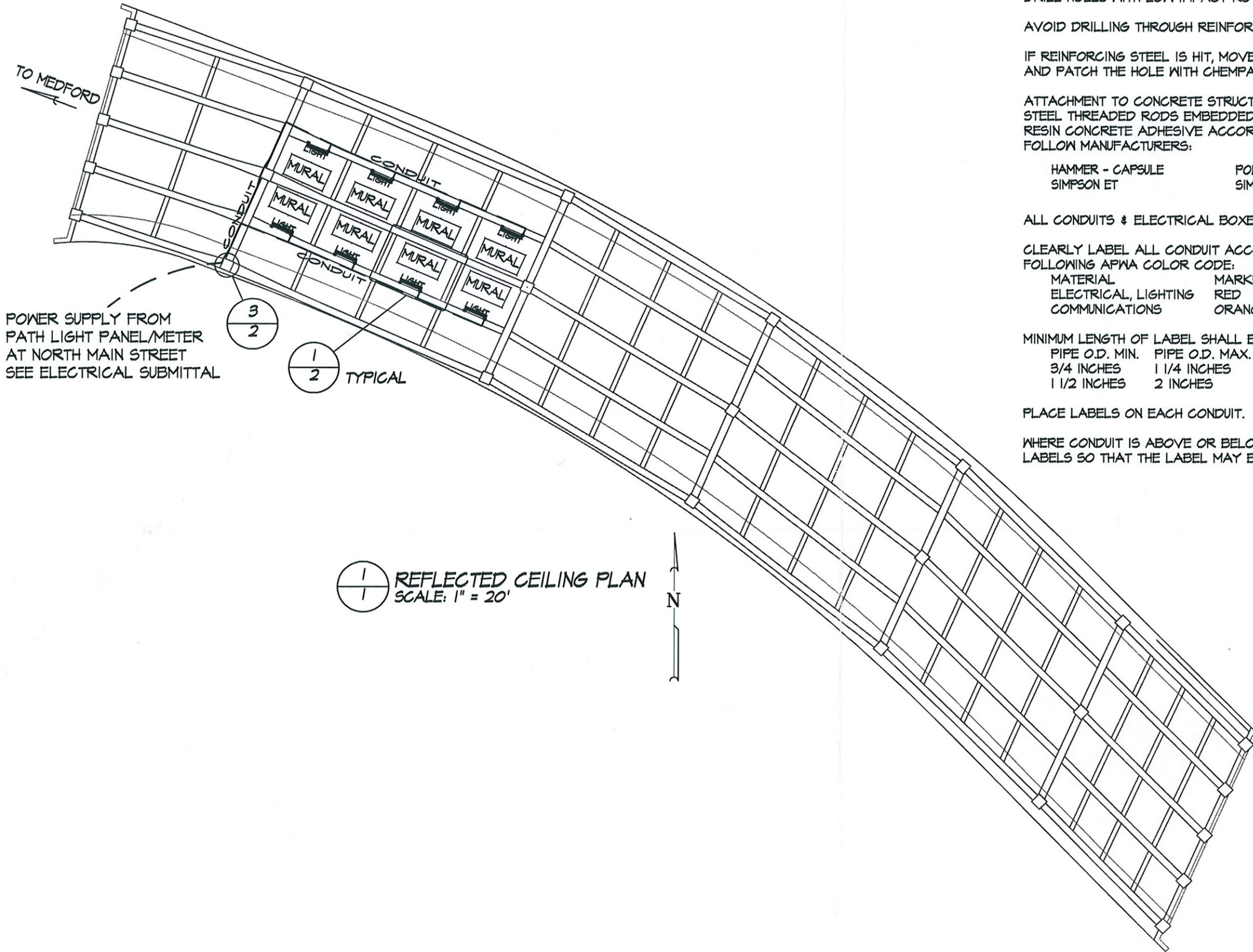
REGISTERED PROFESSIONAL ENGINEER
64239PE
OREGON
MAY 9, 2000
ALLAN T. GOFFE
EXPIRES 6/30/2009

MURAL INSTALLATION
LLOYD HAINES
ASHLAND, OREGON

OREGON DEPT. OF TRANSPORTATION
BRIDGE NUMBER: BR08049
ASHLAND, OREGON

DATE: APRIL 9, 2008
SCALE: AS NOTED
PROJ. NO. 2008-06
DRAWN BY: ATG

SHEET: 2
PAGE 2 OF 2



REFLECTED CEILING PLAN
SCALE: 1" = 20'

PRIOR TO DRILLING OPERATIONS, SCAN UNDERSIDE OF BRIDGE DECK WITH REBAR LOCATOR TO MINIMIZE CONFLICTS WITH EXISTING REINFORCING.

DRILL HOLES WITH LOW IMPACT ROTARY DRILL.

AVOID DRILLING THROUGH REINFORCING STEEL.

IF REINFORCING STEEL IS HIT, MOVE THE ANCHOR LOCATION AND PATCH THE HOLE WITH CHEMPATCH V/O 1 FROM CHEMMASTERS.

ATTACHMENT TO CONCRETE STRUCTURE SHALL BE WITH STAINLESS STEEL THREADED RODS EMBEDDED IN EXISTING CONCRETE WITH RESIN CONCRETE ADHESIVE ACCORDING TO ONE OF THE FOLLOW MANUFACTURERS:

- | | |
|------------------|--------------------|
| HAMMER - CAPSULE | POWERS FASTENERS |
| SIMPSON ET | SIMPSON STRONG-TIE |

ALL CONDUITS & ELECTRICAL BOXES SHALL BE SURFACE MOUNTED.

CLEARLY LABEL ALL CONDUIT ACCORDING TO THE FOLLOWING APWA COLOR CODE:

MATERIAL	MARKER BACKGROUND COLOR
ELECTRICAL, LIGHTING	RED
COMMUNICATIONS	ORANGE

MINIMUM LENGTH OF LABEL SHALL BE AS SHOWN:

PIPE O.D. MIN.	PIPE O.D. MAX.	LENGTH OF LABEL	WIDTH OF LABEL
3/4 INCHES	1 1/4 INCHES	8 INCHES	3/4 INCHES
1 1/2 INCHES	2 INCHES	8 INCHES	1 INCH

PLACE LABELS ON EACH CONDUIT.

WHERE CONDUIT IS ABOVE OR BELOW NORMAL LINE OF SIGHT, PLACE LABELS SO THAT THE LABEL MAY BE SEEN FROM NORMAL EYE HEIGHT.

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