



Planning Commission Minutes

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 the public testimony may be limited by the Chair.

August 12, 2025

REGULAR MEETING

***DRAFT* Minutes**

I. CALL TO ORDER:

Chair Verner called the meeting to order at 7:00 p.m. at the Civic Center Council Chambers, 1175 E. Main Street.

Commissioners Present:

Lisa Verner
Susan MacCracken Jain
John Maher
Russell Phillips

Staff Present:

Brandon Goldman, Community Development Director
Derek Severson, Planning Manager
Aaron Anderson, Senior Planner
Michael Sullivan, Executive Assistant

Absent Members:

Eric Herron
Kerry KenCairn

Council Liaison:

Jeff Dahle (absent)

II. ANNOUNCEMENTS

1. Staff Announcements:

Community Development Director Brandon Goldman made the following announcements:

- The City Council will hold a public hearing regarding the annexation of 1511 Highway 99 at their meeting on Tuesday, August 19.
- The City Council will be reviewing the second reading of ordinances implementing the SOU Masterplan at their next meeting.
- The Parks Department will hold an open house on August 14 from 5:00 PM to 6:00 PM at the Senior Center to gather feedback on the East Main park project.
- The Water Treatment plant work on Granite Street is underway, with the culvert crossing currently in process and a temporary pedestrian crossing over Ashland Creek in place.

2. Advisory Committee Liaison Reports – None

III. CONSENT AGENDA

Approval of Minutes

1. July 22, 2025 Special Meeting Minutes

Chair Verner noted that Staff had submitted revised minutes for the July 22, 2025 Special Meeting



Planning Commission Minutes

which clarified Staff announcements regarding the SOU Masterplan project.

Commissioners Phillips/Maher m/s to approve the Consent Agenda as amended by Staff. Voice Vote: All AYES. Motion passed 4-0.

IV. PUBLIC FORUM

Alison Laughlin/Ms. Laughlin spoke regarding dangerous flooding conditions at Roca Street and Fern Street.

V. UNFINISHED BUSINESS

- A.** Approval of revised Findings on remand from City Council for PA-T2-2024-00053, 231 Granite Street

Chair Verner explained that the Planning Commission's earlier decision regarding 231 Granite Street had been appealed to the City Council. While the Council upheld the Commission's decision, they requested more robust findings in anticipation of a possible appeal to the Land use Board of Appeals (LUBA.) The revised findings before the Commission included suggested revisions from staff, the applicants, Commissioner Phillips, and Chair Verner (see attachment #1).

Chair Verner noted that a question had been raised about section 2.5 of the findings, which contained the statement "the Commission notes that with the proposal one additional home serving a lot with a pre-existing easement will be served from the shared driveway." Staff clarified that this referred to the home proposed in the application, not implying additional future construction.

Ex Parte Contact

Commissioners Maher and Phillips disclosed site visits. No ex parte contact was disclosed.

Decision

Chair Verner proposed removing a sentence in the middle of page 6 that stated "The Commission finds that the proposed development reduces adverse impacts, potential hazards, and limits the amount of hillside disturbance," stating that it went beyond what the Commission had directly found.

Commissioners Phillips/Maher m/s to approve the amended findings, incorporating revisions from staff and the updated condition 2.5 provided by Chair Verner, and also included removing the sentence "The Commission finds that the proposed development reduces adverse impacts, potential hazards, and limits the amount of hillside disturbance." Roll Call Vote: All AYES. Motion passed 4-0.



Planning Commission Minutes

VI. TYPE II PUBLIC HEARINGS

PLANNING ACTION: PA-T2-2025-00059

SUBJECT PROPERTY: 39-1E-04-AD Tax Lot 8600

OWNER/APPLICANT: PDK Properties LLC

DESCRIPTION: A request for Final Plan approval for a 15-lot Performance Standard Option (PSO) subdivision. The Subdivision Outline Plan was approved by the Ashland Planning Commission adopted findings approving PA-T2-2024-00054, on January 14, 2025. The Proposed final plan come before the Planning Commission because a section that was approved as an alley is now proposed to be pedestrian access due to the existing adjacent grade. The application also includes a modification to the previous Site Design Review.

COMPREHENSIVE PLAN DESIGNATION: North Mountain I; **ZONING:** NM-MF; **MAP:** 39 1E 04 AD; **TAX LOTS:** 8600

Chair Verner acknowledged public comments received before the meeting but after the packet had been published (see attachment #2).

Ex Parte Contact

Commissioners Phillips and Verner disclosed site visits. No ex parte contact was disclosed.

Staff Presentation

Senior Planner Aaron Anderson briefly outlined the project with the following proposed changes to the previously approved plan: altering a vehicle traffic connection to a pedestrian pathway; changing building layouts and elevations; removing underbuilding parking in favor of a small parking area on Julian Court; and lowering building heights. Items addressed were increasing rights-of-way from 47 to 48 feet and additional alleyway dedications. Staff also added Condition #8 regarding new irrigation, and removed a mistakenly included condition related to another planning project (see attachment #3).

Questions of Staff

Commissioner Phillips requested clarification regarding the walkway's grade; Mr. Anderson confirmed a 15% grade with steps. Mr. Goldman elaborated that improvements in the public right-of-way often exceed ADA standards in the City due to the terrain, while internal sidewalks and the ADA parking space would be subject to ADA accessibility requirements.

Applicant Presentation

Applicant Mark Knox explained that the civil plans revealed the grade was steeper than initially anticipated, especially at the connection to Patton Lane, resulting in the proposed revisions. The applicant team determined that while a vehicle connection wasn't feasible, a pedestrian connection would align with the North Mountain plan's goal of facilitating pedestrian movement. He noted that the 15% grade was a worst-case scenario, and the addition of steps would likely reduce it to about 12%. He





Planning Commission Minutes

mentioned that other paths in the development also have similar grades with steps. Applicant Kyle Taylor explained that the requested modifications were refinements from the outline plan. He explained that the team had struggled with the grade on the pedestrian path and needed to drop the buildings to address neighbor concerns about views. This made the parking underneath the buildings unreasonable, so the parking was relocated and the structures rearranged while maintaining the same number of units with similar square footage. He noted that pushing the building frontage on Patton down would make it appear more like a single-story property from the uphill perspective.

Questions of the Applicant

Chair Verner asked about a market for small units, with the applicant responding to demand focused on affordable and workforce housing.

Public Comments

Mark Abelle/Mr. Abelle raised concerns regarding wildfire risk and advocated for changes enhancing safety.

Chair Verner closed the Public Hearing and Public Record at 7:50 p.m.

Deliberation and Decision

Commissioner Russell requested clarification on the conditions of approval. Staff confirmed that the original condition #2 had already been removed from the packet prior to distribution, and the new condition regarding irrigation would be added as condition #8.

Commissioners Russell/Maher m/s to approve the application consistent with the conditions recommended by staff, with the addition of Condition #8 as proposed by staff. Roll Call Vote: All AYES. Motion passed 4-0.

VII. OPEN DISCUSSION

The Commission discussed planning its annual retreat, including potential topics, such as wildfire risk and how it pertains to land use, Public Meeting law, and a site visit to projects completed with the previous year. The date of the retreat was not determined.

VIII. ADJOURNMENT

Meeting adjourned at 8:14 p.m.

*Submitted by,
Michael Sullivan, Executive Assistant*

BEFORE THE PLANNING COMMISSION

August 12, 2025

IN THE MATTER OF PLANNING ACTION #PA-T2-2024-00053,)
INCLUDING REVIEW ON REMAND PURSUANT TO #PA-APPEAL-2025-)
00021, A PHYSICAL AND ENVIRONMENTAL (P&E) CONSTRAINTS)
REVIEW PERMIT FOR THE CONSTRUCTION OF A NEW SINGLE-)
FAMILY RESIDENTIAL HOME ON A VACANT PARCEL AT 231)
GRANITE STREET. IN ADDITION TO THE P&E PERMIT, THE)
DEVELOPMENT REQUIRES A VARIANCE TO FLAG DRIVE) **FINDINGS,**
STANDARDS OF AMC 18.5.3.060.F FOR BOTH MAXIMUM DRIVEWAY) **CONCLUSIONS &**
GRADE AND LENGTH, A TREE REMOVAL PERMIT FOR THE) **ORDERS.**
REMOVAL OF 74 TREES INCLUDING NINE SIGNIFICANT TREES, AND)
AN EXCEPTION TO THE DEVELOPMENT STANDARDS FOR HILLSIDE)
LANDS.)
)
)
OWNERS: BRYAN & STEPHANIE DEBOER)
APPLICANT: CARLOS DELGADO, ARCHITECT)

RECITALS:

- 1) The subject property is tax lot #1800 of Assessor's Map 39-1E-08-DA and has a site address of 231 Granite Street.
- 2) The property is zoned Rural Residential (RR-.5) and is 2.182 acres in size.
- 3) The subject property was created prior to the current Physical & Environmental Constraints Ordinance (AMC 18.3.10) and has an average slope of approximately 27 percent. As provided at AMC 18.3.10.090.A.1.a, "*Existing parcels without adequate buildable area less than or equal to 35-percent shall be considered buildable for one single-family dwelling and an accessory residential unit or a duplex...*"
- 4) The application proposes the construction of a new single-family residential home which requires a Physical & Environmental (P&E) Constraints Review Permit due to the site's topography. The application also requires a Variance to the flag drive standards in AMC 18.5.3.060.F, a Tree Removal Permit to remove 74 trees including nine significant trees, and an Exception to the Development Standards for Hillside Lands.
- 5) On January 31, 2025, the application was deemed complete, and in accordance with AMC 18.5.1.050.B.4 a Notice of Complete application and public meeting was posted on February 19, 2025 at the entrance of the access easement along Granite Street in clear view from the public right-of-way that accesses the subject property. Notice was also mailed to all property owners of record within 200 feet of the subject parcel.
- 6) The Planning Commission, following proper public notice, held a public hearing on March 11, 2025. The meeting was conducted in person and electronically via Zoom. Public testimony

was received, and exhibits were presented. Prior to the closing of the public hearing, members of the public requested that the hearing be continued. As provided under ORS 197.767.6.a-e, the Planning Commission voted to close the hearing but leave the public record open to allow for new information from parties of record for seven days (until March 18 at 4:30 p.m.), rebuttal from parties of record for the next seven days (until March 25 at 4:30 p.m.), and for a final seven days, only the applicant could provide their final legal arguments, but not new evidence, in response to all previously submitted information (until April 1 at 4:30 p.m.). The Planning Commission reconvened for deliberation on April 8, 2025 at 7:00 p.m. The Chair provided her summation of all conditions of approval recommended by the Staff Advisor, Commissioners and through public comments contained within the whole record. Following deliberations, the Planning Commission approved the application subject to a number of modified conditions pertaining to the appropriate development of the site.

- 7) On May 2, 2025, a timely appeal of Planning Action #PA-T2-2024-00053 was filed by appellants Leonard Eisenberg and Kent and Pamela McLaughlin, represented by attorney Zack P. Mittge of Hutchinson Cox. The appeal challenged the Planning Commission's April 22, 2025 decision to approve a Physical and Environmental Constraints Review Permit, a Variance to the flag drive standards, an Exception to the Development Standards for Hillside Lands, and a Tree Removal Permit for development of a single-family residence at 231 Granite Street.
- 8) The City Council held a hearing on July 15, 2025, to consider an appeal (PA-APPEAL-2025-00021) of the Planning Commission's approval of PA-T2-2024-00053 for development at 231 Granite Street. Upon review of the 25 assignments of error raised by the appellants, the Council determined that the Planning Commission's decision was supported by substantial evidence in the record and did not involve legal or procedural errors. As part of its decision, the Council settled the record and excluded untimely written submittals in accordance with AMC 18.5.1.060.I.5. The Council affirmed the Commission's decision and rejected the appeal, and remanded the matter to the Planning Commission for the sole purpose of amending its April 22, 2025 findings to provide more specific and detailed findings in support of the approval based on the established and settled record. The Council's Findings dated July 15, 2025, are incorporated into the record of decision.
- 9) The criteria for approval for a Physical & Environmental (P&E) Constraints Review Permit are described in the Ashland Municipal Code (AMC) 18.3.10.050 which requires that all of the following criteria are met:
 - A. *Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.*
 - B. *That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.*
 - C. *That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.*

10) The criteria for approval for an Exception to the Development Standards for Hillside Lands are described in the Ashland Municipal Code (AMC) 18.3.10.090.H which require that all of the following criteria are met:

1. *There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.*
2. *The exception will result in equal or greater protection of the resources protected under this chapter.*
3. *The exception is the minimum necessary to alleviate the difficulty.*
4. *The exception is consistent with the stated Purpose and Intent of chapter 18.3.10, Physical and Environmental Constraints Overlay, and section 18.3.10.090, Development Standards for Hillside Lands.*

11) The criteria for approval for a Variance are described in the Ashland Municipal Code (AMC) 18.5.5.050 which require that all of the following criteria are met

1. *The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.*
2. *The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.*
3. *The proposal's benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.*
4. *The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.*

12) The criteria for approval of a Tree Removal Permit are described in the Ashland Municipal Code (AMC) 18.5.7.040.B.2 which require that all of the following criteria are met:

- a. *The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.*
- b. *Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.*
- c. *Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.*

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

SECTION 1. EXHIBITS

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

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

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

SECTION 2. CONCLUSORY FINDINGS

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

2.1 The Planning Commission finds that it has received all the information necessary to render a decision based on the complete application materials, staff report, public hearing testimony and exhibits; and by their reference each of these are incorporated herein as if set out in full.

2..2 The Planning Commission finds that AMC Title 18 Land Use regulates the development of land envisioned by the Comprehensive Plan to encourage efficient use of land resources among other goals. The Planning Commission finds that there is substantial evidence in the record to make findings that each of the requested actions has been shown to meet the relevant approval criteria or to meet those approval criteria through the imposition of certain binding conditions of approval.

2.3. The Planning Commission finds that the purpose of the Hillside Ordinance is to: *“Provide for safe, orderly, and beneficial development of districts characterized by diversity of physiographic conditions and significant natural features; to limit alteration of topography and reduce encroachment upon, or alteration of, any natural environment and to provide for sensitive development in areas that are constrained by various natural features.”*

The Planning Commission finds that the proposed site development does not create soil erosion, sedimentation of lower slopes, slide damage, flooding problems, or severe cutting or scarring. The Commission finds that the intent of the hillside development standards are to encourage a sensitive form of development and to allow for a reasonable use that complements the natural and visual character of the City.

The Planning Commission finds that the proposed development complies with the criteria from AMC 18.3.10.050.A., B., and C., for the Physical and Environmental Constraints Review permit for the development of hillside lands that include areas of greater than 35 percent. **The Commission finds that the proposed erosion control and wildfire hazard mitigation measures, including selective tree removal and tree preservation, will allow the hillside development to proceed in compliance with applicable standards for areas with slopes greater than 35 percent.**

The Planning Commission notes that AMC 18.3.10.090.A.1 generally provides that all development is to occur on lands defined as having a buildable area.

Slopes greater than 35 percent are considered to be unbuildable, except that existing parcels without adequate buildable area, less than or equal to 35 percent, shall be considered buildable for one single-family dwelling and an accessory residential unit or a duplex.

The Commission finds that the subject parcel was created prior to the adoption of the hillside regulations and the standard AMC 18.3.10.090.A.1. The Commission finds that the subject property does not have adequate building area of less than or equal to 35 percent when considering the need to minimize broader disturbance by limiting development of the site to an area as near the existing driveway location as possible while also providing for site access and vehicular circulation.

The Commission finds that, consistent with AMC 18.3.10.090.A.3, the portion of the driveway on land greater than 35 percent does not exceed 100 feet in length.

The Planning Commission finds that the proposed home and outdoor area have been located in the northeast portion of the property to minimize hillside disturbance by limiting cuts and fill for construction. The Commission finds the proposed building design with the approved exception, reduces hillside disturbance through slope-responsive design, and that the height, roof forms, and off-sets reflect the irregular form of the property consistent with the building design standards from AMC 18.3.1.090.E.

The Commission finds that through the application of the requirements of the Hillside Ordinance, under the oversight of a geotechnical expert, a civil engineer and a structural engineer, with the implementation of erosion control measures, preservation of a substantial area of the property in a natural state, tree protection/preservation, selected tree removal for site access and implementation of a wildfire fuels management plan, potential adverse impacts have been minimized.

The Commission recognizes that development of the 2.18-acre site is focused on in the area nearest the location of the vehicular access easement, therefore retaining the majority of the large property in an undeveloped state.

The construction of a single-story residence with a basement reduces the building height and limits visual impacts to adjacent properties. The residence is cut into the hill's slope without the

use of substantial amounts of fill. The Commission finds that the proposed cut slopes are retained and terraced with the terraces planted with erosion control vegetation, and do not exceed the maximum allowed vertical height as allowed in AMC 18.3.10.090.B.4.

The Commission finds proposal minimizes slope failure and potential impacts to the subject property or adjacent properties through the implementation of appropriate drainage and retaining wall construction. The proposed development has stepped structural retaining walls to lessen the impact of a structure on the lot through the use of terracing and erosion control plant materials.

The Commission finds that the proposed site disturbance is substantially less than allowed per AMC 18.3.10.090.B.3. To ensure the development is balanced with environmental preservation, by limiting excessive grading and modification of hillside slopes, the required percentage of the site to remain undisturbed is 52 percent [27% average slope + 25% = 52% required to be retained in a natural state].

The Commission finds that the site grading has been proposed, considering the factors found in AMC 18.10.090.B.8. The area of the proposed patio, pool, and pool deck is within an area of excavation for the construction of the residence that will provide a contractor staging area during the construction of the residence.

The Commission finds that the pool is a lap pool, proposed in an area where the majority of the existing grade is slopes of less than 25 percent. **The Commission finds that pools are discouraged but not prohibited.** The Commission finds that the proposed location of the proposed building pad, the patio area, and the pool are within an area of least slope, closest to the driveway access location, with as much of the remaining lot area as possible retained in the natural state of the original slope. **The Commission finds that the proposed development reduces adverse impacts, potential hazards, and limits the amount of hillside disturbance.**

The Commission finds that there is 18,738 square feet of disturbance proposed on the 94,960 square foot lot, which equates to 80 percent (75,969 square feet) of the lot being retained in a natural state. This is substantially greater than the minimum percentage required.

The Commission finds that the site is heavily treed, and the plan seeks to reduce fuel loads in the wildfire land overlay adjacent to the construction, while protecting healthy, preservable trees to reduce adverse impacts to the subject property or to adjacent properties. The Commission finds that the proposed development minimizes fire hazard through the implementation of a fire management plan. The Commission finds the proposed tree removal is consistent with AMC 18.3.9.110 requirements for wildfire hazards mitigation plan and an adequate wildfire mitigation zone surrounding the development area.

The Commission finds that under the oversight of the city of Ashland Fire Marshal, adequate fire truck apparatus access has been proposed. The proposed paved driveway with pull-outs and adequate turning radius provides adequate fire apparatus access. In addition to the fire apparatus access, there will be residential fire sprinklers, and a nearby private fire hydrant is present within the neighborhood, accessed from the shared, private driveway. An outdoor pool can provide emergency firefighting water outflow. The proposed fire safety measures demonstrate that all

reasonable steps have been taken to reduce adverse impacts on the environment and potential impacts to the property and nearby areas have been considered and impacts minimized.

The Planning Commission concludes that the proposal meets all applicable criteria and standards for a Physical & Environmental (P&E) Constraints Review Permit as provided at AMC 18.3.10. The proposed area of development is in the least-steep portion of the lot, near the end of the private drive, and the application has made every effort to minimize the impacts to the site by locating the home as close to the driveway access as possible, in this area of least-steep slopes.

The Planning Commission finds that the application includes erosion and sediment control plans as well as a geotechnical report and that by following the recommendations in both, the potential hazards will have been mitigated. The Planning Commission finds that the landscaping plan and erosion control plan will minimize any adverse impacts through the control of storm water drainage upon the subject property and prevention of off-site drainage, with temporary and permanent erosion control measures, and preservation of a substantial amount of trees upon the subject property irreversible actions have been considered more seriously than reversible actions, and that the single-family home retains substantially more of the site in its natural state than required by ordinance.

2.4 The Planning Commission notes that the application, as originally submitted, involved two Exceptions to the Development Standards for Hillside Lands. The first of these was to AMC 18.3.10.090.E.2.c requires that downhill building wall heights greater than 20 feet require at least a six-foot step back. The Commission rejects the applicant's assertion that this standard was limited to the wall face, and that the height measurement considered in the standard did not include the fascia and roofing above. As such, while they had proposed an 18-foot 9-inch wall face, with the inclusion of the fascia and roof above, the total height above natural grade was 23-foot 10-inches tall without the requisite setback. The Planning Commission, however, finds that excluding the fascia and roof measurements from the wall height would run counter to the intent of the standard, which seeks to have the structure step back meaningfully with the hillside.

The Commission therefore finds that the proposal as presented requires an Exception. In considering this Exception, the Commission notes that the application asserts that the building step backs are minimal to keep the building shorter and closer to parallel with the slope of the lot, without interfering with the ridgeline, explaining that the lot is one long, consistent linear hill with rock outcroppings, and the proposed structure has differentiated it's masses to mimic these smaller masses. The applicant further asserts that the design minimizes alteration of the area of natural slope retention and protects the topographic character and integrity of the hillside lands.

The Planning Commission finds that the applicant has demonstrated that the Exception allows for a reasonable use that complements the natural and aesthetic character of the city on a challenging site. The Commission finds that there is demonstrable difficulty in meeting the design standard for a six-foot step back. **The Commission finds that the proposed development area is located near the driveway access, with a reduced setback on the uphill side of the house due to slopes exceeding 35 percent. The proposed structure is located to minimize hillside disturbance; a larger step back into the hillside would require grading into steeper slopes and disturb a greater area of the property.** The Commission finds the

structure requests requires an exception to the standards in one portion of the structure where the grade is steeper, and the exception does not apply to the entire downhill wall. The Commission finds that the exception is the minimum necessary to alleviate the difficulty. The Commission concludes that in this instance, the Exception is merited subject to a condition that with final grading, the total height of the wall, fascia, and foot above shall not exceed 25 feet.

The second Exception requested involved AMC 18.3.10.090.E.2.d, which requires that, *"Continuous horizontal building planes shall not exceed a maximum length of 36 feet. Planes longer than 36 feet shall include a minimum offset of six feet."* The applicant had initially requested an Exception to provide only a four- to five-foot offset where six feet was required; however, subsequent to the close of the public hearing, the applicant provided revised designs providing the full required offset while the record remained open to the submittal of new materials. As such, the Planning Commission finds that the second Exception is no longer necessary and has included a condition (#9e) below requiring that the building permit drawings reflect the revised design.

2.5 The Planning Commission further notes that the application requires a Variance to the flag drive standards in AMC 18.5.3.060.F which speaks to the maximum grade and length of flag driveways. AMC 18.5.3.060.F specifically provides that, *"Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent; provided, that the cumulative length of such variances across multiple sections of the flag drive does not exceed 200 feet. Such variances shall be required to meet all of the criteria for approval in chapter 18.5.5 Variances."*

The Planning Commission finds that the proposed driveway is via an existing shared access easement to utilize an existing long, steep, partially paved private driveway. The proposed driveway extension to serve the subject property is approximately 197 feet in total length from the terminus of the existing driveway and has an average slope of approximately 24 percent.

The Planning Commission finds that the lot configuration, site topography, existing driveway grade and existing natural features are unique circumstances that prevent meeting the standard. The existing driveway serving the lot and the adjacent properties to the east exceeds a 15 percent grade and is a legal, non-conforming situation. The average existing property grade before driveway construction is 27 percent, and there is no feasible area to mitigate the driveway grade with switchbacks, given the narrow 33.04-foot width of the flagpole portion of the lot configuration and the location of the access easement to the property. The Commission finds that no alternative driveway access is available.

The Commission further finds that allowing access via the existing easement to this otherwise landlocked parcel for the development of a residential dwelling on an existing legal lot of record utilizing the shared driveway is the minimum necessary to address the unique physical circumstances related to accessing the subject property.

The Commission further notes that the proposal has been reviewed by the Fire Marshal, and as proposed the residence will have a fire suppression system to mitigate fire risk, and that the driveway grade and the final driveway design will be reviewed by the Fire Marshal for

compliance with all applicable fire codes. To ensure compliance with the requirements for a fire suppression system, driveway grade and turnout dimensions and location, adequate hydrant pressure, and fuels management, the Commission has included conditions of approval (#10, 11, &12) addressing these criteria.

The Commission notes that staff have provided a March 22, 1992, letter from the Planning Director, John McLaughlin, to the record, which discussed access to the subject property in the early 1990s. This letter stated that access from Granite Street would be the "*most appropriate*" means to access the subject property if an access easement were to be acquired. The alternative access considered at the time, via a driveway from Strawberry Lane, was noted as requiring a Variance to allow for more parcels to take access off a private easement than was allowed. A subsequent August 12, 1992 letter from McLaughlin stated, "*To summarize the above statements, if an easement is granted for access to lot 1800 from the existing drive from Granite Street, the City will allow this as the driveway to this parcel, even though it exceeds the current allowable grades. Further, a minor land partition survey will be required for the parcels to approve the boundary line adjustment previously made illegally. Once these are complete, parcels 1800 and 1801 become buildable parcels, subject to all development requirements of the City regarding driveway surfacing and hydrant/sprinkler requirements.*" The required partition plat was recorded as P-43-1996 on April 12, 1996. Based on this historical information, the Commission finds that the driveway grade was recognized as an issue with the lot's creation, that the lot creation predates the current hillside standards, and that the need for a Variance has not been self-imposed by the current property owners nor the applicants.

The Commission finds that the driveway's location is determined by the existing private drive and the lot's flagpole configuration, which extends to the established driveway access. **The natural slope within the flagpole area averages 27 percent, making it impossible for the applicant to comply with the standard requirement for a driveway on slopes less than 15 percent for a flag driveway, 18 percent with a variance to the flag driveway standards. The Commission finds the property grades prevent development of a driveway that complies with the maximum grade, and is a unique circumstance that applies to this property and the proposed driveway extension of the existing shared driveway.**

The Commission finds that, as the proposed building area is situated immediately adjacent to the end of the flag pole along the east property line, it is evident that the proposed building location minimizes the length of the driveway to the greatest extent feasible while still providing necessary vehicular and emergency vehicle access to the property.

The Commission finds that the existing driveway accessing the adjacent properties and the subject property leading to the proposed driveway is in excess of 15 percent. The Commission finds the only way to access the legal, developable lot of record is via the existing driveway connecting to the proposed driveway. Because the existing grade and the proposed grade exceed 18 percent, the variance to increase the grade to the proposed approximately 24 percent is the minimum necessary.

The Commission finds that the proposal's benefit of development of a permitted residential dwelling on a residentially zoned, legal lot of record with access via the existing access easement

and the existing shared driveway benefitting the subject property and the adjacent properties furthers the purpose of the land development ordinance which is to encourage the most appropriate and efficient use of the residentially zoned land with a residential home. The Commission finds that the development of residentially zoned property, utilizing a legal access easement and the development of a driveway, will not have a substantial negative impact on the adjacent properties. The Commission finds that the city of Ashland Fire Marshal has reviewed the proposed driveway grades, turnout locations, and hydrant access and has indicated that the proposal with the fire suppression system provides adequate fire apparatus access and does not substantially increase fire-fighting response times or emergency vehicle access to the adjacent properties.

The Commission concludes that the requested flag drive Variance is the minimum necessary deviation to facilitate development of the site while ensuring compliance with safety and accessibility requirements. The Variance criteria are met, as the standard code provisions for maximum driveway grade and length do not account for the unique physical characteristics and topography of the site, which is recognized as a pre-existing legal lot of record.

2.6 The Planning Commission notes that there are 74 tree removals proposed as part of the application, including nine significant trees. The application materials explain that there are hundreds of trees on the property and the adjacent properties and that the design of the project has sought to minimize required tree removals. The application states that those trees identified for removal are being removed because they are" ... *within the building envelope/footprint ... within the proposed driveway or within the identified area of disturbance.* " The application asserts that, *"The tree assessment retains most of the site slope stabilizing trees ... The property will remain heavily treed following the removal of the small-diameter fuels, the dead trees, and the trees in poor condition. Tree protection zones are included on the tree protection plan, including preservation plans for tree conservation during construction."* With that said, the application includes a request for a Tree Removal Permit consistent with the standards from AMC 18.3.10.090.D.5, and AMC 18.5.7.404 to remove 74 trees, including nine significant trees, to develop the site and reduce wildfire fuels in the area of disturbance, with the majority of the property and the majority of the trees preserved as they are outside of the area of proposed development.

The Tree Management Advisory Committee (TMAC) reviewed the initial application which identified the removal of 67 trees at their regular monthly meeting. While expressing that the number of trees proposed for removal was substantial, the TMAC recognized that all trees proposed for removal were either within the building envelope or very close to the excavation required for the construction of the proposed site development.

The most significant tree near the project, a 36-inch diameter at breast height (d.b.h.) Madrone is partially on an adjacent property, and it initially appeared that the Tree Protection Plan provided adequate protection to its critical root zone. Revised submittals received on March 18, 2025 included several trees that were not originally identified on the tree inventory, including two ten- to 12-inch d.b.h. Madrones on the property line, as well as a revised location for the 36-inch Madrone that is also on or near the property line, but within the access easement, thus necessary to remove. The Planning Commission finds that while the 36-inch d.b.h. Madrone and seven

additional trees that were to be removed were not initially identified in the applicant's submittals; their presence was raised during the hearing, and subsequent to the close of the hearing, they were identified in revised submittals while the record remained open and therefore received due process.

The applicant's narrative and final argument submittals made clear that the 36-inch d.b.h. Madrone tree was within the driveway easement, and that its removal was necessary to construct the driveway and to provide access to the property. The Planning Commission concludes that the driveway construction will significantly impact the 36-inch d.b.h. Madrone's root system, and that its removal is necessary in order to provide driveway access to this otherwise landlocked property.

The Commission finds that the removal of the trees will not have significant negative impact on erosion, soil stability, protection of adjacent trees or windbreaks. The Commission finds that the trees proposed for removal consists of primarily small-diameter trees within the development area and removed for wildfire fuels reduction and nine significant trees that are within areas of development where a structure, patio, driveway, retaining wall, erosion control vegetation adjacent to the areas disturbed by construction that will not be subject to erosive action due to construction/development. The Commission finds that the removal of the nine significant trees and the smaller diameter trees will not have a significant negative impact on tree densities, sizes, canopies, and species within 200 feet of the subject property. The Commission finds that there are hundreds of trees upon the subject property and within 200 feet of the subject property. There are numerous large-stature madrone trees upon the subject property and on the adjacent properties. **There are numerous ponderosa pine, Douglas fir, and oak trees. The removal of the nine significant trees and the small diameter trees will not have a significant negative impact on the tree canopies, species, and tree density.**

The Commission finds that the proposal mitigates for each significant tree proposed for removal and proposes twelve mitigation trees.

2.7 The Planning Commission discussed the applicant's voluntary proposal to provide a public pedestrian access easement across the property along the TID Trail. While such a dedication is not a requirement for the development of a single-family home, the Commission recognized the public benefit of formalizing trail access in this location. As a result, the proposal has been included as Condition of Approval # 14, reflecting the applicant's willingness to dedicate the easement and the Commission's support for securing long-term public access along the trail corridor.

2.8 The Planning Commission notes that after the hearing was closed but while the record remained open, six comments were received from non-parties of record. The Planning Commission finds that because the hearing was closed and the record left open to new submittals only from parties of record who had participated orally or in writing while the hearing was open, these six comments must be excluded from the record and were not considered by the Planning Commission.

The Planning Commission further notes that while the record remained open to new submittals, on March 18th Planning staff provided memos to the record responding directly to a number of public comments that had been submitted. Staff responses are adopted here as findings of the

Commission as if set forth in full.

2.9 In summary, the applicants have submitted substantial findings addressing all the relevant approval criteria and applicable standards for the planning action, the requested Exception and the Variances. The application addresses the unique factors requiring the need for the requested Variance due to the site's topography and the fact that the lot is pre-existing with little to no slopes under 25 percent to develop, and much of the lot having 25 to 30 percent slopes, or greater, along with the requirement to take access via a pre-existing easement from Granite Street, which is an existing driveway with a considerable slope, greater than the maximum allowed 15 percent driveway grade. This driveway location allows for access to an otherwise landlocked property from an existing driveway.

2.10 The Commission finds that with the conditions below attached, the proposal satisfies the applicable approval criteria. The Planning Commission finds that the proposal meets all applicable criteria for a Physical & Environmental (P&E) Constraints Review Permit as provided at AMC 18.3.10.050, for an Exception to the Development Standards for Hillside Lands in AMC 18.3.10.090.H, for a Variance as provided at AMC 18.5.5.050, and for a Tree Removal Permit to remove 74 trees, including nine significant trees, as provided at AMC 18.5.7.040.

SECTION 3. DECISION

3.1 Based on the whole record of the public hearing on this matter, and all materials submitted by staff, the applicant and other participants, the Planning Commission concludes that the applicant's site planning, building design, engineering and landscape planning have adequately addressed the criteria and standards for the approval of a Physical & Environmental (P&E) Constraints Review Permit with an associated Exception to the Development Standards for Hillside Lands to allow a downhill wall height exceeding 20 feet, a Variance to the flag drive standards for maximum grade and length in AMC 18.5.3.060.F, and a Tree Removal Permit to remove a total of 74 trees, including nine significant trees. Therefore, the Planning Commission approves the application, with the attached conditions of approval, noting that this decision is supported by evidence contained within the whole record.

1. That all proposals of the applicant become conditions of approval.
2. A Verification Permit shall be applied for and approved by the Ashland Planning Division prior to site work, tree removal, building demolition, and/or storage of materials. The Verification Permit is to inspect the identification of the 74 trees to be removed and the installation of tree protection fencing for the remaining trees on and adjacent to the site. The tree protection shall be chain link fencing six feet tall and installed in accordance with 18.61.200.B.
3. All recommendations of the Tree Management Advisory Committee, where consistent with the applicable ordinances and standards and with final approval of the Staff Advisor, shall be conditions of approval unless otherwise modified herein.
4. Prior to building permit issuance:
 - a. The plans submitted for the building permit shall be in substantial conformance with those approved as part of this application. If the plans submitted for the building permit

are not in substantial conformance with those approved as part of this application, an application to modify the Variance and Physical and Environmental Constraints Review permit approval shall be submitted and approved prior to issuance of a building permit.

- b. Identification of all easements, including public and private utility easements, mutual access easements, public pedestrian access easements, and fire apparatus access easements shall be identified on building permit plans.
- c. Solar setback calculations demonstrating that all new construction complies with Solar Setback Standard A in the formula $[(\text{Height} - 6) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$ and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and the height(s) from natural grade shall be met.
- d. Lot coverage calculations including all building footprints, driveways, parking, and circulation areas. Lot coverage shall be limited to no more than 20 percent as required in AMC 18.2.5.030.C.
- e. Storm water from all new impervious surfaces and runoff associated with peak rainfalls must be collected on site and channeled to the City storm water collection system (i.e., curb gutter at public street, public storm pipe or public drainage way) or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals.
- f. A revised Tree Protection Plan consistent with the standards described in 18.4.5 be submitted for approval by the Staff Advisor. The tree protection fencing shall be installed according to the approved plan prior to any site work, storage of materials onsite or issuance of the building permit. The plan shall identify the location and placement of fencing around the drip lines of trees identified for preservation. The amount of fill and grading within the drip line shall be minimized. Cuts within the drip line shall be noted on the tree protection plan and shall be executed by handsaw and kept to a minimum. No fill shall be placed around the trunk/crown root.
- g. No construction shall occur within the tree protection zone including dumping or storage of materials such as building supplies, soil, waste, equipment, or parked vehicles.
- h. A landscaping and irrigation plan to include irrigation details satisfying the requirements of the Site Design and Use Standards Water Conserving Landscaping Guidelines and Policies shall be provided.
- i. The tree protection and temporary erosion control measures (i.e. silt fence and bale barriers) shall be installed according to the approved plan and approved by the Staff Advisor prior to any site work, storage of materials, issuance of an excavation permit and issuance of a building permit. The erosion control measures shall be installed as identified in the Marquess & Associates' report dated December 5, 2024 and as approved by Public Works.
- j. A written verification from the project geotechnical expert addressing the consistency of the building permit submittals with the geotechnical report recommendations (e.g.

grading plan, storm drainage plan, foundation plan, etc.) shall be submitted with the building permit.

- k. Applicant shall provide documentation for the access easement.
 - l. Applicant shall have the retaining wall designed by the project engineer to conform with AMC 18.3.10.090.B.
- 5. Mitigation trees, to be planted on-site, off-site, or payment in lieu, shall be planted at the rate of 1:1 of regulated tree removals.
 - 6. A preconstruction conference to review the requirements of the Hillside Development Permit shall be held prior to site work, the issuance of an excavation permit or the issuance of a building permit, whichever action occurs first. The conference shall include the Planning Department, Building Department, the project engineer, project geotechnical experts (i.e. Marquess & Associates), landscape professional, arborist (i.e. Canopy) and the general contractor. The applicant or applicant's representative shall contact the Planning Department to schedule the preconstruction conference.
 - 7. The foundation plans of the house shall be stamped by an engineer or architect with demonstrable geotechnical design experience in accordance with AMC 18.3.10.090.F.
 - 8. All measures installed for the purposes of long-term erosion control and fire mitigation, including but not limited to vegetative cover, rock walls, retaining walls and landscaping shall be maintained in perpetuity on all areas in accordance with 18.3.10.090.B.7.a.
 - 9. Prior to Certificate of Occupancy:
 - a. The landscaping and irrigation for re-vegetation of cut/fill slopes and erosion control shall be installed in accordance with the approved plan. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.
 - b. All landscaping in the new landscaped areas shall be installed according to the approved plan and tied into the onsite irrigation system.
 - c. Marquess & Associates shall provide a final report indicating that the approved grading, drainage and erosion control measures were installed as per the approved plans, and that all scheduled inspections were conducted by the project geotechnical expert periodically throughout the project.
 - d. The flag drive shall be paved to 12 feet, have a vertical clearance of 13-feet, 6-inches and be able to withstand 44,000 lbs. of pressure. The flag drive shall be constructed so as to prevent surface drainage from flowing over the private property lines and / or public way in accordance with 18.76.060.B.
 - e. The house shall be constructed as shown on the amended plans submitted on March 12, 2025, with the 6-foot horizontal offset, per AMC 18.3.10.090.E.2.
 - f. Applicant shall provide a surveyor's map that confirms the driveway grade does not exceed 24 percent and that the length of the portion of the driveway in excess of 35 percent slopes does not exceed 100 feet, per AMC 18.3.10.090.A.2.

10. Requirements of the Ashland Fire Department shall be met, including that all addressing shall be approved, that fire apparatus access be provided, that a final approval of the access plan (turnouts, etc.) be obtained, that a fires suppression system be installed in the home, that a new fire hydrant and pump be installed, if necessary, and that a fuel break is required.
11. Prior to bringing combustible materials on site, applicants shall provide documentation of fire hydrant location within 600 feet of the southwest corner of the house and of the access (easement).
12. A Fire Prevention and Control Plan addressing the General Fuel Modification Area requirements in AMC 18.3.10.100.A.2 shall be provided prior to bringing combustible materials onto the property. New landscaping proposed shall comply with these standards and shall not include plants listed on the Prohibited Flammable Plant List per Resolution 2018-028.
13. Final grading and retaining wall plans shall meet the terracing requirements of AMC 18.3.10.090.B.4.b to the satisfaction of the Staff Advisor.
14. Prior to issuance of building permits for the proposed residence, applicants/property owners shall execute and deliver to the City a perpetual public trail easement in favor of the City of Ashland along the existing “Ditch Trail”, which generally follows the Talent Irrigation District’s (TID) “Ashland Canal” as it traverses the subject property (Tax Lot 1800). Applicants shall also provide a centerline legal description of the Easement Area to be appended to the easement document and reflecting an easement area 10-feet in width and shall include the traveled portion of the existing Ditch Trail crossing the property. This condition was voluntarily offered by the applicants/property owners and this public trail easement is not an exaction required by the City and is not subject to constitutional takings concerns or nexus/proportionality analysis.

Planning Commission Approval

August 12, 2025
Date

Michael Sullivan

From: noreply@civicplus.com
Sent: Monday, August 11, 2025 8:46 AM
To: planning
Subject: Online Form Submittal: Contact Planning Commission

[EXTERNAL SENDER]

Contact Planning Commission

Full Name	Jared Crawfprd
Phone	207-505-2432
Email Address	jarednec@yahoo.com
Subject	Kestrel Park Phase III
Type of Testimony	Electronic (to appear electronically)
Message	Dear City of Ashland Planning Division, Regarding the Kestrel Park development, which you will discuss on August 12, I a writing about my concerns as an adjacent property owner. I believe that the additional density implied by this housing proposal is inconsistent with current fire risks, which have increased dramatically since this project was originally designed. Evacuation of this neighborhood during a fire emergency is extremely problematic. These streets clearly lack the capacity to safely evacuate the proposed increase in residents. The plan mentions the "future construction of a bridge across Bear Creek to connect Nevada Street to Oak Street. As such, a condition was included to require that all properties within the Kestrel Park Subdivision sign a similar agreement prior to signature of the final survey plat." If the bridge is needed for proper evacuation, why is its construction not required before the construction of the proposed homes? I am not opposed to housing construction in my neighborhood. However, evacuation is an issue. Please reduce the density of this proposed development and follow the recommendations of your wildfire consultants. Prioritize public safety over legacy

density requirements from a time of lower wildfire risk.

Thank you,

--Jared Crawford
917 Plum Ridge Dr.
Ashland OR 97520

Attachment 1	<i>Field not completed.</i>
--------------	-----------------------------

Attachment 2	<i>Field not completed.</i>
--------------	-----------------------------

Attachment 3	<i>Field not completed.</i>
--------------	-----------------------------

Email not displaying correctly? [View it in your browser.](#)

Comments on Planning Action: PA-T1-202500268
Subject Property: 39-1E-04-AD Tax Lot 8600
Kestrel Park Phase III

August 8, 2025

The proposed development is a present and future threat to this neighborhood and city. In the event of an emergency, such as a wildfire....all residents of our beautiful city could be in extreme wildfire danger. This building project next to the Mountain Meadows Community, is a potential threat to this neighborhood. This neighborhood houses mostly senior residents. Who are walking their dogs slowly down the streets. An increase in street traffic, more moving cars, could be a threat to our neighbors.

Wildfire tragedies are increasing...the beautiful community of Paradise, CA burned in a horrible wildfire. People could not escape the wildfire in their town because the lack of adequate exits for all of the cars. Too many deaths occurred. The **Kestrel plan** is for very small apartments-it looks like a **Motel**....as many as another 17 cars would be added to our area.

2025 Community wildfire protection plan update: Due to climate change our chance (City of Ashland) of being destroyed by a wildfire, is in the top 97% nationally...we could be destroyed by traffic bottlenecks in the too few evacuation routes. There are too few evacuation paths out of our town.....many streets are narrow, and there is overdevelopment. Many of the new developments are **high-density**, too many people in one area.....potentially dangerous for all.

It is time for our City Council to reduce the high-density projects in this city. According to the City funded KLD report 2021: it would take at least 3 hours and 10 minutes to evacuate the city!!!!

Public safety is more important than meeting the Developer's financial plans.

Sincerely,

Lyn Gutierrez 907 Plum Ridge Drive, Ashland, OR (805) 714-3334

Daniel DeRoux
dderoux@gmail.com

New data and findings place the current dense-building proposal for Kestrel Phase 3 directly at odds with the City of Ashland's own wildfire studies and expert recommendations.

The **2025 Draft Wildfire Protection Plan** makes this clear:

"It's imperative that we re-imagine our community and behavior, lest we risk more frequent and more severe losses as the climate continues to change. We have an enormous opportunity right now. We can avoid a serious fire if we plan carefully and begin making needed changes right now."

The plan specifically advises **against increasing density in wildfire-vulnerable areas**. It also identifies Ashland as being **more likely than 97% of U.S. communities** to experience a catastrophic wildfire.

Public Safety data shows:

A 2024 citywide survey ranked **traffic bottlenecks, blocked evacuation routes, and lack of evacuation alternatives** as the **top wildfire concern** (Public Interest Rating 100/100).

The third-highest concern (PIR 80) was **narrow streets and overdevelopment impeding evacuation**.

Residents and survey respondents also reported **confusion about evacuation procedures** and how to interpret emergency messages.

These are not hypothetical issues—they are **foreseeable hazards** supported by the city's own research and public feedback.

CONFLICT WITH CITY'S OWN EXPERT ADVICE

The current plan increases density in an area where:

- 1 - Evacuation times are already dangerously limited.**
- 2 - Infrastructure cannot handle additional population during an emergency.**
- 3 - The City's own wildfire consultants have recommended reducing, not increasing, density.**

LIABILITY ISSUES

Moving forward without addressing these documented safety risks creates potential **legal exposure** for the City.

While governmental immunity can limit liability, there is precedent for lawsuits and settlements when a municipality:

- Ignores **clear, repeated warnings** from experts and the public.

- Approves development in the face of **foreseeable danger**.

- Fails to enforce **its own safety codes or evacuation plans**.

Recommendation:

Reduce the number of units at Kestrel Phase 3 to align with wildfire safety best practices, the 2025 Draft Wildfire Protection Plan, and the clear priorities of Ashland's residents.

This is the third time I have testified on this matter—my concerns are shared by **hundreds of neighbors** who will be directly impacted. The choice before you is whether to follow the City's own evidence-based guidance, or to take a risk that cannot be undone once the next wildfire comes.



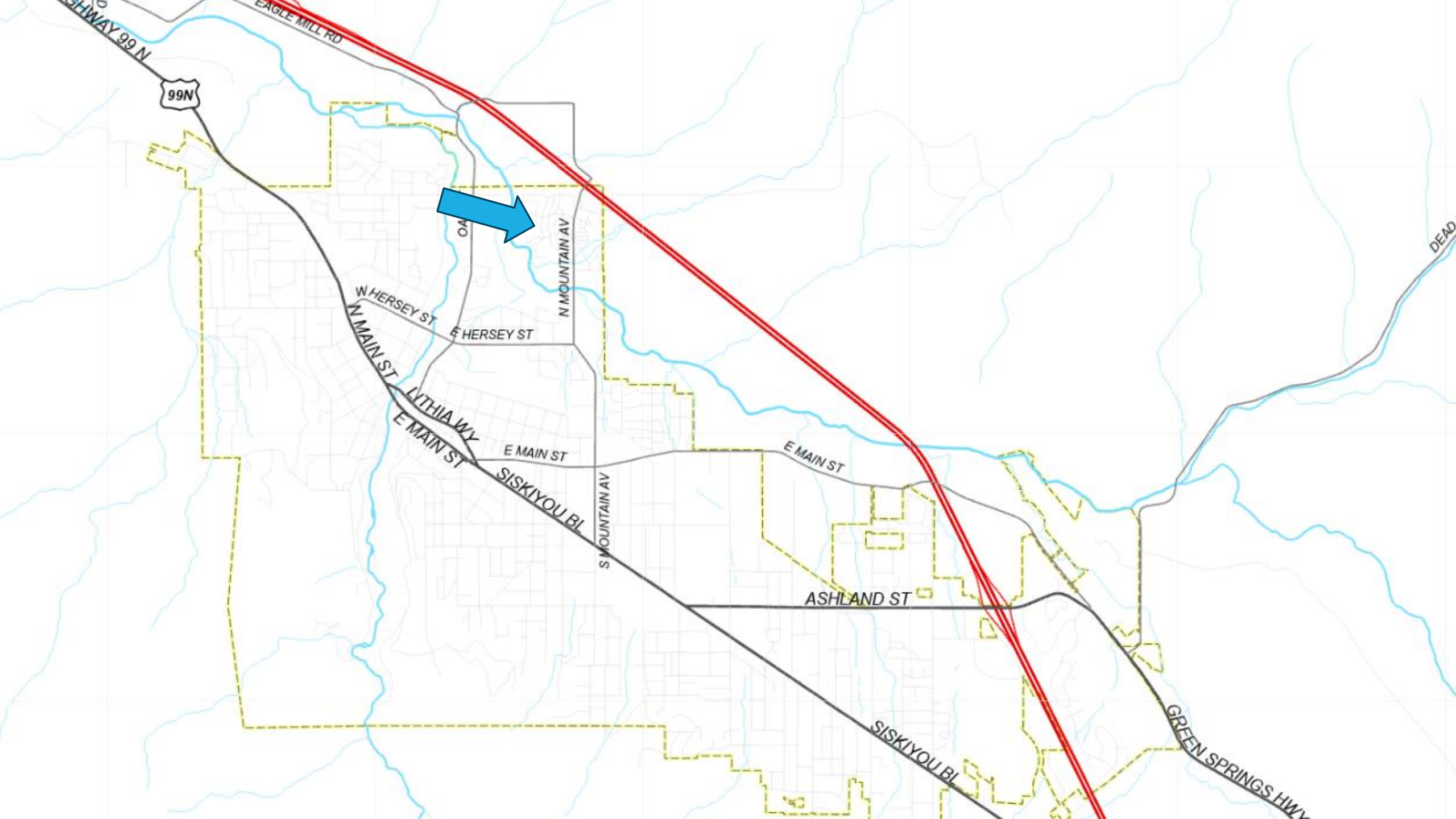


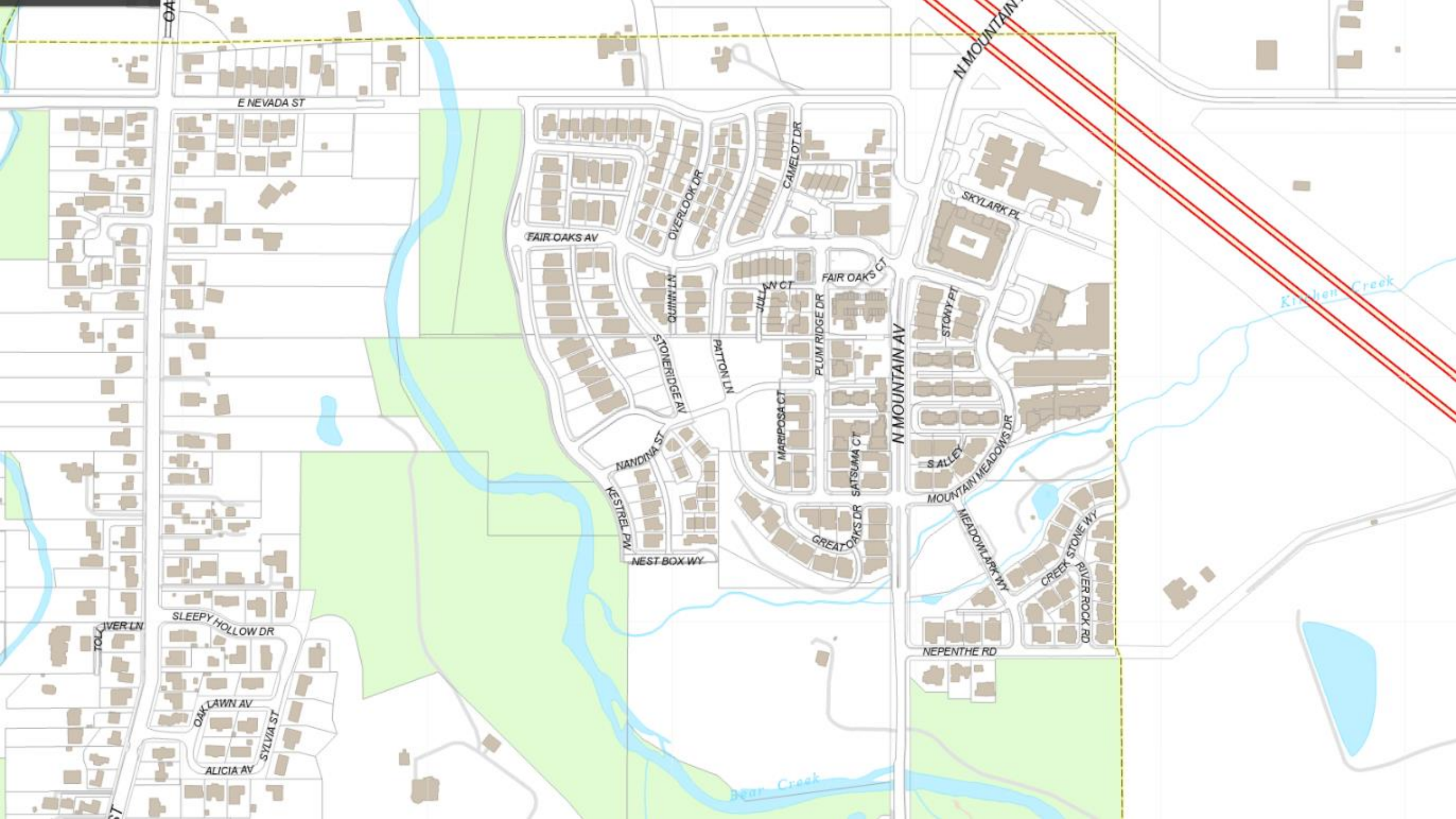
Kestrel Park Phase 3 Final Plan / Modification

PLANNING
COMMISSION
AUGUST 12, 2025

Present Proposal: Final Plan PSO Subdivision with modification to Outline Plan, and modification to Site Design Review approval

PA-T2-2025-00059





E NEVADA ST

FAIR OAKS AV

N MOUNTAIN

SKYLARK PL

Kitchen Creek

OVERLOOK DR

CAMELOT DR

QUINN DR

JULIA CT

FAIR OAKS CT

STONERIDGE AV

PATTON LN

PLUM RIDGE DR

MARIPOSA CT

SATSUMA CT

N MOUNTAIN AV

STONY PT

SALLEY

MOUNTAIN MEADOWS DR

NANDINA ST

KESTREL PW

NEST BOX WY

GREAT OAKS DR

MEADOWLARK WY

CREEK STONE WY

RIVER ROCK RD

NEPENTHE RD

SLEEPY HOLLOW DR

OAK LAWN AV

ALICIA AV

SYLVIA ST

TOULON ST

Bear Creek

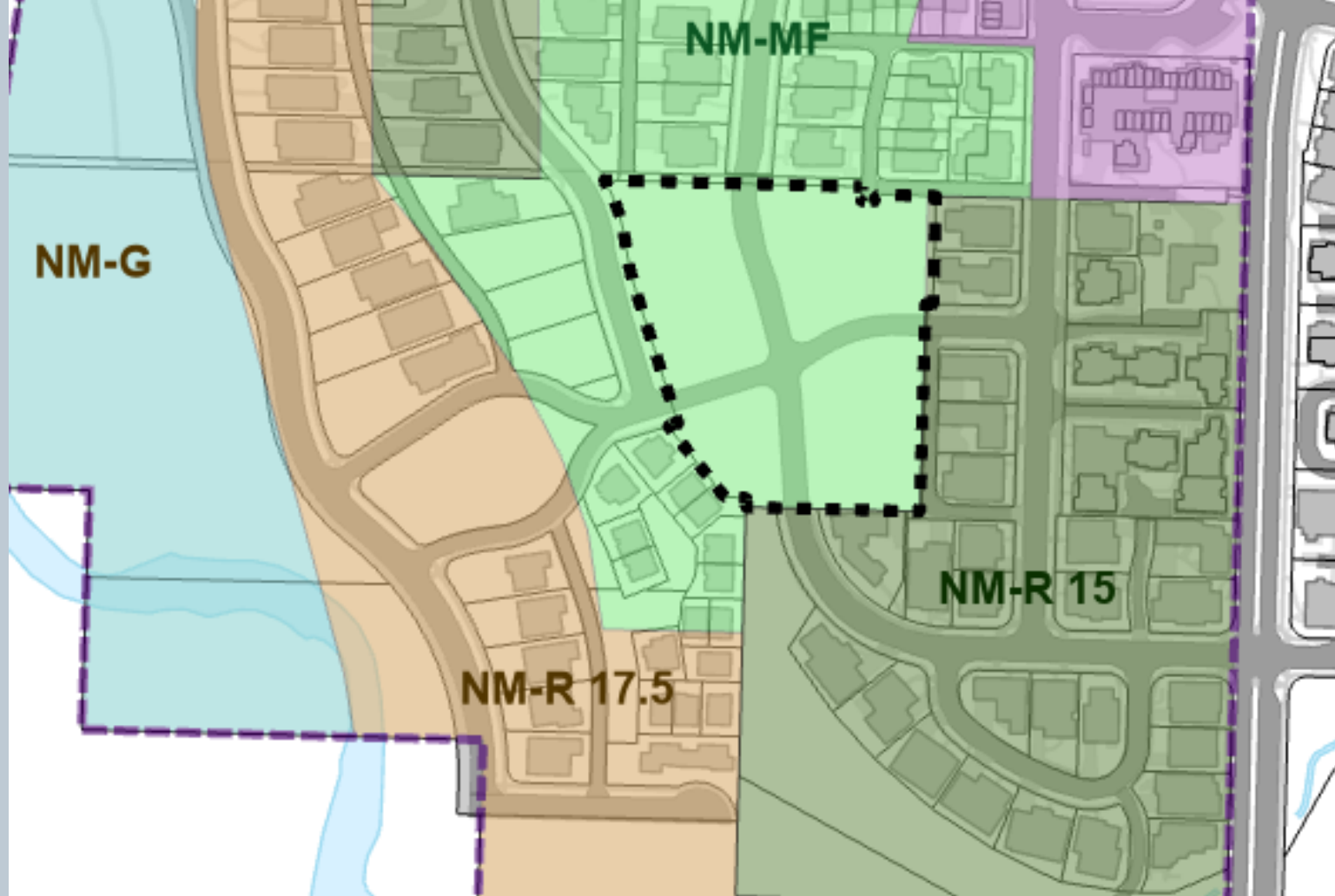


Kestrel Phase 3

A request for Final Plan approval for a Performance Standards Option (PSO) subdivision.

The application also includes two requested modifications to the previously approved planning action:

- 1) A modification to the Site Design Review approval as it relates to the layout and design of the buildings as well as the design of the parking area in “Area Six”, and
- 2) A modification to the Outline Plan Approval as it relates to the road design, the application proposes to change what was understood to be a vehicle alley to pedestrian connection from Patton Lane to the Julian Court Alley.



Zoning and vicinity map



Modification to Outline Plan

PA-T2-2025-00059

AREA 5

ACRE 0.49

AREA 5 - UNIT COUNT: 6

ALLEY

LOT 44

LOT 43

LOT 42

LOT 45

LOT 41

LOT 46

STONERIDGE

PATTON LN.

NANDINA ST.

AREA 4

ACRE 0.19

AREA 4 - UNIT COUNT: 2

LOT 32

LOT 33

KESTREL PARK III

2.27 ACRE / 34 UNIT DEVELOPMENT

1

Site Plan Showing Units at Main Level

Scale: 1"=40'



LEGEND:

PAVEMENT
GARAGE
PORCH
BUILDING



JULIAN CT.

AREA 6

ACRE 0.47

APARTMENTS

LOT SIZE 20,328.2 S.F.

• HARDSCAPE 14,230.41 (70.00%)

GROUND FLOOR

(8) STUDIO (603.6 S.F.) APT. 2ND STORY

(8) 1 BEDROOM (363.1 S.F.) APT.

• 1 BED: 1.5x8 = 12

• STUDIO: 1x8 = 8

TOTAL PROVIDED (21)

8 STANDARD, 8 COMPACT

1 HANDICAP ACCESSIBLE

AREA 6 - UNIT COUNT

UNITS OVER 500 S.F. 8

UNITS UNDER 500 S.F. 8

LOT 39

LOT 38

UNIT 5

UNIT 6

UNIT 9

UNIT 10

UNIT 13

UNIT 14

LOT 37

LOT 40

10' 20' 30' 40' 50' 60' 70' 80' 90' 100'

AREA 5

ACRE 0.49

AREA 5 - UNIT COUNT: 6

AREA 4

ACRE 0.19

AREA 4 - UNIT COUNT: 2

AREA 6

ACRE 0.47

AREA 6 - UNIT COUNT

UNITS OVER 500 S.F. 8

UNITS UNDER 500 S.F. 8

AREA 7

KESTREL PARK III

2.27 ACRE / 34 UNIT DEVELOPMENT

Site Plan Showing Units at Main Level

Scale: 1"=20'

LEGEND:

PAVEMENT

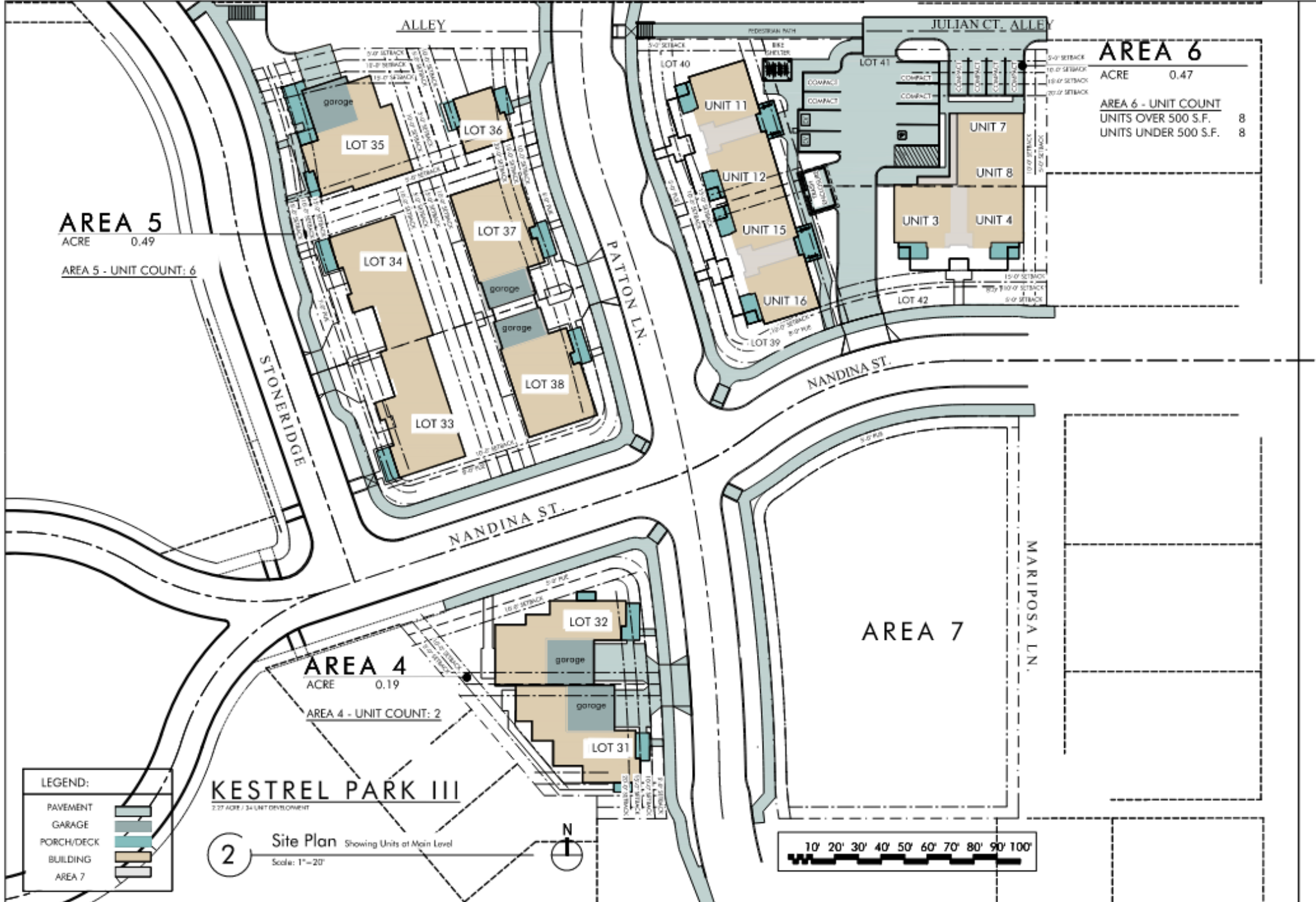
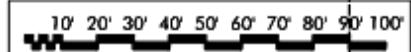
GARAGE

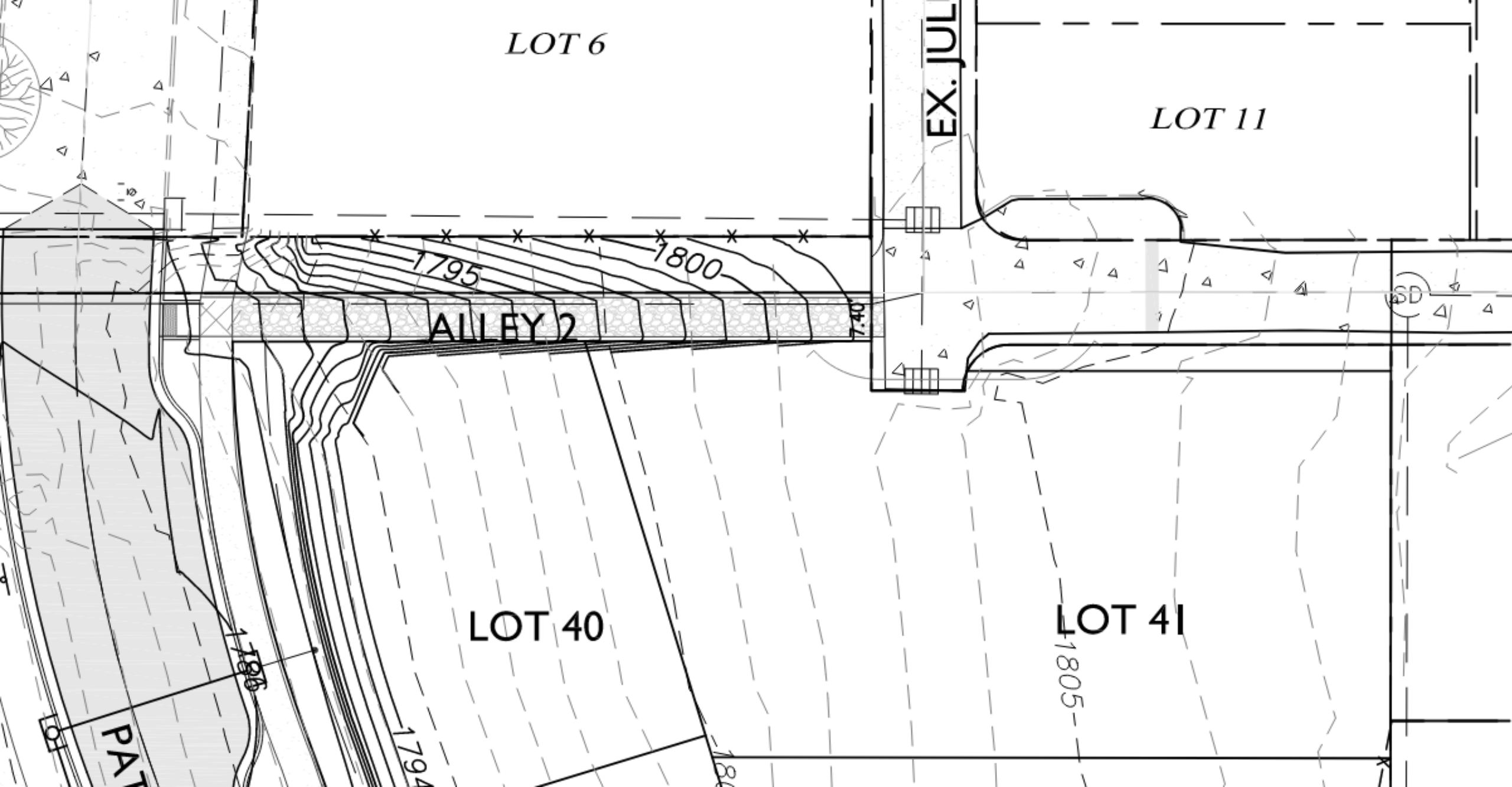
PORCH/DECK

BUILDING

AREA 7

N





Modification to Site Design Review

PA-T2-2025-00059

ALLEY

JULIAN CT.

PATTON LN.

NANDINA ST.

LOT 39

LOT 38

LOT 37

LOT 40

UNIT 11
603.6 s.f.

UNIT 12
600.5 s.f.

UNIT 15
600.5 s.f.

UNIT 16
603.6 s.f.

UNIT 7
603.6 s.f.

UNIT 8
603.6 s.f.

UNIT 3
603.6 s.f.

UNIT 4
603.6 s.f.

TRASH ENCLOSURE

20' ALLEY RIGHT OF WAY

15'-4 1/2"

21'-8"

7'-9"

5'-0" PUE

15'-0 1/2"

20'-6"

6'-5 1/2"

15'-7"

8'-0" PUE

6'-8"

13'-8"

9'-11 1/2"

6'-0"

8'-0"

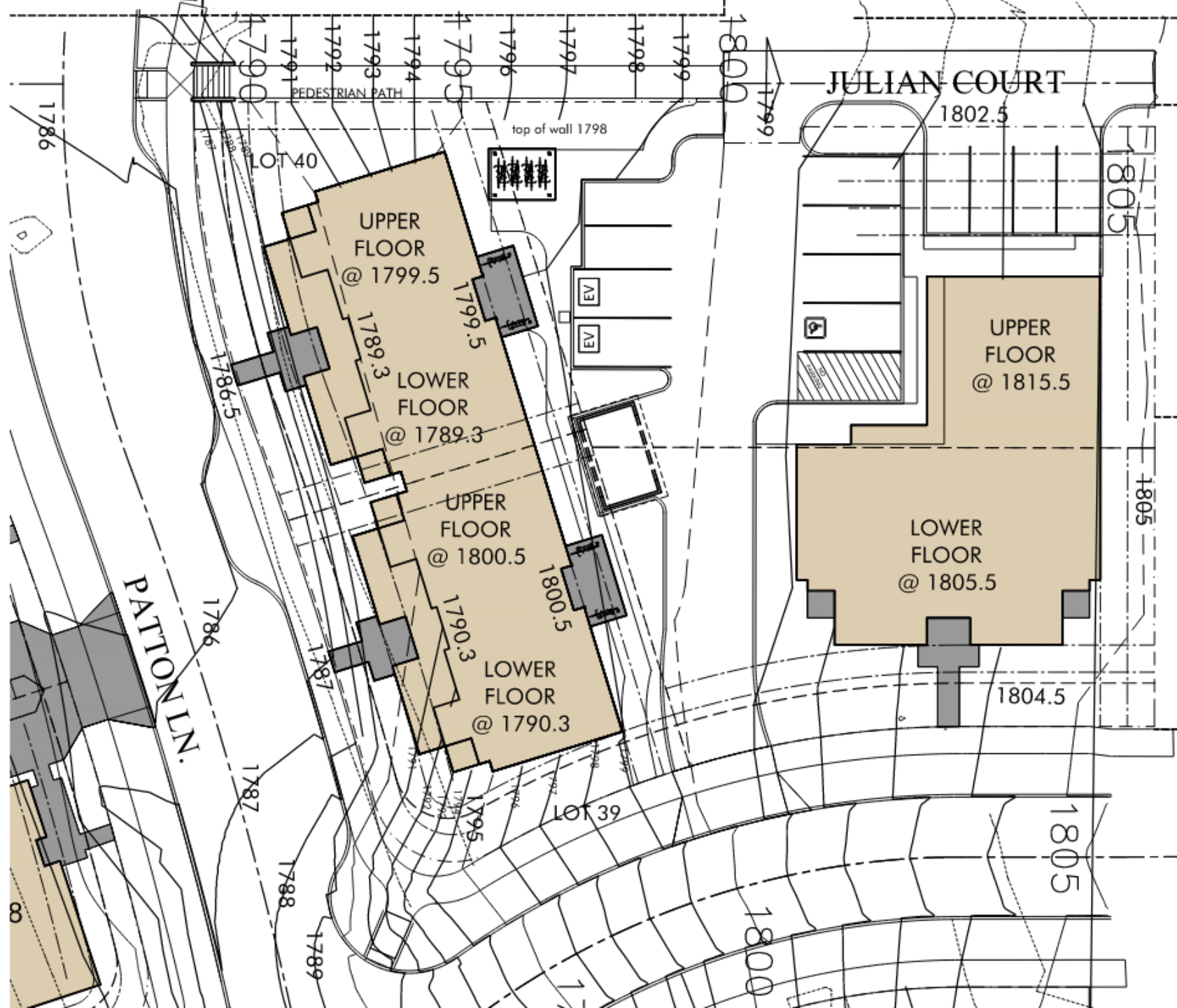
23'-1 1/2"

18'-1 1/2"

The site plan illustrates a proposed 14-unit residential development located at the intersection of Patton Ln. and Nandina St. The development is situated on two lots, Lot 40 and Lot 39. The plan shows the following details:

- Streets:** Patton Ln. (running diagonally from the bottom left to the top left), Nandina St. (running diagonally from the bottom right to the top right), and Julian Ct. (running horizontally at the top).
- Units:** Units 1 through 14 are shown. Units 1, 2, 5, 6, 9, 10, 13, and 14 are colored orange, while Units 3, 4, 7, 8, 11, and 12 are colored light blue. Unit 11 is a duplex.
- Setbacks and Easements:**
 - 5'-0" SETBACK (along the top boundary of Lot 40)
 - 5'-0" PUE (along the left boundary of Lot 40)
 - 10'-0" SETBACK (along the bottom boundary of Lot 40)
 - 15'-0" SETBACK (along the right boundary of Lot 40)
 - 10'-0" SETBACK (along the bottom boundary of Lot 39)
 - 8'-0" PUE (along the bottom boundary of Lot 39)
 - 10'-0" SETBACK (along the right boundary of Lot 39)
 - 15'-0" SETBACK (along the right boundary of the entire site)
 - 8'-0" SETBACK (along the bottom boundary of the entire site)
 - 5'-0" SETBACK (along the bottom boundary of the entire site)
- Other Features:**
 - BIKE SHELTER (located near the top of Lot 40)
 - COMPACT (two spaces, located near the top of Lot 40)
 - EV (two spaces, located near the top of Lot 40)
 - TRASH ENCLOSURE (located near the bottom of Lot 40)
 - UNIT 11 DUPLEX (located near the bottom of Lot 40)
 - UNIT 12 DUPLEX (located near the bottom of Lot 40)
 - UNIT 13 DUPLEX (located near the bottom of Lot 40)
 - UNIT 14 DUPLEX (located near the bottom of Lot 40)
 - UNIT 15 DUPLEX (located near the bottom of Lot 40)
 - UNIT 16 DUPLEX (located near the bottom of Lot 40)
 - UNIT 17 DUPLEX (located near the bottom of Lot 40)
 - UNIT 18 DUPLEX (located near the bottom of Lot 40)
 - UNIT 19 DUPLEX (located near the bottom of Lot 40)
 - UNIT 20 DUPLEX (located near the bottom of Lot 40)
 - UNIT 21 DUPLEX (located near the bottom of Lot 40)
 - UNIT 22 DUPLEX (located near the bottom of Lot 40)
 - UNIT 23 DUPLEX (located near the bottom of Lot 40)
 - UNIT 24 DUPLEX (located near the bottom of Lot 40)
 - UNIT 25 DUPLEX (located near the bottom of Lot 40)
 - UNIT 26 DUPLEX (located near the bottom of Lot 40)
 - UNIT 27 DUPLEX (located near the bottom of Lot 40)
 - UNIT 28 DUPLEX (located near the bottom of Lot 40)
 - UNIT 29 DUPLEX (located near the bottom of Lot 40)
 - UNIT 30 DUPLEX (located near the bottom of Lot 40)
 - UNIT 31 DUPLEX (located near the bottom of Lot 40)
 - UNIT 32 DUPLEX (located near the bottom of Lot 40)
 - UNIT 33 DUPLEX (located near the bottom of Lot 40)
 - UNIT 34 DUPLEX (located near the bottom of Lot 40)
 - UNIT 35 DUPLEX (located near the bottom of Lot 40)
 - UNIT 36 DUPLEX (located near the bottom of Lot 40)
 - UNIT 37 DUPLEX (located near the bottom of Lot 40)
 - UNIT 38 DUPLEX (located near the bottom of Lot 40)
 - UNIT 39 DUPLEX (located near the bottom of Lot 40)
 - UNIT 40 DUPLEX (located near the bottom of Lot 40)
 - UNIT 41 DUPLEX (located near the bottom of Lot 40)
 - UNIT 42 DUPLEX (located near the bottom of Lot 40)
 - UNIT 43 DUPLEX (located near the bottom of Lot 40)
 - UNIT 44 DUPLEX (located near the bottom of Lot 40)
 - UNIT 45 DUPLEX (located near the bottom of Lot 40)
 - UNIT 46 DUPLEX (located near the bottom of Lot 40)
 - UNIT 47 DUPLEX (located near the bottom of Lot 40)
 - UNIT 48 DUPLEX (located near the bottom of Lot 40)
 - UNIT 49 DUPLEX (located near the bottom of Lot 40)
 - UNIT 50 DUPLEX (located near the bottom of Lot 40)
 - UNIT 51 DUPLEX (located near the bottom of Lot 40)
 - UNIT 52 DUPLEX (located near the bottom of Lot 40)
 - UNIT 53 DUPLEX (located near the bottom of Lot 40)
 - UNIT 54 DUPLEX (located near the bottom of Lot 40)
 - UNIT 55 DUPLEX (located near the bottom of Lot 40)
 - UNIT 56 DUPLEX (located near the bottom of Lot 40)
 - UNIT 57 DUPLEX (located near the bottom of Lot 40)
 - UNIT 58 DUPLEX (located near the bottom of Lot 40)
 - UNIT 59 DUPLEX (located near the bottom of Lot 40)
 - UNIT 60 DUPLEX (located near the bottom of Lot 40)
 - UNIT 61 DUPLEX (located near the bottom of Lot 40)
 - UNIT 62 DUPLEX (located near the bottom of Lot 40)
 - UNIT 63 DUPLEX (located near the bottom of Lot 40)
 - UNIT 64 DUPLEX (located near the bottom of Lot 40)
 - UNIT 65 DUPLEX (located near the bottom of Lot 40)
 - UNIT 66 DUPLEX (located near the bottom of Lot 40)
 - UNIT 67 DUPLEX (located near the bottom of Lot 40)
 - UNIT 68 DUPLEX (located near the bottom of Lot 40)
 - UNIT 69 DUPLEX (located near the bottom of Lot 40)
 - UNIT 70 DUPLEX (located near the bottom of Lot 40)
 - UNIT 71 DUPLEX (located near the bottom of Lot 40)
 - UNIT 72 DUPLEX (located near the bottom of Lot 40)
 - UNIT 73 DUPLEX (located near the bottom of Lot 40)
 - UNIT 74 DUPLEX (located near the bottom of Lot 40)
 - UNIT 75 DUPLEX (located near the bottom of Lot 40)
 - UNIT 76 DUPLEX (located near the bottom of Lot 40)
 - UNIT 77 DUPLEX (located near the bottom of Lot 40)
 - UNIT 78 DUPLEX (located near the bottom of Lot 40)
 - UNIT 79 DUPLEX (located near the bottom of Lot 40)
 - UNIT 80 DUPLEX (located near the bottom of Lot 40)
 - UNIT 81 DUPLEX (located near the bottom of Lot 40)
 - UNIT 82 DUPLEX (located near the bottom of Lot 40)
 - UNIT 83 DUPLEX (located near the bottom of Lot 40)
 - UNIT 84 DUPLEX (located near the bottom of Lot 40)
 - UNIT 85 DUPLEX (located near the bottom of Lot 40)
 - UNIT 86 DUPLEX (located near the bottom of Lot 40)
 - UNIT 87 DUPLEX (located near the bottom of Lot 40)
 - UNIT 88 DUPLEX (located near the bottom of Lot 40)
 - UNIT 89 DUPLEX (located near the bottom of Lot 40)
 - UNIT 90 DUPLEX (located near the bottom of Lot 40)
 - UNIT 91 DUPLEX (located near the bottom of Lot 40)
 - UNIT 92 DUPLEX (located near the bottom of Lot 40)
 - UNIT 93 DUPLEX (located near the bottom of Lot 40)
 - UNIT 94 DUPLEX (located near the bottom of Lot 40)
 - UNIT 95 DUPLEX (located near the bottom of Lot 40)
 - UNIT 96 DUPLEX (located near the bottom of Lot 40)
 - UNIT 97 DUPLEX (located near the bottom of Lot 40)
 - UNIT 98 DUPLEX (located near the bottom of Lot 40)
 - UNIT 99 DUPLEX (located near the bottom of Lot 40)
 - UNIT 100 DUPLEX (located near the bottom of Lot 40)

14

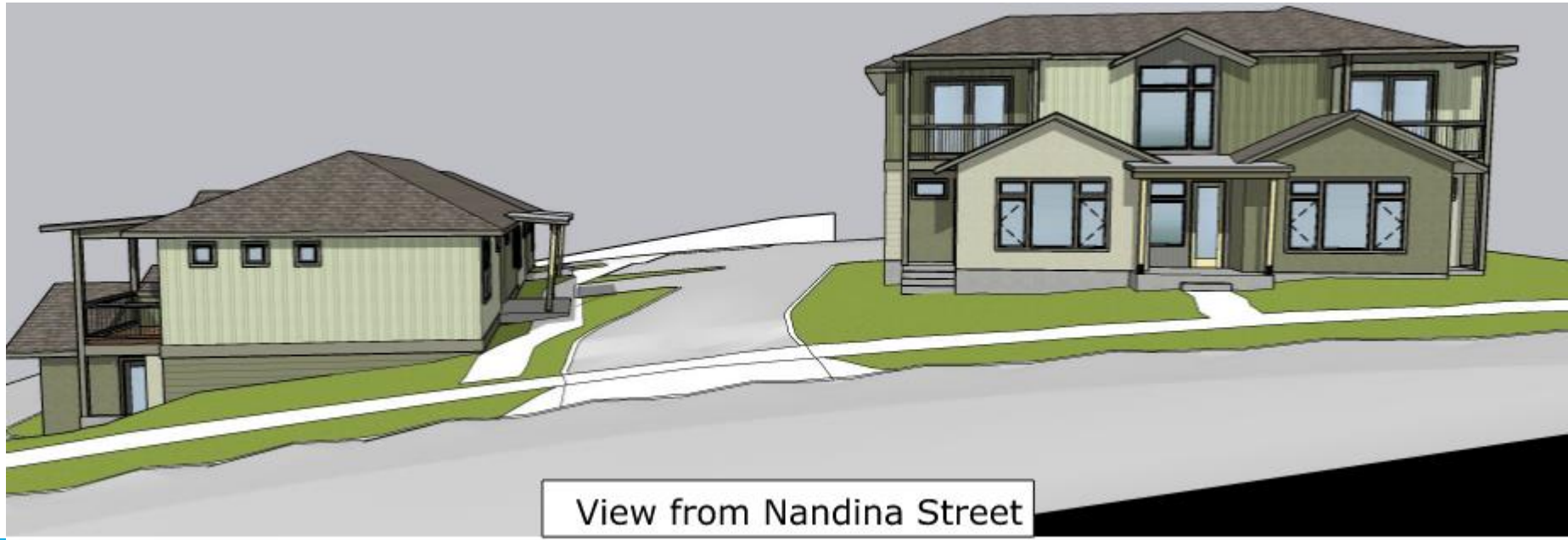


Area 6

PREVIOUS APPROVAL



MODIFIED PLAN



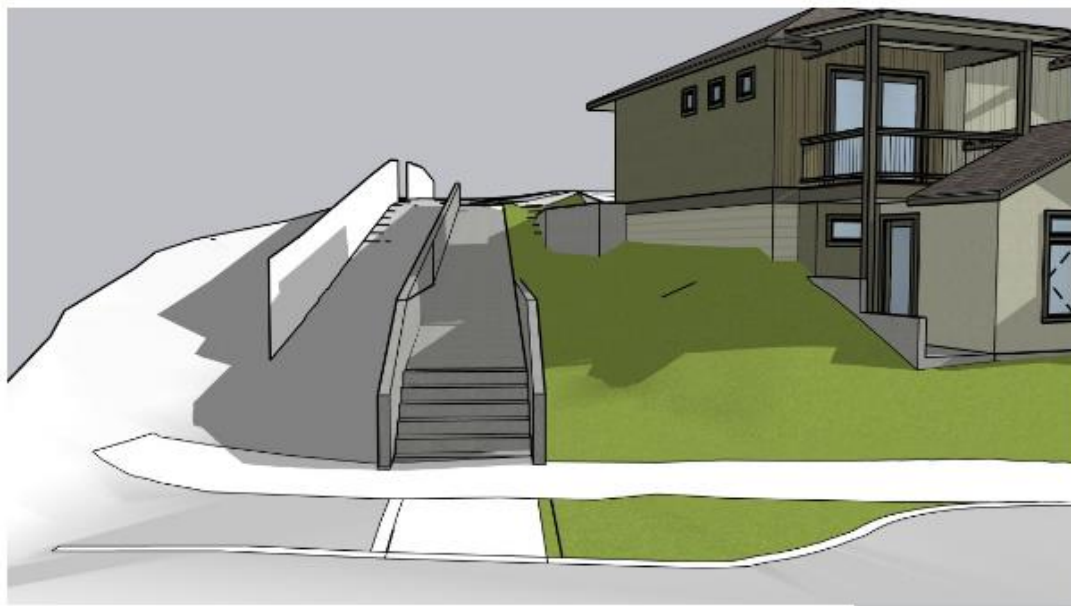
Area 6

PREVIOUS APPROVAL



MODIFIED PLAN





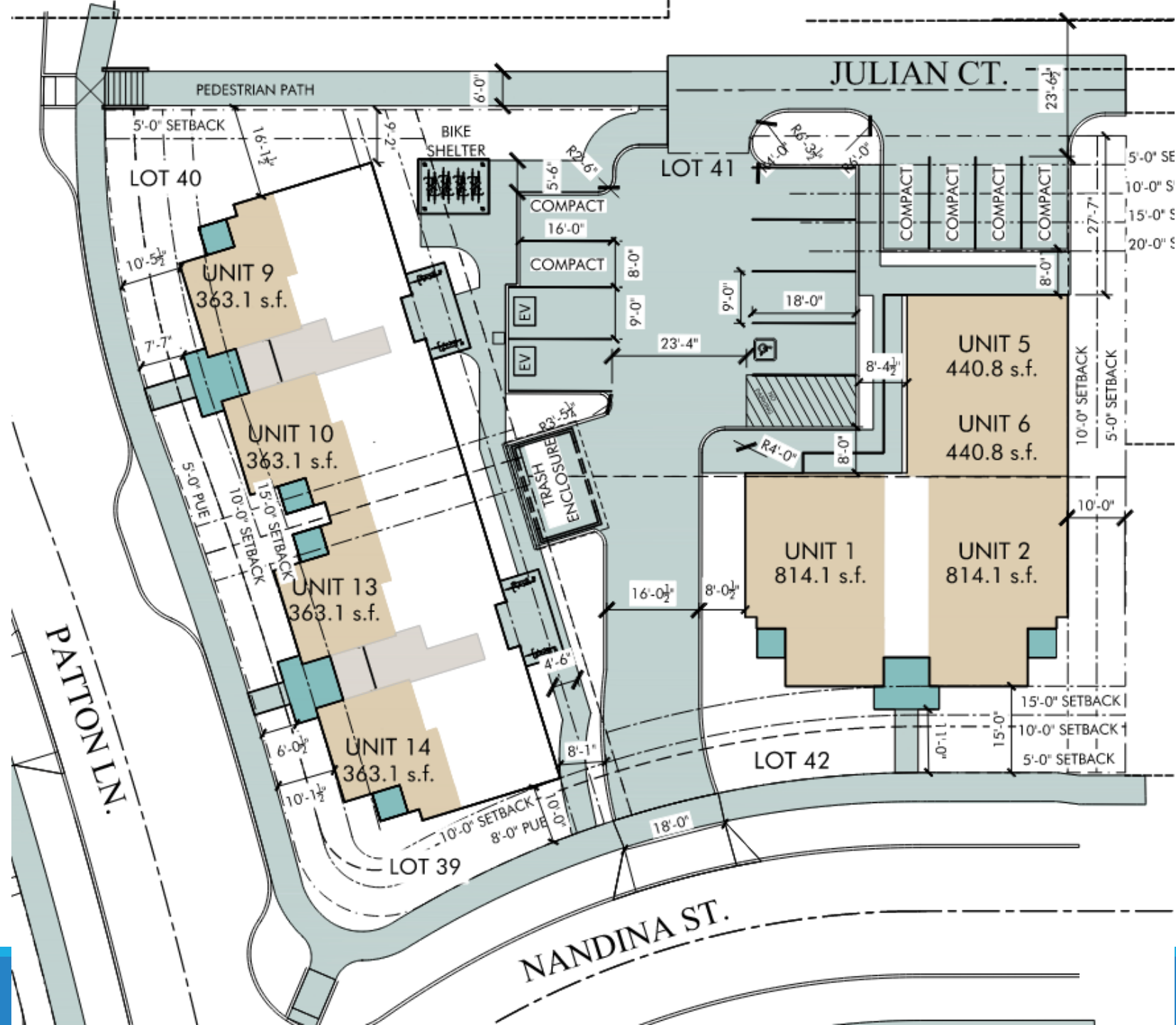
Area 6 - Patton View - Walking Path

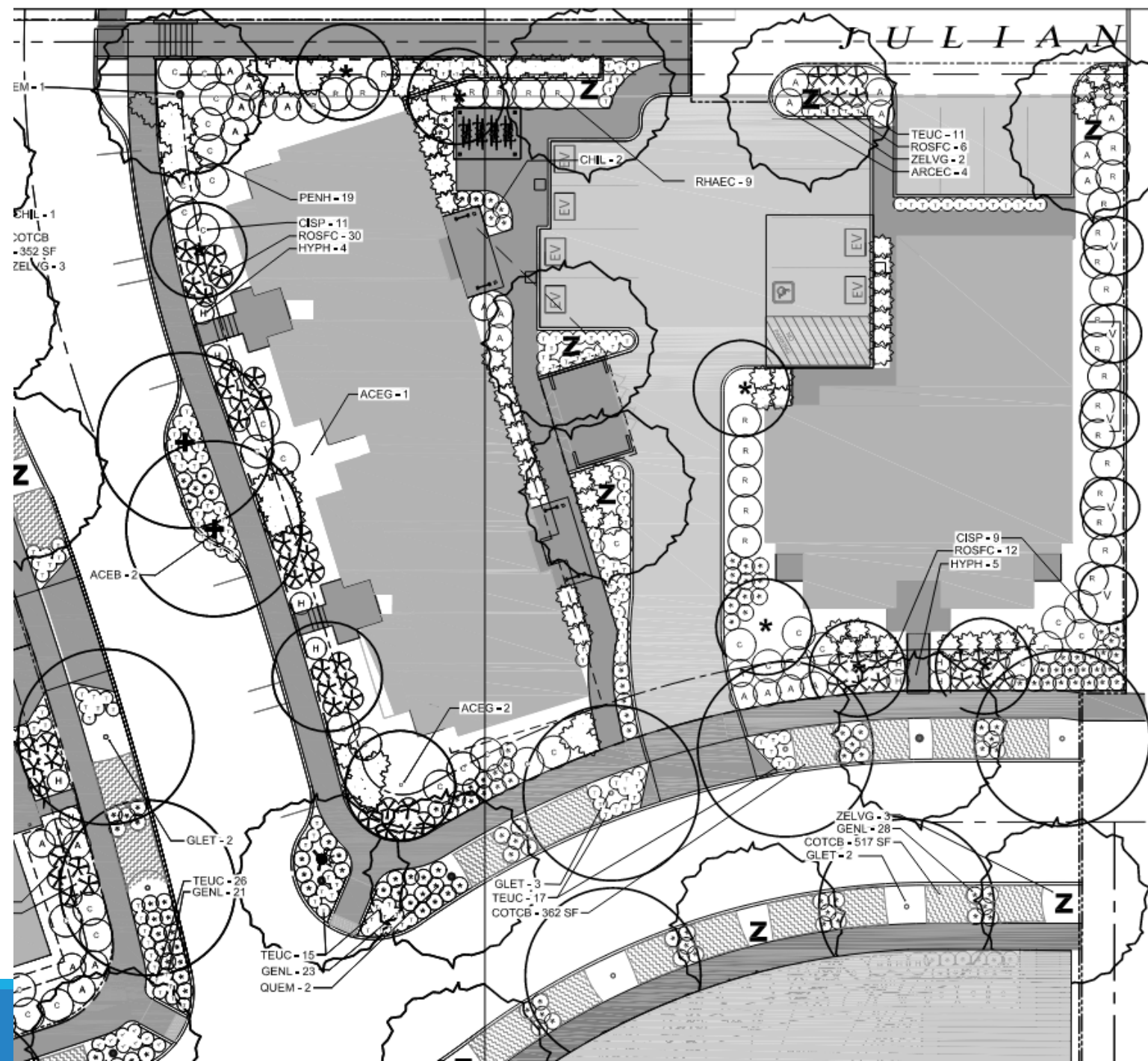


Area 6 - Patton View - Walking Path



Aerial View from North East







DRAWN BY:
KENCAIRN

SCALE
1" = 20'

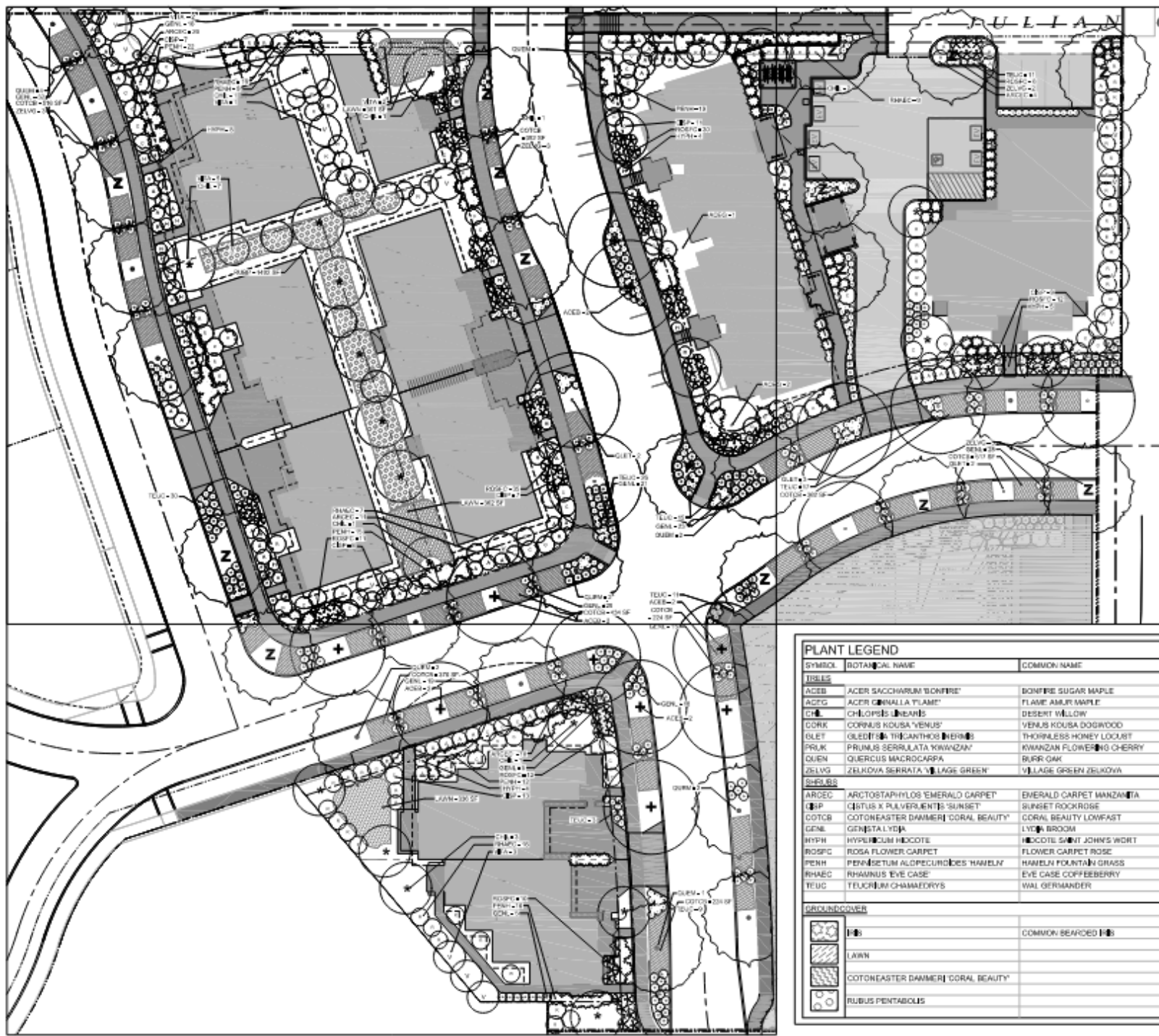
KESTREL PARK
ASHLAND, OR 97520

2016/2017
REVISION DATE
JUNE 23, 2025
JULY 1, 2025
JULY 10, 2025

PLANTING
PLAN

ISSUE DATE
05/24/25

L 1.0



PLANT LEGEND			
SYMBOL	BOTANICAL NAME	COMMON NAME	QTY
TREES			
ACBF	ACER SACCHARUM 'BONFIRE'	BONFIRE SUGAR MAPLE	2" GAL
ACFG	ACER GINNALLA 'FLAME'	FLAME AMUR MAPLE	15 GAL
CH	CHILIPIS LINEARIS	DESERT WILLOW	1/2 GAL
CORX	CORNAUS KOUSSA 'VENUS'	VENUS KOUSSA DOGWOOD	15 GAL
OLET	OLEA FRUTICOSA 'HERBIS'	THORNLESS HONEY LOCUST	2" GAL
PRUK	PRUNUS SERRULATA 'KWANZAN'	KWANZAN FLOWERING CHERRY	1/2 GAL
QUEN	QUERCUS MACROCARPA	BURR OAK	2" GAL
ZELVG	ZELKOYA SERATA 'VILLAGE GREEN'	VILLAGE GREEN ZELKOYA	2" GAL
SHRUBS			
ARDEC	ARCTOSTAPHYLOS 'EMERALD CARPET'	EMERALD CARPET MANZANITA	1 GAL
CRP	CISTUS X PULVERULENTUS 'SUNSET'	SUNSET ROCKROSE	2 GAL
COTCB	COTONEASTER DAMMERI 'CORAL BEAUTY'	CORAL BEAUTY LOWFAST	1 GAL
GENL	GENISTEA LYDIA	LYDIA BROOM	1 GAL
HYPH	HYPERICUM HEDICOTE	HEDICOTE SAINT JOHN'S WORT	5 GAL
ROSPC	ROSA FLOWER CARPET	FLOWER CARPET ROSE	1 GAL
PENH	PENSETUM ALOPECUROIDES 'HAWELN'	HAWELN FOUNTAIN GRASS	1 GAL
RHAC	RHAMNUS EYE CASE	EYE CASE COFFEEBERRY	5 GAL
TEUC	TEUCRIUM CHAMAEDRYS	WAL GERMANDER	1 GAL
GROUND COVER			
HB		COMMON BEARDED	1 GAL 3" O.G.
LAWN			
	COTONEASTER DAMMERI 'CORAL BEAUTY'		1 GAL 3" O.G.
	RUBUS PENTABOLIS		1 GAL 4" O.G.



Final Plan

PA-T2-2025-00059



PRELIMINARY P.U.D. MAP
KESTRAL PARK, PHASE III

BEING A SUBDIVISION OF LOT 31 OF KESTRAL PARK PHASE II
S/4, 23343 L1/4 WITHIN THE NORTHEAST & SOUTH
QUARTERS OF SECTION 4, TOWNSHIP 35 SOUTH, RANGE 1
EAST, WILLAHETTE MERIDIAN
CITY OF ASHLAND, JACKSON COUNTY OREGON
for
TAYLORED ELEMENTS LLC

SURVEYOR'S STATEMENT
THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTORIAL

REGISTERED PROFESSIONAL LAND SURVEYOR
CURIS C. CHAPPELL, PLS 84543
EXPIRATION DATE: JANUARY 15, 2026
JAN 9 2025
CURIS C. CHAPPELL
PLS 84543
EXPIRED: 12/31/2025

PACIFIC CREST SURVEYING
ASHLAND, OR
cpcps@survey.com

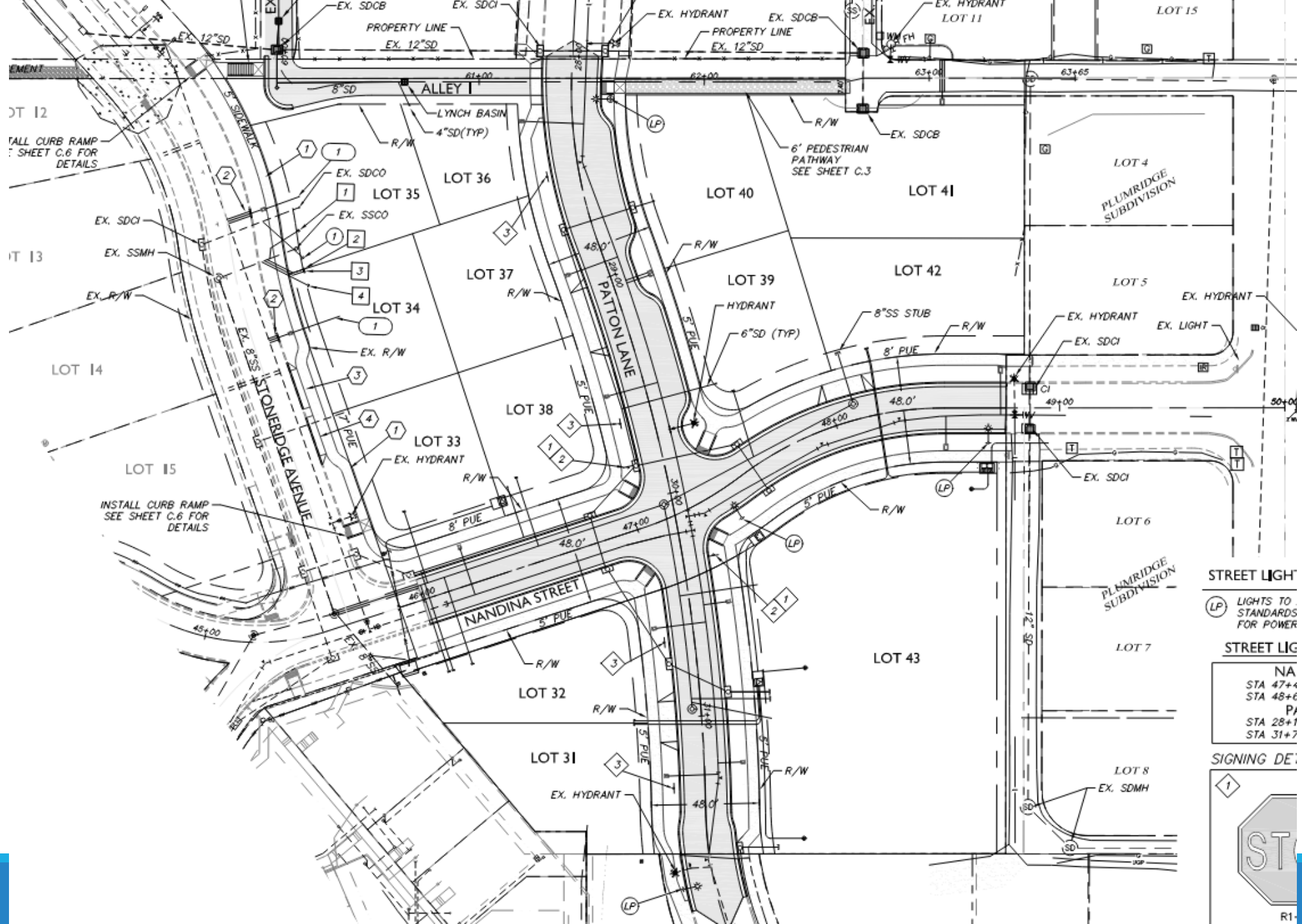
PRELIMINARY PUD MAP
KESTRAL PARK, PHASE III
A SUBDIVISION OF LOT 31, KESTRAL PARK PHASE II

JACKSON COUNTY
OREGON

NO.	REVISIONS	DATE	BY	DESCRIPTION
1	1	202508	CC	ADJUST 4' OF ROW LOT 43
2	2	202508	CC	REDUCED WIDTH TO 16'
3	3	202508	CC	MOVE LOT LINE SOUTH
4	4	202508	CC	REMOVED ALLEY NAME
5	5	202508	CC	REMOVED ST. WIDTH TO 48'

Drawn by
202508 MASTER

1 OF 1



STREET LIGHT

LP LIGHTS TO STANDARDS FOR POWER

STREET LIG

NA
STA 47+4
STA 48+6
P
STA 28+1
STA 31+7

SIGNING DE



Conditions of Approval

Removal of Condition of Approval #2 which was included in error.

The inclusion of condition of approval #7 to state:

- “That an irrigation plan satisfying the requirements of the Site Design and Use Standards Water Conserving Landscaping Guidelines and Policies shall be provided prior to Issuance of building permits, and that all landscaping be installed according to the approved plan, prior to the issuance of a certificate of occupancy.”

Approval Criteria

OUTLINE & FINAL PLAN PSO SUBDIVISION, AND SITE DESIGN REVIEW

Approval Criteria

Outline Plan

- A. the development meets all applicable ordinance requirements of the city.
- B. adequate key city facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a city facility to operate beyond capacity.
- C. the existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the common open space, common areas, and unbuildable areas.
- D. the development of the land will not prevent adjacent land from being developed for the uses shown in the comprehensive plan.
- E. there are adequate provisions for the maintenance of common open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.
- F. the proposed density meets the base and bonus density standards established under this chapter.
- G. the development complies with the street standards.
- H. the proposed development meets the common open space standards established under section 18.4.4.070. Common open space requirements may be satisfied by public open space in accordance with section 18.4.4.070 if approved by the city of Ashland.

Approval Criteria

Final Plan

- a. The number of dwelling units vary no more than ten percent of those shown on the approved outline plan, but in no case shall the number of units exceed those permitted in the outline plan.
- b. The yard depths and distances between main buildings vary no more than ten percent of those shown on the approved outline plan, but in no case shall these distances be reduced below the minimum established within this ordinance.
- c. The common open spaces vary no more than ten percent of that provided on the outline plan.
- d. The building size does not exceed the building size shown on the outline plan by more than ten percent.
- e. The building elevations and exterior materials are in conformance with the purpose and intent of this ordinance and the approved outline plan.
- f. That the additional standards which resulted in the awarding of bonus points in the outline plan approval have been included in the final plan with substantial detail to ensure that the performance level committed to in the outline plan will be achieved.
- g. The development complies with the street standards.
- h. Nothing in this section shall limit reduction in the number of dwelling units or increased open space; provided, that if this is done for one phase, the number of dwelling units shall not be transferred to another phase, nor the common open space reduced below that permitted in the outline plan

Approval Criteria

Site Design Review

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

- A. Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.
- B. Overlay Zones. The proposal complies with applicable overlay zone requirements (part 18.3).
- C. Site Development and Design Standards. The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.
- D. City Facilities. The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.
- E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1, 2, or 3, below, are found to exist.

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

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

3. There is no demonstrable difficulty in meeting the specific requirements for a cottage housing development, but granting the exception will result in a design that equally or better achieves the stated purpose of section 18.2.3.090.

Approval Criteria

Major Modification to Approved Plan

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

- 1. Major Modification applications are subject to the same approval criteria used for the initial project approval, except that the scope of review is limited to the modification request. For example, a request to modify a commercial development's parking lot shall require Site Design Review only for the proposed parking lot and any changes to associated access, circulation, etc.
- 2. A modification adding or altering a conditional use, or requiring a variance, administrative variance, or exception may be subject to other ordinance requirements.
- 3. The approval authority shall approve, deny, or approve with conditions the application, based on written findings.



Questions?