



Legislation Details (With Text)

File #:	PC 17-147	Version:	1	Name:	Appeal of HRB's decision to approve the 6 Cottage Style Homes in Canemah
Type:	Planning Item	Status:			Agenda Ready
File created:	11/27/2017	In control:			City Commission
On agenda:	12/6/2017	Final action:			
Title:	AP 17-04: Appeal of the Historic Review Board's August 22, 2017 Decision to Approve the Designs of Six (6) Cottage Style Homes in the Canemah Historic District				
Sponsors:	Laura Terway				
Indexes:					
Code sections:					
Attachments:	1. Staff Report, 2. AP 17-04 Notice of Decision and Findings of Fact, 3. Exhibit 1: Appeal Submittal, 4. Exhibit 2: Applicant's Response to Appeal, 5. Exhibit 3: Public Comments from Karen Blaha, 6. Exhibit 4: Notice of Decision MD 17-01, MD 17-02, MD 17-03, MD 17-04, MD 17-05, and MD 17-06, 7. Exhibit 5: Staff Report MD 17-01, MD 17-02, MD 17-03, MD 17-04, MD 17-05, and MD 17-06, 8. Exhibit 5a: Vicinity Map, 9. Exhibit 5b: Applicant's Narrative and Plans, 10. Exhibit 5c: Previous Proposal for HR 16-09, HR 16-10, HR 16-11, HR 16-12, HR 16-13, and HR 16-14, 11. Exhibit 5d: Public Comments, 12. November 15, 2017 City Commission Meeting Public Comment				

Date	Ver.	Action By	Action	Result
12/6/2017	1	City Commission	adopt	Pass

AP 17-04: Appeal of the Historic Review Board's August 22, 2017 Decision to Approve the Designs of Six (6) Cottage Style Homes in the Canemah Historic District

RECOMMENDED ACTION (Motion):

Staff recommends that City Commission adopt the revised Findings of Fact and deny the appeal, and affirm the Historic Review Board's decision approving file MD 17-01 - MD 17-06 with conditions based on City Commission tentative decision to deny the appeal at the November 15, 2017 City Commission Meeting.

On August 22, 2017, the Oregon City Historic Review Board voted 4-0-0 to approve the proposed six (6) unit cottage style development with conditions of approval (MD 17-01, MD 17-02, MD 17-03, MD 17-04, MD 17-05, and MD 17-06), including elimination of one unit (Unit #2), resulting in the approval of a development including five (5) dwelling units on four lots. The five homes vary in size between 600 to 1,100 square feet. The development has been proposed near the corner of 4th Ave and Miller St., within the Canemah Historic District. Two homes that contribute to the significance of the Historic District flank both sides of the properties' 4th Avenue frontage, including the Casady House located at the corner of 4th Ave and Miller Street, which is highly visible. The property is encumbered by geologic hazards, a wetland and has an approximately 1200 square foot unimproved alley right of way running along the east side, connecting to 4th Avenue and running parallel to Miller Street. For this reason, the request included a number of preservation incentives to allow a portion of the proposed development to be located within the setbacks.

The notice of appeal filed by the Friends of Canemah and Paul Edgar, identifies multiple appeal issues. OCMC 17.50.190 provides that only those issues raised in the notice of appeal may be considered before the City Commission on appeal. Therefore, no issues, beyond those raised in the notice of appeal may be considered. Mr. Edgar submitted written and oral testimony on behalf of the Friends of Canemah and as an individual and as a result, both parties have standing to appeal. This matter is to be considered by the Commission on the record; no new evidence is allowed and parties must have standing.

The City Commission heard the Appeal at the November 15, 2017 City Commission meeting and voted to tentatively deny the appeal and affirm the Historic Review Board's decision approving files MD 17-01 - MD 17-06 with conditions with a request that staff provides updated findings for approval at the December 6, 2017 City Commission meeting.