
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** March 14, 2018

SITE: 631 Clay Street
APPLICANT: Rogue/Siskiyou School
REQUEST: Modification

PLANNING DIVISION COMMENTS

This pre-application conference is intended to highlight significant issues before the applicant prepares and submits a formal application.

Summary: The existing approvals in place for the Siskiyou School include: Site Review, a Conditional Use Permit, a Physical Environmental Constraints Review Permit, and a Variance to exceed lot coverage. Staff are generally supportive of the current request to modify these approvals as proposed, assuming that the proposal is as described and does not involve an overall intensification of the use, does not disturb the Cemetery Creek Water Resource Protection Zone, and provided that the final application satisfactorily addresses the issues raised below.

Site Design Review: The application would need to respond to the applicable approval criteria in AMC 18.5.2 for Site Design Review, as well as the applicable design standards in AMC 18.4.2.040. In addressing the criteria, the applicants will want to speak to the adequacy of city services in the area to accommodate the proposal, and to address any exceptions from the standards that are being requested.

Site or Building Non-Conformities: During the land use review process for the previous approval(s), a number of non-conformities with the site were noted including the previous church building's orientation to the street, provisions for a pedestrian connection from the street corridor to the entry, the placement of parking in front of the building, landscaping, landscape buffering and street trees. Site Review typically requires that an area of the site proportional to the area of the proposed addition be brought into compliance with standards – the final application submittal should make clear whether the proposal results in a net gain and if so, demonstrate how any outstanding non-conformities are to be addressed in a manner consistent with the standards.

Solar Access: As a residentially zoned property, the subject site is subject to Solar Access Standard A and the application materials will need to include calculations demonstrating compliance with the solar access standards. (If the buildings are toward the southern part of the site, this may not pose any issues.)

Conditional Use Permit: The Conditional Use Permit process provides for consideration of the adverse impacts of the school property on the surrounding neighborhood weighed against the typical adverse impacts that would otherwise be expected if the school property were developed with residences as allowed in the R-1-5 zoning district. Typically, this consideration would look at impacts such as parking, traffic and noise in comparison to the target residential use. The application should speak to the sum of impacts anticipated, including the uses in place and the proposed modifications,

in comparison to residential use with the goal of there being “no greater adverse material impacts.”

Intensification: The application materials will need to make clear whether the proposal involves any intensifications of the proposed use over that approved previously. This should include a clear explanation of any net gain in floor area, classroom seats, number of classrooms or students, use of all spaces, changes to the school year, number/type/frequency/duration of any assembly uses. *(The comments provided here are based on the pre-application submittals indicating that the proposal is shifting floor area on site with no intensification of use; in the event that intensification is ultimately proposed, these comments could change in terms of procedural handling, applicable criteria and/or fees.)*

Plan Submittals: Applicants are reminded that final application submittals are required to include scalable exterior elevation drawings of all sides of the building(s) and plans indicating the materials, colors, textures, shapes and other design features of the building including all mechanical devices and utility installations. The final application submittals should also include site plans and floor plans making clear what buildings and uses are in place and how the existing/approved configuration is proposed to change with the proposal.

Compliance with Conditions of Previous Approval: The previous land use approval included conditions requiring, among other things: the dedication of a public pedestrian easement and installation of a path from the Cemetery Creek crossing through the site and out to Clay Street to provide a functional pedestrian connection with the Clay Street park; the payment by the applicants of the costs associated with future street improvements along Clay Street; addition of some parking which does not appear to be in place in current aerials, and measures to limit parking within the Clay Street right-of-way. The final application should make clear what requirements have been addressed, what requirements remain outstanding, and how any outstanding conditions of the previous approval are to be addressed through the current request.

Water Resources Protection Zones (AMC 18.3.11): Since the original approval, the City has adopted a new regulations designed to provide greater protection for water resources. Cemetery Creek along the west boundary of the subject property is considered an “Intermittent or Ephemeral Stream”, and includes a “Water Resource Protection Zone (WRPZ)” extending 30 feet upland of the center line of the stream. *For piped sections of the stream, the WRPZ is reduced by half or to the width of any easements, whichever is greater.* Uses and activities within the WRPZ are regulated as detailed in AMC 18.3.11. As illustrated, it appears that the Building 6 would extend into the WRPZ and require a WRPZ reduction. *If this building’s placement can be rotated as described in the narrative to avoid impacts to Cemetery Creek’s protection zone it would be better for the creek corridor and a simpler application for all involved.*

Flood Plain Development (AMC 18.3.10.080): In addition to regulations affecting the uses of the Water Resources Protection Zone of Cemetery Creek, all lands within ten feet of the top of bank of this land drainage are considered to be floodplain corridor lands and remain subject to the applicable Physical and Environmental Constraints Review Permit standards. Any proposal constituting development within the floodplain corridor of Clay Creek, which extends into the Clay Street right-

of-way near the northern driveway, or within the floodplain corridor lands within ten feet of Cemetery Creeks banks is subject to a Physical & Environmental Constraints Review Permit (a ‘P&E permit’), and must address both the approval criteria for a P&E permit and the additional standards for the development of flood plain corridor lands found in AMC 18.3.10.080.

Tree Preservation/Protection (AMC 18.4.5): All planning actions are required to include a tree preservation/protection plan. This is intended to ensure that trees (including street trees, parking lot trees and trees on adjacent properties within 15 feet of the property line) are protected during all site disturbance (including demolition, staging, storage of materials and construction). This plan must address all trees on the property over six-inches in diameter at breast height (d.b.h.) and all trees that are located on adjacent properties within 15 feet of the property line as well. Tree Removals are subject to the tree removal permit process – and may also trigger review under the Physical & Environmental Constraints Review Permit and Water Resources chapters depending on the location of the trees on the site relative to Cemetery Creek.

Signage: The final application submittal should include details of all existing and proposed signage to demonstrate compliance with the Sign Ordinance (AMC 18.4.7) requirements.

Neighborhood Outreach: Staff always recommends that applicants approach affected neighbors, particularly those who are likely to receive notice of an application, in order to make them aware of proposals and to try to address any concerns that may arise as early in the process as possible. Notices are typically sent to neighboring property owners within a 200-foot radius of the perimeter of the subject property.

Written Findings/Burden of Proof: 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. 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 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 ORDINANCE REQUIREMENTS: See “Table 18.2.5.030.A – Standards for Urban Residential Zones.” The subject property is zoned R-1-5.

OTHER CITY OF ASHLAND DEPARTMENT COMMENTS

BUILDING: No comments at this time. Please contact the Building Division for any building codes-related questions at 541-488-5305.

CONSERVATION: For more information on available water conservation programs, including any available appliance rebates or assistance with landscaping and irrigation system requirements, please contact Water Conservation Specialist Julie Smitherman of Conservation Division at 541-552-2062 or via e-mail to julie.smitherman@ashland.or.us . For information on any financial or technical assistance available for the construction of Earth Advantage/Energy Star buildings, please contact Conservation Analyst/Inspector Dan Cunningham at 541-552-2063 or via e-mail to dan.cunningham@ashland.or.us

ENGINEERING: *The Engineering Department had no comments at this time.* Please contact Karl Johnson of the Engineering Division for any Public Works/Engineering-related information (i.e. utilities, streets, stormwater, etc.) at 541-552-2415 or via e-mail to karl.johnson@ashland.or.us .

FIRE: *See comments at the end of this document.* Please contact Ralph Sartain from the Fire Department for any Fire Department-related information at 541-552-2229 or via e-mail to ralph.sartain@ashland.or.us.

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 Contact Steve Walker at [541-552-2326](tel:541-552-2326) or (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 if there are any questions at (541) 552-2389 or via e-mail to tygersod@ashland.or.us .

PROCEDURE

Procedurally: Assuming that the application is not modifying the operations of the school as it relates to the target use of the zoning district (*i.e. not increasing the number of students, length of the school year, number or type of events, increasing the number of classrooms, enlarging assembly spaces, changing traffic impacts or otherwise altering the school operation described in the original Conditional Use Permit proposal*), and does not involve disturbance in the Water Resource Protection Zone or Floodplain, the application could be considered a modification of the original approval, and would be processed as a Type I application, which allows for an Administrative Decision with notice to neighbors. See http://www.ashland.or.us/SIB/files/Flowchart_Type%20I_Revised%207_2017.pdf

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

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:

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|---|--|------------------------|
| ○ | Site Design Review | AMC 18.5.2.050 |
| ○ | Conditional Use Permit | AMC 18.5.4.050 |
| ○ | WRPZ Reduction (if applicable) | AMC 18.3.11.070 |
| ○ | Tree Removal Permit (if applicable) | AMC 18.5.7.040 |

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.

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| ○ | Site Design Review: | AMC 18.5.2.040 |
| ○ | Conditional Use Permit: | AMC 18.5.4.040 |
| ○ | WRPZ Reduction (if applicable) | AMC 18.3.11.100 |
| ○ | Tree Protection Plan: | AMC 18.4.5.030 |

PLANNING APPLICATION FEES:

SDR/CUP Modification	\$1,046
Exceptions (if applicable)	\$ 0
WRPZ Reduction (<i>I or II, if applicable</i>)	\$1,046 or \$2,099

NOTE: Applications are accepted on a first come-first served basis. 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:

Derek Severson, *Senior Planner*

City of Ashland, Department of Community Development

Phone: 541-552-2040 or e-mail: derek.severson@ashland.or.us

March 14, 2018

Date