
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 August 23, 2017

SITE: 445 Applegate Way
APPLICANT: Aqua Serene Inc
Metropolis Properties LLC
REQUEST: Conditional Use Permit

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.

Conditional Use Permit: The temporary use of the vacant property at 445 Applegate is intended for the outdoor storage of materials relating to the adjacent Aqua Serene business. Any use which involves outside storage of merchandise, raw materials, or other material associated with the primary use on the site; requires a Conditional Use Permit review. This review is intended to consider the application in terms of its adverse material impacts when weighed against development to the target use of the zoning district. Considerations can include a broad range of considerations from traffic, impacts on nearby neighbors and businesses, generation of odors, noise, light or glare. The property involved is located within the E-1 Zoning District, which permits retail sales (and restaurants) with Special Use Standards (not to exceed 20,000 square feet) and as such, demonstrating the proposed use will not have a greater impact than the target use at maximum development potential appears achievable.

Site Planning: The proposal will involve an assessment of both the vacant property and the property at 465 Applegate way to evaluate compliance with all site design and use requirements. Key issues which will be evaluated in planning application proposal include the retention of adequate amount of parking for the adjacent use, automobile and delivery circulation, screening from view by adjacent properties and the street the materials stored outdoors at both 465 and 445 Applegate Way, and that the future development of the vacant property is not impeded by the temporary use as outdoor storage.

A scalable site plan submitted with the application shall identification of existing structures, all areas to be used as outdoor storage, all parking spaces, access to the site and internal circulation, proposed screening in the form of landscaping and site obscuring fencing.

Parking Access and Internal Circulation: Per the parking requirements the Land Use Ordinance (18.4.3) Retail uses require 1 space / 350 square feet of gross floor area. General office 1 space/500 square feet of gross floor area. Light industrial and Warehousing uses require 1 space per 1,000s square feet of gross floor area or for each two employees, whichever is less, plus one space per company vehicle.

Lot Coverage: A maximum of 85% of the lot may be covered with impervious surface, which includes buildings, pavement, and soil disturbances that will not allow normal water infiltration. As the future development of this property is intended to address employment generation the current proposal for the temporary storage of materials on-site needs to consider that any improvements (paving) will not adversely impact future development potential.

Combustible Materials: Fire Department comments (attached) stipulate that outside storage of combustible materials can not be located within 10' of a property line.

Written Findings/Burden of Proof: Applicants should be aware that written findings addressing 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.

Neighborhood Outreach: Projects involving changes to established patterns can be a concern for neighbors; staff always recommend 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. Public notices are typically sent to neighbors within a 200-foot radius of the property, posted on the site, and in the newspaper. Applicants should be aware of on-going discussions about conditional uses for vendors who compete directly with nearby merchants while not having to pay brick-and-mortar costs which impact those merchants.

OTHER DEPARTMENTS' COMMENTS

BUILDING DEPT: *No comments provided.*

FIRE DEPARTMENT: Comments provided (attached). Fire department comments are based upon the 2014 Oregon Fire Code as adopted by the Ashland Municipal Code. Fire Marshal Greg Kleinberg performed this review as a courtesy for Ashland Fire & Rescue. Contact Interim Fire Chief David Shepard at (541) 552-2219 or at david.shepard@ashland.or.us with questions.

WATER AND SEWER SERVICE: *No comments provided.*

ELECTRIC SERVICE: If any modifications to the electric services are involved in the proposal, 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: Type 1 (*Administrative approval subject to hearing on appeal, or if deemed necessary by the Staff Advisor based on final submittal details/issues.*)

Type I Application Requirements

18.5.1.050 Type I Procedure (Administrative Decision with Notice)

Type I decisions are made by the Staff Advisor, following public notice and a public comment period. Type I decisions provide an opportunity for appeal to the Planning Commission.

A. Application Requirements.

1. *Application Form and Fee. Applications for Type I review shall be made on forms provided by the Staff Advisor. One or more property owners of the property for which the planning action is requested, and their authorized agent, as applicable, must sign the application. The application shall not be considered complete unless the appropriate application fee accompanies it.*
2. *Submittal Information. The application shall include all of the following information.*
 - a. *The information requested on the application form.*
 - b. *Plans and exhibits required for the specific approvals sought (2 copies).*
 - c. *A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail (2 copies).*
 - d. *Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.*
 - e. *The required fee.*

Plan Requirements

Two (2) legible copies of the plans below on paper no larger than 11 x 17-inches are required, in addition to any full-sized plans provided.

Two (2) copies of the materials required for a Conditional Use Permit application as detailed in LUO 18.5.4.040. An application for a Conditional Use Permit shall be submitted by the owner of the subject property or authorized agent on a form prescribed by the City and accompanied by the required filing fee.

RELEVANT CRITERIA AND STANDARDS: Applicants are advised that in addition to required plans, written findings addressing how the ordinance criteria are satisfied in narrative format are required. The applicable criteria are included below. The Ashland Land Use Ordinance in its entirety may be accessed on-line at:

http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf

Two (2) copies of the written findings addressing the approval criteria for a Conditional Use Permit, as detailed in LUO 18.5.4.050. A Conditional Use Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved

access to and throughout the development, and adequate transportation can and will be provided to the subject property.

3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.
 - a. Similarity in scale, bulk, and coverage.
 - b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
 - c. Architectural compatibility with the impact area.
 - d. Air quality, including the generation of dust, odors, or other environmental pollutants.
 - e. Generation of noise, light, and glare.
 - f. The development of adjacent properties as envisioned in the Comprehensive Plan.
 - g. Other factors found to be relevant by the approval authority for review of the proposed use.
4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.
5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of the E-1 zone is as follows.

The general office uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.

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UPCOMING APPLICATION DEADLINES:	N/A
UPCOMING PC MEETINGS:	Second Tuesday of each month
FEES:	Conditional Use Permit (I) \$1,046

***NOTE:**

- o Applications are accepted on a first come-first served basis.
- o All applications received are reviewed by staff, and must be found to be complete before being processed or scheduled at a Planning Commission meeting.
- o 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.
- o Applications are reviewed for completeness in accordance with ORS 227.178.
- o Applications submitted are processed in the order received, and complete actions are scheduled at the next available Planning Commission meeting.

For further information, please contact:

Brandon Goldman, Senior Planner
City of Ashland, Department of Community Development
Phone: 541-552-2076 or e-mail: brandon.goldman@ashland.or.us

August 23, 2017

Date

