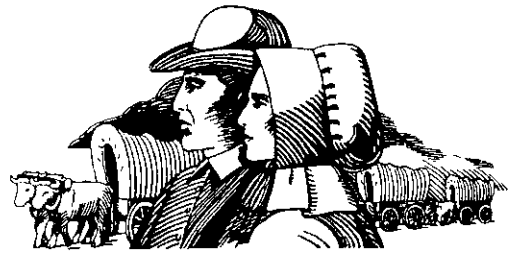


# CITY OF OREGON CITY

## PLANNING COMMISSION

320 WARNER MILNE ROAD  
TEL (503) 657-0891

OREGON CITY, OREGON 97045  
FAX (503) 657-7892



## AGENDA

City Commission Chambers - City Hall  
November 28, 2005 at 7:00 P.M.

The 2005 Planning Commission Agendas, including Staff Reports and Minutes, are available on the Oregon City Web Page ([www.orcity.org](http://www.orcity.org)) under PLANNING.

### PLANNING COMMISSION MEETING

1. **CALL TO ORDER**

2. **PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**

3. **ADOPTION OF PLANNING COMMISSION MINUTES:** *none available*

3. **HEARING:**

**VR 05-04 & SP 05-27 (Quasi-Judicial Hearing)**, Applicant: Elizabeth Atly. The applicant is requesting a Site Plan and Design Review approval for the construction of a 7 unit multi-family development in association with a Planning Commission Variance for a reduction of the interior and rear yard setbacks from 20 feet to 5 feet (Zoned MUC-1 Mixed Use Corridor). Clackamas County Map 2-2E-32BA, Tax Lot 400

4. **ADJOURN PLANNING COMMISSION MEETING**

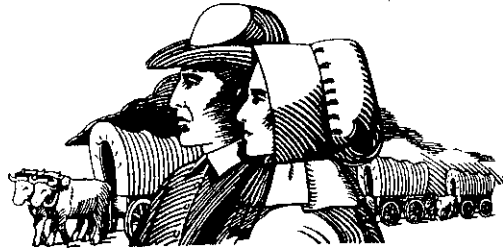
NOTE: HEARING TIMES AS NOTED ABOVE ARE TENTATIVE. FOR SPECIAL ASSISTANCE DUE TO DISABILITY, PLEASE CALL CITY HALL, 657-0891, 48 HOURS PRIOR TO MEETING DATE.

# CITY OF OREGON CITY

## Planning Commission

320 WARNER MILNE ROAD  
TEL (503) 657-0891

OREGON CITY, OREGON 97045  
FAX (503) 722-3880



### STAFF REPORT AND RECOMMENDATION

Date: November 21, 2005

**FILE NO.:** VR 05-04: Variance

**APPLICANTS:** Elizabeth Atly  
2110 NW Flanders #22  
Portland, Oregon 97210

**OWNER:** Howard Zidell  
Main Street Loan, Inc.  
604 Main Street  
Vancouver, WA 98660

**REQUEST:** The applicant is seeking approval of a Variance request to reduce the rear and interior side yard setbacks from 20 feet to five feet in association with a multifamily development (SP 05-27).

**LOCATION:** A parcel located at 1427 16<sup>th</sup> Street and identified as Clackamas County Map 2-2E-32BA, Tax Lot 400

**REVIEWERS:** Christina Robertson-Gardiner Associate Planner, City of Oregon City  
Bob Cullison, Senior Engineering Manager, City of Oregon City

**RECOMENDATIONS:** None

**VICINITY MAP:** Exhibit 1

#### PROCESS:

*Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include conditional use permits, preliminary planned unit development plans, variances, code interpretations, similar use determinations and those rezonings upon annexation under Section 17.06.050 for which discretion is provided. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission or the historic review board hearing is published and mailed to the applicant, recognized neighborhood association and property owners within three hundred feet. Notice must be issued at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission or the historic review board, all issues are addressed. The decision of the planning commission or historic review board is appealable to the city commission, on the record. The city commission decision on appeal from the historic review board or the planning commission is the city's final decision and is appealable to LUBA within twenty-one days of when it becomes final.*

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 657-0891

**Background:**

The applicant is requesting a variance to the MUC-1 required setbacks for development abutting a residential district. The applicant has proposed a layout that does not meet the required interior 20-foot side and rear yard setbacks for projects that abut residential zones. The applicant has, instead, proposed a 5-foot rear and side yard setback. Therefore, a Planning Commission Variance (VR 05-04) is required for this application. The applicant has proposed to take both applications (SP 05-27 and VR 05-04) to the Planning Commission for review. If the Planning Commission chooses to modify or deny the request for Variance, the applicant can either withdraw the Site Plan and Design Review application, or resubmit an alternative design, as directed by the Planning Commission, that will be re-noticed and reviewed by staff as a Type II application.

The applicant is proposing to construct a seven-unit multi-family development (two buildings: one of three and one of four units). The town homes will be situated on a 100'x100' lot. The applicant has designed the units to reflect the architecture of the neighborhood, which consists of single-family residences dating from approximately 1890-1950. The row house design utilizes staggered front yard setbacks to provide a pedestrian friendly streetscape. All units are 18 feet wide and include off street garage parking with two stories of living space above. Each residential unit has a front entry porch, and a second story balcony on the street side, and a second and third story decks over a private patio on the rear elevation. The large shared back yard is enclosed by a six-foot fence and is accessible to residences by gates at the northeast and northwest corners of the property.

During the 2004 citywide Comprehensive Plan and Municipal Code update, the property was rezoned from Limited Commercial to Mixed Use Commercial-1. The city removed the Limited Commercial designation from the Municipal Code and chose the closest of the proposed zones as a replacement.

**Location:**

The subject property is located at 1427 16<sup>th</sup> Street and identified as Clackamas County Map 2-2E-32BA, Tax Lot 400

**Dimensional Standards:****17.29.050 Dimensional Standards--MUC-1 Mixed Use Corridor**

- A. *Minimum lot areas: none.*
- B. *Maximum building height: forty-five feet or three stories, whichever is less.*
- C. *Minimum required setbacks if not abutting a residential zone: none.*
- D. *Minimum required interior and rear yard setbacks if abutting a residential zone: twenty feet, plus one-foot additional yard setback for every one-foot of building height over thirty-five feet.*
- E. *Maximum Allowed Setbacks.*
  - 1. *Front yard: five feet (may be extended with Site Plan and Design Review Section 17.62.055).*
  - 2. *Interior side yard: none.*
  - 3. *Corner side yard abutting street: thirty feet provided the site plan and design review requirements of Section 17.62.055 are met.*
  - 4. *Rear yard: none.*
- F. *Maximum lot coverage of the building and parking lot: eighty percent.*
- G. *Minimum required landscaping (including landscaping within a parking lot): twenty percent.*

**Finding: Does not comply.** As described within the following table, the placement of the proposed structure is not in conformance with dimensional standards of side and rear yard setbacks when abutting a residential zone in MUC-1 Mixed Use Corridor District. As such the development requires a Planning Commission Variance for a reduction in the setbacks. All other dimensional requirements are met.

	Required	Proposed
Minimum Lot Area	None	N/A
Building Height	Maximum 45 or 3 stories' (measured at the midpoint between the top of the peak and the bottom of the eaves)	2 1/2 stories Height varies from 23 feet to 25 feet (measured at the midpoint between the top of the peak and the bottom of the eaves)
Front Yard Setback (16 <sup>th</sup> Street)	Minor Arterial Maximum 5'	Varies between 4' and 9'
Corner Side Yard Setback (Polk)	Minimum 0', Maximum 30'	Varies between 0' and 6'
Side Yard Abutting Residential	Minimum 20'	5' (Variance Required)
Rear Yard Abutting Residential	Minimum 20'	5' (Variance Required)
Maximum Lot Coverage	Maximum 80%	46%
Site Landscaping	Minimum 20%	Approximately 50% (hardscaping not included)
Parking Landscaping	Minimum 10%	N/A

\*Please refer to Chapter 17.58 Nonconforming Uses, Structures and Lots within this report.

**Overlay Districts.** The subject site is not within an overlay district.

**Surrounding Zoning and Land Uses.** The subject site and surrounding properties have the following zoning and uses:

Subject Site: MUC-1 Mixed Use Corridor District  
 North: R-6 Single-Family Dwelling District  
 East: R-6 Single-Family Dwelling District  
 South: R-6 Single-Family Dwelling District  
 West: R-6 Single-Family Dwelling District

**Public Comment.** Transmittals regarding the proposal were sent to various City departments, affected agencies, the McLoughlin Neighborhood Association, the Citizen Involvement Committee and property owners within 300 feet of the property on October 3 2005 requesting comments. The subject site was posted with a sign identifying the land use action on October 10, 2005. Comments were received from the following and can be found in Exhibits 3-5.

Stacie and Charles Gregg, 1501 16<sup>th</sup> Street, submitted comments relating to the Lancaster Engineering's Traffic Analysis letter, site distance and parking concerns, as well landscaping and compatibility concerns. They do not support the Variance request.

Leland Wagner, representing a petition of 90 neighbors, submitted comments relating to traffic impact, emergency vehicle access, and neighborhood integrity. They do not support the Variance request.

Denyse McGriff, McLoughlin Neighborhood Association Land Use Chair, Submitted comments that recommended approval to the SP, with modifications to the board and baton siding, better understanding of the requirements of the condo association, and an updated lighting plan. She additionally did not support the Variance Request.

John Replinger, Senior Transportation Engineer with David Evans and Associates analyzed the traffic analysis report submitted by the applicant, and concurred with their conclusion that the traffic effects will be minimal and can be mitigated.

The Planning Division did not receive any additional comments. Comments, which affect the proposed site plan and design review application, are incorporated into the analysis and findings section below.

#### **DECISION-MAKING CRITERIA:**

##### **Municipal Code Standards and Requirements**

Title 17, Zoning:           Section 17.08   R-10 Residential Dwelling District  
                                  Section 17.50   Administration and Procedures  
                                  Section 17.60   Variance

2004 Oregon City Comprehensive Plan

#### **ANALYSIS:**

Section 17.60.030 *Variances—Grounds* states that a variance may be granted if the applicant meets the approval criteria:

- A. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title.**

This standard addresses substantial impact to neighboring properties. According to the Applicant, the abutting house to the west is 40 feet from the property line, while the abutting house to the north is located on the property line, but is located to the rear of the project near the large common open space area.

The applicant has proposed a two and ½ story multifamily development that utilizes the architectural language of single-family Victorian and Craftsman homes. While the height of the development is generally taller than the existing adjacent development, the height of the development is under the 45 foot height limit of the Mixed use Commercial and the 35-foot limit of the R-6 dwelling District. The applicant has additionally submitted a landscaping plan and fence detail which aide in mitigating the impacts of the development on the neighboring properties.

- B. That the request is the minimum variance that would alleviate the hardship.**

The applicant has requested a setback reduction to be able to locate the structures in way that brings the development closer to the 16<sup>th</sup> Street and Polk rights-of ways, and further from the interior and rear yards. The applicant has indicated that this alignment allows for the 7 town homes with interior parking rather than pushing the 7-units into a smaller footprint of studio or one-bedroom units, or reducing the application to 5 units with less landscape and material upgrade/mitigation. This is good argument to justify the Variance, but financial constraints do not constitute a true hardship.

- C. Granting the variance will equal or exceed the purpose of the regulation to be modified.**

The purpose of the rear yard setback regulation is to ensure adequate space between neighbors, provide private open space and maintain privacy. Staff agrees with the applicant's contention that the 20-foot setback is imposed mainly for incompatible commercial development. The R-2 Multifamily District requires multifamily development to have a ten foot buffer area when abutting single-family districts. This standard can also be modified for certain situations. The applicant has proposed a layout and landscape mitigation plan that allows for over 10 feet of separation between the development and the footprint of the single-family structures

#### ***R-2 Multi-Family Dwelling District***

##### ***17.18.040 Dimensional standards.***

5. Buffer Area. If a multi-family residential unit in this district abuts R-10, R-8, or R-6 use, there shall be required a landscaped yard of ten feet on the side abutting the adjacent zone in order to provide a buffer area and landscaping thereof shall be subject to site plan review. The community development director may waive any of the foregoing requirements if it is found that the requirement is unnecessary on a case-by-case basis.

**D. Any impacts resulting from the adjustment are mitigated;**

Staff believes that the applicant has proposed a development plan that allows for mitigation to the adjacent properties. The neighbors, however, do not believe that this project has been mitigated and have submitted a petition with 90 names indicating this belief. With such a large number of people dissenting with the desires of the applicant, staff is unable to recommend additional mitigation that may satisfy their concerns.

**E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance;**

The applicant has already shown that the alternative is to develop 5 homes. The applicant contends that this would not serve the same purpose.

**F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.**

One of the primary goals of the 2004 Comprehensive Plan is to provide for increased livability for property owners in Oregon City. The intent of the variance is to allow exceptions when the variance criteria are met and the impacts are negligible or mitigated. The Comprehensive Plan also calls for the city to "ensure opportunities for effective utilization of land; to provide for desired population densities and to facilitate adequate provision for transportation, public utilities, parks and other provision set forth in the city Comprehensive Plan and the Oregon Land Conservation and Development Statewide Planning Goals." The applicant indicates that a mix of high-density residential office and small scale commercial are encouraged in the district and are compatible with the R-6 zoning district.

**STAFF RECOMMENDATION:**

This application is quite unique. The City of Oregon City rarely has such a spot zoned and constrained piece of property. Staff finds that the applicant has submitted a development layout and landscape plan that provides a great deal of mitigation to the project. The overwhelming lack of support for this application by the neighbors, however, does not provide enough incentive to grant the application without a larger discussion involving all parties during the Planning Commission public hearing. Therefore, staff does not give a recommendation for this Variance Request.

**EXHIBITS:**

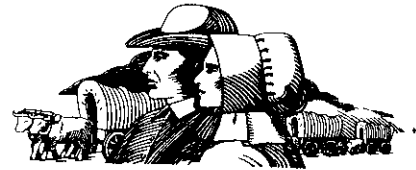
1. Vicinity Map
2. Applicant's Submittal Including Narrative/Site Plan
3. Public Comments
  - a. Stacie and Charles Gregg, 1501 16<sup>th</sup> Street,
  - b. Leland Wagner, 1611 Polk Street, representing a petition of 90 neighbors.
  - c. Denyse McGriff, McLoughlin Neighborhood Association Land Use Chair
4. Comments from John Replinger of David Evans and Associates, dated September 21, 2005
5. Comments from John Lewis, Oregon City Public Works Department Engineering Policy 00-01

# CITY OF OREGON CITY

## SITE PLAN AND DESIGN REVIEW

320 WARNER MILNE ROAD  
Tel 657-0891

OREGON CITY, OREGON 97045  
Fax 657-7892



### STAFF REPORT AND RECCOMENDATION

Nov 21, 2005

**FILE NO.:** SP 05-27

**APPLICATION TYPE:** Type III

Complete: October 3, 2005  
120-Day: January 31, 2006

**APPLICANTS:** Elizabeth Atly  
2110 NW Flanders #22  
Portland, Oregon 97210

**OWNER:** Howard Zidell  
Main Street Loan, Inc.  
604 Main Street  
Vancouver, WA 98660

**REQUEST:** The applicant is seeking approval of a Site Plan and Design Review for the construction of two multi-family buildings – a 4-unit and 3-unit in association with a Variance request to reduce the rear and side yard setbacks .

**LOCATION:** A parcel located at 1427 16<sup>th</sup> Street and identified as Clackamas County Map 2-2E-32BA, Tax Lot 400

**REVIEWERS:** Christina Robertson-Gardiner Associate Planner, City of Oregon City  
Bob Cullison, Senior Engineering Manager, City of Oregon City

**DECISION SUMMARY:** **Approval with Conditions.**

**VICINITY MAP:** Exhibit 1

### PROCESS:

*Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include conditional use permits, preliminary planned unit development plans, variances, code interpretations, similar use determinations and those rezonings upon annexation under Section 17.06.050 for which discretion is provided. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission or the historic review board hearing is published and mailed to the applicant, recognized neighborhood association and property owners within three hundred feet. Notice must be issued at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission or the historic review board, all issues are addressed. The decision of the planning commission or historic review board is appealable to the city commission, on the record. The city commission decision on appeal from the historic review board or the planning commission is the city's final decision and is appealable to LUBA within twenty-one days of when it becomes final.*

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 657-0891.

## DECISION CRITERIA:

*Chapter 17.29 "MUC-2" MIXED USE CORRIDOR DISTRICT*  
*Chapter 17.50 ADMINISTRATION AND PROCEDURES*  
*Chapter 17.52 OFF-STREET PARKING AND LOADING*  
*Chapter 17.62 SITE PLAN AND DESIGN REVIEW*

### I. BACKGROUND

The applicant is proposing to construct a seven-unit multi-family development. The town homes will be situated on a 100'x100' lot at 1427 16<sup>th</sup> Street which is zoned MUC-1 (Exhibit 1). The parcel previously held a small corner store, which as now been demolished.

### II. FACTS

**Location:** A parcel located at 1427 16<sup>th</sup> Street and identified as Clackamas County Map 2-2E-32BA, Tax Lot 400

1. **Summary of Project.** The applicant is proposing to construct a seven-unit multi-family development (two buildings: one of three and one of four units). The town homes will be situated on a 100'x100' lot. The applicant has designed the units to reflect the architecture of the neighborhood, which consists of single-family residences dating from approximately 1890-1950. The row house design utilizes staggered front yard setbacks to provide a pedestrian friendly streetscape. All units are 18 feet wide and include off street garage parking with two stories of living space above. Each residential unit has a front entry porch, and a second story balcony on the street side, and a second and third story decks over a private patio on the rear elevation. The large shared back yard is enclosed by a six-foot fence and is accessible to residences by gates at the northeast and northwest corners of the property.

During the 2004 citywide Comprehensive Plan and Municipal Code update, the property was rezoned from Limited Commercial to Mixed Use Commercial-1. The city removed the Limited Commercial designation from the Municipal Code and chose the closest of the proposed zones as a replacement.

The applicant has additionally proposed a layout that does not meet the required interior 20-foot side and rear yard setbacks for projects that abut residential zones. The applicant has, instead, proposed a 5-foot rear and side yard setback. Therefore, a Planning Commission Variance (VR 05-04) is required for this application. The applicant has proposed to take both applications (Site Plan and Design Review and Variance) to the Planning Commission for review. The staff report for this proposal is written as if the Variance is approved. If the Planning Commission chooses to modify or deny the request for Variance, the applicant can either withdraw the application, or resubmit an alternative design, as directed by the Planning Commission, that will be re-noticed and reviewed by staff as a Type II application.

A staff analysis of the Variance Request can be found in the Staff Report for VR 05-04.

3. **Overlay Districts.** The subject site is not within an overlay district.
4. **Surrounding Zoning and Land Uses.** The subject site and surrounding properties have the following zoning and uses:

Subject Site:	MUC-1 Mixed Use Corridor District
North:	R-6 Single-Family Dwelling District
East:	R-6 Single-Family Dwelling District
South:	R-6 Single-Family Dwelling District
West:	R-6 Single-Family Dwelling District
5. **Public Comment.** Transmittals regarding the proposal were sent to various City departments, affected agencies, the McLoughlin Neighborhood Association, the Citizen Involvement



Committee and property owners within 300 feet of the property on October 3 2005 requesting comments. The subject site was posted with a sign identifying the land use action on October 10, 2005. Comments were received from the following and can be found in Exhibits 3-5.

Stacie and Charles Gregg, 1501 16<sup>th</sup> Street, submitted comments relating to the Lancaster Engineering's Traffic Analysis letter, site distance and parking concerns, as well landscaping and compatibility concerns. They do not support the Variance request.

Leland Wagner, representing a petition of 90 neighbors, submitted comments relating to traffic impact, emergency vehicle access, and neighborhood integrity. They do not support the Variance request.

Denyse McGriff, McLoughlin Neighborhood Association Land Use Chair, Submitted comments that recommended approval to the SP, with modifications to the board and baton siding, better understanding of the requirements of the condo association, and an updated lighting plan. She additionally did not support the Variance Request.

John Replinger, Senior Transportation Engineer with David Evans and Associates analyzed the traffic analysis report submitted by the applicant, and concurred with their conclusion that the traffic effects will be minimal and be mitigated.

The Planning Division did not receive any additional comments. Comments, which affect the proposed site plan and design review application, are incorporated into the analysis and findings section below.

### **III. SITE PLAN ANALYSIS AND FINDINGS:**

#### **Section 17.29 - "MUC-1" MIXED-USE CORRIDOR DISTRICT**

##### **17.29.030 Permitted Uses MUC-1 Mixed Use Corridor**

**Finding: Complies.** The subject site is currently a lot. The applicant is proposing a 7 unit multifamily development. Multi-family is described as permissible in Chapter 17.29.020. of the Oregon City Municipal Code.

##### **17.29.050 Dimensional Standards--MUC-1 Mixed Use Corridor**

- A. *Minimum lot areas: none.*
- B. *Maximum building height: forty-five feet or three stories, whichever is less.*
- C. *Minimum required setbacks if not abutting a residential zone: none.*
- D. *Minimum required interior and rear yard setbacks if abutting a residential zone: twenty feet, plus one-foot additional yard setback for every one-foot of building height over thirty-five feet.*
- E. *Maximum Allowed Setbacks.*
  - 1. *Front yard: five feet (may be extended with Site Plan and Design Review Section 17.62.055).*
  - 2. *Interior side yard: none.*
  - 3. *Corner side yard abutting street: thirty feet provided the site plan and design review requirements of Section 17.62.055 are met.*
  - 4. *Rear yard: none.*
- F. *Maximum lot coverage of the building and parking lot: eighty percent.*
- G. *Minimum required landscaping (including landscaping within a parking lot): twenty percent.*

**Finding: Complies.** As described within the following table, the placement of the proposed structure is not in conformance with dimensional standards with side and rear yard setbacks when abutting a residential zone in MUC-1 Mixed Use Corridor District. As such the development requires a Planning Commission Variance for a reduction in the setbacks. All other dimensional requirements are met.

	Required	Proposed
Minimum Lot Area	None	N/A
Building Height	Maximum 45 or 3 stories <sup>*</sup> (measured at the midpoint between the top of the peak and the bottom of the eaves)	2 1/2 stories Height varies from 23 feet to 25 feet (measured at the midpoint between the top of the peak and the bottom of the eaves)
Front Yard Setback (16 <sup>th</sup> Street)	Minor Arterial Maximum 5'	Varies between 4' and 9'
Corner Side Yard Setback (Polk)	Minimum 0', Maximum 30'	Varies between 0' and 6'
Side Yard Abutting Residential	Minimum 20'	5' (Variance Required)
Rear Yard Abutting Residential	Minimum 20'	5' (Variance Required)
Maximum Lot Coverage	Maximum 80%	46%
Site Landscaping	Minimum 20%	Approximately 50% (hardscaping not included)
Parking Landscaping	Minimum 10%	N/A

\*Please refer to Chapter 17.58 Nonconforming Uses, Structures and Lots within this report.

### Chapter 17.52 – Off-Street Parking and Loading

At any time of erection of a new structure or at the time of enlargement or change in use of an existing structure within any district in the city, off-street parking spaces shall be provided in accordance with this section. If parking space has been provided in connection with an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this section. Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of the property, but shall exclude space devoted to off-street parking or loading. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Where calculation in accordance with the following list results in a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.

Note: The City's Transportation System Plan, an adopted Comprehensive Plan document, requires the following parking space ratios.

#### OCMC 17.52.010 Number of spaces required:

LAND USE	PARKING REQUIREMENTS	
	The parking requirements are based on spaces per 1,000 square feet gross leasable area unless otherwise stated.	
	MINIMUM	MAXIMUM
Single-Family Dwelling	1.00 per unit	
Multi-Family: Studio	1.00 per unit	1.5 per unit
Multi-Family: bedroom	1 1.25 per unit	2.00 per unit
Multi-Family: bedroom	2 1.5 per unit	2.00 per unit
Multi-Family: bedroom	3 1.75 per unit	2.50 per unit

The applicant is proposing five two-bedroom units and two one-bedroom units. Per OCMC 17.52, this requires a minimum of ten parking spaces. The applicant has provided 12 parking spaces within the development's ground floor parking garages.

**Finding: Complies.**

#### **Chapter 17.62 – Site Plan and Design Review**

##### **Section 17.62.020 – Pre Application Review**

*Prior to filing for Site Plan and Design Review approval, the applicant shall confer with the principal planner pursuant to Section 17.50.030.*

**Finding: Complies.** The applicant scheduled and attended a pre-application conference on March 15, 2005. The applicant additionally requests a waiver for a second pre-application conference once the first application conference expired. The Community Development Director granted the waiver prior to the Land Use Submittal.

##### **Section 17.62.030 – When Required**

*Site plan and design review shall be required for all development of real property in all zones except the R-10, R-8, R-6 and R-3.5 zoning districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses and nonresidential uses in all zones.*

**Finding: Complies.** The proposed development within the MUC-1 Mixed Use Corridor District requires Site Plan and Design Review.

##### **Section 17.62.035 – Minor Site Plan and Design Review**

**Finding: Not Applicable.** The proposal does not facilitate Minor Site Plan and Design Review.

##### **Section 17.62.040 – Plans Required**

**Finding: Not Applicable.** The applicant has submitted all required plans.

##### **Section 17.62.050 - Site Plan and Design Review Standards**

*A. All development shall comply with the following standards:*

*1. A minimum of fifteen percent of the lot area being developed shall be landscaped. Natural landscaping comprised of native species shall be retained where possible to meet the landscaping requirement. Landscape design and landscaping areas shall serve their intended functions and not adversely impact surrounding areas. The landscaping plan shall be prepared by a registered landscape architect and include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.). No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees. The community development department shall maintain a list of trees, shrubs and vegetation acceptable for landscaping. for properties within the downtown design district, and for major remodeling in all zones subject to this chapter, landscaping shall be required to the extent practicable up to the fifteen percent requirement. Landscaping also shall be visible from public thoroughfares to the extent practicable.*

**Finding: Complies.** The applicant has submitted a landscaping plan prepared by Gretchan Vasnaïs, registered landscape architect. The plan includes a variety of trees, shrubs and groundcover throughout the site visible from the public right-of-way. The landscape plan covers approximately 50 % of the site.

*2. The size, shape, height, and spatial and visual arrangement of structures, including color shall be compatible with existing surroundings and future allowed uses.*

**Finding: Complies. The applicant.** The applicant has proposed a two and ½ story multifamily development that utilizes the architectural language of single-family Victorian and Craftsman homes. While the height of the development is generally taller than the existing adjacent development, the height of the development is under the 45 foot height limit of the Mixed use Commercial and 35-foot of the R-6 dwelling District. The applicant has additionally submitted a landscaping plan and fence detail which aide in mitigating the impacts of the development on the neighboring properties.

3. Grading and contouring will meet the requirements of Chapter 15.48 and shall minimize the possible adverse effects of grading on the natural vegetation and physical appearance of the site.

**Finding: Complies.** The applicant has submitted a grading plan for the site that appears to meet the requirements of Chapter 15.48. It appears minimal grading will be required as this site has been cleared during demolition/removal of the old structures.

4. Development subject to the requirements of the unstable slopes overlay district shall comply with the requirements of that district. The review authority may impose such conditions as are necessary to minimize the risk of erosion and slumping and assure that landslides and property damage will not occur.

**Finding: Not applicable.**

5. Drainage shall be provided in accordance with city's drainage master plan, Chapter 13.12, and the public works stormwater and grading design standards.

**Finding: Complies with conditions.** The applicant shows a detention pipe system in the rear of the site. The applicant's engineer has not submitted a preliminary drainage report. **The applicant can meet this criterion with Conditions of Approval 1, 2, and 3.**

6. This standard requires the development shall comply with City's parking standards as provided in Chapter 17.52.

**Finding: Complies.** Please refer to section 17.52 addressed above.

7. Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and street design standards. Upon application, the planning commission may waive this requirement in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made.

**Finding: Complies with conditions.** The applicant has proposed 6-foot sidewalks and compliant planter strips along the site's frontage on 16<sup>th</sup> Street and Polk Street. The right-of-way to accommodate the 5-foot sidewalk, 5-foot planter strip, and 14-foot travel/parking lane along the frontage of Polk Street shall be dedicated to the city to mitigate the impact of the proposed seven-unit development. The applicant shall replace the existing 6-foot sidewalk along 16<sup>th</sup> Street with a five-foot sidewalk and widen the existing planter strip a foot for the street trees. **The applicant can meet this criterion with Conditions of Approval 1, 2, 5, and 6.**

8. Circulation boundaries within the boundary of the site shall facilitate direct and convenient pedestrian and bicycle access. Consideration shall include the layout of the site with respect to the location, number, design and dimensions of all vehicular and pedestrian accesses, exits, drives, walkways, bikeways, pedestrian/bicycle access ways, buildings, emergency equipment ways, and other related facilities. Ingress and egress locations on public thoroughfares shall be located in the interest of public safety and determined by the review authority. Reasonable access for emergency services (fire and police) shall be provided.

**Finding: Complies.** The applicant has proposed a pedestrian and bicycle circulation system that allows for direct and convenient access to all units through the existing right of way and proposed sidewalk upgrades.

9. The standard requires adequate means to ensure continued maintenance and necessary normal replacement of common facilities and areas.

**Finding: Complies.** The private storm water quality system will require an Operational and Maintenance Agreement between the property owner and Stormwater Management of Portland, Oregon. The owner will maintain the private sanitary sewer and water system.

10. This standard requires that outdoor lighting must be provided in a manner that enhances security and is appropriate for the use. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 foot-candles of light.

**Finding: Complies with Condition.** The project proposes outdoor lighting for security purposes which is restricted to entry/egress. Prior to receiving a Certificate of Occupancy, the applicant shall submit a photometric plan showing that security lighting does not illuminate abutting properties in excess of .5-foot candles. **The applicant can meet this criterion with Condition of Approval 7.**

*11. This section requires the applicant to protect significant trees on the subject site.*

**Finding: Complies.** All existing trees will be protected with the proposed development.

*12. This standard requires that all development shall be designed and maintained to protect water resources areas.*

**Finding: Not Applicable.** The property is not located within the City's Water Quality Resource Overlay District.

*13. This standard requires that the development shall comply with all applicable City's regulations protecting natural resources.*

**Finding: Not Applicable.** There are no natural resources identified within the subject site.

*14. This standard requires that all development shall maintain compliance with applicable Federal, State, and City standards pertaining to air, water, odor, heat, glare, noise and vibration, outdoor storage, and toxic or noxious matter and electromagnetic interface*

**Finding: Complies.** The applicant indicated that the development will maintain continuous compliance with applicable Federal, State, and City standards pertaining to air, water, odor, heat, glare, noise and vibration, outdoor storage, toxic or noxious matter and electromagnetic interface.

*15. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to city standards as set out in the city's facility master plans and public works design standards. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The city may require over sizing of facilities where necessary to meet standards in the city's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the city for over sizing based on the city's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.*

**Finding: Complies with Conditions.** Generally, most public facilities and services exist to adequately serve this proposal. However, the applicant proposes several new water service lines and sanitary sewer laterals to serve the new units. The applicant also proposes a storm detention and water quality system.

**The applicant can meet this criterion with Condition of Approval 3.**

*16. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided, consistent with the city's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation. When approving land use actions, Oregon City requires all relevant intersections to be maintained at the minimum acceptable level of service (LOS) upon full build-out of the proposed land use action. The minimum acceptable LOS standards are as follows:*

**Finding: Complies with Conditions.** 16<sup>th</sup> Street and Polk Street are classified as Local Streets in the Oregon City Transportation System Plan, which requires a minimum right-of-way (ROW) width of 42 to 54 feet. The application to construct seven living units on these streets requires that they be brought up to

current code. Currently, 16<sup>th</sup> Street has a ROW width of 60 feet with 40 feet of pavement along the site's frontage and Polk Street has a ROW width of 30 feet with about 20 feet of pavement along the site's frontage. The applicant has proposed additional easement or ROW dedication along the site's frontage with Polk Street to provide sidewalk and planter strip. Additional dedication along Polk Street is needed at this time to provide 14-foot travel/parking lane, 5-foot planter strip with street trees, 5-foot sidewalk, and a 0.5 utility strip for a total of 24.5 feet on the applicant's side of the centerline.

The applicant has proposed 6-foot sidewalks and compliant planter strips along the site's frontage on 16<sup>th</sup> Street and Polk Street. The right-of-way to accommodate the 5-foot sidewalk, 5-foot planter strip, and 14-foot travel/parking lane along the frontage of Polk Street shall be dedicated to the city to mitigate the impact of the proposed seven-unit development. The applicant shall replace the existing 6-foot sidewalk along 16<sup>th</sup> Street with a five-foot sidewalk and widen the existing planter strip a foot for the street trees.

According to Chapter 10.32, "a clear vision area shall contain no vegetation or fences or other artificial obstruction exceeding three feet in height measured from the top of the curb or, where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area provided all branches and foliage are removed to a height of eight feet above the grade." The applicant has proposed modification of an existing embankment on the southern edge of the private drive. The applicant has also provided plant materials in locations that do not conflict with the line of sight triangles at the driveway entrances. In addition, the applicant has proposed modification of an existing embankment on the southern edge of the private drive. The traffic analysis report prepared by Lancaster Engineering, Inc and confirmed by the City's transportation consultant, John Replinger, Senior Transportation Engineer for David Evans and Associates, indicated that existing vegetation should be removed during construction to improve sight distance and that this was a reasonable solution for site distance.

Clackamas Fire District #1 may require the applicant to post no parking signs on one side of Polk Street along their development frontage to ensure adequate pavement for emergency vehicles. This analysis will be performed during building review.

**The applicant can meet this criterion with Conditions of Approval 1, 2, 4, 5, and 6.**

*a. For signalized intersection areas of the city that are located outside the Regional Center boundaries a LOS of "D" or better for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of critical movements.*

**Finding: Not applicable.**

*b. For signalized intersections within the Regional Center boundaries a LOS "D" can be exceeded during the peak hour; however, during the second peak hour, LOS "D" or better will be required as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0.*

**Finding: Not Applicable.** The proposed development is not located with the Regional Center.

*c. For unsignalized intersection throughout the city a LOS "E" or better for the poorest approach and with no movement serving more than twenty peak hour vehicles operating at worse than LOS "F" will be tolerated for minor movements during a peak hour.*

**Finding: Complies.** The intersection of 16<sup>th</sup> Street and Polk Street is an unsignalized intersection. A traffic study performed by Lancaster Engineering demonstrated that the intersection is not affected by the development.

*17. Major industrial, institutional, retail and office developments shall provide direct, safe and convenient bicycle and pedestrian travel as appropriate both within the development and between the development and other residential or neighborhood activity centers such as shopping, schools, parks and transit centers. Where practicable, new office parks and commercial developments shall enhance internal pedestrian circulation through clustering of buildings, construction of pedestrian ways, or similar*

techniques. Bicycle parking facilities shall be required as part of new multifamily residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots.

**Finding: Not Applicable.** This is a multi-family development.

18. This standard requires the proposed development to be reviewed by Tri-Met to determine whether transit service is or reasonably can be made available to serve the site.

**Finding: Complies.** Tri-Met currently serves the subject site with bus lines along 16<sup>th</sup> Street. A transit stop is currently located at the intersection of 16<sup>th</sup> and Taylor and 16<sup>th</sup> and Harrison, facilitating convenient pedestrian connections. No additional stops are proposed. Notice of the proposal was sent to Tri-Met with no response.

19. This standard requires that all underground utilities shall be placed underground.

**Finding: Complies.** All utilities would be placed underground.

20. This standard requires that access and facilities for handicapped shall be incorporated into the design.

**Finding: Complies.** All building sidewalks and ramps are been designed to comply by all federal and state requirements for the American Disability Act.

21. Pedestrian and bicycle access ways shall be provided as appropriate in accordance with the requirements and standards in Chapter 12.24 and such other design standards as the City may adopt.

**Finding: Not Applicable.** The pedestrian accessway standards only apply "within and from new subdivisions and planned unit developments".

22. In office parks and commercial centers, clustering of buildings shall be provided to the extent reasonably practicable to accommodate off-site pedestrian access.

**Finding: Not Applicable.** This is a multi-family development

23. For a residential development, site layout shall achieve at least eighty percent of the maximum density of the base zone for the net developable area. Net developable area excludes all areas for required right-of-way dedication, land protected from development through water resource and steep slopes, and required open space or park dedication.

**Finding: Not Applicable.** This applicant is proposing to develop a multifamily project in the Mixed Use Commercial District. There is not minimum density for this district.

B. The review authority may impose such conditions as it deems necessary to ensure compliance with these standards and other applicable review criteria, including standards set out in city overlay districts, the city's master plans, and city public works design standards. Such conditions shall apply as described in Sections 17.50.310, 17.50.320 and 17.50.330. The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance with this chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the city attorney.

**Finding: Complies.** The review authority will impose such conditions as it deems necessary to ensure compliance with these standards and other applicable review criteria, including standards set out in city overlay districts, the city's master plans, and city public works design standards.

#### **17.62.055 Institutional and commercial building standards.**

A. Purpose. This section is intended to promote the design of an urban environment that is built to human scale and to encourage street fronts that create a pedestrian-conducive environment, while also accommodating vehicular movement. The primary objective of the regulations contained in this section is

to provide a range of design choices that would promote creative, functional, and cohesive development compatible with the surrounding areas.

**B. Applicability.** In addition to Section 17.62.050 requirements, institutional and commercial buildings shall comply with design standards contained in this section.

**Finding: Complies.** The applicant is not proposing a commercial building; therefore this section of the code does not apply

#### **Section 17.62.056 – Additional Standards for Large Retail Establishments**

*This section is intended to ensure that large retail building development is compatible with its surrounding area.*

**Finding: Not Applicable.** The proposal includes a multifamily project and is thus not subject to the standards of this section

#### **Section 17.62.057- Multiple-family building standards.**

This section is intended to promote the design of multiple-family buildings through a range of design choices that would ensure aesthetically pleasing and functional architecture.

#### **B. Applicability.**

In addition to Section 17.62.050 requirements, multi-family buildings shall comply with design standards contained in this section.

**Finding: Complies** This standard applies.

#### **C. Housing Model Variety.**

“Housing model” is distinguished from other housing models, if it has at least three characteristics that clearly distinguish it from other housing models including, but not limited to, different floor plans, exterior materials, roof lines, garage placement, or building facades. Any development of twenty-four or less multiple-family units shall have at least three different types of housing models. Any development of ten or more multiple-family units shall have at least two different types of housing models.

The Applicant is proposing 7 units

**Finding: Does Not Apply**

#### **D. Relationship of Buildings to Streets and Parking.**

**Standard D-1:** Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings. Based on the Applicant’s site plan, the parking is below or inside of the proposed buildings.

Finding: The Applicant meets this standard.

**Standard D-2:** Multiple-family developments shall be placed no farther than twenty feet from the front property line. A deeper front yard setback may be approved through site plan and design review if the setback area incorporates enhanced pedestrian spaces and amenities, including but not limited to, street furniture, public art or other such deliberately shaped area and/or a feature or amenity that, in the judgment of the appropriate decision maker, integrates well with adjoining areas. The proposal site plan shows the closest building to the front property line is located between 0 and 9 feet from the front property line.

**Finding: Complies.** The Applicant meets this standard.

**Standard D-3:** Street-facing facades for every building containing four or more dwelling units shall have at least one building entry or doorway facing any adjacent streets. The facade oriented to a street shall



also include windows, doorways, and a structured transition from public to private areas using built elements such as porch features, arbors, low walls, trellis work and/or similar elements integrated with planting. The Applicant's elevation of Building 1 shows a street facing façade with porches and bay windows.

**Finding: Complies.** All entrances face either 16<sup>th</sup> or Polk streets.

#### **E. Open Space.**

Open space shall be provided in all multiple-family developments.

**Standard E-2 and E-3:** A minimum of twenty percent of the gross site area shall be designated and permanently reserved as common open space. The Applicant has shown approximately 50% of the site is designated as open space.

**Finding: Complies.** The Applicant meets this standard.

**Standard E-4:** Each development shall include at least one common open space area that contains a minimum of five hundred square feet, with no horizontal dimension less than twenty feet. The site contains a developed common open space approximately 40x44 feet or 1,760 square feet.

**Finding: Complies.** The Applicant meets this standard.

**Standard E-5:** Each multiple-family development shall provide individual private open space for each dwelling unit. Private open space is a semi-enclosed area, which is intended for use strictly by the occupants of one dwelling unit. Private open space may include porches, balconies, terraces, roof top gardens, verandas, and decks. Dwellings located at finished grade, or within five feet of finished grade, shall provide a minimum of ninety-six square feet of private open space per dwelling unit, with no dimension less than six feet. Dwellings located more than five feet above finished grade shall provide a minimum of forty-eight square feet with no dimension less than six feet. According to information provided the Applicant, each unit has a private open space area consisting of a private decks, balconies and patios that are between 199 and 316 square feet square feet.

**Finding: Complies.** The Applicant meets this standard.

**Standard E-6:** Ground level private open space shall be visually and physically separated from common open space through the use of perimeter landscaping or fencing. The Applicant shall provide for individual fencing and/or perimeter landscaping for each unit on the ground level of each building. The applicant's site plans and elevation drawings indicate that the porches and continuation of party wall separate the private open space from the common open space.

**Finding: Complies.** The Applicant meets this standard.

#### **Section 17.62.060 – Building Structures**

*A. Building structures shall be complimentary to the surrounding area as provided by the design guidelines adopted by the city commission. All exterior surfaces shall present a finished appearance. In historic areas and where development could have a significant visual impact, the review authority may request the advisory opinions of appropriate experts designated by the city manager from the design fields of architecture, landscaping and urban planning. The applicant shall pay the costs associated with obtaining such independent professional advice; provided, however, that the review authority shall seek to minimize those costs to the extent practicable.*

**Finding: Complies.** The building is not within a historic area. The building would meet all the site design criteria of the Oregon City Municipal Code with associated conditions of approval

#### **17.62.070 On-site Pedestrian Access.**

*All commercial, industrial, institutional and multi-family residential developments shall provide an on-site pedestrian circulation system that provides convenient, accessible and direct route design.*

- A. *The on-site pedestrian circulation system shall provide direct and barrier-free connections between buildings and existing public rights-of-way, pedestrian/bicycle accessways and other on-site pedestrian facilities while minimizing out-of-direction travel. The pedestrian circulation system and pedestrian walkways and facilities shall be designed and constructed, as appropriate, to connect:*
- 1. The main building entrance(s) of the primary structure(s) on the site with the nearest sidewalk or other walkway leading to a sidewalk;*
  - 2. New building entrances on a development site with other new and existing building entrances except those used for loading and unloading;*
  - 3. Other pedestrian-use areas on-site, such as parking areas, transit stops, recreation or play areas, common outdoor areas, and any pedestrian amenities such as plazas, resting areas and viewpoints;*
  - 4. To adjacent developments where feasible. Development patterns shall not preclude eventual site-to-site pedestrian connections where feasible, even if infeasible at the time of development. Public and private schools, and parks over one acre in size, shall provide direct pedestrian access from adjacent neighborhoods, using multiple-access points in all directions as reasonably practicable to minimize neighborhood walking distance to a site. Walkway linkages to adjacent developments shall not be required within industrial developments or to industrial developments or to vacant industrially zoned land.*
- B. *On-site pedestrian walkways shall be hard surfaced, well-drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be increased to seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the safety of the pedestrian must be assured by raising the walkway or separating it from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of travel.*
- C. *The on-site pedestrian circulation system shall be lighted to a minimum level of three foot-candles to enhance pedestrian safety and allow employees, residents, customers or the public to use the walkways at night. Pedestrian walkway lighting through parking lots shall be designed to light the walkway and enhance pedestrian safety.*
- D. *On-site vehicular and pedestrian circulation patterns shall be designed to minimize vehicular/pedestrian conflicts through measures such as minimizing driveway crossings, creating separate pedestrian walkways through the site and parking areas, and designating areas for pedestrians by marking crossings with changes in textural material. Such textural material shall be consistent with Chapter 31 of the Uniform Building Code. Pedestrian walkways in parking areas shall comply with the requirements of Section 17.52.080.*

**Finding: Complies.** *The applicant has proposed a safe and efficient pedestrian circulation system. Pedestrians access the site directly from the sidewalk.*

#### **17.62.090 Enforcement.**

- A. *Applications for site plan and design review shall be reviewed in the manner provided in Chapter 17.50. The city building official may issue a certificate of occupancy only after the improvements required by site plan and design review approval have been completed, or a schedule for completion and a bond or other financial guarantee have been accepted by the city. If construction has not begun within one year from the date of site and design review approval, such approval shall expire unless an extension is requested and granted.*
- B. *In performing site plan and design review, the review authority shall consider the effect of additional financial burdens imposed by such review on the cost and availability of needed*

*housing types. Consideration of such factors shall not prevent the imposition of conditions of approval found necessary to meet the requirements of this section. The cost of such conditions of approval shall not unduly increase the cost of housing beyond the minimum necessary to achieve the provisions of this title, nor shall such cost prevent the construction of needed housing types. The use of the site plan and design review provisions of this section shall have no effect on dwelling unit densities.*

**Finding:** This application has been reviewed per Chapter 17.50 requirements.

**CONCLUSION AND RECCOMENDATION:**

Based on the analysis and findings as described above, Staff concludes that the proposed Site Plan And Design Review located A parcel located at 1427 16<sup>th</sup> Street and identified as Clackamas County Map 2-2E-32BA, Tax Lot 400 can meet the requirements as described above by complying with the Conditions of Approval provided in this report.

Therefore, the Community Development Department recommends approval of file SP 05-27 with conditions, based upon the findings and exhibits contained in this staff report.

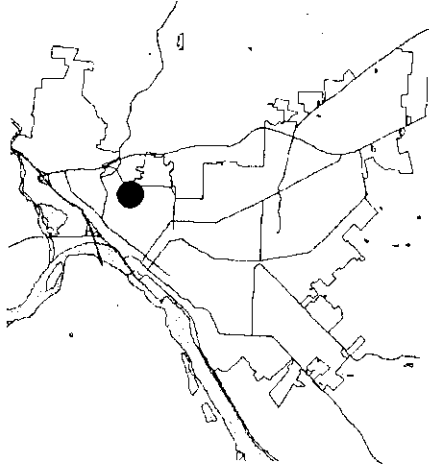
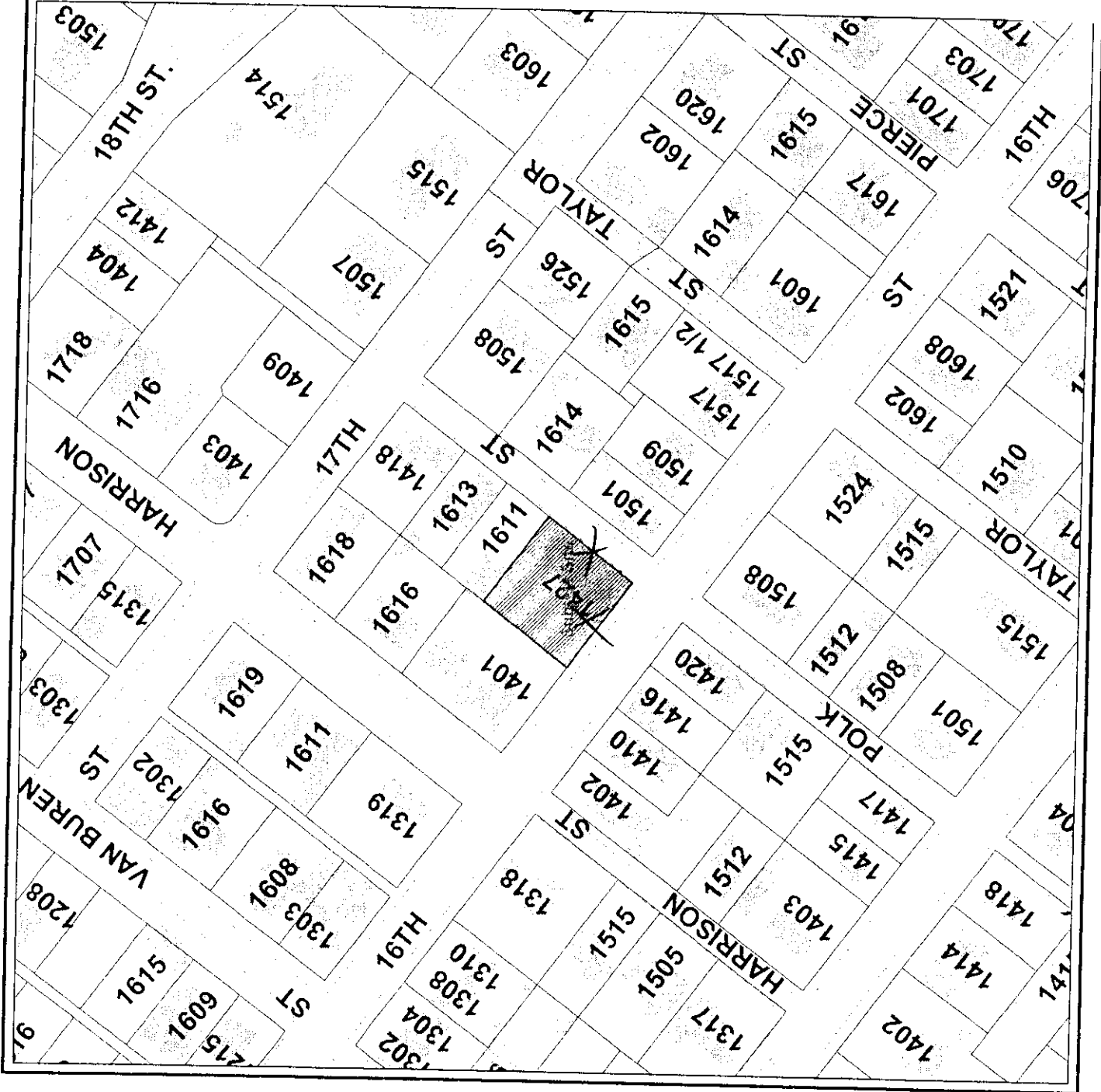
**EXHIBITS:**

1. Vicinity Map
2. Applicant's Submittal Including Narrative/Site Plan
3. Public Comments
  - a. Stacie and Charles Gregg, 1501 16<sup>th</sup> Street,
  - b. Leland Wagner, 1611 Polk Street, representing a petition of 90 neighbors.
  - c. Denyse McGriff, McLoughlin Neighborhood Association Land Use Chair
4. Comments from John Replinger of David Evans and Associates, dated September 21, 2005
5. Comments from John Lewis, Oregon City Public Works Department
6. Engineering Policy 00-01

**NOTICE OF TYPE II LAND USE DECISION**  
**SP 05-27 CONDITIONS OF APPROVAL**

1. The applicant is responsible for this project's compliance to Engineering Policy 00-01 found at <http://www.orcity.org/forms/pdf/EP00-01v5.pdf>. The policies pertain to any land use decision requiring the applicant to provide any public improvements.
2. The applicant shall sign a Non-Remonstrance Agreement prior to building occupancy for the purpose of making sanitary sewer, storm sewer, water or street improvements in the future that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement.
3. The applicant shall submit a final drainage report to the Engineering Division with the infrastructure construction plans.
4. The applicant shall remove appropriate existing vegetation on the site to allow minimum sight distance for the driveways onto Polk Street and 16<sup>th</sup> Street.
5. The applicant shall dedicate sufficient right-of-way along the site's frontage of Polk Street to provide 14-foot travel/parking lane, 5-foot planter strip with street trees, 5-foot sidewalk, and a 0.5 utility strip for a total of 24.5 feet on the applicant's side of the centerline
6. The applicant shall replace the existing deteriorated 6-foot sidewalk along 16<sup>th</sup> Street with a 5-foot sidewalk and increase the existing planter strip one foot for the street trees.
7. Prior to receiving a Certificate of Occupancy, the applicant shall submit a photometric plan showing that security lighting does not illuminate abutting properties in excess of .5foot candles.
8. Subject to Approval of VR 05-04

SP 05-27 and  
VR 05-04



City of Oregon City  
P.O. Box 3040  
320 Warner Milne Road  
Oregon City, OR 97045

The data on this map is the best  
information available from the  
records of the City of Oregon City.  
Errors and omissions may exist.

# CITY OF OREGON CITY

Community Development Department, 320 Warner Milne Road,  
P.O. Box 3040, Oregon City, OR 97045, (503) 657-0891 Fax: (503) 657-7892  
www.ci.oregon-city.or.us

## LAND USE APPLICATION FORM

### REQUEST:

- Type II
- ☐ Partition
  - ☒ Site Plan/Design Review
  - ☐ Subdivision
  - ☐ Extension
  - ☐ Modification

- Type III
- ☐ Conditional Use
  - ☒ Variance
  - ☐ Planned Development
  - ☐ Modification

- Type III / IV
- ☐ Plan Amendment
  - ☐ Zone Change
- Other
- ☐ Annexation\*

OVERLAY ZONES: ☐ Water Resources ☐ Unstable Slopes/Hillside Constraint

Please *print or type* the following information to summarize your application request:

APPLICATION # SP05-27/VR05-04 (Please use this file # when contacting the Planning Division)

APPLICANT'S NAME: ELIZABETH ATLY (005223)

PROPERTY OWNER (if different): HOWARD ZIDELL

PHYSICAL ADDRESS OF PROPERTY: 1427-16th STREET, OREGON CITY, OREGON

DESCRIPTION: TOWNSHIP: 02S RANGE: 02E SECTION: 32 TAX LOT(S): 22E32BA00400

PRESENT USE OF PROPERTY: VACATED

PROPOSED LAND USE OR ACTIVITY:

MULTI-FAMILY RESIDENTIAL DEVELOPMENT- SEVEN ROWHOUSE  
CONDOMINIUM UNITS

DISTANCE AND DIRECTION TO INTERSECTION:

0 FEET  
CLOSEST INTERSECTION: 16th & POLK STREETS

PRESENT ZONING: MUC-1

TOTAL AREA OF PROPERTY: 10,000 S.F.

### Land Divisions

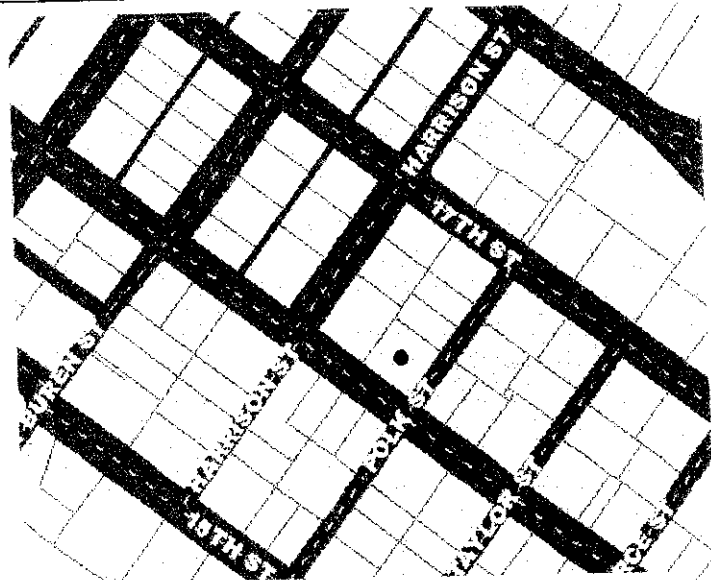
PROJECT NAME: \_\_\_\_\_

NUMBER OF LOTS PROPOSED: \_\_\_\_\_

MINIMUM LOT SIZE PROPOSED: \_\_\_\_\_

MINIMUM LOT DEPTH PROPOSED: \_\_\_\_\_

MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS  
CHAPTER 227 REQUIRES THAT IF YOU RECEIVE THIS  
NOTICE, IT MUST BE PROMPTLY FORWARDED TO  
PURCHASER



\*Please See Separate Annexation Submittal Checklist

Exhibit: 2

**MAIN STREET LOAN, INC.**

604 MAIN ST. • VANCOUVER, WASHINGTON 98660

PHONE (360) 693-8651

9/20/05

City of Oregon City

Elizabeth Athy is  
hereby authorized to sign  
the site plan or design review  
application and all other  
necessary papers required.

L. Athy  
Pres

# CAMEO TOWNHOUSE PROJECT

## List of Permit Approvals Sought by the Applicant

1. Site Plan and Design Review
2. Variance (Hearing)

## Narrative

The existing 100' x 100' site is vacated and undeveloped. A small rundown retail/residential establishment was removed from the site, and nothing remains of it. There are no trees or plantings. Total grade differential is 6' sloping downward from east to west. There is a 6' sidewalk and 3'-6" planting strip on the 16<sup>th</sup> Street side; the Polk Street side faces an undeveloped 30' right-of-way of which 20' is paved, with no sidewalks or planting strips. Water and sanitary sewer lines are accessible on both streets, and storm sewer is available along 16<sup>th</sup> Street. There is public transit access one block from the site, on 16<sup>th</sup> and Harrison Streets.

The proposed project consists of seven (7) town house units to be situated on the 100' x 100' lot at 1427 16<sup>th</sup> Street (corner of 16<sup>th</sup> and Polk Streets), zoned MUC-1. The units are designed to reflect the neighboring housing, which consists of single family residences dating from approximately 1890 through 1950, with many modest Craftsman bungalow features and some Victorian detailing. Individual front yard setbacks are staggered to provide a varied and pedestrian-friendly streetscape. Landscaping materials are selected to fit in with neighborhood plantings.

All units are 18' wide, and include off-street parking with two stories above, consisting of living areas on the second floor and bedrooms and baths on the third floor. The larger -- "A" -- units each have two bedrooms, two full baths, two half-baths, and off-street parking for two automobiles. Two of the "A" units are 18' x 35' (Units 2 and 3), and three of them are 18' x 40' (Units 1, 6 and 7). The two "B" (Units 4 and 5) units are 18' x 26' and contain one bedroom with full bath, one half-bath, and parking for one automobile. Each residential unit has a front entry porch, and a second-story balcony on the street side, and second and third story decks over a private patio on the rear yard side. The large shared back yard is enclosed by a 6' cedar fence, and is accessible to residents only by gates at northeast and northwest corners of the property.

On the street-facing side, each unit has a second story gable with French door, side-lites and transom opening onto a balcony. Two variations occur at the third story, alternating between a shed dormer and paired gabled dormers, to vary the street-facing appearance. Board and batten painted in a warm earth tone will cover the lower stories and natural cedar shingles will side the dormers and side gables, with a broad contrasting (off-white) band on the gable ends. Door and window trim will be offwhite, and doors and windows of individual units will be different colors. (See materials board)

The "A" units offer from 1250 to 1472 square feet of living space, and the "B" units offer 950 s.f. each. Total living space for all 7 units is 8803 s.f., and total developed area



including garages and decks/balconies is 12,113.5. Front porches of approximately 40 s.f. each have not been included in this calculation. (See Appendix A)

An appeal for variance accompanies this submission, requesting waiver of the 20' setback for property lines abutting residential properties and proposing instead a 5' setback which is typical for residential zones.

### **Review Criteria**

#### **Responding to OCMC 17.62.035.C.1, including 17.62.050(1-23)**

1. A minimum of 15% of the lot will be developed in landscaping, using species familiar to the neighborhood. Landscape designers walked the neighborhood and observed existing plant species to better arrive at a design compatible with neighboring properties. The landscaping has been designed by Gretchen Vadnais, a registered landscape architect, and includes a mix of vertical and horizontal elements. Bark mulch will not be used, unless it is under the canopy of shrubs and within two feet of the base of trees. Tree lists from the Community Development Department of Oregon City were consulted in the selection of tree species. The parking strips along 16<sup>th</sup> and Polk Streets will include ten (10) trees and a varied mix of plants and grasses. At the corner where the streets meet, a 14'x40' strip will be landscaped. All other landscaping is in the shared back yard of the residential units.

2. The lot will be fenced on the northwest and northeast property lines with 6' tall by 6' wide cedar fencing panels topped with lattice and trellises. The fence on the northwest property line will be atop a concrete retaining wall. Gates at the southwest and northeast corners will be of the same material as the fence panels. A 3' high fence and gate will enclose the landscaped area at the southeast corner of the property. There will be no common driveways or shared parking. Driveways shall be paved with permeable pavers (grasscrete or equal). Setbacks are varied. All buildings are three (3) stories tall, with a continuous ridge for the "A" units at about 35' above grade (though grade varies), dropping to a somewhat lower height for the "B" units.

3. Grade change on the site does not exceed 6 feet, and no significant grade changes are proposed. Any grading during construction will be minimal and will relate directly to the siting of the individual residential units. Public works storm-water plans, maximizing the existing slope of the lot are included in this submittal.

4. Unstable slope conditions do not exist on this site.

5. Drainage shall be provided in accordance with city's drainage master plan. See #3 above.

6. Off-street parking spaces are provided in each of the units according to the city off-street parking standards, Chapter 17.52. The five larger "A" units will each provide parking for two automobiles, and the two smaller "B" units will provide one parking

space each. Pervious pavers, as noted above, will be used on the driveways, individual sidewalks, and back yard patios and garbage collection areas.

7. Sidewalks and curbs will be provided in accordance with the city's transportation master plan. The existing 6' wide sidewalk on 16<sup>th</sup> Street will be replaced with a new 6' sidewalk, and the existing 3'-6" planting strip will be curved to accommodate trees without reducing the sidewalk significantly enough to impede sidewalk traffic or handicapped access. New sidewalk and planting strip on the Polk Street side will be similarly constructed, and will be mostly within the property line (dedicated or easement?)

8. Circulation within the site will facilitate convenient pedestrian and bicycle access. Each unit will have direct pedestrian and automobile access from the street. A bicycle rack will be included in each garage, and site bicycle parking will be provided. Emergency access is provided with the 5' lanes on the northwest and northeast edges of the property. A traffic engineer's report addressing access issues accompanies this narrative.

9. The 5' lanes on either side of the property provide access for necessary normal replacement of private common facilities and areas, drainage area, landscaping, garbage storage area and other facilities not subject to periodic maintenance by the city or other public agency.

10. Appropriate outdoor lighting will be provided in a manner to enhance security, without adverse impact on adjacent properties.

11. No trees exist on the lot to be protected. New trees will be included. See Landscape Plans.

12. No water sources will be affected by this construction.

13. No adverse impacts on natural resources will result from this plan.

14. This development will maintain continuous compliance with applicable federal, state, and city standards pertaining to air and water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference.

15. Public water and sanitary sewer facilities sufficient to serve the proposed development will be provided, accessing existing trunk lines for both below 16<sup>th</sup> and Polk Streets.

16. Right-of-way improvements will be included in this project, including and especially the sidewalk and planting strip on Polk Street and the paving of said street. The existing right-of-way on Polk Street is 30', of which 20' is now paved. The improvements proposed will begin 14' from the centerline of the existing right-of-way.

- 17 . Bicycle parking will be included.
- 18 . Tri-Met transit stops exist within a block of the site.
- 19 . Utility lines shall be placed underground.
- 20 . None of the units are ADA accessible, but the entire site will be accessible.
- 21 . Pedestrian and bicycle access addressed in #8 above.
- 22 . n.a.
- 23 . The proposed site layout achieves at least 80% of the maximum density of the base zone for the net developable area.

**17.62.057 Multiple-family building standards.**

- C.1. There are seven proposed units, with several variations, one based on size, and another based on front presentation and interior spaces affected by dormer variations.
- D.1. Required parking spaces are located on first floor of buildings. Space is allowed for curb parking for five (5) automobiles.
- D.2. Front yards are varied, none deeper than nine feet from the property line. Setbacks are enhanced by front porches, sidewalks and landscaping.
- D.3. Each residential unit has an entry porch and front door and facing onto the street, integrated with planting. Gates to back yard integrate with fencing and landscape details.
- E.1. Private and shared open spaces are provided for the residential units. Individual units have between 144 s.f. and 208 s.f. of private balcony space, in addition to 55-108 s.f. of private patio space. Buffer front yards are also included on most units. Shared space is defined below.
- E.2. Common open space includes a minimum area of 1760 s.f. in the shared back yard, adjacent to the private patios, 600 s.f. at the street-facing corner yard, and 5'x40' corridor passageways to the shared back yard, totaling a minimum of 28% of gross site area.
- E.3. Setbacks and buffer yards are included in figures above. Site includes 850 s.f. of new sidewalk and planting strip within gross site area.
- E.4. The common open space at northwest corner of the lot is 1760 s.f. (40'x44').

E.5. See E.1. above: private units have between 199 and 316 s.f. of private outdoor space, including balconies, decks and patios.

E.6. Pavers and perimeter landscaping are used to define private open spaces at ground level. Continuous building walls and fire walls continuous from party walls are used to further define and differentiate private outdoor spaces.

#### **17.62.060 Building Structures**

A. Building structures are complimentary to surrounding area, using architectural elements and finishes found on adjacent buildings, and landscaping materials similar to those on adjacent properties.

#### **17.62.070 On-site pedestrian access.**

A. On-site pedestrian access from public right-of-way will be direct for residents and their guests through gates at northeast and southwest corners of the site.

B. On-site pedestrian walkways will consist of hard-surfaced, well-drained pavers, smaller than 5' wide because this is a residential project.

C. Lighting will be design-built by the lighting engineer to meet Oregon City requirements.

D. n.a.

#### **Chapter 17.52 Off-Street Parking and Loading**

Off-street parking is required by the table under 17.52.010 -- one bicycle rack per unit will be provided in garages, and bicycle parking as required per 17.52.050.A, will be developed. See Landscape Plan.

## **APPENDIX A**

### **CAMEO TOWNHOUSE PROJECT**

#### **AREAS IN SQUARE FEET**

Unit	First Floor Lvg	Second Floor	Third Floor	Total Living Space	Decks/Balcony	Garage
1	243.75	663	561	<b>1467.75</b>	164.5	409.5
2	212.5	578	459	<b>1249.5</b>	164.5	357
3	212.5	578	467.5	<b>1258.0</b>	146.5	357
4	219.25	425	306	<b>950.25</b>	109.5	192
5	219.25	425	306	<b>950.25</b>	109.5	262.5
6	243.75	663	565.5	<b>1472.25</b>	109.5	409.5
7	243.75	663	548.25	<b>1455.0</b>	109.5	409.5
<b>TOTAL AREAS</b>				<b>8803 s.f.</b>	<b>913.5 s.f.</b>	<b>2397 s.f.</b>
<b>TOTAL DEVELOPED AREA</b>						<b>12, 113.5 s.f.</b>

## CAMEO TOWNHOUSE PROJE

### Variance Application Supporting Information

A variance is requested to 17.29.050.D. 20' minimum required interior and rear yard setbacks if abutting a residential zone.

Owner seeks variance to allow 5' setback on the two property lines abutting residentially zoned properties. Following are the grounds for this variance request:

#### 17.60.030 Variance – Grounds.

A. *"The variance from requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities."* The house on the property to the northwest is 40 feet from the property line. The house on the property to the northeast is on the back of the property, and hence not affected by a 5' setback. A 5' side and rear setback is standard for a residential zone, and the proposed project consists entirely of residential units in spite of the mixed use zoning that applies to the site.

B. *"The request is the minimum variance that would alleviate the hardship."* Owner wishes to maximize return on his investment in the development of the property. The seven (7) units proposed are 18' wide; any narrower would considerably restrict livability of the units. Construction of seven (7) units as opposed to five (5) will allow owner to invest in a higher level of materials and construction systems than feasible for a lesser number of units.

C. *"Granting the variance will equal or exceed the purpose of the regulation to be modified."* It is understandable that a wide side yard abutting residential properties would be desirable for many of the commercial uses permitted under the MUC-1 zone. A five-foot setback is customary between residential dwellings, and will provide for additional residential units in accordance with MUC-1 goal of "high-density residential" use. Increased urban residential density is desirable as an alternative to development of precious farmlands and natural resources.

D. *"Any impacts resulting from the adjustment are mitigated."* All proposed residential units will have interior off-street parking, thus the increased number of units is not likely to create significant on-street parking or increased traffic. Large private and shared outdoor spaces will provide amenities interior to the site for the benefit of the residents, alleviating any nuisance to adjacent property owners.

E. *"No practical alternatives have been identified which would accomplish the same purpose and not require a variance."* Existing setback requirements would allow for the construction of a maximum of five residential units, considerably reducing the economic viability of the project. Owner has chosen to develop the lot entirely for residential use rather than any of a variety of potential commercial or public uses, out of concern for potential disruption of the quiet residential neighborhood that would be caused by increased traffic flow and parking requirements for most other permitted uses.

F. *"The variance conforms to the comprehensive plan and the intent of the ordinance being varied."* This variance conforms to the Oregon City Zoning Code in its stated purpose (17.02.020) of promoting "public health, safety and general welfare through standards and regulations designed to provide adequate light and air; to secure safety from fire and other dangers; to lessen congestion in the streets; to prevent the overcrowding of land;" and especially "to assure opportunities for effective utilization of land; to provide for desired population densities; and to facilitate adequate provision for transportation, public utilities, parks and other provisions set

forth in the city comprehensive plan and the Oregon Land Conservation and Development Commission  
Statewide Planning Goals. (Prior code §11-1-2)"

From 17.29.010: "... A mix of *high-density residential*, office and small-scale retail uses are *encouraged* in this  
district. (emphasis added)

As stated above, the 20' required setback makes abundant sense relative to most commercial uses permitted by  
MUC-1 zoning; when residences are built in a residential community, it makes sense for residential setbacks to  
apply.

\* \* \*

**Variance from 17.29.050.E.1. Maximum 5' Allowed Front Yard Setback.**

This was discussed in a follow-up meeting to the pre-application conference, on April 19, 2005, between  
Oregon City Planners and Project Designer, at which it was informally agreed that varying the front setbacks,  
including enlarging some of them, would enhance rather than detract from the livability of the project. Thus no  
formal variance is sought for this modification of maximum setback. See Landscape Plan.



September 15, 2005

Elizabeth Atly  
Elizabeth Atly, M. Arch. Designer  
2110 NW Flanders #22  
Portland, OR 97210

*RE: Cameo Townhomes*

Dear Elizabeth:

As you requested, we have prepared this traffic report for the townhouse project on Polk Street and 16<sup>th</sup> Street in Oregon City, Oregon. We discussed the scope of work with Chris Snuffin of David Evans & Associates, who will be performing the review of this report. The results of our analysis are reported in this letter and supporting data is included in the attached technical appendix.

The project is located in the northern quadrant of the intersection of Polk Street and 16<sup>th</sup> Street in Oregon City. Currently, the lot is empty, but is proposed to be developed with seven townhouses. The site plan shows that four of the homes will front onto 16<sup>th</sup> Street and three will front onto Polk Street. Access will be to Polk Street or 16<sup>th</sup> Street, depending on the homes' facing.

Polk Street and 16<sup>th</sup> Street are both under the jurisdiction of the City of Oregon City and are classified as Local Streets in the City's Transportation System Plan (TSP). Statutory speed on both streets is 25 mph. The site's frontage on 16<sup>th</sup> Street has curbs and sidewalks on both sides of the street, although the frontage on Polk Street has only an asphalt curb and a shoulder on the east side of the road opposite the site. There are curbs north of the site on Polk Street. There is on-street parking on both streets. The width of 16<sup>th</sup> Street is about 40 feet. Polk Street is about 22 feet wide. Figure 1 in the technical appendix is a vicinity map showing the location of the site and the configuration and traffic control devices at the nearby intersection.





Elizabeth Atly  
September 15, 2005  
Page 2 of 4

### *Trip Generation and Distribution*

Trip rates from land-use code 230, *Residential Condominium/Townhouse*, in *TRIP GENERATION*, Seventh Edition, were used to determine the number of trips that would be generated by the site. The rates are based on the number of dwelling units and were calculated for a total of seven homes.

The trip rates show that the townhouses would generate three trips during the morning peak hour. One of the trips would be entering the site and two trips would be leaving the site. During the evening peak hour, there are four trips generated, of which three are entering and one is leaving. A total of 42 trips is expected during an average weekday, of which half are entering and half exiting the site. A copy of the trip generation worksheet is included in the attached technical appendix.

<b>TRIP GENERATION SUMMARY</b>			
<b>Cameo Townhomes</b>			
	<u>Entering Trips</u>	<u>Exiting Trips</u>	<u>Total Trips</u>
<i>Townhomes (7 homes)</i>			
AM Peak Hour	1	2	3
PM Peak Hour	3	1	4
Weekday	21	21	42

The directional distribution of the site trips was based on the most convenient routes to nearby schools and shopping areas, and commuter routes to Portland.

### *Queuing Analysis*

The site visit for this project was made during the evening peak hour on a Friday. There were no vehicles observed traveling south on Polk Street and volumes on 16<sup>th</sup> Street were noted to be very low. No queues developed on Polk Street. The site adds minimal traf-



Elizabeth Atly  
September 15, 2005  
Page 3 of 4

fic to the Polk Street/16<sup>th</sup> Street intersection and no queues are expected to develop as a result of the site traffic.

#### *Access Spacing*

The rowhouses front onto Local Streets. There is no minimum access spacing standard for single-family dwellings on Local Streets. The City's access spacing requirements do not apply to this project.

#### *Sight Distance*

Sight distance was examined along the site frontage on Polk Street and 16<sup>th</sup> Street. It was assumed that any on-site vegetation near the sidewalk would be removed with development. There are a couple of small trees between the sidewalk and curb on Polk Street that could interfere with sight distance for the units on Polk Street. Otherwise, there were no restrictions noted.

On-street parking is allowed on both Polk Street and 16<sup>th</sup> Street. While a few vehicles parked next to the driveways will not greatly interfere with sight distance, too many vehicles parked too closely to the driveways could obstruct the view of exiting vehicles. This is a common occurrence in residential neighborhoods and most drivers in the area will be familiar with the sight distance restrictions and drive accordingly. If sight distance becomes a concern, on-street parking could be limited in the areas of concern.

#### *Conflicts*

There are two driveways opposite the site on 16<sup>th</sup> Street, which serve single-family homes. Since both the site driveways and these existing driveways would generate very few trips during the peak hours, conflicts between driveways is expected to be rare. There are no driveways opposite the site on Polk Street.



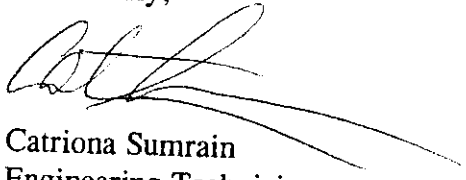
Elizabeth Atly  
September 15, 2005  
Page 4 of 4

*Crash History*

Crash data was requested from the Crash Analysis Unit of ODOT to determine the safety of study area. ODOT records show that no crashes have occurred at the intersection of Polk Street and 16<sup>th</sup> Street in the last three years. The intersection is operating safely.

If you have any questions about this letter, please don't hesitate to call me.

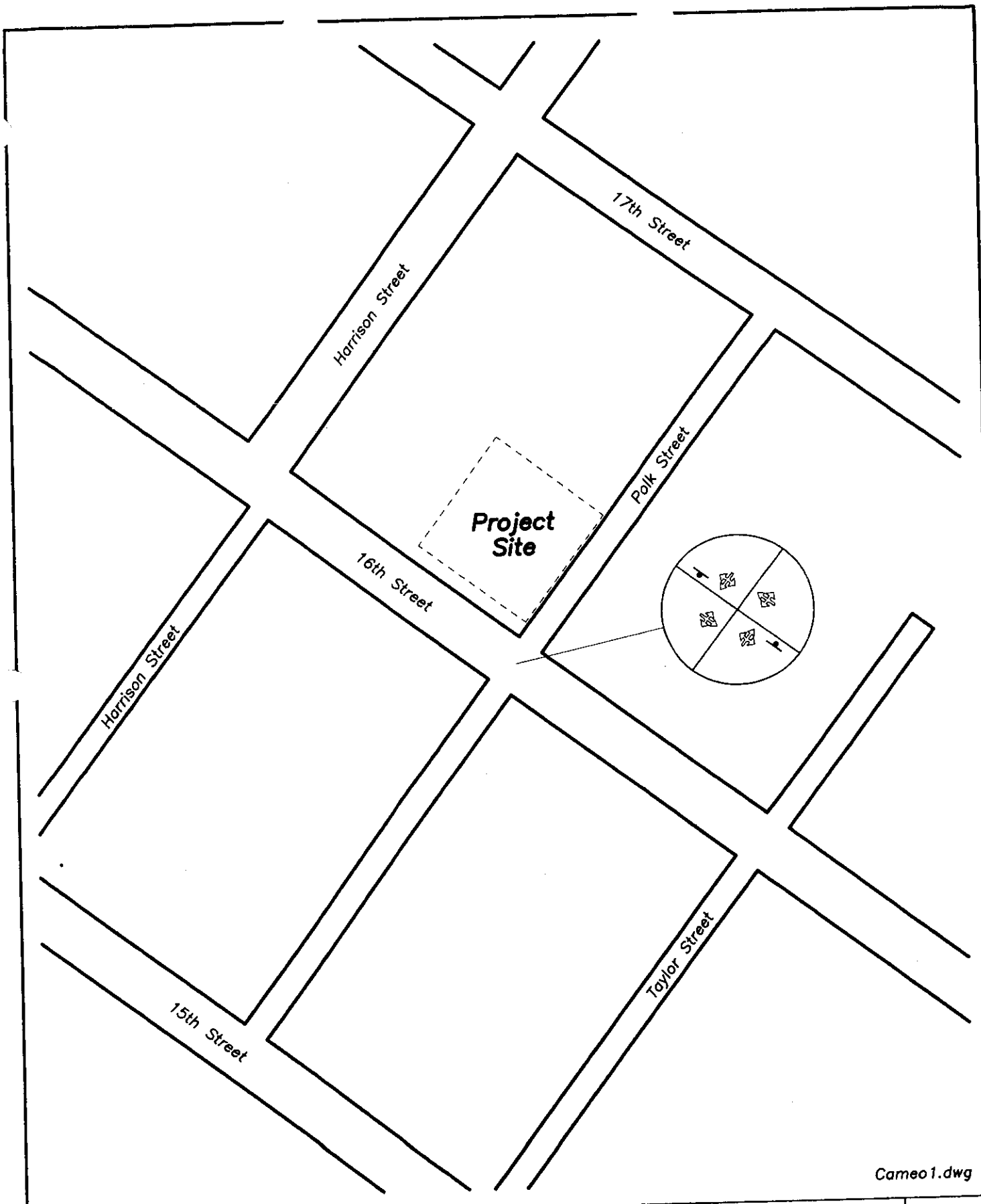
Yours truly,



Catriona Sumrain  
Engineering Technician

attachments: Vicinity Map  
Trip Generation Worksheet  
Site Trip Distribution and Assignment  
Crash History Data





Cameo1.dwg

1e

VICINITY MAP  
Existing Lane Configurations  
& Traffic Control Devices

no scale

FIGURE  
1

APPENDIX



## TRIP GENERATION CALCULATIONS

*Land Use:* Residential Condominium/Townhouse  
*Land Use Code:* 230  
*Variable:* Dwelling Units  
*Variable Value:* 7

### AM PEAK HOUR

*Trip Rate:* 0.44

	Enter	Exit	Total
Directional Distribution	17%	83%	
Trip Ends	1	2	3

### PM PEAK HOUR

*Trip Rate:* 0.52

	Enter	Exit	Total
Directional Distribution	67%	33%	
Trip Ends	3	1	4

### WEEKDAY

*Trip Rate:* 5.86

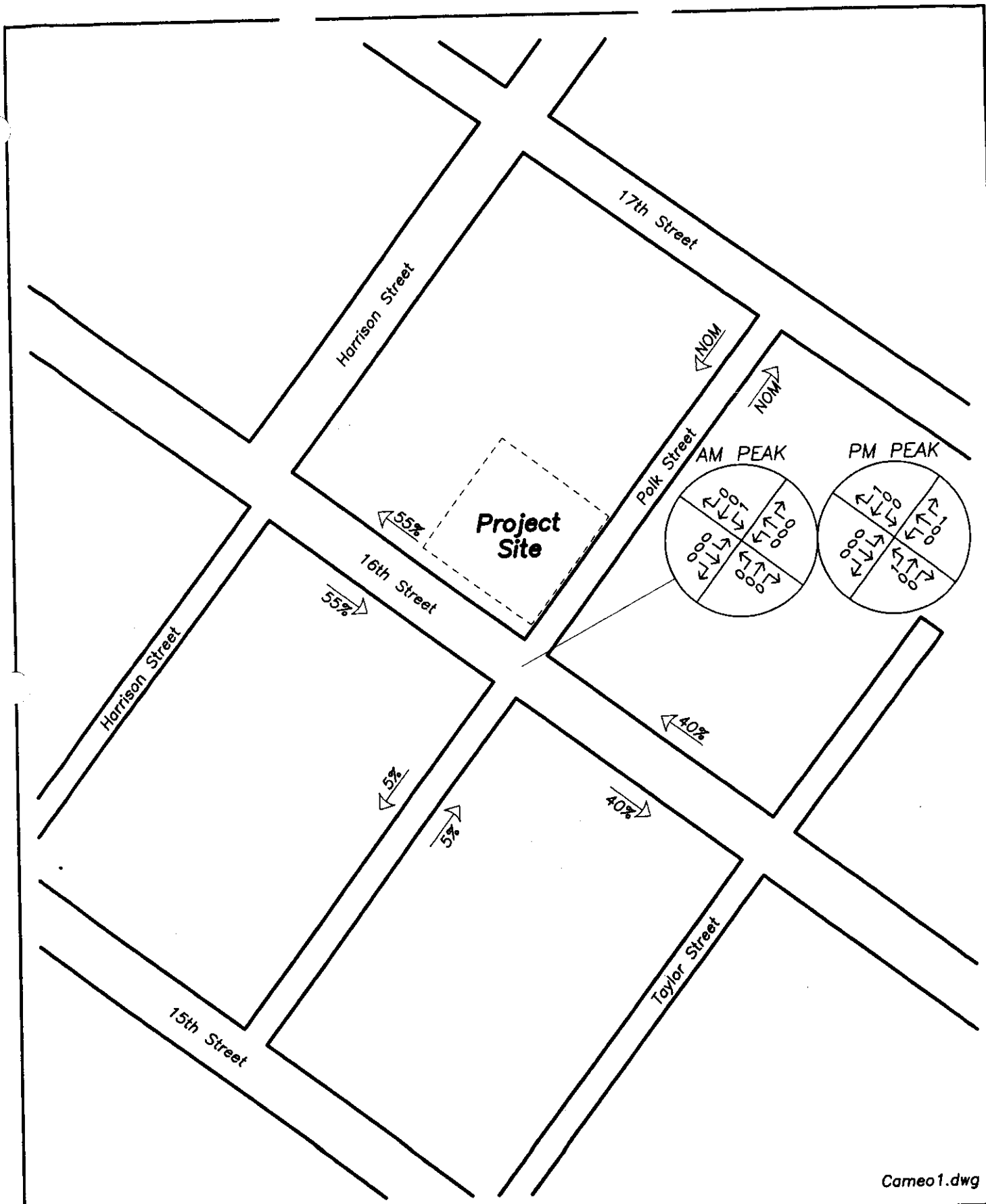
	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	21	21	42

### SATURDAY

*Trip Rate:* 5.67

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	20	20	40

Source: TRIP GENERATION, Seventh Edition



Cameo1.dwg

1e

**SITE TRIP DISTRIBUTION**  
Inbound & Outbound Percentages  
AM & PM Peak Hours



no scale

**FIGURE 2**

**APPENDIX**

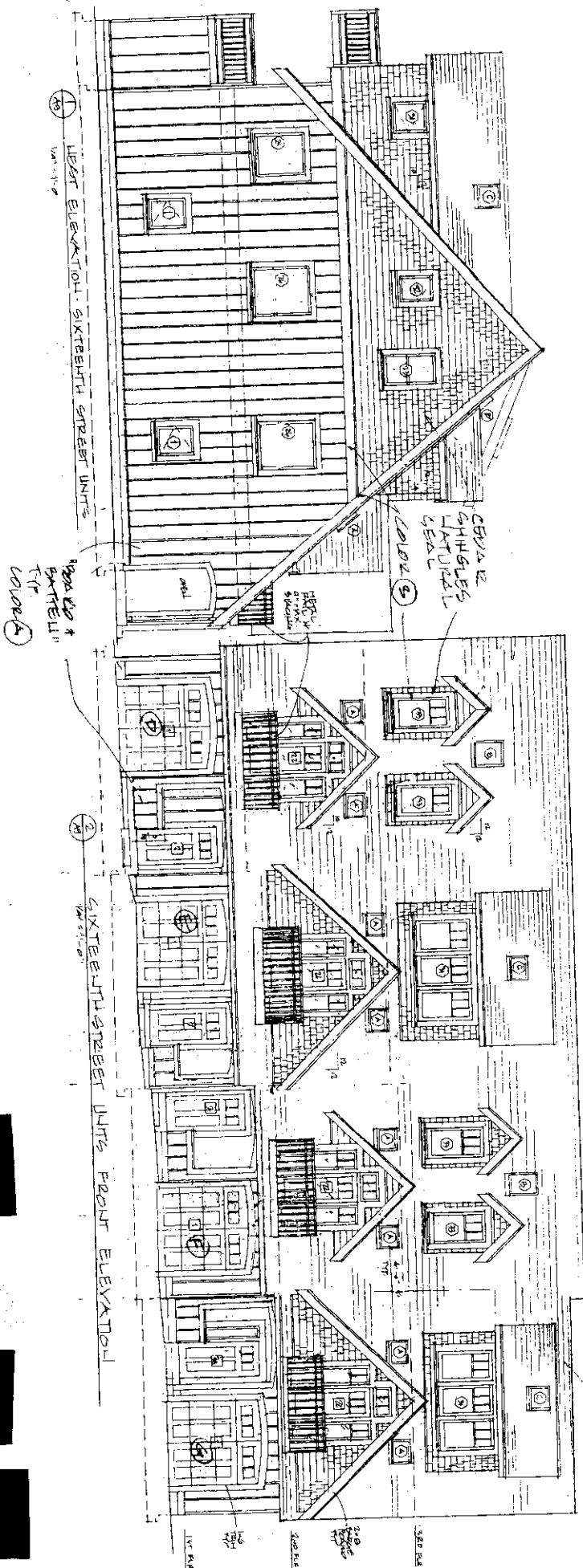
OREGON DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION  
TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT  
CRASH SUMMARIES BY YEAR BY COLLISION TYPE

PAGE: 1

Polk Street @ 16th Street + 500' Each Direction / Oregon City  
January 1, 2002 Through December 31, 2004

COLLISION TYPE YEAR:	FATAL CRASHES	FATAL CRASHES	NON- FATAL CRASHES	PROPERTY DAMAGE ONLY	TOTAL CRASHES	TOTAL PEOPLE KILLED	TOTAL PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER- SECTION RELATED	INTER- SECTION RELATED	OFF- ROAD
TOTAL															
FINAL TOTAL															

NOTE: The 20% reduction in crash reports received for 2004 may be attributable to legislative changes to DMV's reporting requirements, which became effective 01/01/2004.



# CAMEO TOWNHOUSES

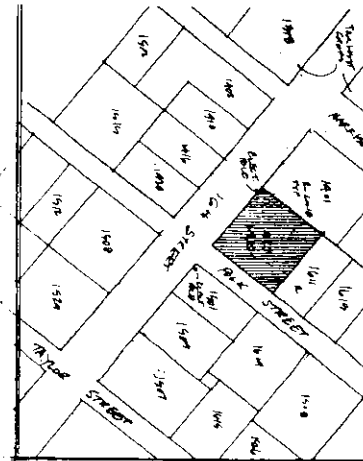
SIXTEENTH AND POLK STREETS  
 OREGON CITY, OREGON

SW 6662  
 Summer Day

- ① BASE  
P.B.B
- ② TRIM  
OFF-WHITE
- ③ ROOF  
SHINGLES

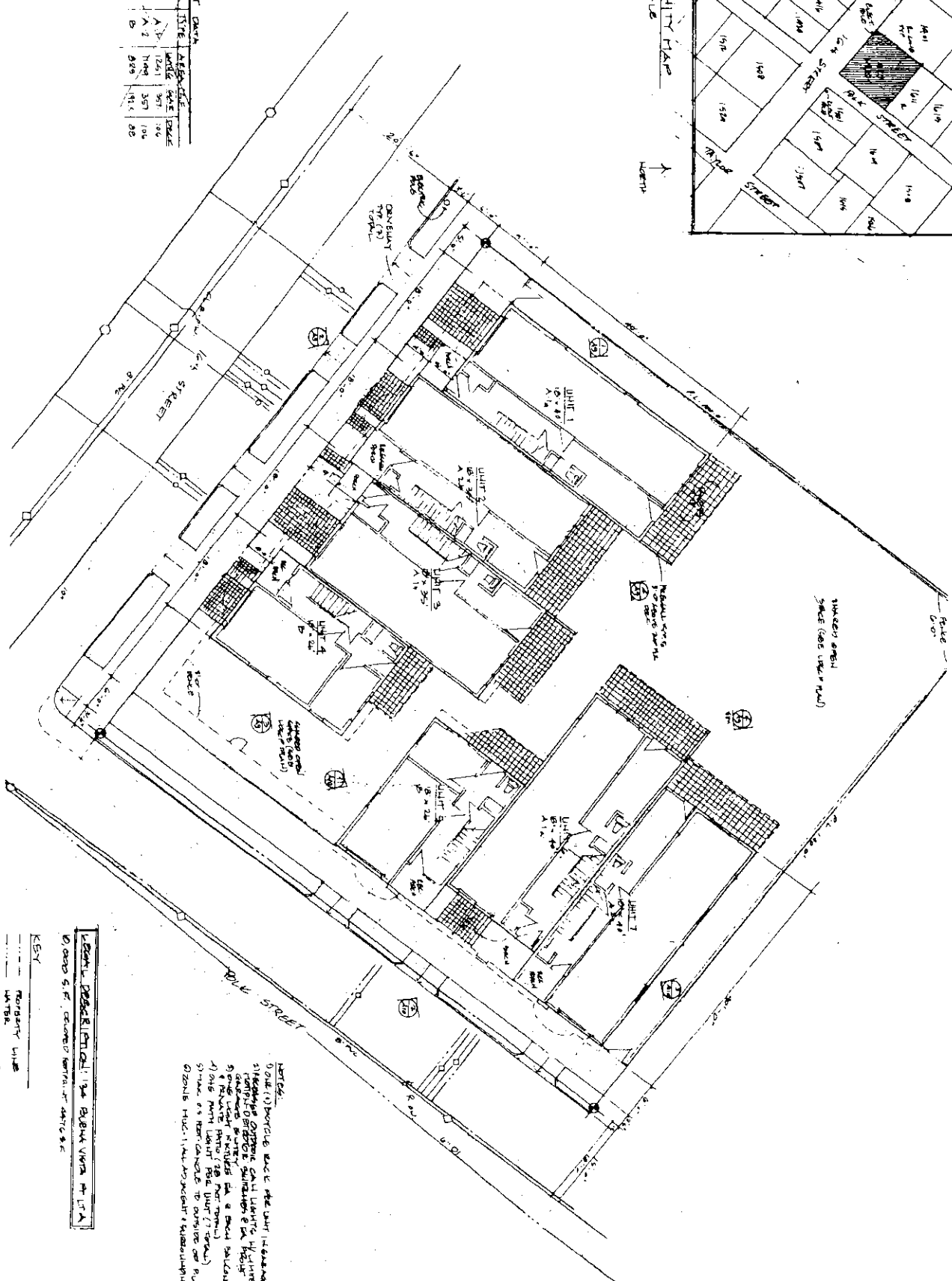
- ④ DOOR & WINDOW FRAMES, ATTIC DOORS
- ⑤
- ⑥
- ⑦
- ⑧





VICINITY MAP  
NO SCALE

UNIT	DATA	AREA	PERCENT	PERCENT
3	A-1	1251	367	106
2	A-2	1140	357	106
2	B	829	181	80



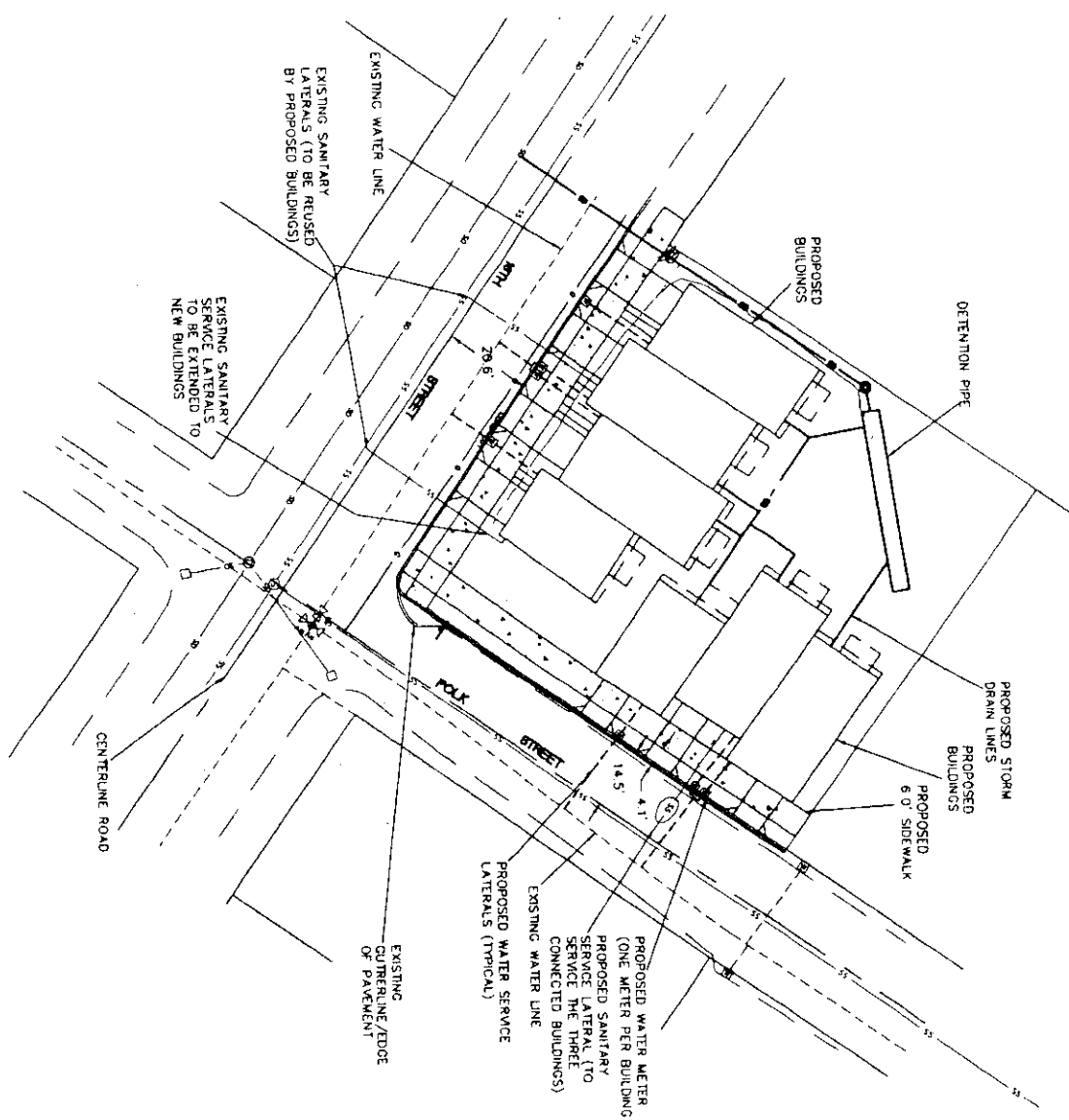
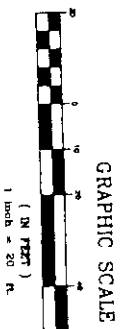
1. FRONT ELEVATION: SEE BLUE VIEW AT 15-A  
2. 10' WIDE S.F. COLORED TERRAZZO AT 15-A

NOTES:  
1. DUE TO THE FACT THAT THE UNIT IS A TOWNHOUSE, THE UNIT IS A TOWNHOUSE.  
2. THE UNIT IS A TOWNHOUSE.  
3. THE UNIT IS A TOWNHOUSE.  
4. THE UNIT IS A TOWNHOUSE.  
5. THE UNIT IS A TOWNHOUSE.  
6. THE UNIT IS A TOWNHOUSE.  
7. THE UNIT IS A TOWNHOUSE.  
8. THE UNIT IS A TOWNHOUSE.  
9. THE UNIT IS A TOWNHOUSE.  
10. THE UNIT IS A TOWNHOUSE.

SITE PLAN

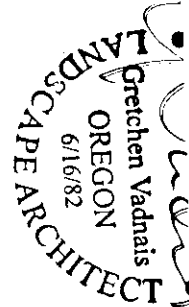
# CAMEO TOWNHOUSES SIXTEENTH AND POLK STREETS • OREGON CITY, OREGON •

OWNER: HOWARD ZIDELL 360-693-6651  
DESIGNER: ELIZABETH ATLY 503-224-3676  
CONTRACTOR: EGAN CONSTRUCTION 503-2



<b>SISUL ENGINEERING</b>		<b>CAMEO TOWN HOUSES</b>	
375 PORTLAND AVENUE GLADSTONE, OREGON 97027 (503) 667-0188		ALTY DESIGN	
DATE	SEP. 2005	UTILITIES	
SCALE	1"=20'		
DRAWN	JMF		



[illegible]tel: 503.231.8387  
fax: 503.231.2480

# NOTES

em (sufficient to ensure plant survival during 15) shall be provided to cover all planted d stormwater facilities. Irrigation system to ad coverage from rains or impact spray apply lines may be placed above grade if to be approved by the Landscape Architect

lashed and verified in working order prior to materials or seeding. It may be beneficial to eliminate weed growth and germination prior to

1 a minimum rate of one inch per week over the 15 and October 15. Adjust watering late fall to ensure plant survival during

d in approved locking valve boxes on 1 rock

devices and manual shut-off valve in and or channels. All double check valves shall be equivalent. Double check valves to be minimum 3 cubic feet of drain rock

It systems. Install manual drain valve at point

of project, provide owner with as-built 1 and all brochures or instructions included wing to show location of all valves

three growing seasons. Shut down and 1 November 1st. Activate system in spring. 1 tractor shall be responsible for any damage in the lines and improper wintering of the growing seasons.

stem shall be unconditionally guaranteed as 1, including but not limited to settling of backfill bairings, piling, etc. for a period of one year. Any areas, materials or workmanship of cost to the owner

# PLANTING NOTES

Final rough grades will be established by the General Contractor. Final finish grades by the Landscape Contractor. Top of mulch at all planting beds to be 1" below top of curbs or adjacent paving.

**Plant material:** All plant material shall be nursery grown under climatic conditions similar to or harder than those at the site. All plants shall be of normal habit of growth, healthy, vigorous, and free of disease, insects, insect eggs and larvae.

**Trees:** All trees shall be healthy grown nursery stock, be a minimum of 1-1/2" caliper at 6 inches above ground level, and be at least 8-10 feet high conforming in size and grade with the standard for nursery stock, ANSI Z601-1990 1990 ed. All trees shall have a single straight trunk, a well developed leader with tops and roots characteristic of the species, cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted. Bare root stock shall have a root system sufficient to ensure survival and healthy growth. Balled and burlap (B&B) stock shall have a natural sound ball sufficient to ensure survival and healthy growth. All trees which are grafted are to be grafted at a minimum height of 7 feet above ground level.

**Topsoil:** Backfill for planting holes to be 2/3 topsoil, 1/3 textural soil amendment. Shrub beds to have 6" of topsoil and 2" of textural soil amendment. Lawn areas to have minimum 4" topsoil. Any imported topsoil used is to be fertile, friable, and free of noxious weeds and debris. Textural soil amendments may be well rotted manure or commercial compost.

**Fertilizer:** 10-15-10 slow release on shrubs, trees, and groundcovers. All plants to receive applications of fertilizer according to manufacturer's recommendation.

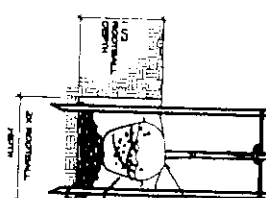
**Mulch:** Minimum 3" medium grind, well-sorted dark mulch or commercial mulch.

**Planting:** Stones, mortar, rubbish, and any material harmful to plant life are all to be removed from all planting areas.

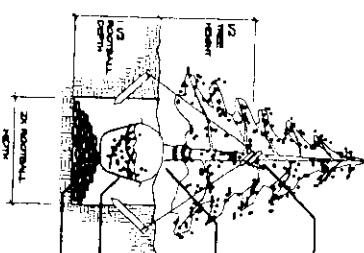
- All planting areas to be raked smooth prior to planting. Lawn areas to be raked smooth and rolled prior to planting.
- Sod areas to be watered prior to placement of sod
- All planting holes are to be twice the diameter of the plant root ball or system. Sides and bottom of holes are to be broken up.
- All plants to be watered in when the planting holes have been half filled with soil. The irrigation system is not to be used to water plants in.
- Apply fertilizer when the planting hole is 3/4 full.
- Finished planting level of plants to be at or slightly above level grown in nursery.
- Landscape Architect shall inspect all plantings and give written approval before owner will accept the landscaping work (from the General Contractor) as being satisfactorily complete.

**Maintenance:** Begin maintenance immediately after each shrub and tree is planted. Protect and maintain plantings for a period of 60 days after acceptance. Water, weed, cultivate, maintain mulch, and reset plants to proper grades and upright positions as required.

**Guarantee:** Guarantee all plant material after final acceptance for duration of one full growing season or for one year, whichever is longer. Replace plant materials not surviving or in poor condition, except only loss or damage due to freezing, vandalism, or acts and neglects on the part of others.



1. DECIDUOUS TREE PLANTING DETAIL  
1.2. DECIDUOUS TREE PLANTING DETAIL  
1.3. DECIDUOUS TREE PLANTING DETAIL  
1.4. DECIDUOUS TREE PLANTING DETAIL  
1.5. DECIDUOUS TREE PLANTING DETAIL  
1.6. DECIDUOUS TREE PLANTING DETAIL  
1.7. DECIDUOUS TREE PLANTING DETAIL  
1.8. DECIDUOUS TREE PLANTING DETAIL  
1.9. DECIDUOUS TREE PLANTING DETAIL  
1.10. DECIDUOUS TREE PLANTING DETAIL



2. EVERGREEN TREE PLANTING DETAIL  
2.1. EVERGREEN TREE PLANTING DETAIL  
2.2. EVERGREEN TREE PLANTING DETAIL  
2.3. EVERGREEN TREE PLANTING DETAIL  
2.4. EVERGREEN TREE PLANTING DETAIL  
2.5. EVERGREEN TREE PLANTING DETAIL  
2.6. EVERGREEN TREE PLANTING DETAIL  
2.7. EVERGREEN TREE PLANTING DETAIL  
2.8. EVERGREEN TREE PLANTING DETAIL  
2.9. EVERGREEN TREE PLANTING DETAIL  
2.10. EVERGREEN TREE PLANTING DETAIL



3. SHRUB PLANTING DETAIL  
3.1. SHRUB PLANTING DETAIL  
3.2. SHRUB PLANTING DETAIL  
3.3. SHRUB PLANTING DETAIL  
3.4. SHRUB PLANTING DETAIL  
3.5. SHRUB PLANTING DETAIL  
3.6. SHRUB PLANTING DETAIL  
3.7. SHRUB PLANTING DETAIL  
3.8. SHRUB PLANTING DETAIL  
3.9. SHRUB PLANTING DETAIL  
3.10. SHRUB PLANTING DETAIL



## CAMEO TOWNHOMES

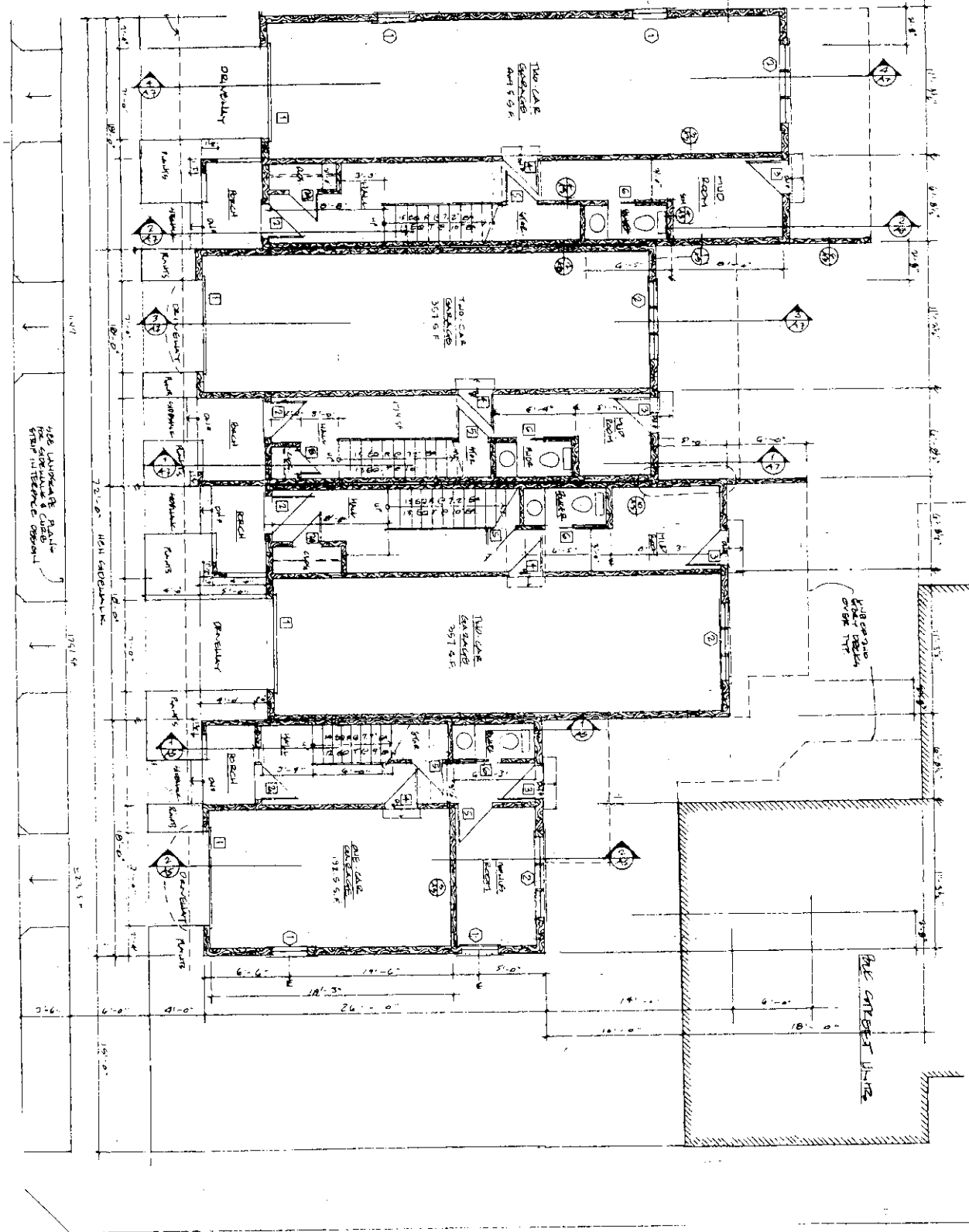
oregon city, oregon

landscape plan  
planting plan

- for -  
Atty Design  
2110 NW Flanders  
portland, oregon 97210  
tel: 503.224.3576

project no: 452 date: 9/20/05  
drawn by: QV checked by: KB

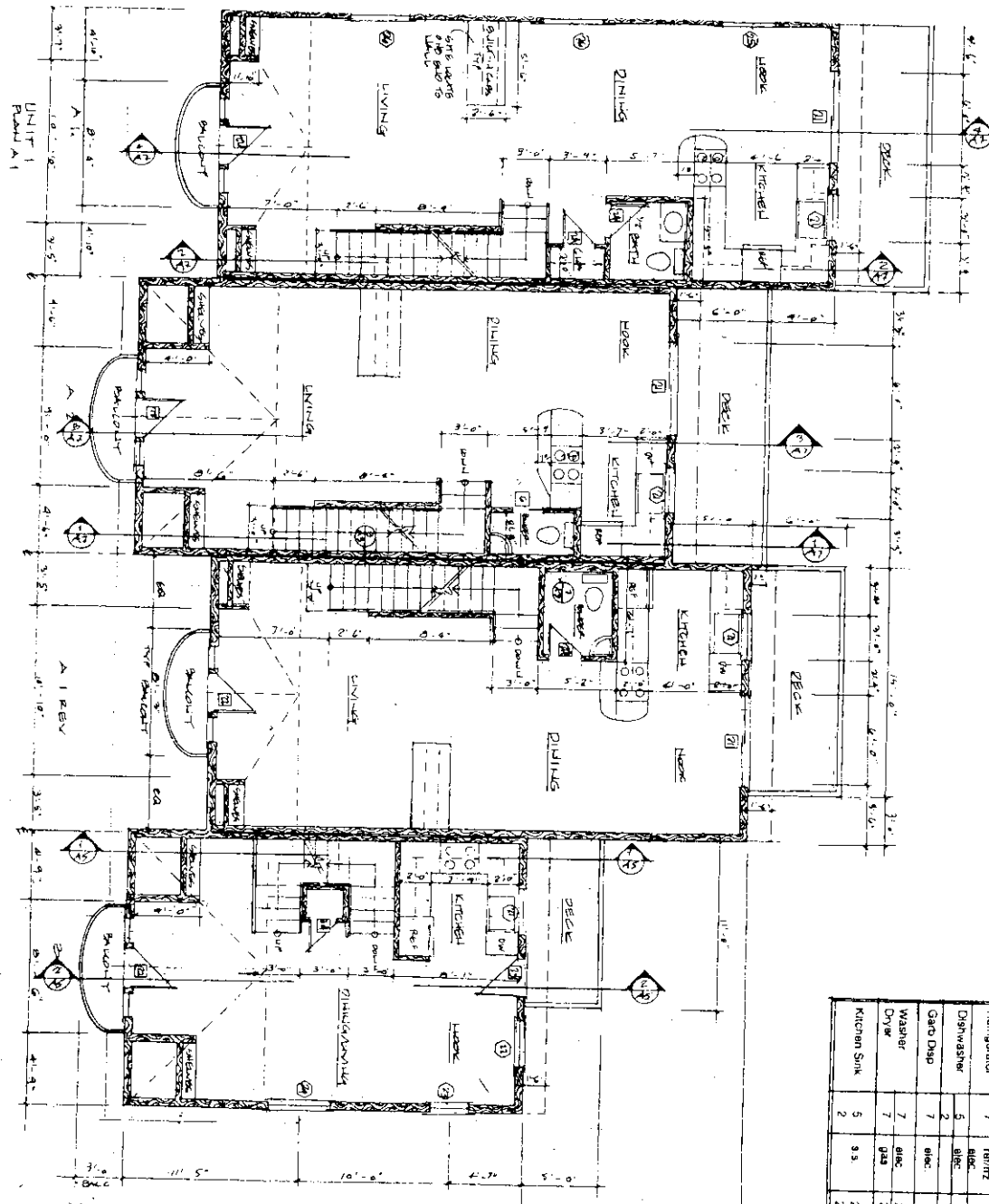
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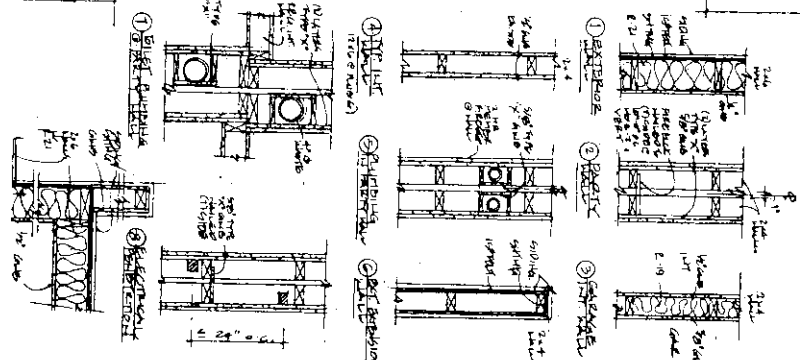
16TH STREET  
RST FLOOR PLANS

# CAMEO TOWNHOUSES SIXTEENTH AND POLK STREETS • OREGON CITY, OREGON •

OWNER: HOWARD ZIDELL 360-693-8851  
DESIGNER: ELIZABETH ATLY 503-224-3576  
CONTRACTOR: EGAN CONSTRUCTION 503-233-029



Range	7	Gas	2'-6" x 2'-9" x 3'-0"	
Refrigerator	7	ref/frz	2'-7" x 2'-4" x 5'-8"	
Diswasher	5	blnc	2'-0" x 2'-0" x 3'-0"	
Cab'd Dwp	2	blnc	1'-6" x 2'-0" x 3'-0"	
Washer Dryer	7	blnc	2'-3" x 2'-3" x 3'-0"	
Kitchen Sink	5	gas	2'-3" x 2'-3" x 3'-0"	
	2	gas	2'-0" x 2'-0"	
				Double/Mixer faucet single mixer faucet



16TH STREET  
COND FLOOR PLANS

# CAMEO TOWNHOUSES SIXTEENTH AND POLK STREETS • OREGON CITY, OREGON •

OWNER: HOWARD ZIDELL 360-693-8661  
DESIGNER: ELIZABETH ATLY 503-224-3576  
CONTRACTOR: EGAN CONSTRUCTION 503-233-0

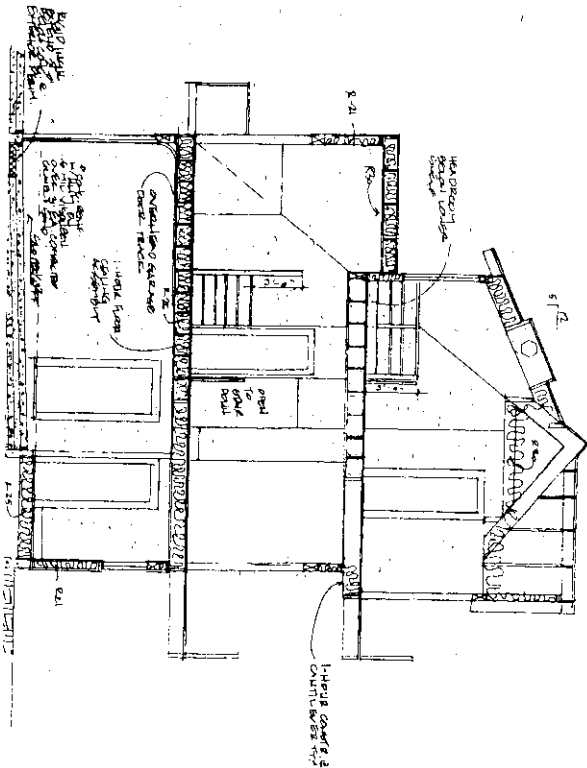
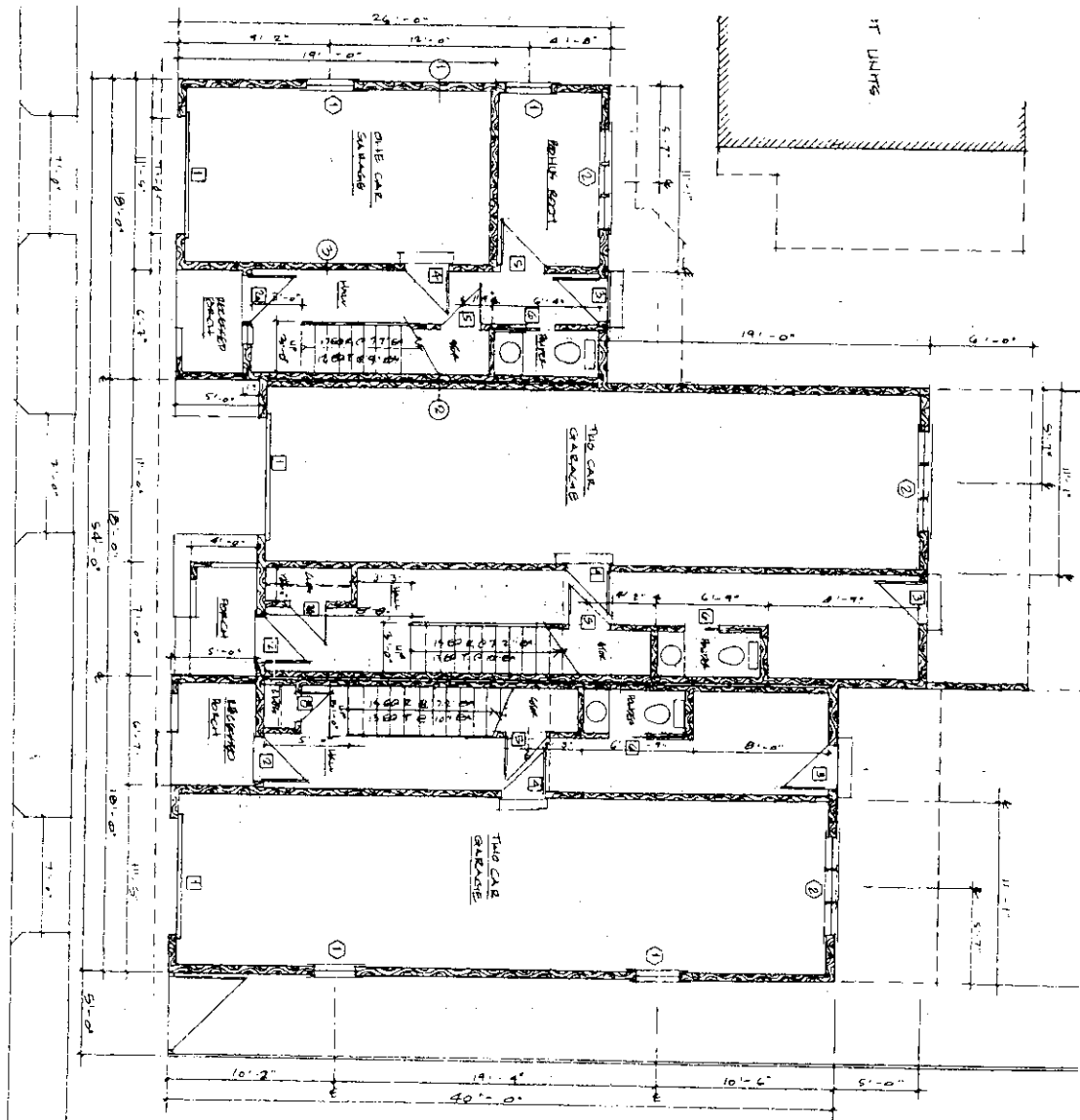


	Curtain	CM
Banbu	3'-0" x 6'-0"	poly
Shower	2'-3" x 5'-0"	poly
	3'-0" x 3'-0"	
Lav	7	DH-in
	2	corner
(10)	set in	
	3	2'-8" x 1'-8"
		2'-8"
	4	3'-0" x alc
	2	2'-0" x alc
	1	4'-0" x alc.
Double lav	(4)	4'-6" x alc.
	2	5'-0" etc.
	1	

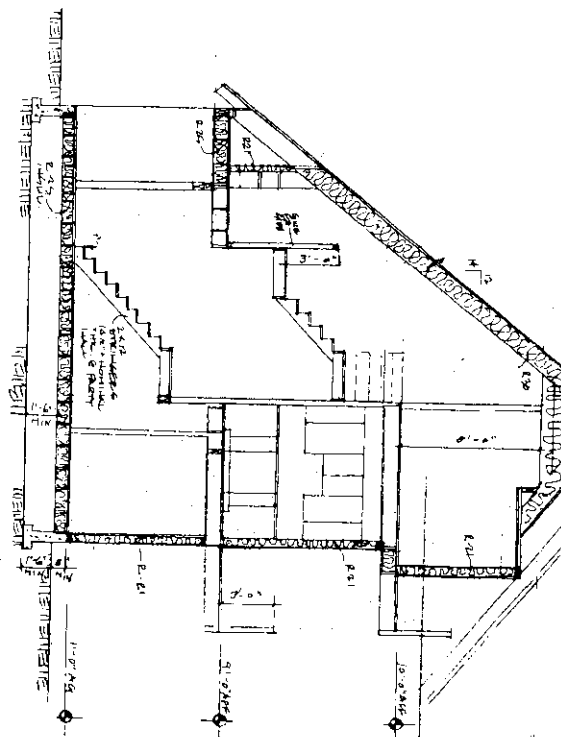
**16TH STREET  
THIRD FLOOR PLANS**



First Floor Plan - Polk Street



SECTION A-A UNIT B STRUC

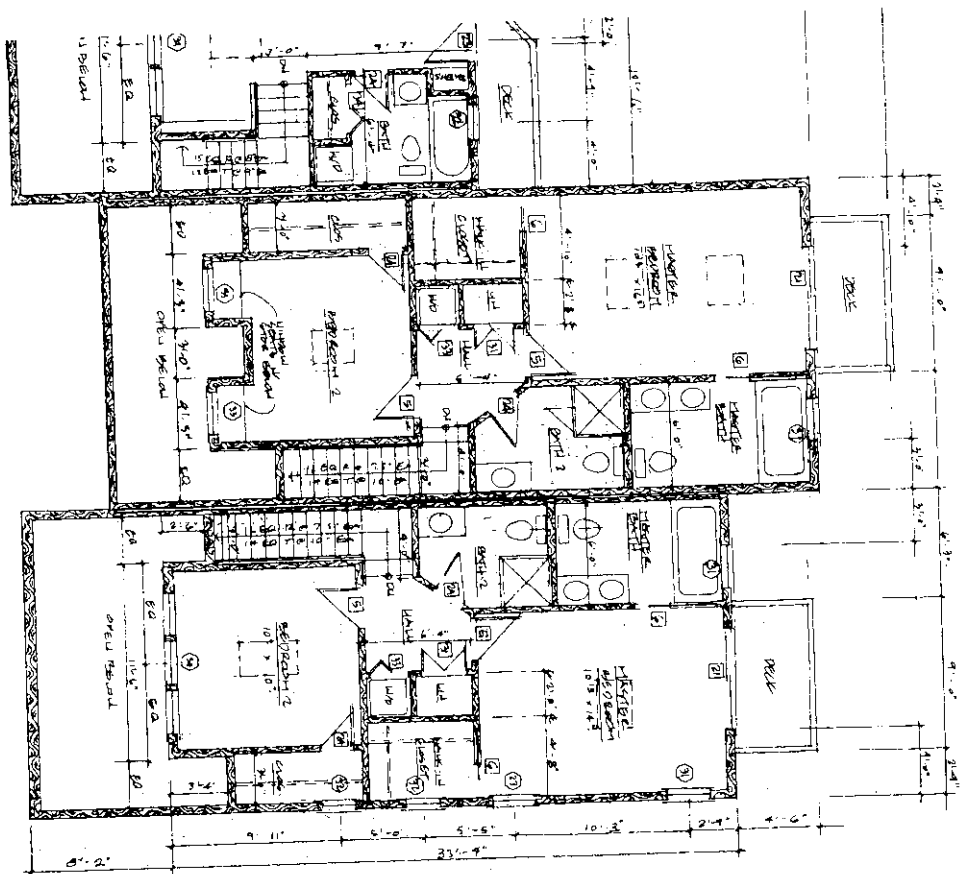


"B" UNIT SECTIONS  
POLK STREET 1ST FLOOR  
PLANS

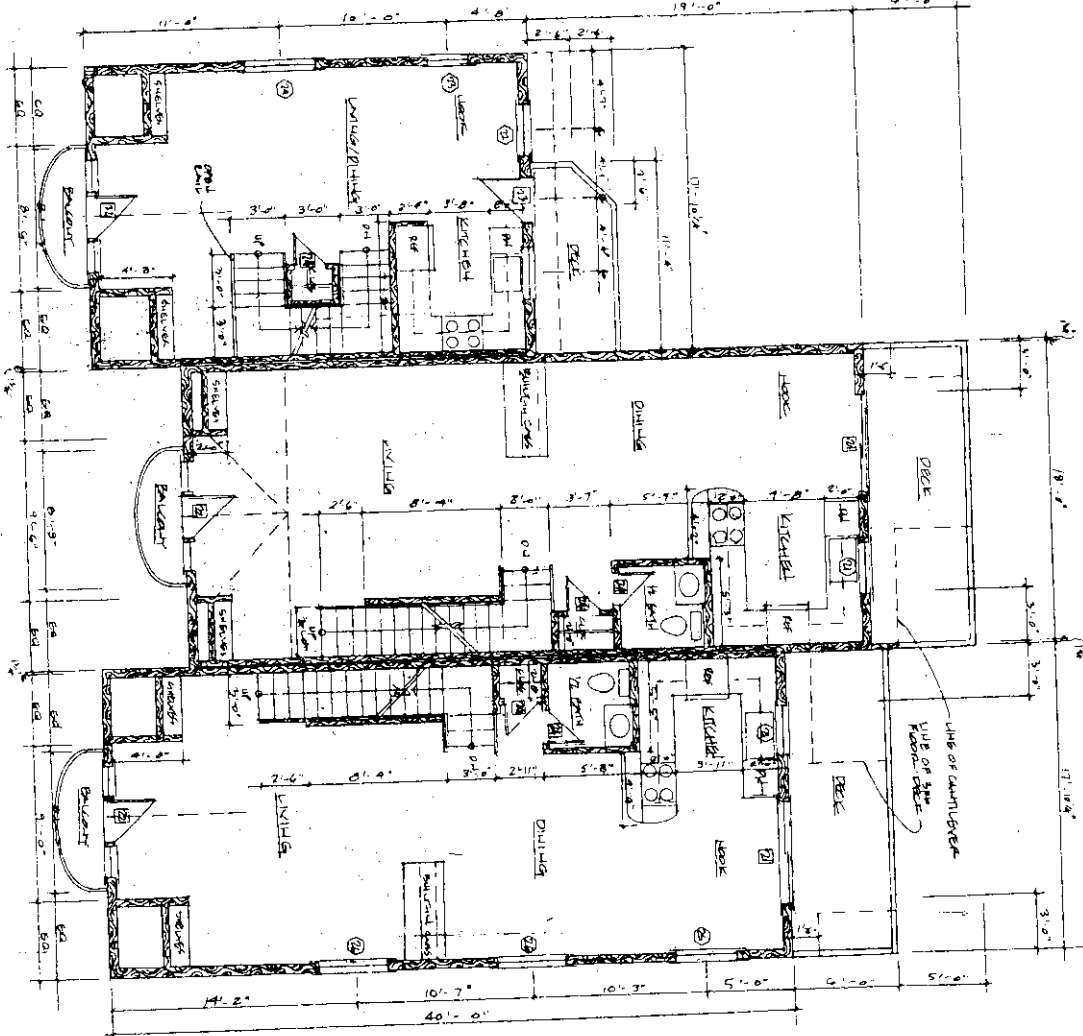
**CAMEO TOWNHOUSES**  
SIXTEENTH AND POLK STREETS  
• OREGON CITY, OREGON •

OWNER: HOWARD ZIDELL 380-693-6651  
DESIGNER: ELIZABETH ATLY 503-224-3576  
CONTRACTOR: EGAN CONSTRUCTION 503-2:

THIRD FLOOR PLAN - POLK STREET



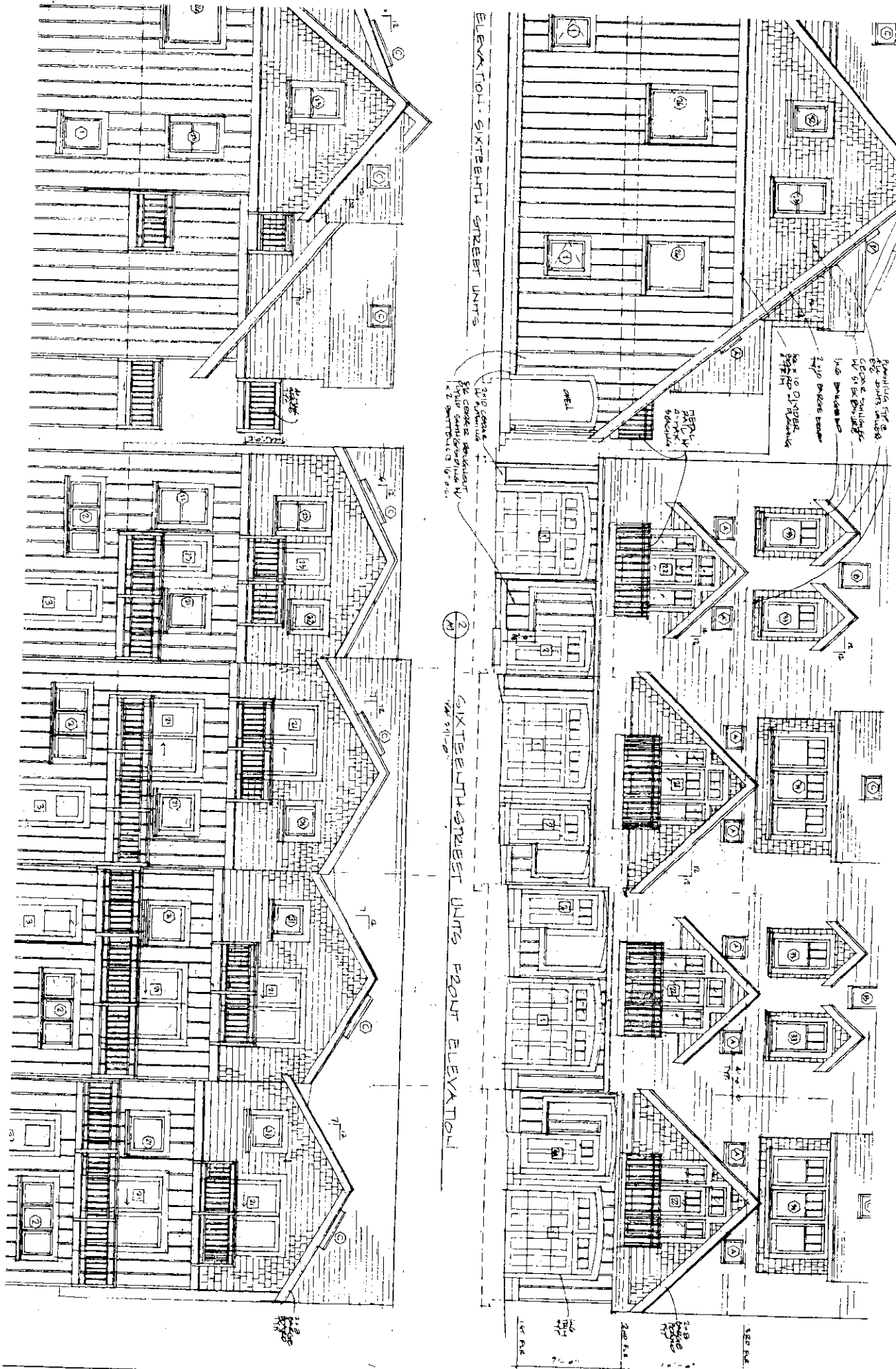
SECOND FLOOR PLAN - POLK STREET



POLK STREET  
2ND AND 3RD PLANS

**CAMEO TOWNHOUSES**  
SIXTEENTH AND POLK STREETS  
• OREGON CITY, OREGON •

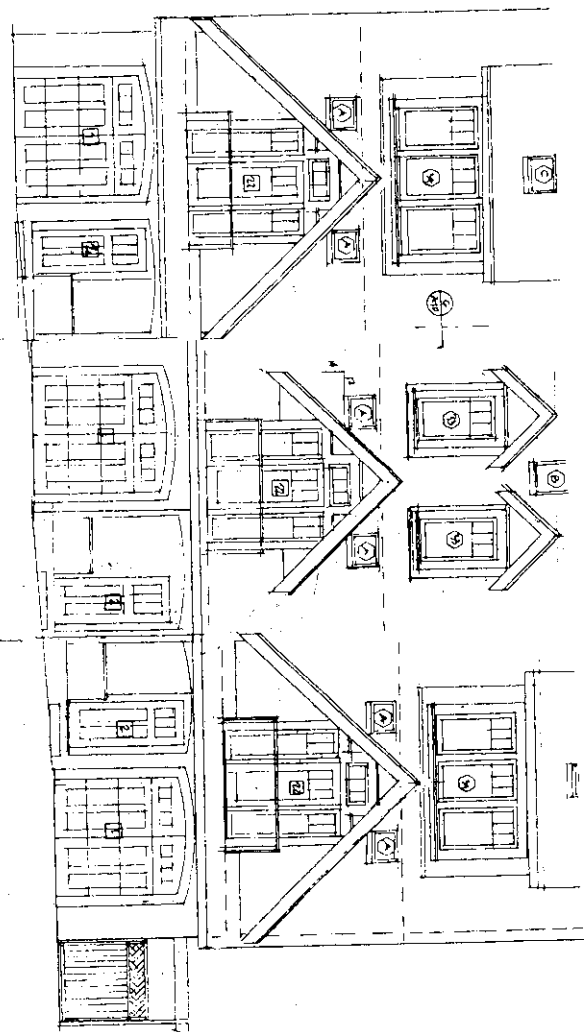
OWNER: HOWARD ZIDELL 360-662-8651  
DESIGNER: ELIZABETH ATLY 503-224-3871  
CONTRACTOR: EGAN CONSTRUCTION 503-



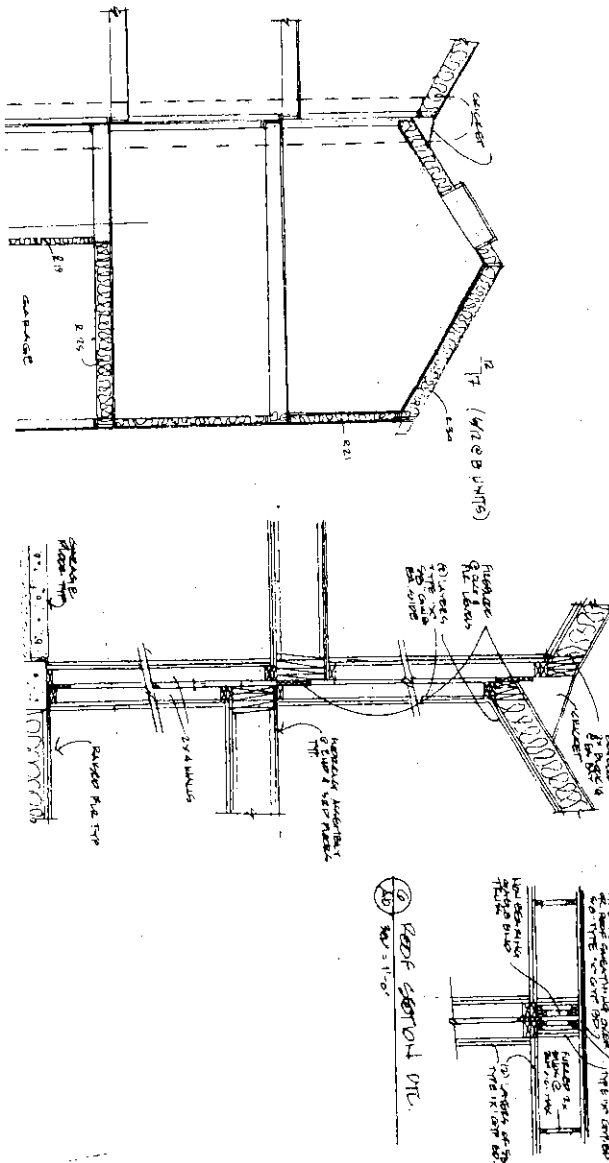
6TH STREET ELEVATIONS

# **CAMEO TOWNHOUSES** SIXTEENTH AND POLK STREETS OREGON CITY, OREGON

OWNER: HOWARD ZIDELL 360-693-8851  
 DESIGNER: ELIZABETH ATLY 503-224-3576  
 CONTRACTOR: EGAN CONSTRUCTION 503-23



2  
10  
BOLK STREET FRONT ELEVATIONS  
14' = 4'-0" (REAR ELEVATIONS SIMILAR TO L1 REAR BARS)



OWNER: HOWARD ZIDELL 380-693-8661  
DESIGNER: ELIZABETH ATLY 503-224-3578  
CONTRACTOR: EGAN CONSTRUCTION 503-23

05 NOV -7 PM 12: 36

RECEIVED  
CITY OF OREGON CITY

City of Oregon City Planning Commission  
City Hall  
Attn: Christina Robertson-Gardiner  
320 Warner-Milne Road  
Oregon City, OR. 97045

Re: Comment for Proposed Land Use Application at 1427 16<sup>th</sup> Street, Oregon City

Dated: 11/05/05

Dear Ms. Robertson-Gardiner,

We would like to submit this letter as our written comment on the proposed land use for the property located at 1427 16<sup>th</sup> Street in Oregon City, Oregon.

Based on the information gathered from your offices regarding the land use application and its related request for a variance to the setback requirements, we would like to express our opposition to this project.

Aside from this being an obviously out of place structure for our single family dwelling neighborhood, it poses a definite safety risk for pedestrian and vehicular traffic entering and exiting Polk street at the intersection of Polk and 16<sup>th</sup> streets. Although 16<sup>th</sup> street has a relatively low volume of traffic in relation to streets such as Molalla Avenue, Beaver Creek Rd, and Warner Milne, it is a route which Trimet buses travel and School Buses as well. If a 3 story structure such as this proposal suggests were to be in place at this corner, vehicles entering 16<sup>th</sup> St. from Polk would have a very limited field of vision. If additional vehicles were to be parked on both sides of Polk street, there would be no way for any vehicle turning onto Polk from 16<sup>th</sup> to see what possible obstacles were in their path, pedestrians or otherwise until they had already rounded the corner. Emergency vehicles would not be able to enter Polk Street if any on street vehicles were to be parked on either side of Polk Street.

We have discovered several discrepancies in the documentation gathered at City Hall submitted by the developer/owner of this property.

**Lancaster Engineering document**

*\*The trip generation summary states in the Queuing Analysis that "traffic is noted to be very low during peak hours on 16<sup>th</sup> Street & non existent on Polk Street" If this is true, then why would this site be considered a suitable place to construct High Density Housing suited for a High Traffic Corridor on this Low traffic street?*

*\*Sight Distance states that no obstructions were noted. It is quite clear that a building of this size at 3 stories in height will be a huge obstruction to any field of vision for traffic entering/exiting Polk Street.*

*\*Conflicts: this paragraph states that site driveways will generate very few trips during peak hours. With 7 units, we are looking at anywhere from 7 to 14 vehicles exiting and entering during peak hours. Considering at this time there are only 7 vehicles presently owned by homeowners on Polk, we are looking at Doubling the number of vehicles*

traveling on & off this street. That is far from very few trips generated. This section does not state that there are two school bus stops at the corner of 16<sup>th</sup> and Polk with children being picked up and dropped off 5 times per day. This seems like an obvious conflict if we are talking about doubling the number of vehicles on Polk Street.

#### **Cameo Townhouse Project document**

\*Units are designed to reflect the neighboring housing, which consists of single family residences. A three story 7 Unit building does not reflect anything in this neighborhood.

\*"B" units (units 4&5) have parking for ONE vehicle. If they become occupied by a couple, we can likely expect 2 vehicles, at least one of which will be parked on street on a regular basis.

\*Landscaping – a minimum of 15% will be landscaping. Per chapter 17.29 "MUC" Oregon City Municipal Code 17.29.050 dimensional standards states minimum required landscaping to be 20%.

\*The Lancaster Engineering letter states in paragraph one under Sight Distance that there are a couple of small trees between the sidewalk & Polk Street which could interfere with sight distance and these would be removed with development. These "trees" are more like shrubs (no more than a few feet in height). The plans under Review Criteria "Responding to OCMC 17.62.035.C.1 including 17.62.050(1-23) states that the parking strips along 16<sup>th</sup> and Polk streets will include ten (10) trees and a varied mix of plants & grasses. If a couple of small shrub like trees could interfere with sight distance, What will TEN (10) trees do?

\*Under Review Criteria (paragraph 2) states that a 3foot high fence and gate will enclose the landscaped area at the SE corner of the Property. This would be the corner of 16<sup>th</sup> & Polk. Will such a fence be in the best interest of Sight Distance? It appears that this could impair field of vision and become a potential hazard on this corner.

\*Paragraph D.1 states that curb parking allows for 5 vehicles. This indicates that not only does the developer expect added vehicles to be parked on street, but admits the garages provided with each unit and their subsequent driveways will not provide adequate parking for the occupants of this building.

\*17.62.060 Building Structures states that "Building structures are complimentary to the surrounding area". How is a 3 story 7 unit building complimentary to a single family dwelling neighborhood?

#### **Cameo Townhouse Project (Variance Application Supporting Information)**

\*17.60.030 Variance Grounds states that a variance is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities. A 3 story (35+ ft tall) structure is obviously going to cause a reduction in light on the neighboring properties not to mention a lack of privacy to the existing neighbors as the 2<sup>nd</sup> and 3<sup>rd</sup> stories of this building will look down into the private backyards of the adjacent neighbors.

\* "The request is the minimum variance that would alleviate the hardship" How is profiting from a 5 unit structure going to cause hardship to the developer? He is obviously only looking out to maximize the return on his investment, not to do what is right for this neighborhood.

\*A 5' setback is customary between typical residential homes. It is not typical when we are talking about a high density housing building of this size which will overshadow and destroy the privacy of all nearby neighbors.

\* MUC-1 goal of high density housing as stated in Oregon City Municipal Code states that a mixed use corridor district is designed to apply along sections of Transportation Corridors such as Molalla Avenue, 7<sup>th</sup> Street, Beavercreek Rd & Warner Milne. A mix of high density residential, office, and small scale retail uses are encouraged in this district. The area along 7<sup>th</sup> street is an example of MUC-1. *The only thing 16<sup>th</sup> Street has in common with 7<sup>th</sup> street is Trimet. This is a Quiet, Single Family Dwelling neighborhood, not a transportation corridor. There are absolutely no high density housing buildings in this neighborhood. How can our residential neighborhood be compared with a business district such as 7<sup>th</sup> Street?*

\*It is stated in paragraph "D" that increased number of units is not likely to create significant on-street parking or increased traffic. *If proposed additional units will be 2 br., we can expect 2 cars per unit which equals 4 vehicles coming and going plus any visitors to these units.*

\*It is stated in paragraph "E" that the owner has chosen to develop the lot entirely for residential use rather than commercial or public use "Out of Concern for Potential Disruption of the Quiet Residential Neighborhood." *If this is true, then why build a high density housing building that fits in with a high traffic corridor? Why not build one or two single family dwellings, if it is truly his concern to do what's best for the neighborhood.*

\*It is stated in paragraph "F" that the Variance conforms to the Oregon City Zoning Code (17.02.020) to lessen congestion in the streets and to prevent overcrowding of land. *How are 7 units on a double lot not considered overcrowding in an otherwise single family dwelling neighborhood?*

\*17.29.010 states that a mix of high density residential, office and small scale retail uses are encouraged in this district (emphasis added). *The district referred to is Transportation Corridors such as 7<sup>th</sup> Street or a similar area. 16<sup>th</sup> street is far from the same type of district that 7<sup>th</sup> Street is.*

\*Last paragraph states that the 20' required setback makes sense relative to most commercial uses; when residences are built in a residential community, it makes sense for residential setbacks to apply. *This is a high density housing project which is attempting to cram 7 units on to a lot suited for two single family homes. This is not your typical residential housing project.*

\*Additional information gathered at city hall indicates that there are only two existing row houses in all of Oregon City, both of which were constructed from an existing dwelling. Meaning they were not constructed from the ground up as a Rowhouse. *We fear that allowing this developer to construct such a building now will open the door to many Rowhouses being constructed throughout many neighborhoods in Oregon City in the future. Clearly this will lead to Oregon City becoming a much less desirable place to live.*

In Summary:

We have been residents of this neighborhood for over 10 years and would like to see the integrity of this area preserved as a single dwelling neighborhood. The idea that this quiet, historic area will house a 3 story monstrosity such as a 7 unit townhouse is

upsetting to say the least. We can only imagine what a structure this size will look like on a lot scarcely big enough to build two single family homes on.

It appears to us that this is the only lot zoned MUC in the Buena Vista Neighborhood. Sadly if this development is allowed to move forward, we will all be losing yet another quiet, affordable neighborhood.

Aside from the fact that this will surely cause the marketability of our home to drop considerably, it will be a safety issue for children and residents of this neighborhood. A 5 foot setback from a 35+ foot structure on a corner lot is simply an accident waiting to happen. The field of vision for drivers coming off this side street was hindered with the original dwelling that sat on this lot, but to build a structure 3 times it's size is frightening. This would be in addition to the added vehicles which will surely take up parking on both sides of an already narrow side street. We question whether emergency vehicles would be able to reach residents on this side street if the need ever arose.

We strongly urge the City Planning Commission and all others whom will be making a final decision on this project to ask themselves if they would welcome plans for a structure of this kind in their own neighborhood. If they would appreciate having multi family dwelling of this kind on the lot next door to their home. Please take these concerns into account before allowing another developer to make a fast buck at the expense of the residents who really care about our otherwise wonderful community.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stacie Gregg & Charles Gregg', with a large, sweeping flourish extending to the right.

Stacie Gregg &  
Charles Gregg  
1501 16<sup>th</sup> Street  
Oregon City, OR 97045



RECEIVED  
CITY OF OREGON CITY  
Attachment

**Petition to stop the proposed development of a MULT UNIT (7 units proposed), 3 Story Row House to be Erected at 1427 16<sup>th</sup> Street (Corner of 16<sup>th</sup> & Polk) in Oregon City, Oregon and it's related Setback Variance.**

**Reasoning for Denial of Impending Proposal:**

**1.) Safety**

**A structure of this size with a variance to the setback requirements from 20 feet To 5 feet will impair the field of vision for all vehicular and pedestrian traffic Entering and Exiting Polk Street.**

**School bus stops at corner of 16<sup>th</sup> & Polk a minimum of 5 times per day.**

**Emergency Vehicle access will be compromised. With on street parking on both Sides of Polk Street, in addition to Driveways coming out of the Row House units Facing Polk Street, it will be highly unlikely that any Ambulance or Fire truck Unit would be able to pass through Polk Street.**

**Higher Volume of Traffic:**

**With 7 proposed units, we can expect a minimum of nearly 14 additional vehicles To come along with this development, in addition to the visitors to the residents Of the Row Houses.**

**2.) Neighborhood Integrity**

**We reside in a sub-urban historic community. A structure of this size does not fit In to the community. High density housing is for high density areas or High Traffic corridors, not a quiet neighborhood such as this.**

**High Traffic corridors as defined by the Oregon City Municipal Code are as Follows: Molalla Avenue, 7<sup>th</sup> Street, Beavercreek Rd & Warner Milne Rd.**

**Single Family Dwellings**

**This neighborhood which is annexed into the John McLoughlin Neighborhood is Filled with single family dwellings. Every lot in our neighborhood is zoned Residential EXCEPT for this one, and that is only because it previously held A small grocery store on it many years ago. If we are to continue to preserve the Very reason we all enjoy living in this community, we cannot allow high density Dwellings to be built in our backyards.**

**Row Houses in Oregon City**

**Information gathered at the Oregon City Planning Commission indicates that There are only 2 Row House units in all of Oregon City. Both of which were Constructed from an EXISTING building (meaning they were not built from the Ground up as a Row House).**

**Allowing one developer to come in and maximize His Return on His Investment At Our expense will OPEN the door for many more structures of this kind to Begin Popping up all over Oregon City.**

**Summary:**

- This structure will be 35+ feet in height.
- 7 units = 14+ additional vehicles
- These units are ranging from 950 – 1472 sq ft. which leaves no room for occupant storage other than in occupants' garage. Needless to say if the garages are used as storage facilities, the occupants' vehicles will be parked on street.
- Set backs: if the variance is approved will be only 5 feet, which means this building will sit only 5 feet from it's neighbors.
- 7 rowhouses on a standard double lot.
- This proposal allows for 5 curbside parking spots, which means the developer is well aware that there will be cars parked on street all around this development.
- Compromised Emergency Vehicle Access
- Limited field of Vision for Vehicular & Pedestrian traffic at corner of 16<sup>th</sup> & Polk.
- School Bus stop at corner of 16<sup>th</sup> & Polk = Safety issue.
- Developer states his request for the variance is for 'hardship reasons' in order for Him to maximize HIS RETURN ON HIS INVESTMENT. He is not looking out for the greater good for our community; he is only looking out for himself.
- Developer states that he is proposing this development versus a commercial building "out of consideration for the neighborhood" When in fact he has been offered fair market cost for the lot from families wishing to build a single family dwelling on this property, but he has turned this down in favor of a larger profit for himself.

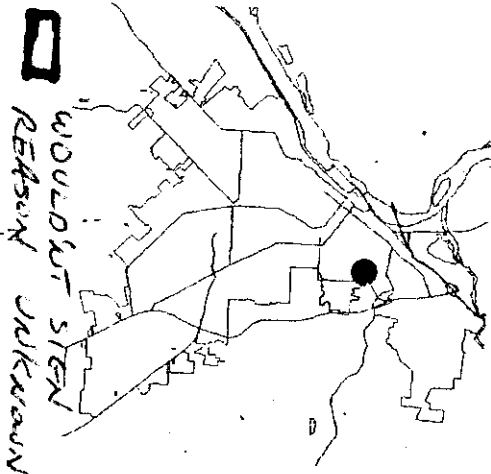
LELAND WAGNER  
1611 POLK ST  
ORE CITY, ORE  
97045

SP 05-27 and

VR 05-04

PROPOSED SITE  
FOR MULTI FAMILY  
HOUSING

SITES CONTACT  
COULD NOT BE MADE



OPPOSED

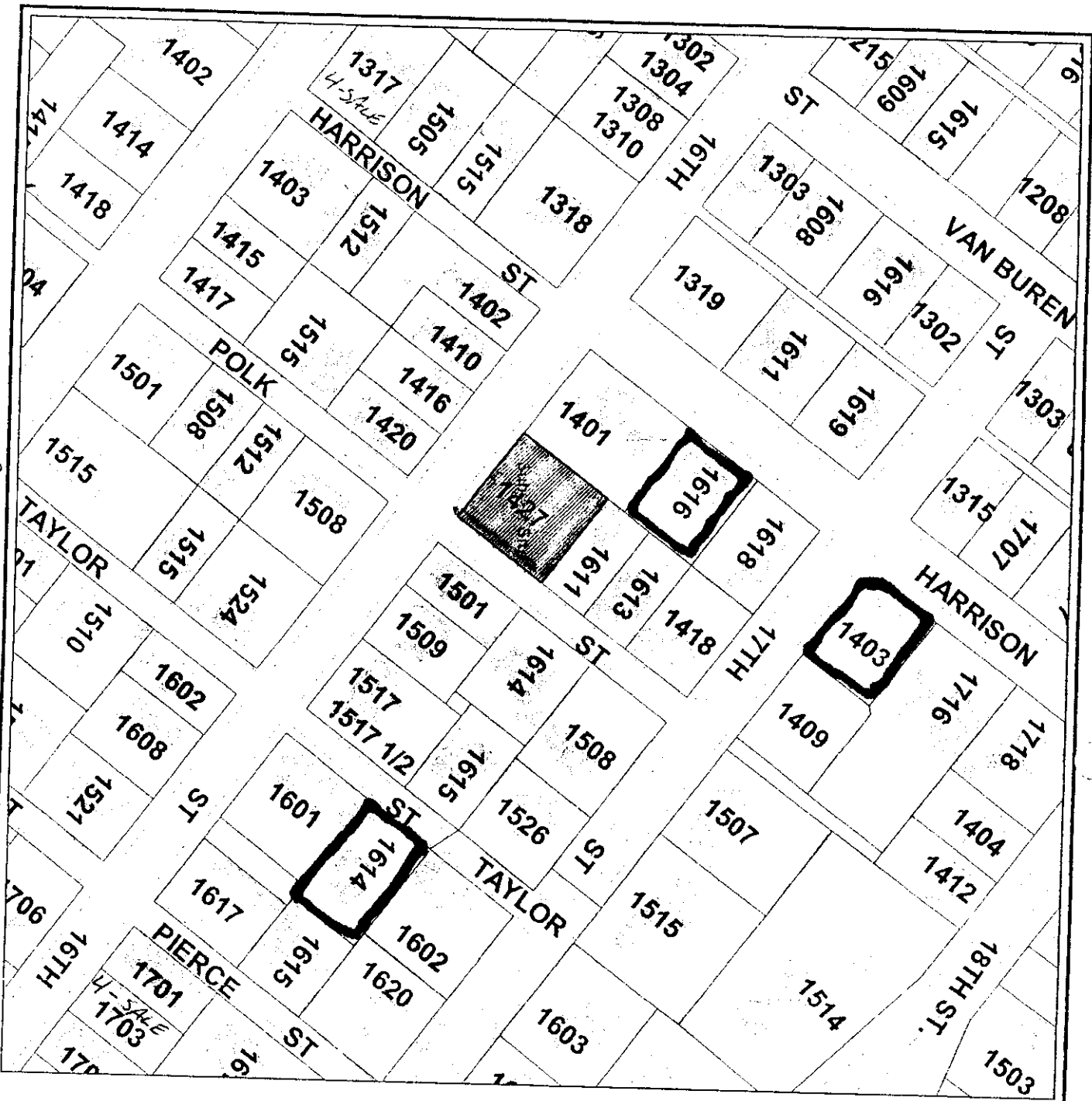


City of Oregon City  
P.O. Box 3640  
320 Warner Alfine Road  
Oregon City, OR 97045

The data on this map is the best  
information available from the  
records of the City of Oregon City.  
Errors and omissions may exist.

Map created with OCMAP 2005

10/03/2005



TARGET  
AREA  
16th ST → PIERCE TO VAN BUREN  
15th ST SOUTHSIDE  
17th ST NORTHSIDE / SOUTHSIDE

# Petition

To Stop the Proposed development of the MULTI UNIT, 3 Story Rowhouse Structure to be Erected at 1427 16th Street (Corner of 16th & Polk), and the Related Variance for Setbacks.

Name	Address	Phone #	Signature
Karen Richards	1111 Grant St. Oregon City, Oregon 97045	503-656-7012	Karen Richards
Dorothy Hargrave	1507 17 <sup>th</sup> St. OC 6. 97045	503-651-2423	Dorothy Hargrave
Debbie Hargrave	1505 Harrison St. 97045	503-657-3999	Debbie Hargrave
Cathy Anderson	1403 15 <sup>th</sup> St. OC 97045	656-0884	Cathy Anderson
Gary Anderson	1403 15 <sup>th</sup> St. OC 97045	656-0884	Gary Anderson
Michael Erickson	1512 Harrison Ct. 97045	655-4380	Michael Erickson
Shirley W. Adams	1408 Van Buren Dr. 97045	503-654-0	Shirley W. Adams
Steve Gregg	1501 16th St. OC 97045	503-656-2626	Steve Gregg