
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**
July 26, 2023

SITE: 38 East Main Street
APPLICANT: Cynthia Guthrie
OWNER: Martolli's
REQUEST: 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: Staff is generally supportive of historically-compatible alterations to commercial buildings intended to enhance the viability of the business environment. The key is incorporating a roll-up door in a way that is respectful to the existing historic building in light of the Historic District and Downtown development standards.

- The site is within the Basic Site Review Zone, Detail Site Review Zone, Downtown Historic District and Downtown Design Standards Zone. The proposal to modify the ground floor entrance and the windows of the front façade of the building requires a Site Review approval for modifications to a Historic Contributing building (Pioneer Building, a Primary Contributing Resource in the Downtown Historic District).
- Any proposed outdoor seating would need to be approved through a public works sidewalk café permit in accordance with AMC 13.03. A site plan will need to demonstrate six-foot clearance around all proposed seating areas. No permanent installed items may encroach into the ROW.
- The primary issue with the proposed modifications are whether they would meet the [Historic District Development](#) and [Downtown Design Standards](#) (see AMC 18.4.2.050 and .060). Here are a few key standards that likely apply.
 - 4.b. Scale and proportion of altered or added building elements, such as the size and relationship of new windows, doors, entrances, column, and other building features shall be visually compatible with the original architectural character of the building.
 - 5.c. Buildings shall provide a foundation or base, typically from ground to the bottom of the lower windowsills, with changes in volume or material, in order to give the building a sense of strength.

Applicant should consider how the roll up door can work relative to providing a sense of 'base' to the building. This may be addressed the solid lower section to the door. An example of a previous planning action that received approval from the Historic Commission was the restaurant RAW which was able to meet this criterion by having a solid lower section to the doors (*in their case they open as*

an accordion). The base could be further emphasized by changing materials below the window ledge adjacent to the opening.



- 8. Materials.
 - a. Exterior building materials shall consist of traditional building materials found in the downtown area including block, brick, painted wood, smooth stucco, or natural stone.
- 9. Awnings, Marquees, or Similar Pedestrian Shelters.
 - a. Awnings, marquees, or similar pedestrian shelters shall be proportionate to the building and shall not obscure the building's architectural details. If mezzanine or transom windows exist, awning placement shall be placed below the mezzanine or transom windows where feasible
 - b. Except for marquees, similar pedestrian shelters such as awnings shall be placed between pilasters
 - c. Sidewalk coverings along storefronts shall have prominent horizontal lines at similar levels

The final application would need to clearly identify proposed materials consistent with the downtown district and Pioneer Building, and any changes to the marquee or signage proposed.

- **AMC 18.4.2.050.B.7 Rhythm of Openings. Recommend:** Pattern or rhythm of wall to door/window openings on the primary façade or other visually prominent elevation is maintained. Maintain compatible width-to-height ratio of bays in the façade. **Avoid:** A pattern or rhythm of window/door openings that is inconsistent with adjacent historic buildings.

The application should speak to how the final proposal is compatible with the existing symmetrical bays with back-sloping windows on the Pioneer Building through the narrative findings supported by design drawings.

In considering the proposal, the Historic Commission's Review Board noted that the existing building has a unique design with four back-sloping window bays, and they also noted that the transition of the slope of the sidewalk relative to the interior finished floor is likely to pose some complications in

the final designs depending on the final configuration of the roll-up doors (*i.e. Will there be an entry open to the sidewalk or just bar-seating along the sidewalk? Will use of the existing entry doors be discontinued?*) They indicated that it would be beneficial for the applicant to come before the Review Board, or the full Commission prior to submitting a final application, to discuss how once these potential complications are addressed, the proposal will retain the rhythm of openings for the building and be compatible with the existing symmetry, and how the slope of the sidewalk relative to the interior space will be addressed. The Review Board also noted that modifications that would be reversible would be preferred.

SITE DESIGN REVIEW APPROVAL CRITERIA

The approval criteria and standards in **blue** below are taken directly from the Municipal Code; staff comments are in **black**.

18.5.2.050 Approval Criteria

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.

- The application would need to address the relevant Historic District Development and Downtown design standards mentioned above. A number of the Site Development and Design standards won't apply due to the limited scope of the proposal.

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. (Ord. 3147 § 9, amended, 11/21/2017)

- The application would need to address the Exception criteria above if any of the details of the proposal do not comply with the applicable design standards.

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 hear of the proposal from the applicants rather than by a 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.

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OTHER DEPARTMENTS' COMMENTS

FIRE DEPARTMENT: *No comments at this time.* Please contact Division Chief & Fire Marshal Ralph Sartain of the Fire Department for any additional information at (541) 552-2229 or via e-mail to Ralph.Sartain@ashland.or.us .

BUILDING DEPARTMENT: No specific comments at this time. Please contact the Building Division for Building Codes-related information at (541) 488-5305.

CONSERVATION DEPARTMENT: *No comments at this time.* For more information on currently available Conservation programs, please contact the City of Ashland Conservation Division at (541) 552-2062 or e-mail Dan.Cunningham@ashland.or.us .

PUBLIC WORKS DEPARTMENT: *No comments at this time.* For any further information, please contact Karl Johnson at (541) 552-2415 or via e-mail to: karl.johnson@ashland.or.us .

ELECTRIC DEPARTMENT: The applicant will need to contact Rick Barton in the Electric Department at (541) 552-2082 to discuss service requirements and fees for any changes to the electrical services.

WATER AND SEWER SERVICE: Please Contact Steve Walker at 541-552-2326 or e-mail walkers@ashland.or.us with any questions regarding water utilities.”

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PROCEDURAL HANDLING

The application is subject to a ‘Type I’ procedure, which provides for an administrative decision with notice to neighbors and the potential for appeal to the Planning Commission. If appealed, the Planning Commission hearing would be ‘de novo’ and the Commission’s decision would be the final decision of the city.

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 (see https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Zoning_Permit_Application_FY23-24.pdf).
 - b. Plans and exhibits required for the specific approvals sought (see below).
 - c. A written statement or letter (“written findings”) 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 & https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Planning_Fees_FY23-24.pdf).

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 18.5.2.050**

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*: Commercial Site Design Review \$ 1,271.25 + 1/2 % of valuation

***NOTES:**

- *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:

July 26, 2023

Derek Severson, *Planning Manager*

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