

After recording return to: (Name, Address, Zip)
River Terrace Memory Care Property, LLC
415 SE 28th Avenue
Portland, OR 97214

David Green
Until requested otherwise, send all tax statements to:
(Same as above)

Grantor:
PBRELF I, LLC
1420 Fifth Avenue, Suite 2000
Seattle, WA 98101

Grantee:
River Terrace Memory Care Property, LLC
415 SE 28th Avenue
Portland, OR 97214

ORDER NO.: 01049-33086



\$133.00

11/21/2018 03:05:52 PM

D-D Cnt=1 Stn=74 LESLIE
\$25.00 \$16.00 \$62.00 \$10.00 \$20.00

*SP
2/1/11*

Space Above Reserved for Recorder's Use

STATUTORY SPECIAL WARRANTY DEED

PBRELF I, LLC, a Washington limited liability company, Grantor, conveys and specially warrants to RIVER TERRACE MEMORY CARE PROPERTY, LLC, an Oregon limited liability company, Grantee, the following described real property free of encumbrances created or suffered by the Grantor, except as specifically set forth herein, situated in Clackamas County, State of Oregon, to wit:

See legal description attached hereto as Exhibit A;

SUBJECT TO and excepting: covenants, conditions, restrictions and easements of record and those additional liens and encumbrances set forth on attached Exhibit B,

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON/ENTITY TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S/ENTITY'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON/ENTITY ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON

Planning Commission
ENTERED INTO THE RECORD
DATE RECEIVED: 11/26/2018
SUBMITTED BY: _____
SUBJECT: 3c.
950 SOUTH END RD
GLVA-18-00025

LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The true and actual consideration for this conveyance is \$4,900,000.00.

[Signature follows on next page and remainder of this page is intentionally left blank]

**EXHIBIT A
LEGAL DESCRIPTION**

A TRACT OF LAND, BEING ALL OF DOCUMENT NO. 2014-002380 AND A PORTION OF DOCUMENT NO. 2013-050193, CLACKAMAS COUNTY DEED RECORDS, LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF OREGON CITY, COUNTY OF CLACKAMAS, AND STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2013-050193, CLACKAMAS COUNTY DEED RECORDS;
THENCE, ALONG THE SOUTH LINE OF SAID DOCUMENT NO. 2013-050193 TRACT, N 90°00'00" W 251.20 FEET TO A POINT OF CURVATURE;
THENCE, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET, THROUGH A CENTRAL ANGLE OF 38°42'46", AN ARC LENGTH OF 47.30 FEET (CHORD OF WHICH BEARS N 70°38'37" W, 46.40 FEET), TO A POINT OF NON-TANGENCY AND THE SOUTHERLY EXTENSION OF THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2014-002380, CLACKAMAS COUNTY DEED RECORDS;
THENCE, ALONG SAID SOUTHERLY EXTENSION AND CONTINUING ALONG SAID WEST LINE, N 00°03'38" W 122.35 FEET TO THE NORTHWEST CORNER OF SAID DOCUMENT NO. 2014-002380 TRACT;
THENCE, ALONG THE NORTH LINE OF SAID DOCUMENT NO. 2014-002380 TRACT, N 89°58'30" E 295.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH END ROAD, BEING 30.00 FEET WEST FROM SAID CENTERLINE, WHEN MEASURED AT RIGHT ANGLES THERETO;
THENCE, WESTERLY FROM, PARALLEL WITH, AND 30.00 FEET DISTANT FROM SAID CENTERLINE, S 00°02'46" E 137.86 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION GRANTED TO THE CITY OF OREGON CITY FOR STREET, ROAD, RIGHT-OF-WAY, AND PUBLIC UTILITY PURPOSES IN DEED OF DEDICATION RECORDED JUNE 16, 2016, AS FEE NO. 2016-39446, CLACKAMAS COUNTY RECORDS.

**EXHIBIT B
DEED EXCEPTIONS**

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING LIENS AND ENCUMBRANCES:

1. Any city lien assessed by the City of Oregon City which is not yet due and payable.
2. The herein described premises are within the boundaries of and subject to the statutory powers, including the power of assessment, of the Tri-City Service District.
3. Rights of the public in and to any portion of the herein premises lying within the boundaries of street, roads or highways.
4. Restrictive Covenant Non-Remonstrance Agreement to Waive Remonstrance, including the terms and conditions thereof:

Recorded: June 9, 2016
Fee No.: 2016037772
For: Sanitary sewer, storm sewer, water or street improvements

5. Easement, including the terms and conditions thereof:

Granted to: City of Oregon City
Recorded: June 9, 2016
Recording No.: 2016037773
Purpose: Public and franchise utilities
Affects: Easterly 10.00 feet

6. Easement, including the terms and conditions thereof:

Granted to: City of Oregon City
Recorded: June 9, 2016
Recording No.: 2016037774
Purpose: Public street and sidewalk
Affects: Southerly 10.00 feet

7. Maintenance Covenant and Access Easement, including the terms and provisions thereof:

Recorded: June 10, 2016
Fee No.: 2016038096
For: Privately owned stormwater management facilities

8. Easement, including the terms and conditions thereof:

Granted to: City of Oregon City
Recorded: June 16, 2016
Recording No.: 2016039446
Purpose: Street, road, right-of-way, and public utility
Affects: Southerly, Southeasterly and Easterly portions.

From: [Dan Muresan](mailto:Dan.Muresan)
To: [Pete Walter](mailto:Pete.Walter)
Subject: Re: FW: Empire vs. Petra Memory Care Writs [IWOV-Worksite.FID2014651]
Date: Tuesday, November 20, 2018 5:35:20 PM

Thank you

On Tue, Nov 20, 2018 at 5:33 PM Pete Walter <pwalter@orcity.org> wrote:

We will enter this into the record.

From: Dan Muresan [mailto:dan@empire-building-co.com]
Sent: Tuesday, November 20, 2018 5:28 PM

To: Pete Walter <pwalter@orcity.org>
Subject: Re: FW: Empire vs. Petra Memory Care Writs [IWOV-Worksite.FID2014651]

Pete,

Due to the current litigation on the property, title is taking longer to record & provide title insurance. I would like to put in the notes for the hearing that there is a current judgment on the side parcel & I am in process of recording the writs this week as the new owner. I would like to note that I intend to use all right as the owner of the said property, thank you

On Thu, Nov 15, 2018 at 11:42 AM Dan Muresan <dan@empire-building-co.com> wrote:

Pete,

Everything is being recorded at title this week, I will be able to send you the document early next week recorded

On Thu, Nov 15, 2018 at 9:57 AM Dan Muresan <dan@empire-building-co.com> wrote:

Pete,

Planning Commission
ENTERED INTO THE RECORD
DATE RECEIVED: 11/20/2018
SUBMITTED BY: Staff
SUBJECT: 3C
950 SOUTH END RD
GLVA-18-00025

PLANNING COMMISSION
EXHIBIT B

I understand & I will submit those to to you before the end of the week

On Thu, Nov 15, 2018 at 9:41 AM Pete Walter <pwalter@orccity.org> wrote:

Dan,

The city does not involve itself in civil matters. We are reviewing a land use application that is based on criteria in the city code. If you wish to place items / documents in the record for the Planning Commission's consideration that you believe are pertinent to the applicable approval criteria, then it is up to you to provide them.

Pete

From: Dan Muresan [mailto:dan@empire-building-co.com]

Sent: Thursday, November 15, 2018 8:34 AM

To: Pete Walter <pwalter@orccity.org>

Subject: Re: FW: Empire vs. Petra Memory Care Writs [IWOV-Worksite.FID2014651]

Pete,

The documents you are requesting are under a protective order due to the nature of the court litigation on this property. Below is our firm that is handling this case, please have your legal department request a copy of the Writ of Execution & Sheriff for Writ documents through them as I am sure they can provide them for you.

Daniel Steinberg | Shareholder

Jordan Ramis PC | Attorneys at Law
2 Centerpointe Drive, Suite 600
Lake Oswego, OR 97035
Main: 503-598-7070 | Fax: 503-598-7373
Portland OR | Vancouver WA | Bend OR
www.jordanramis.com

On Wed, Nov 14, 2018 at 1:12 PM Pete Walter <pwalter@orccity.org> wrote:

Dan,

I was not able to open the "Instructions of Clackamas County Sheriff for Writ of", "Praecipe", Write of Execution-Non-residential" documents. Is it possible for you to send those three attachments in a non-nrl format?

Thanks,

Pete Walter

From: Dan Muresan [mailto:dan@empire-building-co.com]
Sent: Tuesday, November 13, 2018 12:20 AM
To: Pete Walter <pwalter@orcify.org>
Subject: Fwd: FW: Empire vs. Petra Memory Care Writs [IWOV-Worksite.FID2014651]

Pete,

I just wanted to keep you in the loop where we are on completing our Writ Of Execution, again once we complete & record everything by the end of this month we will pull out the 2 approaches & enclose our entire property. Please inform your legal department to contact our legal department so the city is in the loop on what we are going to do with our property & obviously the front exit & back parking will not be usable anymore.

----- Forwarded message -----

From: Daniel Steinberg <Daniel.Steinberg@jordanramis.com>
Date: Fri, Nov 9, 2018 at 1:01 PM
Subject: Fwd: FW: Empire vs. Petra Memory Care Writs [IWOV-Worksite.FID2014651]
To: dan@empire-building-co.com <dan@empire-building-co.com>

--

Daniel Muresan | Owner
Empire Building Company, LLC
C: 971-212-1167
F: 503-344-4869
E:dan@empire-building-co.com
W:empire-building-co.com

--

Daniel Muresan | Owner
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From: [Dan Muresan](#)
To: [Pete Walter](#)
Subject: Re: FW: Empire vs. Petra Memory Care Writs [IWOV-Worksite.FID2014651]
Date: Thursday, November 15, 2018 11:42:58 AM

Pete,

Everything is being recorded as of this week, I will be able to send you the document early next week recorded

On Thu, Nov 15, 2018 at 9:57 AM Dan Muresan <dan@empire-building-co.com> wrote:
Pete,

I understand & I will submit those to you before the end of the week

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Jordan Ramis PC | Attorneys at Law
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Lake Oswego, OR 97035
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Portland OR | Vancouver WA | Bend OR
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To: Pete Walter <pwalter@orcify.org>

Subject: Fwd: FW: Empire vs. Petra Memory Care Writs [IWOV-Worksite.FID2014651]

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Date: Fri, Nov 9, 2018 at 1:01 PM

Subject: Fwd: FW: Empire vs. Petra Memory Care Writs [IWOV-
Worksite.FID2014651]

To: dan@empire-building-co.com <dan@empire-building-co.com>

--

Daniel Muresan | Owner
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C: 971-212-1167
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[W:empire-building-co.com](http://empire-building-co.com)

From: [Dan Muresan](#)
To: [Pete Walter](#)
Subject: Re: Parcel
Date: Thursday, November 08, 2018 10:38:36 AM

Pete,

I would recommend your legal department contact our legal to go over this property since there is a pending foreclosure lawsuit against the property where the building sits & a writ of execution from the sheriff's civil deputy on the side parcel, below is our firm handling this file.

Daniel Steinberg | Shareholder
Jordan Ramis PC | Attorneys at Law
2 Centerpointe Drive, Suite 600
Lake Oswego, OR 97035
Main: 503-598-7070 | Fax: 503-598-7373
Portland OR | Vancouver WA | Bend OR
www.jordanramis.com

On Wed, Nov 7, 2018 at 12:07 PM Dan Muresan <dan@empire-building-co.com> wrote:
Pete,

We will review our options with legal but I recommend looking closer because we are a few months out from completing the forclousier & technicy now still own it through Petra Memory Care. Once we get the green light from legal we will move in & pull out the 2 approaches & fence off our parcel. I am just putting this on record that this will happen. If the city dose not approve us to work on the right of way to remove the approaches we will have legal handel that & we will still fence off the entrances that run across our property

On Wed, Nov 7, 2018 at 11:53 AM Pete Walter <pwalter@orc.org> wrote:

For completeness purposes, the City's practice is to rely on ownership information as it is set forth in the records of the county assessor.

Pete

Pete Walter, AICP, Planner

Oregon City Planning Division

Community Development Department

We Moved! [698 Warner Parrott Rd, Oregon City, OR 97045 \(Map\)](#)

Phone: (503) 496-1568

Planning Division Website: www.orcity.org/planning

Check out the [Equitable Housing Project](#)

Mapping Tools: [OCWebMap](#) and other [Useful Maps](#)

From: Dan Muresan [mailto:dan@empire-building-co.com]

Sent: Wednesday, November 07, 2018 10:58 AM

To: Pete Walter <pwalter@orcitey.org>

Subject: Re: Parcel

Pete

When we went through the conditional use process you specifically told us that every property owner needs to sign the application. Otherwise the application is incomplete. So tell me what you need me to send you to show that we are still owners of the strip. And will you need to deem their application incomplete as a result of all property owners have not signed or agreed to the application

On Wed, Nov 7, 2018 at 10:45 AM Pete Walter <pwalter@orcitey.org> wrote:

Dan,

Thanks. I appreciate the information and will place it in the record for the proceedings.

Pete Walter

From: Dan Muresan [mailto:dan@empire-building-co.com]

Sent: Tuesday, November 06, 2018 11:52 PM

To: Pete Walter <pwalter@orcitey.org>

Subject: Parcel

Pete,

I wanted to reach out & see if I can meet with you in regards to the 950 South End Road Project. As you are aware Notice Of A Public hearing on this property. As of today there are 2 parcels on this property. One of the parcels where the building is situated is owned by Pyatt Broadmark & the other is the side parcel which was owned by Petra Memory Care & now is in the process of being foreclosed by myself to retain the side parcel because Empire Building Company has a Judgment against Petra Memory Care. Once the deed is transferred over to me I plan on fencing off my entire perimeter of the parcel. I was informed that due to the foreclosure that happened in 2017 any easements on record were whipped out so my plan is to remove the 2 approaches that run across my parcel & fence off to enclose my entire parcel. I am attaching the information showing my ownership of this side parcel & my plan, give me a call if you have any questions.



--
Daniel Muresan | Owner
Empire Building Company, LLC
C: 971-212-1167
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--

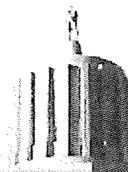
Daniel Muresan | Owner
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--

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[W:empire-building-co.com](http://empire-building-co.com)

OREGON SECRETARY OF STATE
► Corporation Division

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- business registry/renewal
- forms/fees
- notary public
- uniform commercial code
- uniform commercial code search
- documents & data services

Business Name Search

[New Search](#)

[Printer Friendly](#)

Business Entity Data

11-26-2018
19:15

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1453887-99	DLLC	ACT	OREGON	06-26-2018	06-26-2019	
Entity Name	RIVER TERRACE MEMORY CARE PROPERTY, LLC					
Foreign Name						

ENTERED INTO THE RECORD
 DATE RECEIVED: 11/26/2018
 SUBMITTED BY: Staff
 SUBJECT: 950 South End Rd
GLUA-18-00025

[New Search](#)

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Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS	Country
Addr 1	415 SE 28TH AVE		
Addr 2			
City	PORTLAND	OR 97214	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	06-26-2018	Design Date
DI Record	265691-94	SUSSMAN SHANK REGISTRATION SERVICES, LLC			
Addr 1	ATTN: AARON J. BESEN				
Addr 2	1000 SW BROADWAY STE 1400				
City	PORTLAND	OR 97205	UNITED STATES OF AMERICA		

Type	MAL	MAILING ADDRESS	Country
DI Record	265691-94	SUSSMAN SHANK REGISTRATION SERVICES, LLC	
Addr 1	ATTN: AARON J. BESEN		
Addr 2	1000 SW BROADWAY STE 1400		
City	PORTLAND	OR 97205	UNITED STATES OF AMERICA

Type	MGR	MANAGER	Design Date
Name	JEFFREY	WELLINGTON	
Addr	415 SE 28TH AVE		
City	PORTLAND	OR 97214	UNITED STATES OF AMERICA

ENTERED INTO THE RECORD
 DATE RECEIVED: 11/26/2018
 SUBMITTED BY: Staff
 SUBJECT: 950 SOUTH END Rd
GLUA-18-00025

PLANNING COMMISSION
EXHIBIT C

Planning Commission

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Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
RIVER TERRACE MEMORY CARE PROPERTY, LLC	EN	CUR	06-26-2018	

Please [read](#) before ordering [Copies](#).[New Search](#)[Printer Friendly](#)

Summary History

Image Available	Document	Transaction Date	Effective Date	Status	Initial Agent Change	Expiration Date
	ARTICLES OF ORGANIZATION	06-26-2018		FI	Agent	

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For comments or suggestions regarding the operation of this site,
please contact : corporation.division@state.or.us

GLUA-18-00025
VAR-18-00001
SP-18-00106
MD-18-00001 (of CU 14-01)



November 26, 2018
Planning Commission

EXHIBIT D.

Summary of Proposal

- Add 529 square feet for 7 additional beds to 31-Bed Assisted Living Facility
 - (40.19% lot coverage - requires a minor variance)
- Parcel size = 39,439 square feet
- Footprint = approx. 15,323 square feet
- Add ADA Accessible Ramp at rear of property
- Add ADA Accessible Parking Space Ramp at front of property
- Add 7-foot tall wrought-iron fence surrounding outdoor café area
- Approximately 38% of site is landscaped (20% minimum required).
- Nine (9) onsite parking spaces - 8 in rear, 1 ADA van space in front
- Traffic impact is insignificant, Changes from:
 - 31 Beds - 4 AM peak hour trips; 7 PM peak hour trips; and 82 weekday trips, to
 - 38 beds - 5 AM peak hour trips; 8 PM peak hour trips; and 101 weekday

The existing use is an approved conditional use in the “R-10” Single-Family Dwelling district (Planning File CU 14-01)

OCMC 17.08.030.J – 17.10.030

The use is permitted in this district when authorized by and in accordance with the standards contained in Chapter 17.56:

- *J. Assisted living facilities; nursing homes and group homes for over fifteen patients.*

(Oregon Dept. of Human Services license is required separately)

Existing Conditions – 2017 Aerial

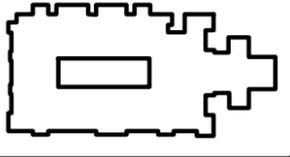
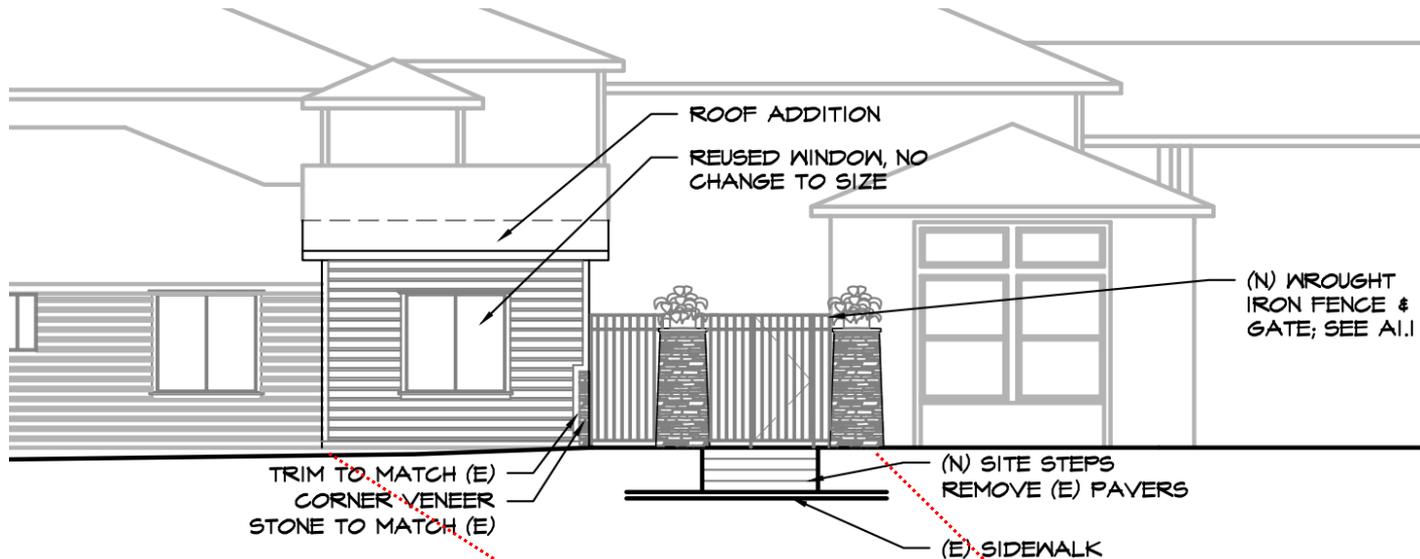


EXHIBIT D.

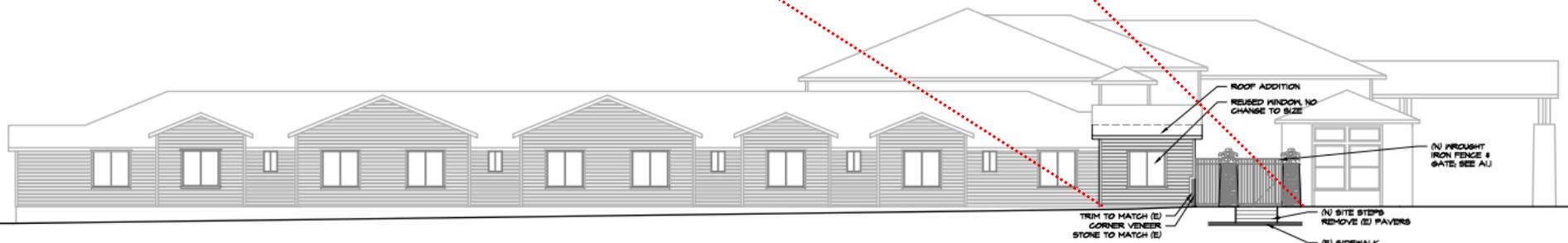


Street View – Intersection of South End and Amanda Court

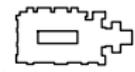
South Elevation – Amanda Court



REPLACEMENT OF (E) WINDOW WITH SAME SIZE MAINTAINS VARIANCE IN PLACE FOR PEDESTRIAN WINDOWS TRANSPARENCY SOUTH FACADE.



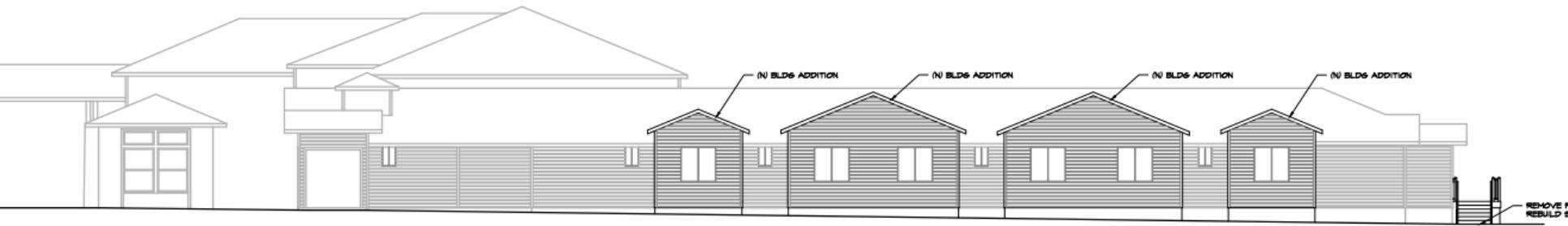
1 SOUTH ELEVATION
AS.1 1/4" = 1'-0"



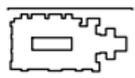
REPLACEMENT OF (E) WINDOW WITH SAME SIZE MAINTAINS VARIANCE IN PLACE FOR PEDESTRIAN WINDOWS TRANSPARENCY SOUTH FACADE.

EXHIBIT D.

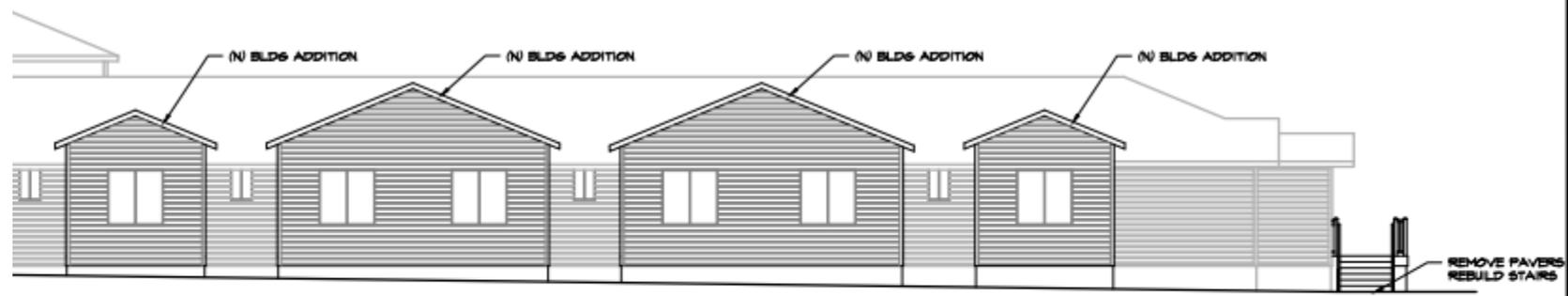
North Elevation



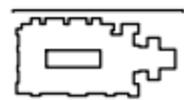
NORTH ELEVATION
 1/8" = 1'-0"



REPLACEMENT OF (E) WINDOW WITH SAME SIZE MAINTAINS VARIANCE IN PLACE FOR PEDESTRIAN WINDOWS TRANSPARENCY SOUTH FACADE.

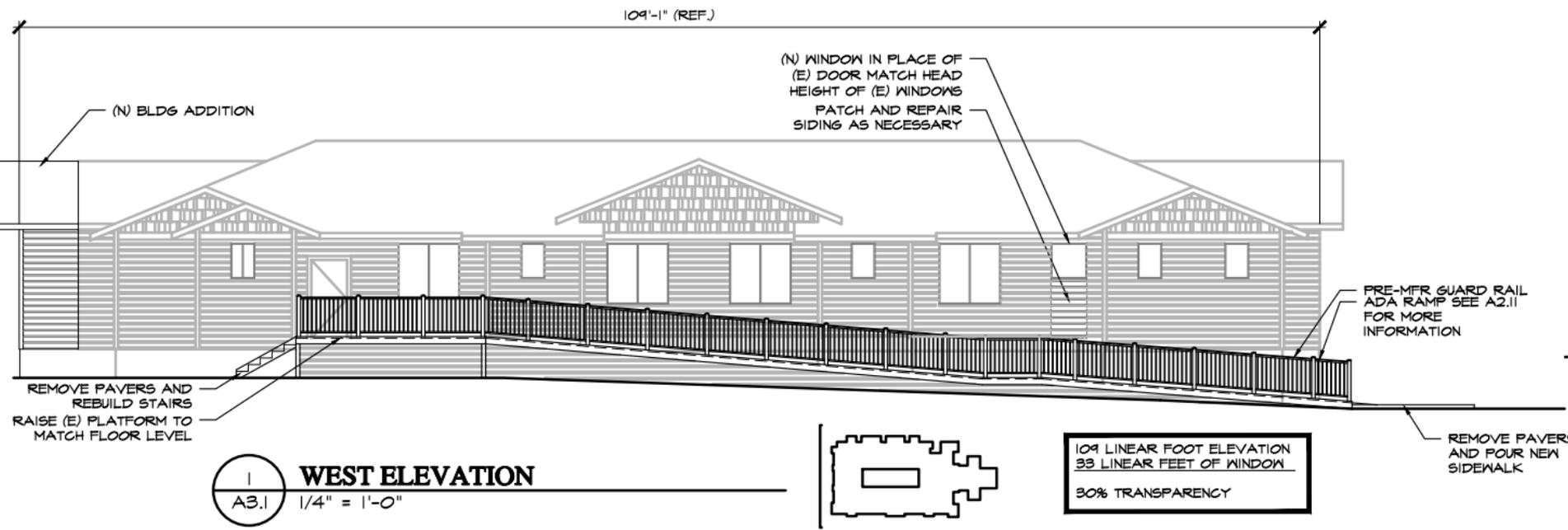


E ELEVATION
 0"



REPLACEMENT OF (E) WINDOW WITH SAME SIZE MAINTAINS VARIANCE IN PLACE FOR PEDESTRIAN WINDOWS TRANSPARENCY SOUTH FACADE.

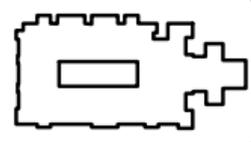
West Elevation - Rear



East Elevation – South End Road

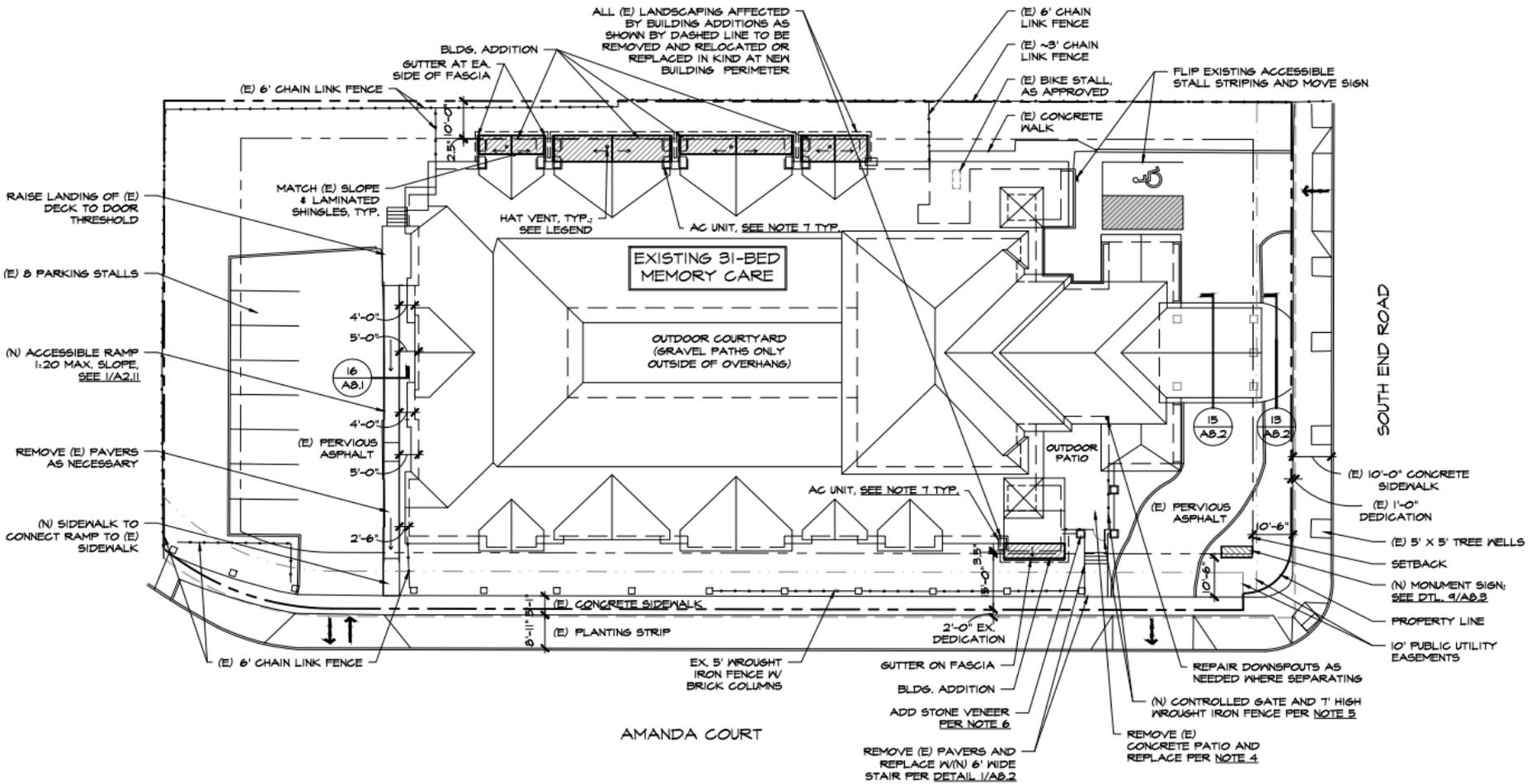


4
A3.1 EAST ELEVATION
1/4" = 1'-0"



NO WINDOWS CHANGED
ALONG PRIMARY FRONT
FACADE

Site Plan: 950 South End Road – Not to Scale



SITE PLAN
A1.1
1"=20'-0"

EXHIBIT D.



Applicable Criteria - Oregon City Municipal Code:

12.04 - Streets, Sidewalks, and Public Places

12.08 - Public and Street Trees

13.12 - Stormwater Management

15.48 - Grading, Filling and Excavating

17.08 – R-10 Single Family Residential

17.41 – Tree Protection

17.47 - Erosion and Sediment Control

17.50 - Administration and Procedures

17.62 - Site Plan and Design Review

17.52 - Off Street Parking and Loading

17.54.100 – Fences

17.56 – Conditional Uses

Minor Variance Request

Applicant requests a minor variance to slightly exceed the maximum lot coverage in the R-10 zone of 40%. The proposed lot coverage is 40.19% or 88 SF over the allowed 40% lot coverage.

- Factors that support the proposed minor variance:
 - Addition to South side of the building will not negatively affect any other structures given the street between them.
 - Addition to North side of building is within the required interior yard setback (10') for the site
 - Stated need / Hardship - Memory care patients spend a majority of their time inside the facility and in their rooms. Given the need to add these units and the existing design of the building, the applicant believes that this is the least amount of coverage required to provide a comfortable space for the residents of the building.
 - 40% lot coverage is for a typical residential in the zone. This is a commercial building. Very small additional lot coverage in comparison to the stated need for the variance.
 - Mitigation – The addition is broken into smaller segments to not block light and it is a single story, less than the height allowed in the zoning designation. All other dimensional requirements, including height and setbacks are met.
 - There is existing landscaping and privacy fencing buffering the building from adjacent properties in these areas.
 - Comprehensive Plan Goals and Policies are supported.

Recommended Conditions of Approval

1. Width of on-site pathways. Prior to issuance of a building permit, the applicant shall either remove the on-site paths that are less than five feet in width on plan submittals, or revise the plans to indicate 5' wide paths in accordance with OCMC 17.62.050.A.9. For buildings fronting on the street, the public sidewalk may be used to meet this standard. (P)
2. Chain link fence. Prior to issuance of a building permit, the applicant shall remove any chain link fencing and / or replace it with non-prohibited materials in accordance with OCMC 17.62.050.A.21 and OCMC 17.54.100. (P)
3. Transparency. Prior to issuance of a building permit, the applicant shall provide calculations of transparency on all plan elevations. Transparency shall be at least 37% on the facade facing Amanda Court and 53% on the facade facing South End Road in accordance with OCMC 17.62.055.I. (P)
4. Outdoor lighting. Prior to issuance of a building permit, the applicant shall prepare an updated lighting and photometric plan that conforms to the applicable standards of OCMC 17.62.065 and OCMC 17.622.080.C.2. (P)
5. Screening for mechanical equipment. Prior to issuance of a building permit, the applicant shall provide ornamental fences, screening enclosures, trees, or shrubs that block at least eighty percent of the view of the mechanical units from the street in accordance with OCMC 17.62.050.A.20. (P)

Additional Recommended Condition of Approval

6. Property Ownership. Provide all property owner signatures and proof of current ownership (P)

Staff Recommendation

- Approval with Conditions
- Items to enter into the Record (in addition to the items in the agenda)
 - Comments of Dan Muresan