
The comments of this pre-application 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 DEPARTMENT
PRE-APPLICATION CONFERENCE
COMMENT SHEET**

November 7, 2018

SITE: 1065 E. Main St.
APPLICANT: Rogue Planning & Dev. Services, LLC
REQUEST: Site 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: As proposed, the buildings do not meet design standards for a primary orientation to the street and also does not appear to meet solar access standards. In addition, the application proposes a 33 percent reduction in off-street parking requirements while also requesting a density bonus to increase the number of units allowed on the lot. Staff would be unable to support the necessary Exception to the design standards, and if the proposal were not adjusted to better address standards staff would likely schedule the item for a hearing rather than processing it administratively.

Orientation: Building Orientation is a primary design standard and requires that dwelling units shall have their primary orientation to a street with a primary entrance opening to the street and a connection to the street. As proposed, it is unclear that any of the proposed units are oriented to the street. This would require a design Exception which staff would be unable to support. Units would need to establish a strong orientation to the street with primary entrances opening to the street and pedestrian connections to the sidewalk.

Parking Credits: The application requests a 33 percent reduction in off-street parking requirements in combination with a density bonus, in an area already seeing a significant increase in density and likely to experience an increase in parking demand. On-street parking credits and other parking management strategies are discretionary, and existing and anticipated future parking are looked at closely in considering requests, and staff is uncertain that a request of this magnitude in combination with a density bonus would be agreeable to the Commission.

Street Improvements: City standards require development to provide street frontage improvements (sidewalks, parkrow planting strips with irrigated street trees, street lights, etc.) for the property's full street frontage. The standard improvements for East Main Street, which is considered a "Neighborhood Collector" street, are five- to six-foot sidewalks and seven- to eight-foot parkrow planting strips with irrigated street trees every 30 feet. The standard improvements for Emerick Street, which is a Neighborhood Residential street are five- to six-foot sidewalks and seven-foot parkrow planting strips with irrigated street trees every 30 feet. Typically, if additional right-of-way is necessary to accommodate these improvements, it would need to be dedicated along the frontage, or public pedestrian access easements provided. The applicant would need to request an Exception to Street Standards if a non-

standard frontage improvement were proposed – given building placement and trees along the corridor, an Exception to allow a curbside sidewalk seems appropriate along Emerick. *Any unnecessary or unused curbcuts would need to be closed in conjunction with the application.*

Density: Based on the lot area presented (.223 acres.) the base density of the subject property would be 4.46 dwelling units ($0.223 \text{ acres} \times 20 \text{ du/ac} = 4.46 \text{ du}$). A ten percent bonus for additional open space would yield an allowed density of 4.9 dwelling units ($4.46 \text{ du} \times 1.1 = 4.906 \text{ du}$). With density bonuses, the total density cannot exceed 4.906 units.

- **Open Space Density Bonus:** To receive the ten percent density bonus, the project would need to demonstrate that 18 percent of the site area was provided in open/recreational space meeting the density bonus standards. Open space would need to be provided in spaces with dimensions and surfacing that support human recreational use – spaces with too narrow dimensions, areas used as thoroughfares, or landscaping which does not support recreational use in its surfacing or configuration would not be considered for open space purposes. The open space will need to be clearly depicted in the final application and should make clear what areas are proposed to address the required 25 percent landscaping, required 8 percent open/recreational space and the additional recreation space for the bonus (*which is intended to be areas that would otherwise be developed – i.e. not required setbacks, required lot coverage or areas that could not otherwise be developed*).

Solar Setback: Solar calculations provided demonstrate solar compliance for a 19-foot 9-inch shadow producing point, while the drawings provided note the highest shadow producing point is either at 21 or 22 feet above natural grade. Based on the calculations provided, an approximate 39-foot solar setback would be required where only approximately 33-foot 6-inches is illustrated. The final application would need to demonstrate compliance with solar access or request a Variance. The Planning Commission is often hesitant to grant solar variances for new construction where compliance may be achieved through building design and placement. (**NOTE:** *Solar access is a property right established in state law, and requests for variances require that the affected neighbor consent to the proposed shading and be willing to deed restrict their property accordingly.*)

Adequate Capacity of Public Utilities: The final application will need to demonstrate that adequate capacity of public facilities (water, sanitary sewer, storm sewer, and electricity services, and paved access/adequate transportation) is available or can be extended to serve the proposed development. The Site Plan must show the location and size of the public utility lines that will serve the proposed parcels and detail service locations for each proposed lot, and plans will not be deemed complete without a utility plan which includes an Electric Department-approved electric service plan. (*Neighbors have previously raised issues with storm drainage issues at the intersection of the alley and Emerick Street and the applicant may wish to consult the Engineering Division about any outstanding drainage issues/concerns in this vicinity. It is likely that Engineering will seek a direct tie-in to the storm drain system in Emerick rather than adding any surface drainage to the alley.*)

Tree Preservation, Protection and Removal: An inventory of all trees six-inches in diameter at breast height and greater on the property and within 15 feet of the property boundaries is required with the

application under AMC 18.4.5. The inventory must include detailed information including but not limited to species, diameter at breast height, condition, and drip line/protection area of each tree. The plan must clearly identify trees to be preserved and how they will be protected and show those trees to be removed, and address the tree removal permit requirements in AMC 18.5.7 for significant trees to be removed. Tree removal permit requests would be considered in light of the Performance Standards focus on preserving natural features as well as the Tree Removal Permit criteria.

Neighborhood Outreach: Staff always recommends applicants approach the affected neighbors to discuss proposals and try to address any concerns as early in the process as possible. Notices will be sent to owners of neighboring properties within a 200-foot radius, signs posted on the site and advertised in the local newspaper once an application is deemed complete. In many cases, it is better if neighbors first hear of the proposal from the applicants rather than by a more formal notice from the city.

Written Findings/Burden of Proof: Applicants should be aware that written findings addressing the ordinance and all applicable criteria are required, and are heavily depended on in the decision making process 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.

Trash & Recycling/Vision Clearance: The trash enclosure could not be placed in public right-of-way or within the vision clearance triangle at the end of the alley, and will need to be relocated. Applicants may wish to consult Recology to verify sizing of the trash and recycling facilities are adequate.

OTHER DEPARTMENTS'/AGENCIES' COMMENTS

BUILDING DEPARTMENT: Please contact the Building Division for any additional information at (541) 488-5305.

CONSERVATION DEPARTMENT: Please contact the Conservation Division for information on available programs and rebates at (541) 488-5305.

ELECTRIC DEPARTMENT: The applicant will need to contact Dave Tygerson in the Electric Department at (541) 552-2389 or via e-mail to tygersod@ashland.or.us to discuss service requirements and fees. An approved electric service plan is required to be included in the final application submittal for the application to be deemed complete. Dave can arrange an on-site meeting to assess service requirements and will prepare a schematic service plan to be incorporated into the applicants' civil drawings. Please allow additional time for scheduling an on-site meeting with Dave Tygerson, subsequent preparation of a schematic plan, and incorporation of this plan into your submittals. *Applications will not be deemed complete without an approved electric service plan.*

FIRE DEPARTMENT: *No written comments provided.* Please contact Fire Marshal Ralph Sartain of the Fire Department for Fire Department/Fire Code-related information at (541) 552-2229 or via e-mail to ralph.sartain@ashland.or.us.

PUBLIC WORKS DEPARTMENT: *See comments at the end of this document.* For any further information, please contact Karl Johnson at (541) 552-2415 or via e-mail to: karl.johnson@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 only install a stub out to the location where the double check detector assembly or reduced pressure detector 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 or RPDA 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. **The Ashland Water Department is also requiring new projects to comply with all current cross connection rules and regulations, this may require backflow prevention devices to be placed at the potential hazard or just behind the meter or connection for premises isolation depending on the degree of hazard, type of intended use of the facility or even the geographical location of the building or facility.** Please Contact Steve Walker at 541-552-2326 or e-mail walkers@ashland.or.us to discuss the intended use of the facility or property and any potential cross connection hazards associated with it or for any questions regarding water connections.

ZONING DISTRICT REQUIREMENTS

See Table 18.2.5.030.A. “Standards for Urban Residential Zones” for R-3 Zoning District

Zoning: R-3 High Density Multi-Family Residential

Landscaping Requirements: 25 percent of the lot area. Size- and species-specific landscaping & irrigation plan required, including park rows and open space, at time of formal application. Avoid using lawn. Provide irrigation system. Include street trees, one per 30 feet of street frontage.

Parking, Access and Internal Circulation: As per AMC 18.4.3. Please note that on-street parking credits and other parking management strategies are discretionary, and existing and anticipated future parking will be looked at closely in considering requests. The applicants would need to speak with the Building Division regarding any required ADA-accessible parking and any associated requirements for providing accessible routes on-site.

Lot Coverage: A maximum of 75 percent of the lot may be covered with building footprints, driveways, parking spaces and other lot coverage. Compliance with lot coverage standards should be demonstrated in the application.

Standard Setbacks: Front yards shall be a minimum of 15 feet, excluding garages which require a 20-foot front setback. Unenclosed porches shall be permitted with a minimum setback of eight feet. Side yards require six feet; the side yard of a corner lot abutting a public street shall have a ten-foot setback; rear yard, ten feet plus ten feet for each story in excess of one story. In addition, the setbacks must comply with Chapter 18.4.8 which provides for Solar Access.

APPLICATION SUBMITTAL REQUIREMENTS

Application Requirements: Residential Site Design Review applications involving new structures or additions less than 10,000 square feet in gross habitable floor area are subject to a “Type I” procedure which involves an administrative decision which may be appealed to the Planning Commission. For procedural & timeline details see:

[http://www.ashland.or.us/SIB/files/Flowchart_Type_I_FY18-19\(2\).pdf](http://www.ashland.or.us/SIB/files/Flowchart_Type_I_FY18-19(2).pdf)

Given the combination of design exceptions, density bonus and on-street parking credit sought, staff would likely schedule the action for a hearing at the Planning Commission.

The application is required to include clear, legible, scalable drawings of the proposal (i.e. plan requirements) as well as written findings addressing the applicable approval criteria in accordance with the Ashland Land Use Ordinance (ALUO), Chapter 18 of the Ashland Municipal Code. The following sections include the requirements for plans and approval criteria which are applicable to the proposal as described in the pre-application submittals. When more than one planning approval is required for the proposal, multiple sections of the ALUO may apply. 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. All submittals must also include:

Application Requirements.

1. **Application Form and Fee.** Applications for Type I review shall be made on forms provided by the Staff Advisor (see <http://www.ashland.or.us/Files/Zoning%20Permit%20Application.pdf>). 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.
- c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
- d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
- e. The required fee (see the end of this document, and further detail at: http://www.ashland.or.us/SIB/files/2018-07-01_PlanningFees.pdf).

The Ashland Land Use Ordinance in its entirety may be accessed on-line at:
<https://ashland.municipal.codes/LandUse>.

PLAN & EXHIBIT REQUIREMENTS: *Two (2) copies of the plans below on paper no larger than 11"x 17". Note: These copies may be used for the Planning Commission packets and for the notices mailed to neighbors - please submit clear, readable, reproducible copies.*

- Two (2) Copies of the materials required for a Site Design Review approval as detailed in chapter 18.5.2.040.
- Two (2) Copies of the materials required for a Variance as detailed in chapter 18.5.5.040.
- Two (2) Copies of the materials required for a Solar Access Variance as detailed in chapter 18.4.8.020.C.
- Two (2) Copies of a Tree Protection Plan as required chapter 18.4.5.030.
- Two (2) Copies of the plans required for a Tree Removal Permit as required in chapter 18.5.7.030 (*if tree removal is proposed*).

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.

- Two (2) Copies of written findings addressing the following criteria for Site Design Review approval detailed in chapter 18.5.2.050.
- Two (2) copies of written findings addressing the following criteria for a Variance from chapter 18.5.5.050 (*if applicable to the final proposal*).
- Two (2) Copies of the materials required for a Solar Access Variance as detailed in chapter 18.4.8.020.C.
- Two (2) copies of written findings addressing the following criteria for an Exception to Street Standards from chapter 18.4.6.020.B.1 (*if applicable to the final proposal*).
- Two (2) copies of written findings addressing the following criteria for Tree Removal Permit from chapter 18.5.7.040.B.2. (*if applicable to the final proposal*).

NEXT APPLICATION DEADLINE:	First Friday of each month
UPCOMING PLANNIGN COMMISSION MEETING:	Second Tuesday of each month
FEES:	
Site Design Review, Residential:	\$1,071 + \$ 71 per unit
Exceptions (<i>if applicable</i>):	\$0
Tree Removal Permit (<i>if applicable</i>):	\$0
Solar Setback Variance (<i>if applicable</i>):	\$1,071 <u>per lot</u>
Variances (Type I or II, <i>if applicable</i>):	\$1,071 or \$2,149
Demolition (Building Division, if applicable):	\$346

NOTES:

- Fees given reflect those in effect as of July 1, 2018.
- Applications are accepted on a first come-first served basis.
- All applications received are reviewed by staff, 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, and the first complete applications submitted are processed at the next available Planning Commission meeting.

For further information, please contact:

November 7, 2018

Derek Severson, *Senior Planner*

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

Public Works Pre-Application Comments

1. **Engineered Plans** - Where public improvements are required or proposed, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. One set of these civil plans SHALL be submitted directly to the Public Works/Engineering Department. All design plans must meet the City of Ashland Public Works Standards. Engineered construction plans and specifications shall be reviewed and signed by the Public Works Director, prior to construction. All public facilities within the development will be designed to the City of Ashland Engineering Design Standards for Public Improvements. The engineered plans shall also conform to the following:
 - If drawings are submitted to the City of Ashland digitally, they shall be true scale PDF drawings. If AutoCAD drawings are also submitted, they shall be compatible with the AutoCAD release being used by the City at that time and shall be located and oriented within the Oregon State Plain Coordinate System (NAD83-89).
 - Drawings sizes shall comply with ANSI-defined standards for page width and height. Review drawings may be submitted in B size (11x17). Bidding and construction documents may also be printed at B size; however, all final as-constructed drawings must be submitted to scale on D-size (24x36) Mylar. Digital files of the as-constructed drawings shall also be submitted. Drawings shall be drawn such that reduction of plans from full size (D sized) to half size (B sized) can be done to maintain a true scale on the half-sized plans.
2. **TIA (Transportation Impact Analysis)** – No TIA will be required for this project.
3. **Street Improvement** – The applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.
4. **Right of Way** – No additional right of way dedication beyond that necessary to meet street standards will be required at this time.
5. **Sanitary Sewer** - The property is currently served by a 6-in sanitary sewer main in Emerick Street. The applicant proposed improvements must be reviewed, approved and permitted by the City of Ashland Engineering Department.
6. **Water** - The property is currently served by a 6-in water main in E. Main Street and a 4-in water main in Emerick Street. City of Ashland Water Department shall tap existing water main and install any new water services and water meter boxes that are proposed by development. City of Ashland Water Department must be contacted for availability, placement and costs associated with the installation of the new water service. Service & Connection Fees will also be required for any new water services installed as part of this project.
7. **Storm Drainage** - The property is currently served by a 15-in storm sewer main in Emerick Street. City of Ashland Engineering Department must review an engineered storm drainage plan.

Storm Water Facility Design Requirements

Projects that will develop or redevelop more than 2,500 square feet of impervious surfaces (buildings, roads, parking lots, etc.) on a site must manage stormwater runoff in compliance with the Rogue Valley Stormwater Quality Design Manual (RVSWDM). Development or redevelopment of a single-family dwelling or duplex, constructed on a single tax lot, that is not part of a larger common plan of development will be exempt from the requirements of the Design Manual. Below are additional requirements of the City of Ashland which either differ from or are in addition to the RVSWDM:

- All stormwater detention facilities must have an overflow structure capable of safely passing the 25-year storm to an approved stormwater facility. Peak flow for destination requirements may be calculated using the Rational Method with an ODOT Zone 5 IDF curve for a 10-year storm event (25-year storm event for bypass calculations), or any other comparable method. The flow calculations are the same as described in the RVSWDM for flow control measures.
- The default value for pre-development peak flow shall be 0.25 CFS per acre.
- Detention volume shall be sized for the 25-year, 24-hour peak flow and volume.
- An overflow spillway shall be provided to convey the 25-year peak flow for systems receiving up to 50 CFS, and 100-year peak flow for systems receiving more than 50 CFS.
- Water Quality BMPs shall provide at least 80% removal of bacteria and TSS (75 microns and larger).
- Conveyance for drainages less than 300 acres shall be sized to carry the ODOT Zone 5, 25-year event.
- Culverts with flows greater than 50 CFS shall be sized to carry the ODOT Zone 5, 50-year event.
- Existing wetlands, natural drainage ways, and open spaces shall be preserved from development to provide their natural flow attenuation, retention, or detention of runoff by providing a buffer.
- The grading plan shall indicate the direction of flow of all surface flows, including those on to and off of adjoining properties. Site grading shall be designed to provide positive drainage away from all buildings and structures except those designed to withstand flooding in accordance with the building code standards for flood-proofing. Freeboard shall be specified on the grading plan per AMC 15.10.
- Bridges, Culverts & other flow limiting structures in or near riparian areas shall be permitted in accordance with the agency's requirements in AMC 18.3.10.080. Removal/fill permits shall be submitted with the plans.

8. Erosion & Sediment Control - The following requirements shall be met:

- All ground disturbances exceeding 1,000 square feet shall implement an Erosion and Sediment Control Plan (ESCP).
- A 1200-C permit will be secured by the developer where required under the rules of the Oregon State DEQ. City of Ashland Engineering Department must receive a copy of this permit before any construction shall begin.

- Erosion Prevention and Sediment control measures that meet the minimum standards set forth by the City of Ashland Public Works/Engineering Standard Drawing CD282 must be in place before any construction related to the project begins.
 - Pollution, track out, and sediment dumping into storm water are strictly prohibited per AMC 9.08.060.
 - Drainage from automotive use areas shall be limited to oil concentrations of 10 mg/l by a pre-approved means.
 - Trash storage areas shall be covered or provide additional storm water treatment by an approved means.
 - Off street parking areas shall conform to Ashland Municipal Code 18.4.3.080.B.5, including provisions to minimize adverse environmental and microclimatic impacts.
9. **Driveway Access** – No additional improvements/requirements will be requested at this time, but the applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.
10. **Permits** – Any construction or closure within the public right of way will require a Public Works permit and before any work in the right of way commences all necessary permits MUST be obtained
11. **As-Built's** - Where public improvements are required or completed, the developer shall submit to the City of Ashland, reproducible as-built drawings and an electronic file of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). As-built drawings shall be submitted prior to final acceptance of the construction, initiating the one-year maintenance period.
12. **Addresses** – Any new addresses must be assigned by City of Ashland Engineering Department.
13. **Sign & Traffic Control Devices** – Sign installation and visibility must be maintained to the requirements of the Manual of Uniform Traffic Control Devices (MUTCD). The applicant proposed signage must be reviewed and approved by the City of Ashland Engineering Department.
14. **On-Street Parking** – Parking should begin no closer than 25-ft from intersection.

For any further information, please contact Karl Johnson in the Engineering Division at (541) 552-2415 or via e-mail to: karl.johnson@ashland.or.us .