



CCB#150499

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January 23rd, 2019

Mayor Holladay and City Commissioners:

I'm writing to you in response to staff and city commission discussions that took place at the January 16th hearing, related to the removal of OCMC chapters 17.21 and 17.22, that outline the Park Place and South End design requirements. I'm reaching out to you in hopes to shed some perspective directly from a local home building company, that has had a strong presence in Oregon City for the past 20 years. Icon is heavily vested in Oregon City; past, present and future, and shares the same goals outlined in the current code reform currently before you today.

As you know, the main emphasis of revamping the development sections within the OCMC, is to inject a variety of different affordable housing products into Oregon City's market. We applaud the work performed by city staff, the appointed task force, the planning commission, and others who have vested many hours into bringing their ideas, goals, and objectives forward. We see good opportunities to come, and are excited and eager to venture together with the city, as partners, to implement this vision. I use the word partnership, because it's a critical component, needed to achieve the goals set forth within this equitable housing program. Without the community, city staff, planning commission, city council, land developers, home builders and future home buyers working together cohesively to create a platform suitable and obtainable by all parties, this program will not thrive, nor will it ever come to fruition. Without fairness and balance, it goes nowhere.

The current adopted design standards, defined in chapter 17.14, already require an abundant amount of design requirements for ALL residential construction in Oregon City. Oregon City planning and city staff, have already done a fantastic job of injecting historical design requirements for new construction in this city that all builders must adhere to. As written within chapter 17.14, builders must include a minimum of 5 and as many as 14 design standards into their building design. These standards require selecting from the list below:

- *Dormers, which are projecting structures built out from a sloping roof housing a vertical window.*
- *The roof design must utilize either a gable or hip roof system.*
- *The building facade includes two or more offsets of 16-inches or greater.*

- *A roof overhang of 16-inches or greater.*
- *A recessed entry that is at least 2-feet behind the furthest forward living space on the ground floor, and a minimum of 8-feet wide.*
- *A minimum sixty 60 square-foot covered front porch that is at least five 5 feet deep OR a minimum forty 40 square-foot covered porch with railings that is at least five 5 feet deep AND be elevated entirely a minimum of eighteen 18-inches.*
- *A bay window that extends a minimum of twelve 12-inches outward from the main wall of a building and forming a bay or alcove in a room within.*
- *Windows and main entrance doors that occupy a minimum of fifteen 15 percent of the lineal length of the front facade (not including the roof and excluding any windows in a garage door).*
- *Window trim (minimum four 4-inches).*
- *Window grids on all street facing windows (excluding any windows in the garage door or front door).*
- *Windows on all elevations include a minimum of four 4-inch trim.*
- *Windows on all of the elevations are wood, clad wood, or fiberglass.*
- *Windows on all of the elevations are recessed a minimum of two 2 inches from the facade.*
- *A balcony that projects a minimum of one foot from the wall of the building and is enclosed by a railing or parapet.*
- *Shakes, shingles, brick, stone or other similar decorative materials shall occupy a minimum of sixty 60 square feet of the street facade.*
- *All garage doors are a maximum nine 9-feet wide.*
- *All garage doors wider than nine 9-feet are designed to resemble two 2 smaller garage doors.*
- *There are a minimum of two 2 windows in each garage door.*
- *A third garage door is recessed a minimum of two 2 feet.*
- *A window over the garage door that is a minimum of twelve 12 square feet with window trim (minimum four 4-inches).*
- *There is no attached garage onsite.*
- *The living space of the dwelling is within five 5 feet of the front yard setback; or the driveway is composed entirely of pervious pavers or porous pavement.*

We're not refuting or objecting to any of these existing design requirements. Although it did take some time for our building team to learn these, and implement them correctly within our building product, we worked with the city to understand them and have designed our homes to ensure they conform. We understand the significance and respect the goals and objectives set forth within these standards that are required in Oregon City. As written, they heavily target the implementation of historic elements and they also reduce garage massing by requiring more elements when street facing garage facades increase in size. The objectives set forth in the Park Place and South End concepts plans are already easily met by adhering to the current code criteria set forth in chapter 17.14.

Chapters 17.21 and 17.22 reach far beyond the standards set forth in chapter 17.14 by requiring very rigid and specific requirements that dictate a single style of architectural design; historic only. Not only do these standards drive up the costs of construction, they

drastically limit what type/style of product can be built. This code forces a style of architecture that is desired by very few, which will have a HUGE impact on the marketability of these homes. We are mindful and respectful of the historic significance and influence within Oregon City's architecture, and we understand the importance of it when it is applicable. We are very proud of the work that we did to fully restore the Mathew McCarver house, in which we preserved all of the historic construction elements (roofing, siding, structure/bones, windows, doors, hardwoods, hardware, etc.), in conjunction with a full renovation and restoration of this home. Bringing this boarded up and forgotten about treasure back to life in 2007 was very challenging, but also extremely rewarding (I've included some before and after pictures reflecting the work that was done, for your interest only). The point being, We DO appreciate and respect the history and true era architecture in this city, but it needs to make sense and be appropriate and proportionate to the overall goals of the city, community, home builders and future homeowners. Rick Givens provided testimony in his January 14th letter to the city commission that referenced our McCarver Landing development and the requirement that the newly constructed homes, surrounding the McCarver house, had to be constructed in a Vernacular architecture form, to match that of the McCarver home. We didn't object to this requirement, as we understood the significance of these homes abutting the McCarver home. We understood the concept of blending historic construction with new construction in this development, and we followed the guidelines set forth within the conditions of this development that we agreed to. During the 1-16-19 hearing, one of the commissioners stated that we should understand and respect the significance of these requirements. I want to state clearly that we did then and still do today.

Unfortunately, our point that was highlighted in Rick Given's letter, was misconstrued. We were merely trying to emphasize that we've gone down this road before, following specific historical home architecture designs as dictated on just a few of our homes in McCarver Landing, and this was received very poorly by the general public. We learned very quickly, that mimicking historical era construction, is not in high demand. The absorption rate was extremely low, and the homes had to be discounted drastically to instigate sales. One commissioner at the 1-16-19 hearing stated, "look at these homes now, they are occupied, eventually they sold." This is not a model that any builder should be burdened to follow nor does it offer Oregon City home buyers any variety or flexibility with the architecture designs and styles that they desire and can chose from. Forcing builders and home owners to construct homes that don't appease the majority of the public, directly conflicts with the spirit of this equitable housing program. These two code sections offer no flexibility of any kind, and they blanket two very large areas in Oregon City, that will soon house thousands of single-family dwelling units. Requiring "historic only" design and architecture into these areas is a recipe for disaster, and the McCarver Landing example was only used to illustrate our experience with this before, and at a much smaller scale. The required style of architecture completely prohibits home builders any opportunity to conform to market demand. Dictating historical homes throughout ALL development in these planned areas, prohibits any ability to conform to the community's wants and needs. Historical era construction only, is simply far too much to require in these two very large concept areas. I've included the sample pictures (inserted directly from the code sections themselves) that reflect the required styles of

architecture per sections 17.21 and 17.22, as well as a picture of a vernacular home that was required and constructed in McCarver Landing for you to reference.

In addition, and what was discussed very little at the 1-16-19 hearing, are the garage requirements found within the Park Place concept chapter 17.21. This chapter requires **NO** front load garages. Only side load, rear load, detached, or NO garages are allowed. Not only do these standards drive up costs of development and home construction, they are not practical or even obtainable within the diverse zoning districts in these two concept areas. I'll explain each of these garage options below in hopes to provide some insight as to why these standards would be extremely problematic:

Side entry garages, unless on a corner lot, require a minimum of 40' side yard for driveway access and vehicle maneuverability. This width is needed alongside a home so that vehicles can appropriately enter the garage. That's not feasible on any lots that aren't corner oriented. Taking 40' of width out of a lot for driveway/access, leaves no room for a home to fit within the remaining buildable envelope. Unless you have a lot width of at least 90'+, this simply does not work. The comp plan for Park Place consists of a variety of different blended zonings. Sideload garage orientations will not be feasible in high, medium, and most low-density zones. These simply do not work.

For similar reasons above, detached garages are not feasible in most zones, simply because there is not enough room on building lots to get them to work. It's very challenging to create lots that will conform to what is needed to make rear load garages possible. This configuration requires a minimum of 20' clear space for a driveway along the home and property line, which again diminishes the remaining buildable area for homes to fit. This configuration also requires a much deeper lot to create room in the back of the property for a garage, within the setbacks, and with ample clearance and separation between it and the home. This requires deeper lots which reduces widths to meet lot size area. This absolutely does not work in medium, high, and most low density zoning districts. Beyond that, and even if this configuration could work, this requirement still creates another hardship on the property, builder and home owner, as the general public does not want a garage detached from their home. We live in a rainy climate here in Oregon. Homeowners do not want to walk through the elements from their garage to their home. Detached garages are not sought after by the general public.

We've had experience with rear entry garages in Oregon City. These require alleys, which doubles the quantity of roads within a development, further driving up development and final lot costs. Beyond being more expensive to develop, alley projects create more impervious area, which create further hardships pertaining to storm water management, and they are a poor use of land as a resource (by creating more roads and hardscapes vs. planted green areas). In the end, homeowners are left with little to no rear yards. Oregon City homebuyers want rear yards. They often have kids, pets, or simply want to enjoy privacy within their fenced-in rear property. What little room that is left from rear yard loaded garages, can't be fenced and adhere to vision requirements, and these homes are left with little to no usable yard area. This is another product, that we have had experience constructing, that is not sought after by the consumer.

So, after the above configurations are explored and deemed not physically or economically feasible by the developer and home builder, and not desired by the general public, the last option is to construct a home with NO garage. That's a non-starter. People want garages. They drive cars. They store things. Garages are an amenity and staple in today's homes that homeowners are not willing to give up. So, the "no garage" option, is simply not an option in a single-family residential district. Apartments, sure, but not when constructing single family detached residential homes. If a builder is forced to build a home without a garage, he/she better plan on using it for a rental. It will never sell as there is little to no market for homes without garages.

We are very hopeful that you will see the magnitude of development challenges, added costs, diminished home values, and the burden and hardship that these two chapters will place on developers, builders and future homeowners in these two concept areas, if chapters 17.21 and 17.22 aren't removed from the OCMC. I say again, successful development requires a collective partnership with all parties involved. If it becomes unbalanced, the equitable housing program will be unsuccessful in these concept areas. Chapters 17.21 and 17.22 completely conflict with the objectives and goals outlined within this program, and the impact is severe when blanketing these two areas and thousands of future home sites with these very strict and specific requirements.

I appreciate your time and consideration to all parties impacted, while you and city staff continue discussing the removal of chapters 17.21 and 17.22. Other members from the building and development community will continue attending and speaking at each of the upcoming hearings. I will be attending all upcoming hearings, and would be more than happy answering any questions related to this letter and the current round of code reform if asked to come forward for further testimony.

Sincerely,



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Required styles of architecture per OCMC chapters 17.21 and 17.22



Western Farmhouse/Vernacular



Bungalow (Craftsman)



Foursquare



Queen Anne Vernacular

SAMPLES ABOVE ARE CUT & PASTED
FROM CODE SECTIONS 17.21 AND 17.22

***Note Historic Era Architecture with
no garages.

Vernacular Style as Required and Constructed in McCarver Landing







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