

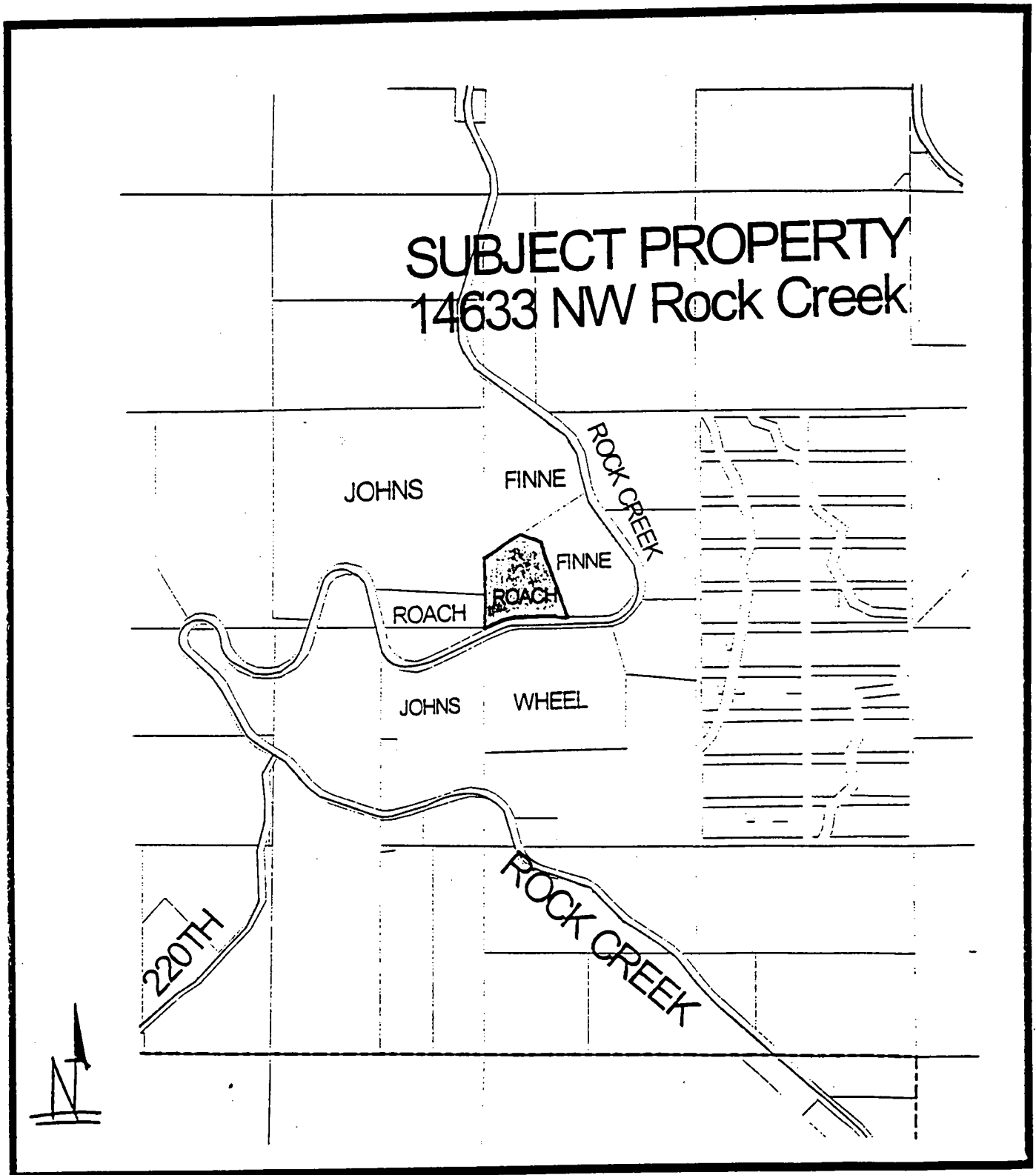


Portland, OR 97214 Phone: (503) 248-3043

(April 28, 1997)

Phone: (503) 248-3043

LOCATION MAP



practices shall be followed through all phases of development. A silt fence shall be installed on the downslope side of all earth disturbing activities and left in place until vegetation has been established.

3. This approval is contingent on compliance with Grading and Erosion Control Permit (GEC 11-97).
4. Except as otherwise specified in the above conditions, this approval is based on the applicants submitted testimony, site plan, and findings contained in the Staff Report. The applicant shall be responsible for implementing the development plan as presented and approved.
5. This approval will become void 18 months from the date this decision becomes final.

For questions about Conditions of Approval or to schedule an appointment for Building Permit Sign-off, contact Phil Bourquin, at 248-3043.

FINDINGS

I. BACKGROUND AND DESCRIPTION OF PROPOSAL

The applicant requests approval to construct a single family dwelling on the subject site. The use of this site for a single family dwelling was established in land use Case CU 9-96/HV 11-96 and SEC 15-96. These cases allowed construction of the dwelling with the several conditions.

II. SITE AND VICINITY CHARACTERISTICS

The property consists of 4.63 acres and the land slopes gently up from Rock Creek Road to the north. Thick brush and numerous small and large deciduous trees can be found on most of the property. The property includes a small man-made pond in the northeast section of the property as well as a natural spring in the area above the pond. The characteristics of the vicinity are nearly the same as the subject property. The entire area was previously logged and only a scattering of conifers remain, brush and small and large deciduous trees are prevalent in the area.

III. 11.15.7850, DESIGN REVIEW CRITERIA

MCC.7850(A): Approval of a final design review plan shall be based on the following criteria:

(1) Relation of Design Review Plan Elements to Environment.

- (a) The elements of the design review plan shall relate harmoniously to the natural environment and existing buildings and structures having a visual relationship with the site.**

Finding: The proposal calls for construction of a single family dwelling and detached garage on the subject parcel. No other buildings exist on site. The proposed site plan does not indicate removal of vegetation beyond that necessary for development of the dwelling and driveway. The structure proposed is a single-story single family dwelling.

- (b) The elements of the design review plan should promote energy conservation and provide protection from adverse climactic conditions, noise, and air pollution.**

Staff: The proposed dwelling is located on the site in such a manner that protection from noise and air pollution is provided for the subject property and neighboring properties. Building Code requirements require such things as insulation and double pain windows that promote energy conservation during peak weather conditions (e.g. Winter snow and Summer heat). Setbacks of a minimum 150 ft to the nearest adjoining property ensure noise typically associated with a residence will be minimized.

- (c) Each element of the design review plan shall effectively, efficiently, and attractively serve its function. The elements shall be on a human scale, inter-related, and shall provide spatial variety and order.**

Staff: The proposed plans identify the location and configuration of the proposed house, detached garage and driveway as well as area for the septic tank and drainfield. Proper location of these features is required to ensure that all systems function appropriately. The City of Portland is the agency that reviews and permits septic systems in unincorporated Multnomah County. The location of the septic system, drainfield and well was addressed in CU 9-96. The house and driveway will be constructed in the same location as required under previous approval. The applicant has chosen to construct a single level dwelling. Although large in comparison to some dwellings, the location (lower on the hillside) and height (approximately 23 feet) of the dwelling minimize its visual impact.

- (2) Safety and Privacy – The design review plan shall be designed to provide a safe environment, while offering appropriate opportunities for privacy and transitions from public to private spaces.**

Finding: The proposal satisfies the setbacks determined in CU 9-96, and is a minimum of 150' from any property line. Further, the applicant proposes to remove little or no vegetation, thus keeping the site in its natural condition. The setbacks combined with vegetation should afford a great deal of privacy for both the residents of the subject property and adjoining properties. The Multnomah County Sheriff

indicated that service to the site was adequate in CU 9-96. The driveway location was approved under CU 9-96 as a result of site slope based on the recommendation of the Multnomah County Transportation Section

- (3) Special Needs of Handicapped – Where appropriate, the design review plan shall provide for the special needs of handicapped persons, such as ramps for wheelchairs and Braille signs.**

Finding: This criterion is not applicable to review of a privately owned single family dwelling. The intent of this criteria is to ensure compliance with A.D.A. requirements related to public spaces and buildings.

- (4) Preservation of Natural Landscape – The landscape and existing grade shall be preserved to the maximum practical degree, considering development constraints and suitability of the landscape or grade to serve their functions. Preserved trees and shrubs shall be protected during construction.**

Finding: The applicants propose to remove no trees or other vegetation outside of the area proposed for development and/or required for compliance with a primary fuel break.

- (5) Pedestrian and Vehicular circulation and Parking – The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and the arrangement of parking areas in relation to buildings and structures, shall be designed to maximize safety and convenience and shall be harmonious with proposed and neighboring buildings and structures.**

Finding: The Multnomah County Transportation Department recommended access at the point identified on the site plant do to safety issues if located elsewhere. Further, the applicant is required as a Condition of approval under CU 9-96 to demonstrate that the driveway meets County Standards (Condition #6). The looped driveway provides for a single direction of vehicular flow thus minimizing the need for vehicles to back up or conduct a three point turn around. Pedestrians need only be aware of oncoming traffic.

- (6) Drainage – Surface drainage systems shall be designed so as not to adversely affect neighboring properties or streets.**

Finding: Drainage from the roof of the dwelling is subject to approval by the City of Portland Building Bureau.

Mr. Scott Wheeler of 14640 NW Rock Creek Road submitted letters regarding this application on January 15, 1997 and January 20, 1997. Mr. Wheeler's concerns were directed at increased runoff from the development and the effect it will or may have on his property.

Subsequent to Mr. Wheeler's letters the applicant submitted a Grading and Erosion Control Permit Application. The Grading and Erosion Control Permit addresses the Hydrology of the site in both its pre and post-development conditions. Klein Consulting Engineers, Inc. prepared the Hydraulic analysis as well as a Grading Plan addressing the detention, rate, amount and direction of flow of stormwater.

The plan and calculations were developed after a meeting between the applicant, his engineer, County Planning and Engineering staff. The Grading Plan and drainage calculations were reviewed by Gregory Kirby, PE of Multnomah County and determined to be sufficient to address stormwater issues. The Grading and Erosion Control Permit was approved and serves as compliance with this standard.

- (7) Buffering and Screening – Areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed, located, buffered or screened to minimize adverse impacts on the site and neighboring properties.**

Finding: The proposed dwelling site has been approved. The applicant is proposing a detached garage. The garage is located approximately 10 feet from the west side of the proposed dwelling, and slightly north of the dwelling. Mail services will be from a single mail box located at the road or P.O. Box. Parking will be done on the driveway in the vicinity of the garage. All parking and other services can take place more than 100 feet from an adjoining property owner. Notice of application and opportunity to comment was provided in this application and CU9-96, HV11-96, & SEC 15-96. No comments were received regarding impacts. Therefore this criteria is met.

- (8) Utilities – All utility installations above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.**

Finding: All utilities will be underground.

- (9) Signs and Graphics – The location, texture, lighting, movement, and materials of all exterior signs, graphics or other informational or directional features shall be compatible with the other elements of the design review plan and surrounding properties.**

Finding: No signs or graphics are proposed for this development therefore the criteria is not applicable at this time.

MCC 11.15.7870 - Expiration of Approval: (A) Design review approval shall expire in 18 months from the date of final design review approval, however upon application a six month extension may be granted by the Planning Director upon written findings that the applicable provisions of this ordinance are satisfied. The

Director's Decision may be appealed as provided by MCC 11.15.8290. Failure to apply for an extension shall result in expiration of the approval.

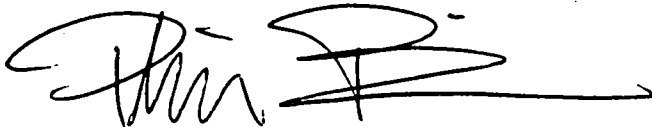
- (a) Application shall be made on the appropriate forms and filed with the Director at least 30 days prior to the expiration date. [March 14, 1997 is the expiration date for approval of the CU]
- (b) The Director shall issue a written decision on the application within 20 days of filing. That decision shall be based on the finding that:
 - (i) Final Design Review approval has been granted under MCC .7845 on the total project; and
 - (ii) At least ten percent of the dollar cost of the total project value has been expended for construction or development authorized under a sanitation, building or other development permit. Project value shall be as determined by MCC .9025 (A) or .9027 (A).
- (c) Notice of the Planning Director decision shall be mailed to all parties as defined in MCC .8225.
- (d) The decision of the Planning Director shall become final at the close of business on the tenth day following mailed notice unless a party files a written notice of appeal. Such notice of appeal and the decision shall be subject to the provisions of MCC .8290 and .8295.

CONCLUSIONS

With the addition of Conditions of Approval, the Design Review plans submitted comply with the approval criteria of MCC 11.15.7850.

In the matter of DR 16-96

Multnomah County Department of Environmental Services
Transportation and Land Use Planning Division



By Phil Bourquin, *Planner*

For: Kathy Busse, *Planning Director*

NOTICE

State law requires a public notice (by mail) to nearby property owners and to any recognized Neighborhood Association of a Planning Director decision which applies discretionary or subjective standards or criteria to land use or development permit

DR 16-96

Notice Mailed _____

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Contact Person: Phil Bourquin

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