
The comments of this pre-app are preliminary in nature and subject to change based upon the submittal of additional or different information. The Planning Commission or City Council are the final decision making authority of the City, and are not bound by the comments made by the Staff as part of this pre-application.

**ASHLAND PLANNING DIVISION
PRE-APPLICATION CONFERENCE
COMMENT SHEET** May 22, 2024

SITE: 1448 Ashland Street
APPLICANT: GapCo Pizza
REQUEST: Potential Site Design Review

PLANNING STAFF COMMENTS:

This pre-application conference is intended to highlight significant issues of concern to staff and bring them to the applicant's attention prior to their preparing a formal application submittal.

Summary: This application is challenging based on existing site nonconformities. Also, the property is located in the Detail Site Review Zone.

Staff has determined that if the proposed roof for the replacement porch is not connected to the building then we would no longer need to consider it as either an addition or expansion, and it would qualify as a simple repair and upgrade to the existing seating area without triggering Site Design Review.

18.5.2.020 Applicability - Site Design Review is required for the following types of project proposals.

A. Commercial, Industrial, Non-Residential, and Mixed Uses. Site Design Review applies to the following types of non-residential uses and project proposals, including proposals for commercial, industrial, and mixed-use projects, pursuant to section [18.5.2.030](#), Review Procedures.

1. New structures, additions, or expansions in C-1, E-1, HC, CM, and M-1 zones.

Other Non-conformities: The standards call for any addition to proportionally bring a site more into compliance with the applicable standards in a proportional amount.

Site Design Review Approval Criteria

The application submittal would need to address the criteria for Site Design Review and the applicable Site Development and Design Standards:

- 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.
- Overlay Zones.** The proposal complies with applicable overlay zone requirements (part [18.3](#)).
- Site Development and Design Standards.** The



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

- D. City Facilities.** The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.
- E. Exception to the Site Development and Design Standards.** The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.
1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or
 2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

Where the application does not comply with the applicable standards, Exceptions would need to be requested and written findings addressing the criteria above provided.

Neighborhood Outreach: Projects involving changes to established patterns can be a concern for neighbors, and staff always recommends that applicants approach the affected neighbors, make them aware of the proposal, and try to address any concerns as early in the process as possible. Notices are sent to neighbors within a 200-foot radius of the property.

Written Findings/Burden of Proof: Applicants should be aware that written findings addressing the ordinance and applicable criteria are required, and are heavily depended on when granting approval for a planning action. In addition, the required plans are explained in writing below. The burden of proof is on the applicant(s) to ensure that all applicable criteria are addressed in writing and that all required (*scalable*) plans, written findings, and other materials are submitted even if those items were not discussed in specific, itemized detail during this initial pre-application conference

OTHER DEPARTMENTS' COMMENTS

BUILDING DEPT: The covered porch structure does not meet the light frame prescriptive design outlined in Chapter 23 of the OSSC, so Engineering will need to be provided for this portion of the project. Outside of the structural portion, I would recommend a design professional to provide a more complete set of plans to cover the code analysis showing how it meets minimum required commercial codes.

Other than the Engineering for the covered porch, I would not outright require a design professional for this project, but I would highly recommend one for the purposes of a timely review and permit issuance. - Steven Matiaco, C.B.O

please contact the Building Division for any Building Codes-related information at 541-488-5305.

CODE COMPLIANCE: For any compliance-related information, please contact Planning at 541-488-5305.

CONSERVATION: For information on available Conservation Programs, including potential rebates, tax credits, and financial or technical assistance with energy efficiency improvements, please contact the City of Ashland Conservation Division at 541-488-5305.

ENGINEERING: The Public Works/Engineering Department had no comments at this time. Please contact Karl Johnson at (541) 552-2415 or e-mail: karl.johnson@ashland.or.us for any Engineering-related questions (utilities, streets, storm drainage, etc.). There are specific engineering thresholds which trigger Traffic Impact Analysis (TIA) submittals for properties fronting on boulevards and arterials; the applicants may wish to contact Karl to verify those threshold levels.

FIRE DEPARTMENT: See comments included at the end of this document. Please contact Division Chief & Fire Marshal Ralph Sartain of Ashland Fire & Rescue for Fire Code-related information at (541) 552-2229.

WATER AND SEWER SERVICE: *“If the project requires additional water services or upgrades to existing services the Ashland Water Department will excavate and install in the city right of way all water services up to and including the meter on domestic and commercial water lines. If a fire line is required the water department will also only install a stub out to the location where the double detector check assembly complete with a Badger brand cubic foot bypass meter should be placed in a vault external to the building. The vault and the DCDA device housed in it are the responsibility of the property owner and should be placed at the property line. Fees for these installations are paid to the water department and are based on a time and materials quote to the developer or contractor. Meter sizes and fire line diameters will need to be provided to the Water Department at the time of a quote being requested. Please call Steve Walker at [541-552-2326](tel:541-552-2326) or e-mail walkers@ashland.or.us with any questions regarding water utilities.”*

ELECTRIC SERVICE: Please contact Dave Tygerson in the Electric Department for service and meter location requirements and fee information at (541) 552-2389. Dave will arrange an on-site meeting to develop an electric service plan for the site which the applicants will need to incorporate into their utility plans. Land use applications will not be deemed complete without an Electric Department-approved service plan; please allow additional time for scheduling and conducting an on-site meeting with Electric and their subsequent creation of a service plan.

.....

PROCEDURE

A Conditional Use Permit is subject to a “Type I” procedure which includes an administrative decision made following public notice and a public comment period. Type I decisions provide an opportunity for appeal to the Planning Commission.

APPLICATION REQUIREMENTS

Submittal Information.

The application is required to include all of the following information.

- a. The information requested on the application form at <http://www.ashland.or.us/Files/Zoning%20Permit%20Application.pdf> .
- b. Plans and exhibits required for the specific approvals sought (see below).
- c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail (see below).
- d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, *as applicable*.
- e. The required fee (see below).

The Ashland Land Use Ordinance, which is Chapter 18 of the Municipal Code, is available on-line in its entirety at: <https://ashland.municipal.codes/LandUse>

Written Statements

Please provide two copies of a written statements explaining how the application meets the approval criteria from the sections of the Ashland Municipal Code listed below. These written statements provide the Staff Advisor or Planning Commission with the basis for approval of the application:

- **Site Design Review** **AMC 18.5.5.050**

Plans & Exhibits Required

Please provide two sets of exhibits (plans or drawings) addressing the submittal requirements from the sections of the Ashland Municipal Code listed below. These exhibits are used to copy the Planning Commission packets and for notices that are mailed to neighbors. Please provide two copies on paper no larger than 11-inches by 17-inches and reproducible copies that are drawn to a standard architect’s or engineer’s scale.

- **Site Design Review** **AMC 18.5.2.040**

FEES: Conditional Use Permit

\$1,271.25 + 0.5% of project valuation

NOTE: All applications received are reviewed and must be found to be complete before being processed or scheduled at a Planning Commission meeting. Applications will not be accepted without a complete application form signed by the applicant(s) and property owner(s), all required materials and full payment. Applications are reviewed for completeness in accordance with ORS 227.178.

For further information, please contact:

Aaron Anderson, *Senior Planner*

City of Ashland, Department of Community Development

Phone: 541-552-2052 or e-mail: aaron.anderson@ashland.or.us

May 22, 2024

Date