



**Community Development
 Development Services Division**
 501 SW Madison Avenue
 P.O. Box 1083
 Corvallis, OR 97339-1083
 (541) 766-6929
development.services@corvallisoregon.gov

**NOTICE OF DISPOSITION FOR A
 PLAN COMPATIBILITY REVIEW**

Order No.:	2016-032
Case Number:	PCR16-00002
Project Type:	Plan Compatibility Review
Procedure Type:	Administrative- Director's Decision
Owners:	Catherine Fisher and Tim Dale 3020 SW Morris Ave. Corvallis, OR 97333
Applicant:	John Robinson Quality Residential Construction LLC 2500 Del Rio Ct. SE Albany, OR 97322
Site Address:	3020 SW Morris Ave.
Map and Tax Lot:	12-5-03 BD 4600
Comprehensive Plan Designation:	Low Density Residential
Zoning Designation:	RS-3.5
Planner Assigned:	Jared Voice
Application Submitted:	May 10, 2016
Application Complete:	June 3, 2016
120-Day Deadline:	October 1, 2016
Date of Decision:	June 23, 2016

I. REQUEST

The applicant has filed a Plan Compatibility Review (PCR) application with the City of Corvallis Development Services Division, requesting approval of a reduced minimum east side yard setback, from 8 ft. to 6.5 ft. The reduced setback would allow for the addition of a new exterior stairway and landing, providing direct access to the second story of the existing single family dwelling. **See Attachment A for application materials.**

II. PUBLIC COMMENTS

Twenty-one (21) public notices were mailed on June 6, 2016, and two weeks were allowed for written comments on the proposal. No written comments were received before the public comment period closed at 5:00 p.m. on June 22, 2016.

III. FINDINGS

The Development Services Division Project Manager has made the following findings:

1. **Property Description**: The subject site is located 3020 SW Morris Ave. The site is zoned RS-3.5 (Low Density Residential), and is within the University Neighborhood Overlay (UNO). The site is comprised of 0.45 acres, and is developed with a single family dwelling, originally constructed in 1948 (per Benton County Assessor's records). The site is also identified on Benton County Assessor's Map 12-5-03 BD as Tax Lot 4600.
2. **Natural Features**: The City's Natural Hazards overlay (**Attachment B**) shows a small portion of the subject property (roughly the northern-most 11 feet) being within a mapped Partial Protection 100-year Floodplain. The Natural Resources overlay (**Attachment B**) shows the lot's rear yard partially covered by Highly Protected Significant Vegetation (HPSV). In addition, based on aerial photos, there appear to be several existing trees on and abutting the property.
3. **Land Use Case History**: There is no land use case history specific to the subject property.
4. **Review Process Determination**: Land Development Code Section 3.1.20.03 specifies the following for the RS-3.5 zone:

3.1.20.03 – General Development

Plan Compatibility Review – Subject to review in accordance with Chapter 2.13 – Plan Compatibility Review, and other applicable provisions of this Code.

- b. Development consistent with the development standards of the RS-5 Zone, provided adherence to the standards in Chapter 4.10 – Pedestrian Oriented Design Standards and provided that the Housing Types and land uses are consistent with the RS-3.5 Zone.

LDC Section 3.2.30.e specifies that, for a Single Detached dwelling in the RS-5 zone, the minimum side yard setback requirement is 5 feet. The applicant proposes a 6.5-ft. side yard setback, for a new exterior stairway and landing, which would provide direct access to the second story of an existing single family dwelling (see **Attachment A.6** for site and floor plans). Based on LDC Sections 3.1.20.03.b and 3.2.30.e, the Plan Compatibility Review process is the appropriate process by which to review the proposed setback reduction.

5. **Plan Compatibility Review (PCR) criteria** - A PCR cannot be approved, unless the following review criteria are satisfied:

Section 2.13.30.05 – Plan Compatibility Review Criteria

- a. Neighboring property owners and residents shall be protected through reasonable provisions regarding surface water drainage; suitable sound and site buffers; preservation of views, light, air; and other aspects of design that may have substantial effects on neighboring land uses;

Staff Response: Satisfied With Conditions. The proposed exterior stairway and landing would have minimal impact on surrounding properties, when compared to

development that would be allowed outright by the Land Development Code. The proposed stairway and landscaping would have a side yard setback of 6.5 feet from the abutting property to the east (see **Attachment A.6** and **Condition of Approval 1**), which is 18 inches less than the 8-ft. minimum side yard setback typically required within the RS-3.5 zone. Elevation drawings submitted with the application (**Attachment A.7**) show that the walking surface of the landing would have a height of roughly 8.5 above adjacent grade, and the handrail would have a height of about 11.5 feet when measured to adjacent grade. The LDC would allow outright a 30-ft. overall height, if the structure were to meet the 8 ft. side yard setback. The LDC would also allow a 14-ft. tall accessory structure within 3 feet of the side property line. Both of these outright-permitted scenarios would presumably have greater visual impacts to the affected neighboring property than the applicant's proposal.

The stairway and landing width (36 inches) is the minimum necessary to comply with building code ingress / egress requirements. The stairway and landing are proposed in order to provide direct access to the second floor of the dwelling, and are not intended to serve as a deck or recreation area. Use of the stairway will be limited to persons accessing the second floor of the dwelling. It should be noted that primary access to the dwelling (including the second floor space) is provided via two street-facing front doors on the first floor. Therefore, the proposal would cause minimal noise and privacy impacts to the affected neighboring property to the east.

Prior to commencing construction, the applicant is required to obtain a building permit from the Development Services Division (**Condition of Approval 2**). As part of the building permit review, the applicant will be required to demonstrate compliance with applicable LDC standards not being varied through this process, applicable Building Code standards, and to make accommodations for surface water drainage.

Overall, Staff find that, with **Conditions 1 and 2**, the proposal would not substantially affect neighboring land uses, and the criterion is satisfied.

Section 2.13.30.05 – Plan Compatibility Review Criteria

- b. The proposed development shall not adversely affect traffic, parking, and access; and

Staff Response: Satisfied With Conditions. The proposed reduced setback, for an exterior stairway and landing serving an existing single family dwelling, will have no effect on traffic, parking or access. However, during the application review process, it was discovered that an existing non-approved driveway surface has been expanded in a manner that does not comply with City standards. Gravel is not an approved driveway surface within the City of Corvallis. Gravel driveways existing prior to February 7, 1980, may remain in their non-conforming state, but may not be expanded. A site plan included with the original PCR application (**Attachment C.1**) shows angled parking along the east property line. Photo records indicate that this angled parking is located within a gravel area that was added to a previously-existing 15-ft. wide legal non-conforming driveway, at some point between 2010 and 2012. The applicant later

indicated that the angled parking shown on the originally-submitted site plan was a drafter's error, and submitted a revised site plan eliminating this parking. Per the applicant's revisions, the gravel added along the east property line between 2010 and 2012 is ground cover only, and is not used for parking / maneuvering. However, street view and aerial photos taken since 2012 (**Attachments C.2 – C.4**) appear to indicate that the expanded gravel area has been consistently used for vehicle parking and maneuvering since 2012. If the gravel is to remain on the site as ground cover only, then it must be delineated from the driveway via installation of a permanent feature, such as a curb, to prevent its continued use as an extension of the driveway. The City will be flexible in terms of what feature is actually used (a curb is not necessarily required), as long as it is permanent / immovable, and provides continuous delineation. **Condition of Approval 3** requires that the applicant submit a plan showing how the expanded portion of the driveway will be brought into compliance with City standards, either through removal, delineation from the existing driveway, or surfacing with an approved surface (asphalt, concrete, or alternative hard surfacing as approved by the City Engineer), prior to the issuance of permits for the exterior stairway. A 5-ft. minimum driveway setback from abutting properties must generally be maintained. Any driveway widening beyond the previously-existing 15-ft. wide driveway will require hard surfacing (asphalt, concrete or similar), and a 5-ft setback from the eastern property line. Note also that a driveway catch basin is required when the cumulative impervious area of a driveway exceeds 1,000 SF. Also note that work within the floodplain may require a Floodplain Development Permit.

Given the above analysis and **Condition 3**, staff find that the criterion is satisfied.

Section 2.13.30.05 – Plan Compatibility Review Criteria

- c. Where Significant Natural Features are involved, the proposed development shall not adversely impact Significant Natural Features regulated by Chapter 2.11- Floodplain Development, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 – Floodplain Provisions, Chapter 4.11 – Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 – Landslide Hazard and Hillside Development Provisions.

Staff Response: Satisfied With Conditions. The City's Natural Hazards overlay shows a small portion of the subject property (roughly the northern-most 11 feet) being within a mapped Partial Protection 100-year Floodplain. The mapped floodplain is at least 85 feet away from the proposed exterior stairway / landing, so no Floodplain Development Permit (FDP) will be required for its construction. As per **Condition of Approval 3**, an FDP may be required for the driveway work.

The Natural Resources overlay shows the lot's rear yard partially covered by Highly Protected Significant Vegetation (HPSV). The mapped HPSV area is well away (at least 50 feet) from the proposed stairway and landing, and is unaffected by the proposal. In addition, based on aerial photos, there appear to be several existing trees on and abutting the property. Any existing significant trees (8" caliper or greater at 4 ft. above existing grade) outside of the mapped HPSV area must be preserved to the greatest extent practicable, as per Land Development Code Sections 4.2.20.d and 4.12.60.f. **Development Related Concern A**

specifies that the building permit application must identify any existing significant trees on the site, and that for existing significant trees to be considered preserved, they must be treated as specified in LDC Section 4.12.60.f. This includes the installation of temporary protective fencing around trees located within 50 ft. of any area where development activities are likely to occur, in accordance with the "Circle of Protection" provisions outlined in Section 4.12.60.f. If any development activities are proposed within the "Circle of Protection" of existing trees to be preserved, then a preservation plan developed by a certified arborist shall be submitted by the applicant.

Given the above analysis, **Condition 3** and **Development Related Concern A**, Staff find that the proposal would not adversely impact Significant Natural Features regulated by the LDC, and the criterion is satisfied.

Conclusion on PCR review criteria:

Based on the above discussion of the applicable PCR review criteria of LDC Section 2.13.30.05, and the referenced Findings contained elsewhere in this report, the proposal is consistent with the PCR review criteria.

IV. DECISION

The above analysis finds that the proposed Plan Compatibility Review (PCR16-00002) is consistent with applicable Land Development Code requirements. Based on the information submitted by the applicant and conclusions reached through City Staff review of the applicable criteria, it is the decision of the Project Manager to approve the request as proposed in **Attachment A**, subject to the following Conditions of Approval.

6/23/16
Date of Decision


Kevin Russell,
Development Services Division
Project Manager

Attachments:

- A. PCR Application, Narrative and Graphics
- B. Natural Features Map
- C. Gravel Driveway Exhibits

APPEALS - EFFECTIVE DATE OF APPROVAL - EXPIRATION

APPEAL DEADLINE / EFFECTIVE DATE OF APPROVAL: July 5, 2016

If you wish to appeal this decision, the appeal must be filed within 12 calendar days from the Date of Decision, noted above. When the final day of the appeal period falls on a weekend or holiday, the appeal period shall be extended to 5:00 p.m. on the subsequent working day. All appeals must be submitted in writing to the City Recorder with the appropriate fee, and they must explain the specific grounds for appeal. If you have any questions about the appeal process, contact this office at 766-6929.

If no appeal has been filed, this approval is valid for a two year period from the Effective Date of Approval.

EXPIRATION DATE: July 5, 2018

If the applicant has not begun the development, prior to July 5, 2018, the approval shall expire.

V. CONDITIONS OF APPROVAL

1. Consistency with Plans - Development shall comply with the plans and narrative in the applicant's proposal identified as **Attachment A**, except as modified by this approval or the conditions below.
2. Building Permit Required – A building permit (and possibly other development permits) is required prior to development. The required permit review process(es) shall ensure compliance with all applicable standards prior to development. If compliance with applicable requirements necessitates a redesign that would alter the design of the proposed development as represented for this land use approval, in a manner that would not comply with all applicable standards and conditions, a subsequent land use application will be necessary to consider the altered development proposal and any necessary variations to standards or conditions.
3. Driveway Surfacing- Prior to building permit issuance for the exterior stairway and landing, the expanded gravel area of the driveway (added to the property at some point between 2010 and 2012) shall be either removed from the site and replaced with landscaping, paved with a City-approved driveway surface, or physically separated from the previously-existing legal driveway via a permanent feature such as a curb or similar feature. Any driveway widening beyond the previously-existing 15-ft. wide driveway will require hard surfacing (asphalt, concrete or similar), and a 5-ft setback from the eastern property line. Note also that a driveway catch basin is required when the cumulative impervious area of a driveway exceeds 1,000 SF. Also note that work within the floodplain may require a Floodplain Development Permit.

DEVELOPMENT-RELATED CONCERNS:

- A. Tree Preservation – As part of the building permit review process, any existing significant trees on the site shall be identified. For existing significant trees to be considered preserved, they must be treated as specified in LDC Section 4.12.60.f. This includes the installation of temporary protective fencing around trees located within 50 ft. of any area where development activities are likely to occur, in accordance with the “Circle of Protection” provisions outlined in Section 4.12.60.f. If any development activities are proposed within the “Circle of Protection” of existing trees to be preserved, then a preservation plan developed by a certified arborist shall be submitted by the applicant.

STAFF USE ONLY

CASE: PCR 16-00002 DATE FILED: 5/10/2016 DATE COMPLETE: _____

FEE PAID \$100 RECEIPT #: _____



City of Corvallis - Development Services Division
 501 SW Madison Ave.
 Corvallis, OR 97333
 Telephone: (541) 766-6929
 FAX: (541) 766-6936
 www.corvallispermits.com

Plan Compatibility Review Application

Location / Description of Subject Property(ies)

Street Address 3020 SW MORRIS AVE.

Benton County Tax Assessor Map _____ Tax Lot(s) # _____

Subdivision Name or Partition # _____

Zone _____ Size (acres) _____ Density Range _____ du/ac - _____ du/ac

Historic Overlay Natural Features Related Land Use Cases _____

Applicant Information

Applicant(s) Name(s) ROBINSON JOHN

Same as Property Owner

QUALITY RESIDENTIAL CONST. LLC Mkt.

Street Address 2500 DEL RIO CT. SE

City ALBANY State OR Zip Code 97322

Phone # 541-619-5787 Email Address john.robinson1234@hotmail.com

Contact preference? mail phone email

Property Owner Information (where different than Applicant)

Property Owner(s) Name(s): FISHER CATHERINE

Street Address 3020 SW MORRIS AVE. M.I. _____

City CORVALLIS State OR Zip Code 97333

Phone # 541 979.9898 Email Address catherine@tncrealty.com

Contact preference? mail phone email

Property Owner(s) Signature(s) _____ Date 5/10/2016

(If Legal Representative: provide supporting documentation)

Attachments (refer to the following pages)



Track the status of your application
 Visit corvallispermits.com and select "Check Case Status"

STAFF USE ONLY

CASE: PCR16-00002 DATE FILED: _____ DATE COMPLETE: _____

FEE PAID RECEIPT #: _____



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Plan Compatibility Review Application

Location / Description of Subject Property(ies)

Street Address 3020 SW MORRIS AVE.

Benton County Tax Assessor Map _____ Tax Lot(s) # _____

Subdivision Name or Partition # _____

Zone _____ Size (acres) _____ Density Range _____ du/ac - _____ du/ac

Historic Overlay Natural Features Related Land Use Cases _____

Applicant Information

Applicant(s) Name(s) ROBINSON JOHN

Same as Property Owner

QUALITY RESIDENTIAL CONSTRUCTION
 Last First
2500 DEL RIO CT. SE.
 Street Address

ALBANY OR 97322
 City State Zip Code

Phone # 541-619-5787 Email Address johnrobinson1234@hotmail.com

Contact preference? mail phone email

Property Owner Information (where different than Applicant)

Property Owner(s) Name(s): DALE TIM

3020 SW MORRIS AVE. M.I.
 Last First
 Street Address

CORVALLIS OR 97333
 City State Zip Code

Phone # 541 602 9899 Email Address Tim Dale

Contact preference? mail phone email tdale.timdale@gmail.com

Property Owner(s) Signature(s) _____ Date 6/2/2016
 (If Legal Representative; provide supporting documentation)

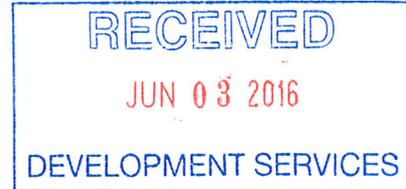
Attachments (refer to the following pages)

 **corvallispermits.com**
land use planning • permits • inspections

Track the status of your application
 Visit corvallispermits.com and select "Check Case Status"

June 3, 2016

Community Development Services
City of Corvallis
501 SW Madison Ave.
Corvallis, OR 97339



**RE: Project Address: 3020 SW Morris Ave.
PCR application: 16-00002**

Attn: Jared Voice, Senior Planner

In response to the letter dated May 24, 2016. Below is a narrative explanation addressing each item of concern:

Item 1) Review Criteria

Following are responses to the PRC Review Criteria in Section 2.13.30.05

A) The proposed change in setback to allow a second floor exterior door does not change the current homes size (square footage). Since the door and access stairs are against the east side of the building there are no impacts to surface water drainage, sound, views, light, or air that would have any substantial effect on the neighboring land use. Regarding privacy to the neighboring east property, the two houses do not sit side by side. The east wall on the subject house overlooks the back yard of the neighboring property. Several years ago during a remodel of the second story an egress window was added to the east wall. There was no concern from the City over privacy issues at that time. To date there have been no complaints or problems caused by the addition of that window.

Please find enclosed letter from neighbor Nancy Herron (east property line) in support of the second story exterior door.

B) The proposed change in setback to allow a second floor exterior door does not adversely affect traffic, parking or access.

C) The proposed change in setback to allow a second floor exterior door does not adversely impact any of the items listed in C.

Item 2) Use

Per LDC Section 3.1.20- Permitted Uses, the subject property will remain a single family residence. The proposed second floor remodel adding a bathroom, wet bar and bedroom is NOT to create a second dwelling, or ADU. The owners intended use may include the following: A private and secure place for a son attending college, visiting relatives,

caring for an aging parent, or any other number of acceptable uses under the permitted uses currently allowed for single family RS-3.5.

Item 3) Driveway

The site plan drawing included in the original submission showing angled parking was an error from the drafter. The drawings have been updated. The intent of the current submission is to make changes inside the home. No changes to the existing driveway are planned. The gravel driveway is "grandfathered". At some time between 2010 and 2012 the owners chose to eliminate the maintenance of the grass strip east of the driveway. They have extensive grass, trees, shrubs and landscape in the huge front and rear yards that require frequent maintenance. Gravel was chosen as a ground cover for the previous grass strip since they were renewing the gravel in the driveway. So what is there is a gravel driveway with gravel ground cover adjacent to the driveway. The gravel ground cover requires less maintenance and lasts longer than another suitable ground cover like bark.

Item 4) Property Owner Signatures

Enclosed PCR application form with both owners signatures.

Item 5) PCR Application Fee

Enclosed check for remaining balance of \$552

If I can be of further assistance please don't hesitate to contact me.

Sincerely,



John Robinson
Quality Residential Construction LLC
2500 Del Rio Ct. SE
Albany, OR 97322
541-619-5787

June 2, 2016

Community Development Services
City of Corvallis
501 SW Madison Ave.
Corvallis, OR 97339



RE: 3020 SW Morris Ave. (PCR16-00002)

Attn: Jared Voice, Senior Planner

We understand that our neighbors, Catherine Fisher and Tim Dale, would like to add a second story exterior door and stairs to the room over the garage at their home. This is on the east side of their property that overlooks our back yard. We have no concern or objection whatsoever to this exterior door, landing and stairs and we support her request for a variance. Please feel free to contact either of us with any questions at 541-231-8972.

Sincerely,

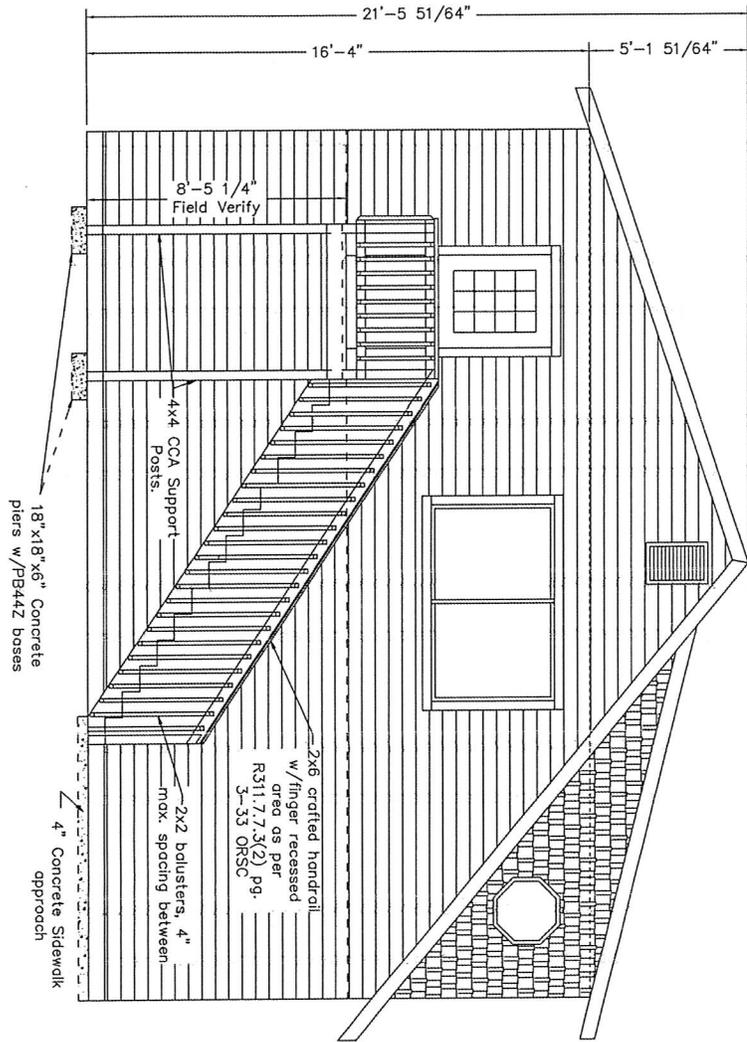
Nancy Herron
2960 SW Morris
Corvallis, OR 97333

Nancy Herron
6-2-16

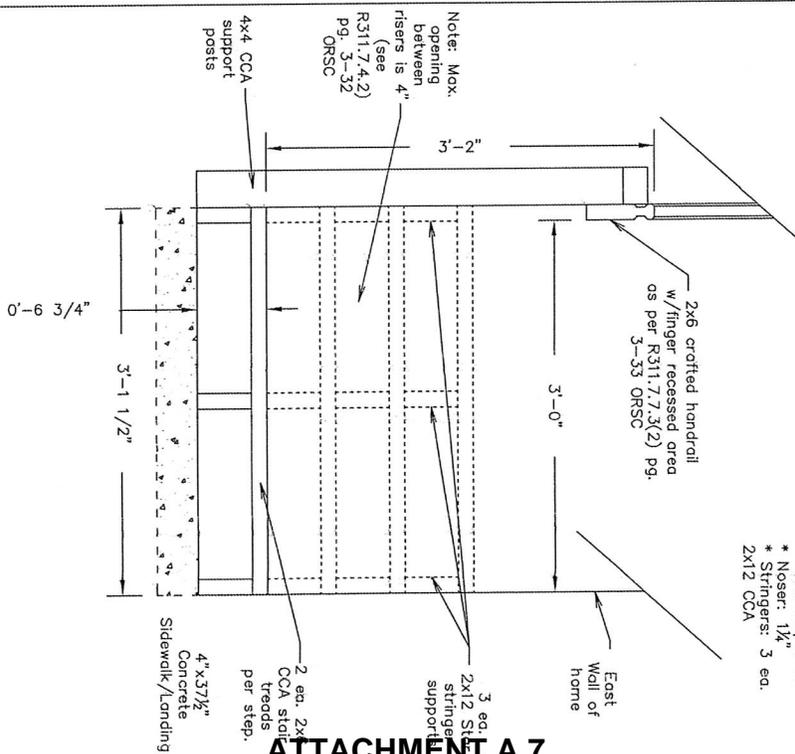
Jack Herron
2960 SW Morris
Corvallis, OR 97333

Jack Herron
6-2-16

East Elevation
Scale: 1/2"=1'



Stair Detail
Scale: 1"=1'

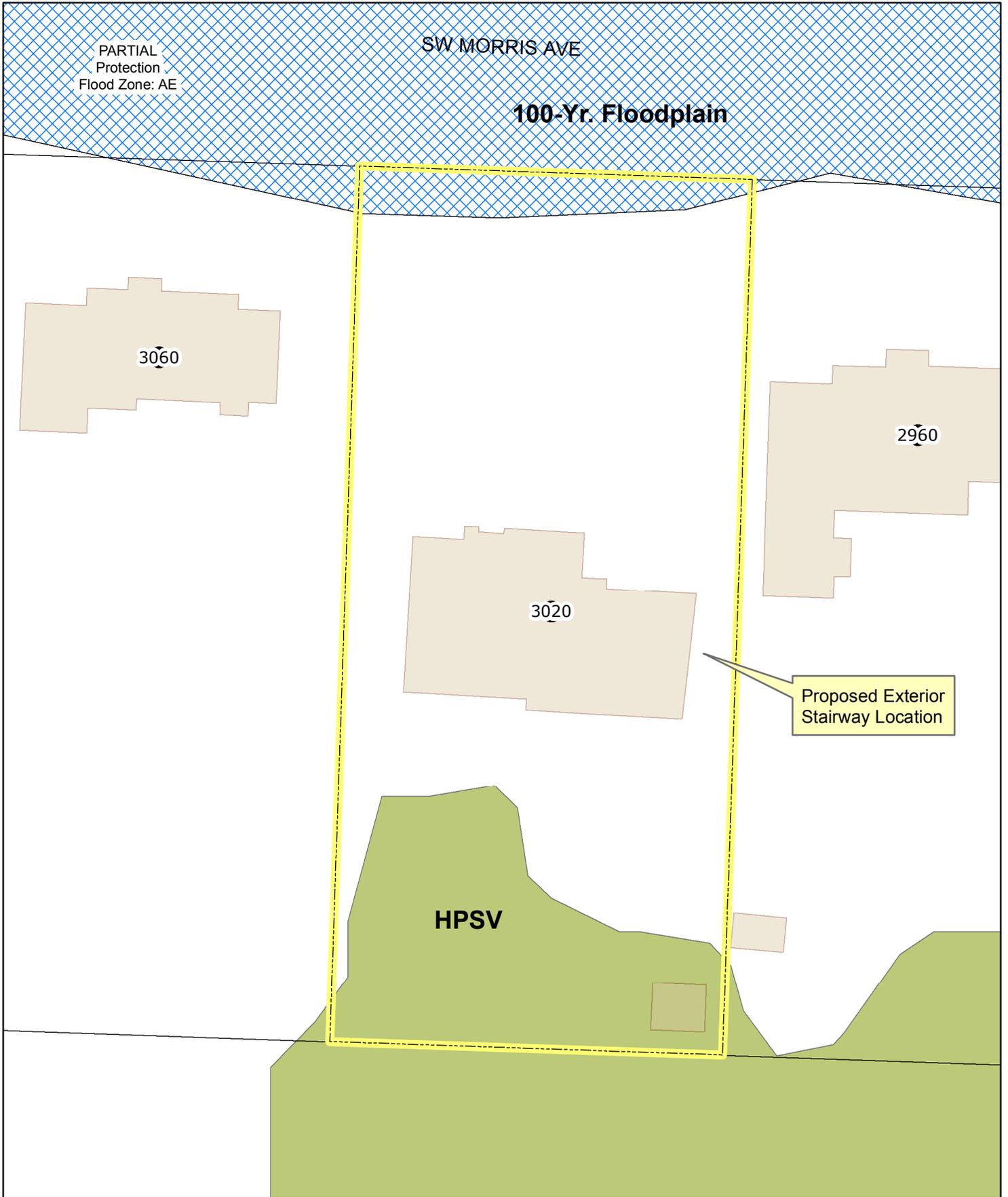


- Stair Detail:
- * Rise: 6.75" ea.
 - * Run: 10"
 - * Tread: 2 ea. 2x6"
 - * Tread width: 11.25"
 - * Total steps: 14
 - * Noser: 1 1/4"
 - * Stringers: 3 ea.
 - * 2x12 CCA

ATTACHMENT A.7

REV	A	Description	Fisher, Catherine E Trust 3020 SW Morris Ave, Corvallis OR
		Stair & Door Detail	
		SHEET 2 of 2	
		Scale: as shown	May 26, 2016

Natural Features Map



0 12.5 25 50 Feet

ATTACHMENT B



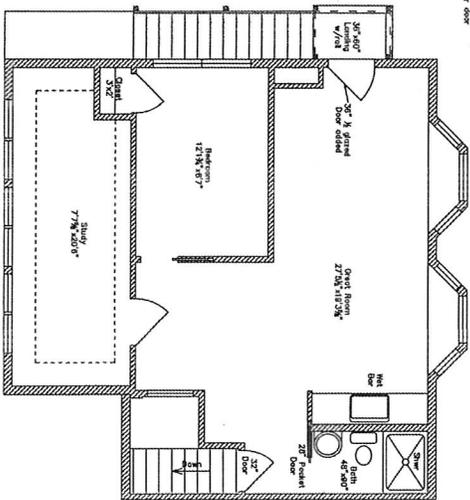
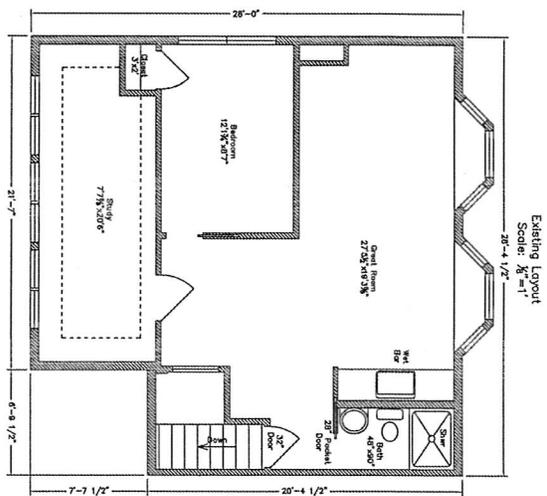
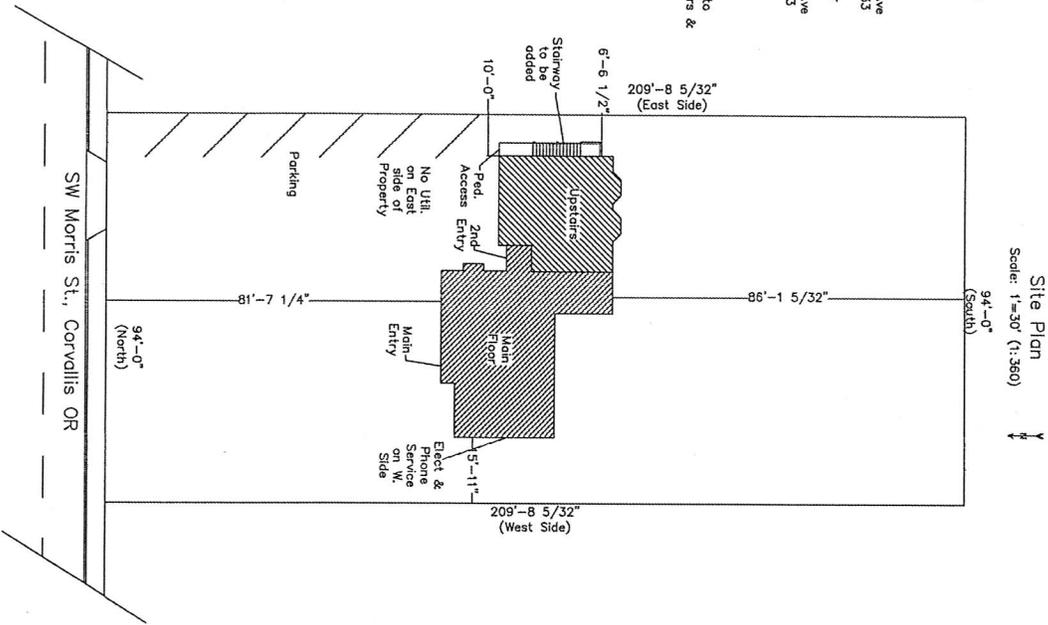
Corvallis Planning Division
501 SW Madison Ave
Corvallis, OR 97333
541.766.6908
Planning@CorvallisOregon.gov

Original Site Plan Submittal

PER - REQUEST 5' SETBACK ON EAST SIDE TO ALLOW STAIRS

Property Data:
 Account #: 139893
 Map/Tax Lot: 12503BD04600
 Situs Address: 3020 SW Morris Ave Corvallis, OR 97333
 Owner: Catherine E Fisher
 Living Trust
 3020 SW Morris Ave
 Corvallis OR 97333

Scope of Work:
 * Add exterior access to 2nd floor including stairs & exterior door



Scope of Work:
 * Add exterior access to 2nd floor including stairs & exterior door

Proposed Layout
 Scale: 3/8" = 1'

PCR16-00002

RECEIVED

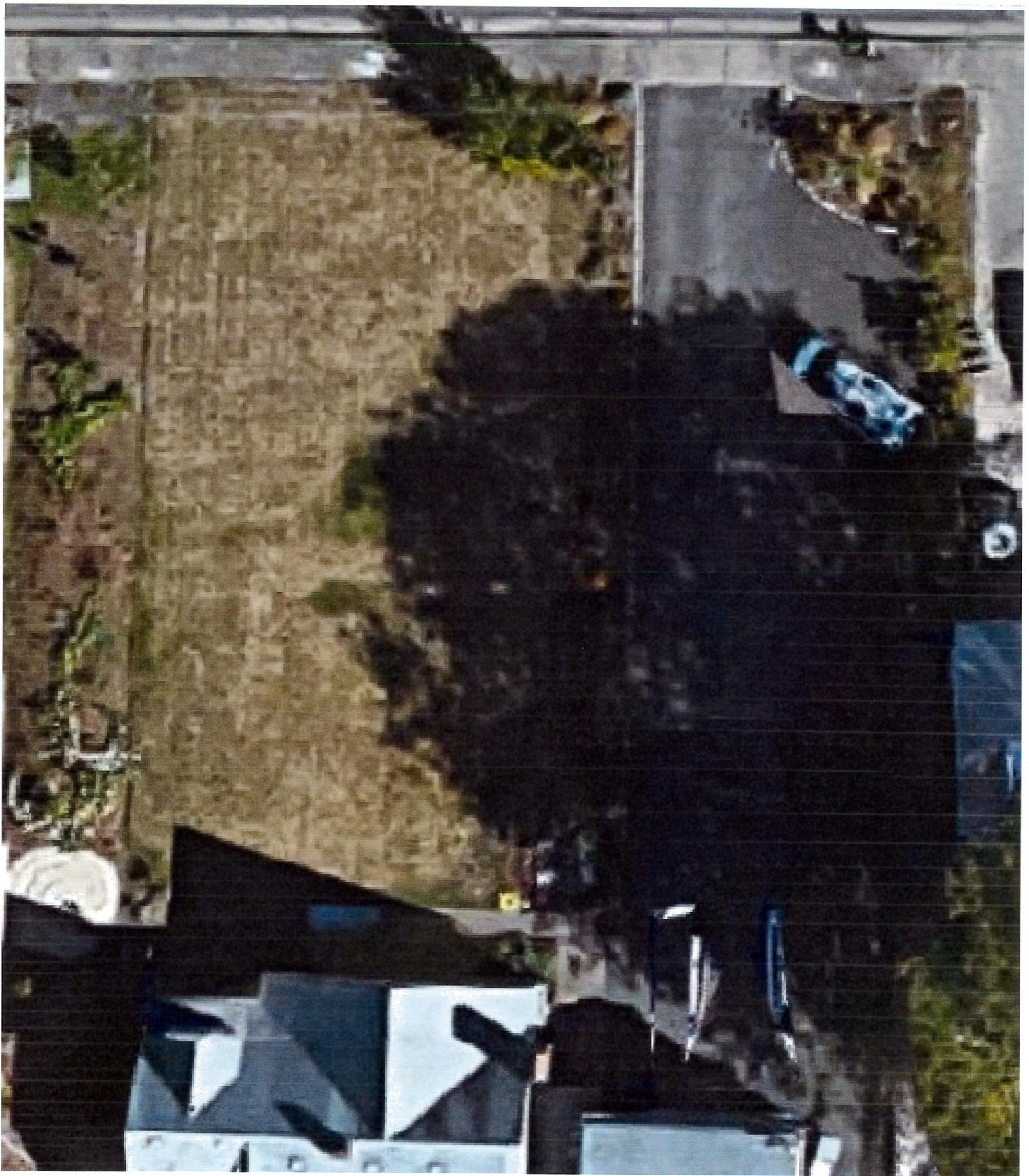
MAY 10 2016

DEVELOPMENT SERVICES

3020 SW Morris Ave, Corvallis OR	Fisher, Catherine E Trust	Description
SCALE: As shown	May 6, 2016	Site Plan & Existing Updaters
		SHEET 1 of 2
		REV A



ATTACHMENT C.2



ATTACHMENT C.3



ATTACHMENT C.4