
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 DIVISION
PRE-APPLICATION CONFERENCE
COMMENT SHEET**
December 13, 2023

SITE: 51 Winburn Way
APPLICANT: City of Ashland Public Works
REQUEST: Commercial Site Design Review

Planning Division Comments

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

Summary: Because the proposal involves exterior changes to a structure that is a contributing resource in a historic district, it will require Commercial Site Design Review for the replacement of the Alice Applegate Peil Walkway, a steel stairway listed as an historic contributing structure on the National Register of Historic Places.

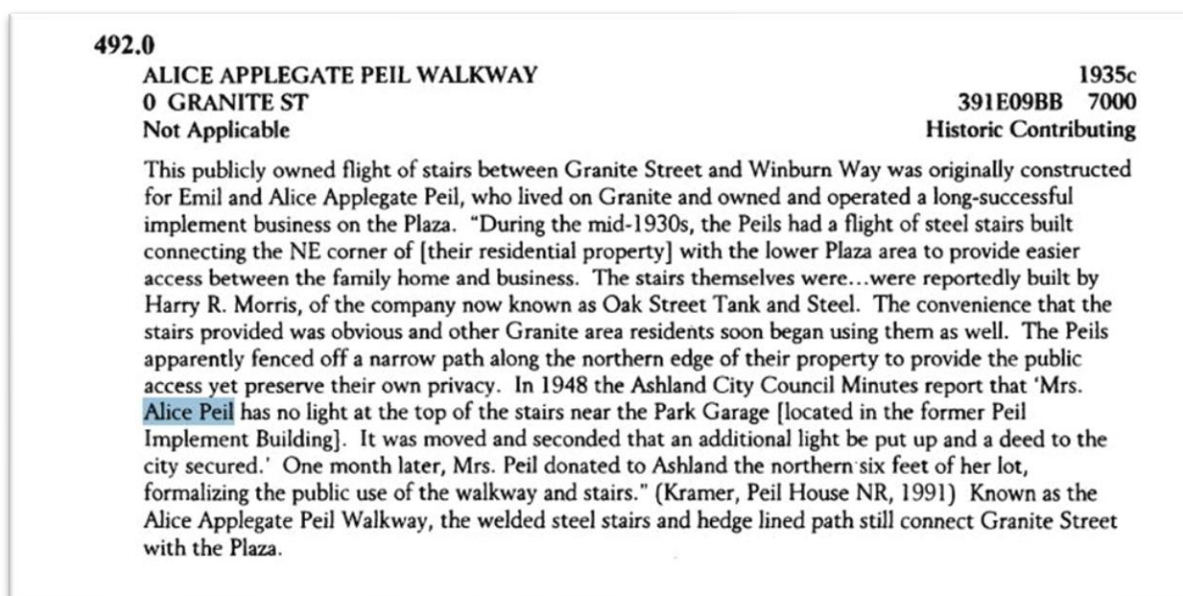


Figure 1: United States Department of the Interior, National Park Service, National Register of Historic Places. Number 492.0, Alice Applegate Peil Walkway Listing. Historic Contributing.

The primary requirement of this proposal is to meet the City's Commercial Site Design Review Standards in Ashland Municipal Code (AMC) 18.5.2.050 as well as the Historic District Design Standards of AMC 18.4.2.050. The proposed project scope includes, but is not limited to the following:

- Replace steel stairway (to be recycled) with steel and fiberglass materials.
- The proposed stairway will have handrails on both sides of the staircase; the current

stairway has a handrail on one side and is against a rock retaining wall on the other side. The proposed stairway will have a space (about 12 inches) between the handrail and retaining wall.

- Grading is proposed to replace asphalt under the stairway and sections of the concrete sidewalk.
- Remove and replace site lighting.
- Existing bicycle parking to remain.
- Remove existing mature ivy from retaining wall.
- Erosion control measure installed and maintained as appropriate to site.

Procedure: This proposal is subject to a “Type I” Commercial Site Design Review 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.

Neighborhood Outreach: Staff recommends that applicants approach the affected neighbors, particularly those who are likely to receive notice of an application, to make them aware of the proposal 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 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.

18.5.2.020 Site Design Review

Site Design Review is required for this proposal per AMC 18.5.2.020.4, for *any exterior change, including installation of Public Art, to a structure which is listed on the National Register of Historic Places, or to a contributing property within an Historic District on the National Register of Historic Places that requires a building permit.*

The application must address the following criteria and standards, as applicable, from Ashland Municipal Code (AMC) 18.5.2.050 for Site Design Review approval in a commercial zone. The applicable criteria and standards are largely focused on building design and site planning to create a pedestrian scale streetscape, and where the proposal here is limited to replacement with only slight modifications to a single element of the site improvements that is not visible from the street and does not involve utilities, addressing the standards can be fairly narrowly-focused.

- 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.

The property is zoned Commercial Downtown (C-1-D). The Alice Peil Walkway is an

existing structure, and the proposal is to replace the stairway using like materials, in the same location, height, and configuration.

B. Overlay Zones. The proposal complies with applicable overlay zone requirements (part [18.3](#)).

- **Detail Site Design Review:** A portion of the property is in detailed site design review overlay. The standards in the detail site design review overlay are tailored to buildings. This stairway structure is replacing an existing structure, and as proposed will retain the orientation and scale of the original stairway.
- **Historic District:** The property is in the Skidmore Historic District overlay. Any changes to the exterior of existing structures are subject to the Historic District Design Standards in AMC 18.4.2.050.
 - **Replacement of Existing Stairway:** The written application materials should clearly explain and show how the height (with elevation drawings), mass, location, configuration, and materials being proposed to replace the existing stairway with a new stairway are being met to retain the historic integrity of the historic contributing structure.
 - **Historic District Design Standards AMC 18.4.2.050.B and C:** Staff's comments below pertain to the applicable Historic District design standards. These standards are based on buildings within the Historic District and all items may not apply to the stairway structure.
 - **Height:** Per submitted plans, the total height of the replacement stairway appears to be the same as the existing stairway.
 - **Scale:** The scale of the replacement stairway appears to be the same as the existing stairway.
 - **Materials:** The existing stairway is constructed of steel. The replacement stairway is proposed to be constructed of steel with fiberglass for durability. The asphalt under the existing stairway and sections of concrete will be replaced with in kind materials.
 - **Mass:** It appears that the mass of the existing and replacement stairway is compatible.
 - **Base or Platform:** The plans show that the base and connection points at each end of the replacement stairway are compatible with the existing stairway.
 - **Exterior Materials:** In the planning application submittal provide a description of materials for the replacement to demonstrate compliance with rehabilitation standards in AMC 18.4.2.050.C.
- **National Listing:** The Alice Applegate Peil Walkway steel stairway is a listed historic contributing structure on the National Register of Historic Places.

Public Works staff forwarded the proposal to the Oregon State Historic Preservation Office for comments. No comments were received within 30 days.

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.

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.

18.4.2.050 Historic District Design Standards

The purpose and intent of the Historic District Design Standards are to preserve the historic integrity of Ashland's Historic District. Under the applicability of AMC 18.4.2.050.A.2, a Type I land use action involving restoration, rehabilitation, or modification requires that the design match the standards. The standards in this chapter mostly relate to buildings, however, staff determined that the following rehabilitation standards in AMC 18.4.2.050.C should be addressed in the application for the existing and proposed replacement stairway:

- b. Original architectural features shall be restored as much as possible, when those features can be documented.*

The preliminary site plans show that the proposed stairway will be designed and oriented to look similar to the original stairs, using similar materials with more durability. The written summary and final site plans should address the existing architectural features and proposed architectural features of the replacement stairway.

- l. The latest version of the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be used in clarifying and determining whether the above standards are met.*

Although this proposal is not a building the application should address how the structure meets the latest versions of the Secretary of the Interior's Standards for Rehabilitation and Guidelines (<https://www.nps.gov/orgs/1739/upload/sustainability-guidelines.pdf>). The written summary should primarily address how the new structure is compatible with the size, materials, and architectural features of the existing structure to protect the historic integrity.

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: No comments.

ENGINEERING: No comments.

FIRE: No comments at this time. 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: no comments.

ELECTRIC SERVICE: No comments. The applicant stated that electrical lines to replace the proposed lighting are under review by the Public Works Department.

Other Agency and Committee Comments

OREGON DEPARTMENT OF TRANSPORTATION (ODOT): ODOT replied to the City of Ashland's request for comments in an email dated November 29, 2023, stating that there are no comments on this proposal.

CITY OF ASHLAND HISTORIC PRESERVATION REVIEW BOARD: The Historic Preservation Review Board reviewed the preliminary plans during the regular review board meeting and concurred that the plans as shown are compatible with the existing stairs. The final plans will be reviewed by the Historic Preservation Advisory Committee.

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 online in its entirety at: http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf.

Written Statements

Please provide 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
- **Historic District Design Standards:** AMC 18.4.2.050.C (items b and l)

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. Provide electronic plan sets that can be printed to 11 inches by 17 inches are reproducible and drawn to a standard architect's or engineer's scale.

- **Site Design Review:** AMC 18.5.2.040
- **Historic District Design Standards:** AMC 18.4.2.050.C (items b and l)

Planning Application Fees:

Site Design Review	\$1,271.25 + \$0.5% of value
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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:

Jennifer Chenoweth, *Associate Planner*

City of Ashland, Department of Community Development

Phone: 541-552-2045 or e-mail: jennifer.chenoweth@ashland.or.us

December 13, 2023

Date