



## Legislation Details (With Text)

**File #:** PC 19-124    **Version:** 1    **Name:**  
**Type:** Land Use Item    **Status:** Agenda Ready  
**File created:** 11/9/2019    **In control:** Planning Commission  
**On agenda:** 11/18/2019    **Final action:** 11/18/2019  
**Title:** Planning Files GLUA 19-0006 / CI-19-00002: Code Interpretation for Multi-Family on Beavercreek Road  
**Sponsors:** Christina Robertson-Gardiner, Laura Terway

**Indexes:**

**Code sections:**

**Attachments:** 1. Commission Report, 2. Staff Report, 3. Exhibit 1: Applicant's Submittal, 4. Exhibit 2: SP 14-01 Notice of Decision, 5. Exhibit 3: AP 14-01 and AP 14-02 Notice of Decision, 6. Exhibit 4: LUBA 2015-013 Final Opinion and Order, 7. Exhibit 5: EX 17-01 Notice of Decision

Date	Ver.	Action By	Action	Result
11/18/2019	1	Planning Commission	approve	Pass

Planning Files GLUA 19-0006 / CI-19-00002: Code Interpretation for Multi-Family on Beavercreek Road

### RECOMMENDED ACTION (Motion):

Approval of Planning files GLUA 19-0006 & CI-19-00002 with condition.

### BACKGROUND:

The purpose of this Code Interpretation is to determine if a Site Plan and Design Review application (Planning file SP 14-01) for the removal of a dwelling and accessory and construction of a 121-unit multi-family complex and 59 live-work units is valid. The applicant requested 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.*

If the Planning Commission finds that the Code Interpretation is approved, the approved development (Planning file SP 14-01) may proceed, but if the application is denied the 2014 approval becomes void and any development onsite would require a new review process for compliance with the existing Oregon City Municipal Code.

### BUDGET IMPACT:

Amount:

FY(s):

Funding Source: