



LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)

- ☐ Compatibility Review
- ☐ Lot Line Adjustment
- ☐ Non-Conforming Use Review
- ☐ Natural Resource (NROD) Verification
- ☐ Site Plan and Design Review
- ☐ Extension of Approval

Type II (OCMC 17.50.030.B)

- ☐ Detailed Development Review
- ☐ Geotechnical Hazards
- ☐ Minor Partition (<4 lots)
- ☐ Minor Site Plan & Design Review
- ☐ Non-Conforming Use Review
- ☐ Site Plan and Design Review
- ☐ Subdivision (4+ lots)
- ☐ Minor Variance
- ☐ Natural Resource (NROD) Review

Type III / IV (OCMC 17.50.030.C)

- ☐ Annexation
- ☒ Code Interpretation / Similar Use
- ☐ Concept Development Plan
- ☐ Conditional Use
- ☐ Comprehensive Plan Amendment (Text/Map)
- ☐ Detailed Development Plan
- ☐ Historic Review
- ☐ Municipal Code Amendment
- ☐ Variance
- ☐ Zone Change

File Number(s): _____

Proposed Land Use or Activity: Code Interpretation (Type III)

Project Name: Villages at Beavercreek

Physical Address of Site: 19896 Beavercreek Road, Oregon City, Oregon 97045

Clackamas County Map and Tax Lot Number(s): 3-2E-10C-00800

Applicant(s):

Applicant(s) Signature: _____

Applicant(s) Name Printed: Beavercreek Road LLC (c/o Andrew Brand)

Date: _____

10/11/2019

HANS CHRISTIANSEN

Mailing Address: 600 University Street, Suite 1708, Seattle, WA 98101 Phone: (206) 535-6248 ext. 101

Email: andrew@evergreenhd.com

Property Owner(s):

Same as Applicant

Representative(s):

Representative(s) Signature: _____

Representative (s) Name Printed: Micheal M. Reeder, Attorney - Law Office of Mike Reeder

Date: October 11, 2019

Mailing Address: 375 W. 4th Ave., Suite 205, Eugene, Oregon 97401

Phone: (541) 225-8777 Email: mreeder@oregonlanduse.com

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.

**CODE INTERPRETATION
TYPE III APPLICATION
WRITTEN NARRATIVE**

October 11, 2019

APPLICANT: Beaver Creek Road, LLC
Attn: Hans Christiansen
600 University Street, Suite 1708
Seattle, WA 98101

OWNER: Same as Applicant

**APPLICANT/OWNER
REPRESENTATIVE:** Micheal M. Reeder, Attorney
Law Office of Mike Reeder
375 W. 4th Ave., Suite 205
Eugene, OR 97401
(541) 225-8777
mreeder@oregonlanduse.com

REQUEST: Code Interpretation (Type III process)

LOCATION: 19896 Beaver Creek Rd., Oregon City, OR 97045
Clackamas County Map 3-2E-10C, Tax Lot 800

**NEIGHBORHOOD
ASSOCIATION:** Caulfield Neighborhood Association

**BEAVERCREEK ROAD, LLC
CODE INTERPRETATION
WRITTEN STATEMENT**

October 11, 2019

A. Description of Subject Property

The property subject to this application is 9.7 acres and is identified as Clackamas County Map 3-2E-10C, Tax Lot 800. The subject property has been in the Urban Growth Boundary (UGB) since 1979 and was annexed into the City in 2007. The subject property is zoned MUC-1 and is located within the Caufield Neighborhood Association.

B. Procedural History

On March 4, 2015 the City approved a Site Plan and Design Review for 121-unit apartment complex and 59 Live-Work Units (the "Approval"). This limited land use decision was appealed to the Oregon Land Use Board of Appeals (LUBA). *Graser-Lindsay v. City of Oregon City*, 72 Or 25 (2015). LUBA affirmed the Approval on August 8, 2015. No further appeals were filed. According to the City, pursuant to *former* Oregon City Municipal Code (OCMC) Section 17.50.200.C, the date of final disposition of the case was August 27, 2015.

On April 27, 2015, the Applicant applied with the City to demolish a 1,200 square foot single-family dwelling and its 400 square foot garage. This demolition request was in anticipation of development of the subject property pursuant to the Approval. The request was made on the City's "Building Permit" application form. The demolition permit was issued on April 28, 2015, Permit No. BB-15-0154.

On May 8, 2017, the City approved a Type I extension of the Approval, extending the Approval timeframe to August 27, 2018.

On August 22, 2018 the City reinstated demolition permit (BB-15-0154), which was subsequently extended on October 7, 2019.

C. Code Interpretation Request

A Type II land use decision is void within two years of issuance unless an extension is obtained and/or a “building permit” has been issued. *Former* OCMC Section 17.50.200.A.¹ However, an appeal of the land use decision tolls this two-year time limitation.

The term “building permit” is not defined by the OCMC. However, it is the position of both the Applicant and City staff that a “demolition” permit is a “building” permit for purposes of the OCMC generally, and OCMC Section 17.50.200 specifically.

The Applicant hereby requests that the Planning Commission make the following determinations:

1. For purposes of OCMC 17.50.200, a “demolition” permit is a “building” permit,
2. That the demolition/building permit issued by the City as BB-15-0154 had the effect of vesting the Approval such that the Applicant, or a subsequent owner of the subject property, may obtain other building permits and any other necessary approvals to develop the subject property according to the Approval, and
3. Any building permits necessary to construct the project as provided in the Approval cannot be disturbed by subsequent changes to the Municipal Code or the Oregon Structural Specialty Code.

Attachments

¹ It appears that Section 17.50.200 has since been modified to require action within three years of the date of the final decision.

ATTACHMENTS



Building Permit

CITY OF OREGON CITY

Permit #:

Date:

Receipt:

Date:

Receipt:

TYPE OF WORK

- ☐ New construction ☒ Demolition
☐ Addition/alteration/replacement ☐ Other:

CATEGORY OF CONSTRUCTION

- ☒ 1- and 2-family dwelling ☐ Commercial/industrial
☐ Accessory building ☐ Multi-family

JOB SITE INFORMATION AND LOCATION

Job site address: 19896 Beavercreek Road

City/State/ZIP: Oregon City, OR 97045

Suite/bldg./apt. no.:

Project name:

Cross street/directions to job site:

Subdivision:

Lot no.:

Tax map/parcel no.: 3-2E-10C-00800

DESCRIPTION OF WORK

Demolition of an approximately 1,200 sqft single family home that has been abandoned for over 3 years. Demolition of an approximately 400 sqft garage building.

☒ PROPERTY OWNER☐ TENANT

Name: Beavercreek Road LLC

Address: 600 University St, Ste 1708

City/State/ZIP: Seattle, WA 98101

Phone: () 206-535-6248 x 101

Fax: ()

Owner Installation: This is being made on the property that I own, which is not intended for sale, lease, rent, or exchange.

Owner Signature:

☒ APPLICANT☐ CONTACT PERSON

Business name: Beavercreek Road LLC

Contact name: Andrew Brand

Address: 600 University St, Ste 1708

City/State/ZIP: Seattle, WA 98101

Phone: () 206-535-6248 x 101

Fax: ()

E-mail: andrew@evergreenhd.com

CONTRACTOR

Business name: DBEC

Address: 15604 SE Ruby Dr

City/State/ZIP: Milwaukie, OR 97267

Phone: () 503-652-0175

Fax: ()

CCB lic.: 150901

Authorized signature:

Print name: Andrew Brand

Date: 4/27/15

REQUIRED DATA: 1- AND 2-FAMILY DWELLING

Permit fees are based on the value of the work performed. Indicate the value (rounded to the nearest dollar) of all equipment, materials, labor, overhead, and the profit for the work indicated on this application.

Valuation \$8,725

Number of bedrooms: 2

Number of bathrooms: 1

Total number of floors: 1

New dwelling area: 0 square feet

Garage/carport area: 0 square feet

Covered porch area: 0 square feet

Deck area: 0 square feet

Other structure area: 0 square feet

REQUIRED DATA: COMMERCIAL-USE CHECKLIST

Permit fees are based on the value of the work performed. Indicate the value (rounded to the nearest dollar) of all equipment, materials, labor, overhead, and the profit for the work indicated on this application.

Valuation

Existing building area: square feet

New building area: square feet

Number of stories:

Type of construction:

Occupancy groups:

Existing:

New:

NOTICE

All contractors and subcontractors are required to be licensed with the Oregon Construction Contractors Board under ORS 701 and may be required to be licensed in the jurisdiction in which work is being performed. If the applicant is exempt from licensing, the following reasons apply:

BUILDING PERMIT FEES*

Please refer to fee schedule

Fees due upon application

Amount received

Date received:

This permit application expires if a permit is not obtained within 180 days after it has been accepted as complete



City of Oregon City
PO Box 3040
698 Warner Parrott Road
Oregon City, Oregon 97045-0304

Permit

Permit NO.: BB-15-0154 Permit IVR Number: 607229

Permit Type: Demolition

Work Classification: Residential

Permit Status: Issued

Issue Date: 04/28/2015

Expiration: 02/25/2019

Location Address

Parcel Number

19896 BEAVERCREEK
RD, OREGON CITY
, OR 97045

RD, OREGON CITY

3-2E-10C -00800

Contacts

BEAVERCREEK ROAD LLC
601 Union ST 616, SEATTLE , WA 98101
(206)535-6248

Owner

DBEC

Contractor

(503)652-0175

Description: DEMOLITION OF AN APPROXIMATELY 1200 SQ FT SINGLE FAMILY HOME THAT HAS BEEN ABANDONED FOR OVER 3 YEARS. DEMOLITION OF AN APPROXIMATELY 400 SQ FT GARAGE BUILDING.

Valuation: \$0.00

Total Sq Feet: 0.00

Inspection Requests:

Inspection Line: 503-496-1551

Fees	Amount
4310 Building Permit by Value	\$150.94
4322.1 Bldg State Surcharge	\$18.11
Permit Reinstatement Due To Expiration	\$180.00
State Surcharge - ReOpen (tax)	\$21.60
Total:	\$370.65

Payments	Amt Paid
Total Fees	\$370.65
Cash	\$18.11
Cash	\$150.94
Credit Card	\$201.60
Amount Due:	\$0.00

Available Inspections:

Inspection Type	IVR
Final Demolition	922

Issued By:

April 28, 2015

Date

Permit Holder

Date

RECEIPT (REC-000761-2018)
FOR CITY OF OREGON CITY

BILLING CONTACT

BEAVERCREEK ROAD LLC
601 Union St, 616
Seattle, Wa 98101



Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
BB-15-0154	Permit Reinstatement Due To Expiration	Fee Payment	Credit Card	\$180.00
	State Surcharge - ReOpen (tax)	Fee Payment	Credit Card	\$21.60
SUB TOTAL				\$201.60
TOTAL				\$201.60

COMMUNITY DEVELOPMENT
221 MOLALLA AVE
OREGON CITY, OR. 97045-3
503-722-3789

SALE

REF#: 00000001

Batch #: 647

08/23/18

07:42:41

APPR CODE: 087228

Trace: 1

VISA

Manual CP

*****6896

/

AMOUNT \$201.60

APPROVED

THANK YOU

CUSTOMER COPY



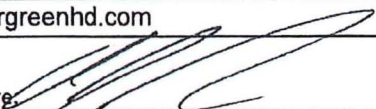
Building Permit Extension Request Form

City of Oregon City – Building Division

221 Molalla Ave Ste. 200 | Oregon City, Oregon 97045 | T 503-722-3789 F 503-722-3880

This form must be typed and submitted electronically to the Building Division at permits@orc.org

Type of Work		Permit Number: BB-15-0154
<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial / Industrial	
<input checked="" type="checkbox"/> Demolition	<input type="checkbox"/> Other:	Date Received: 10/7/19
Category of Submittal		Received by:
<input type="checkbox"/> Structural	<input type="checkbox"/> Mechanical	
<input type="checkbox"/> Electrical	<input checked="" type="checkbox"/> Other:	
Job Site Information and Location		
Job Site Address 19896 Beavercreek Rd		Suite #
Oregon City, Oregon 97045		
Project Name Villages at Beavercreek		
Permit Currently Expired? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Reason For Requesting Extension		
Demolition permit work was never finalized by our Demolition contractor.		

Contact Person	
Business Name: Beavercreek Road LLC	
Contact Name: Hans Christiansen Evergreen Housing Development Group, LLC	
Address: 601 Union Street, Suite 616	
City / State / Zip: Seattle, WA 98101	
Phone #: 206-535-6248	Fax:
E mail: hans@evergreenhd.com	
Authorized Signature: 	Andrew Brand, Executive Director of Development Evergreen Housing Development Group, LLC For: Beavercreek Road, LLC

For Official Use Only		
	Fees	Comments
Building		Extend 180 DAYS No additional extensions will be granted
Date		

Building Official	Date	Approval
	10/7/19	<input checked="" type="checkbox"/> Yes
	10/7/2019	<input type="checkbox"/> No