

Community Development Department

P.O. Box 970 • 414 E First Street • Newberg, Oregon 97132
503-537-1240 • Fax 503-537-1272 • www.newbergoregon.gov

NOTICE OF DECISION
McCleskey ADU Design Review
DR119-0010

November 21, 2019

Daniel McCleskey
615 N Hulet Avenue
Newberg, OR 97132

Dear Mr. McCleskey,

The Community Development Director has approved the design review application DR119-0010 for the conversion of an existing storage building to an accessory dwelling unit at 615 N Hulet Avenue. This decision will become effective on December 5, 2019 unless an appeal is filed.

You may appeal this decision to the Newberg Planning Commission within 14 calendar days of this decision in accordance with Newberg Development Code 15.100.170. All appeals must be in writing on a form provided by the Planning Division. If you wish to appeal, you must submit the written appeal form together with the required fee of \$528.15 to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 pm on December 4, 2019.

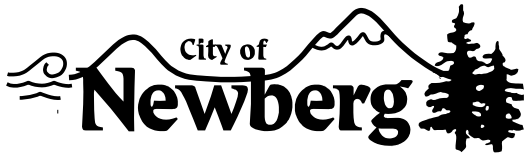
Design review approval is only valid for one year from the effective date above. If design review approval on your project is approaching its expiration date, contact the Planning Division regarding extension opportunities.

If you have any questions, please contact me at 503-554-7778 or keshia.owens@newbergoregon.gov.

Sincerely,

Keshia Owens

Keshia Owens
Assistant Planner
City of Newberg, OR



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STAFF REPORT McCleskey ADU Design Review DR119-0010

FILE NO: DR119-0010
REQUEST: Design review approval for McCleskey ADU
LOCATION: 615 N Hulet Avenue
TAX LOT: R3217DC 06404
APPLICANT: Daniel McCleskey
OWNER: Daniel and Libby McCleskey
ZONE: R-3 (High Density Residential)

FINDINGS

Newberg Development Code 15.220.050(A), Type I. The following criteria are required to be met in order to approve a Type I design review request:

1. Parking. Parking areas shall meet the requirements of NMC 15.440.010.

Finding: There are 2 parking spaces required for the existing single family home, plus an additional parking space for the new ADU. The existing paved driveway can hold up to 2 vehicles and the existing garage can hold 2 additional vehicles. This criterion is met.

2. Setbacks and General Requirements. The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NMC 15.405.010 through 15.405.040 and NMC 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.

Finding: Not applicable. An existing storage building will be converted to an ADU. There will be no changes to setbacks, height, public access, lot coverage, vision clearance or yard requirements.

3. Landscaping Requirements. The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.

Finding: Existing shrubs around the new ADU will be removed and replaced with flowers, shrubs, and small trees that will be in compliance with 15.420.010. This criterion is met.

4. Signs. *Signs shall comply with NMC 15.435.010 et seq. dealing with signs.*

Finding: The proposed work does not include any signage that requires permitting per 15.435.010.

5. Zoning District Compliance. *The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.303 and 15.305..*

Finding: An accessory dwelling unit is an outright permitted use in the R-3 zoning district per 15.445.260.A. This criterion is met.

Newberg Development Code 15.445.060. *The following criteria are required to be met in order to approve an Accessory Dwelling Unit request:*

- A. Location.** *Accessory dwelling units are outright permitted uses in the R-1, R-2, R-3, RP, I and AR zones. Accessory dwelling units are a conditional use in the C-2 and C-3 zones.*

Finding: This proposal for an accessory dwelling unit is located in the R-3 zoning district, where it is outright permitted. This criterion is met.

- B. Limitations.** *An accessory dwelling unit is permitted, providing there is compliance with all of the following standards:*

- 1.** *An accessory dwelling unit may be created within the interior or as an addition to an attached or detached residential structure or as a freestanding accessory building.*

Finding: An existing storage building will be converted into an ADU. This criterion is met.

- 2.** *An accessory dwelling unit may not exceed 50 percent of the size of the primary unit, up to a maximum of 1,000 square feet.*

Finding: The house is 1,108 square feet. The ADU will be 330 square feet, roughly 29 percent of the size of the main house. This criterion is met.

- 3.** *The number of residents permitted to inhabit the accessory dwelling unit is regulated by the current edition of the Oregon Residential Specialty Code.*

Finding: This criterion will be reviewed at the time of building permit submittal.

- 4.** *In addition to the number of parking spaces required for the primary residence, as established in NMC 15.440.030, one on-site parking space shall be provided for the accessory dwelling unit. This parking space shall be paved and/or covered.*

Finding: There are 4 legal parking spaces in total on the site. Two parking spaces are required for a single family home and 1 additional parking space is required for an accessory dwelling unit. This criterion is met.

- 5. Owner occupancy of the primary unit or accessory dwelling unit is not required.**

Finding: Not applicable.

- 6. An accessory dwelling unit cannot be partitioned or subdivided from the parcel of the primary unit if there are shared water and wastewater lines.*

Finding: There are no proposals for a lot partition or subdivision under this application. This criterion is met.

- 7. There shall be compliance with all of the development standards established in the base zone.*

Finding: An accessory dwelling unit is an outright permitted use in the R-3 zoning district, the lot meets setback, height, and vision clearance standards. There will be no changes to the existing lot coverage, parking coverage or the combined maximum lot and parking coverage. This criterion is met.

Conclusion: The proposed design review and accessory dwelling unit meets the applicable criteria as proposed.

Engineering Department Comments

Site Information

Access and Transportation: Access to the lot is provided via a driveway from N Hulet Avenue, which is classified as a local residential street adjacent to the property.

Utilities:

Water: There is an existing 6-inch water line documented in the City's GIS system on N Hulet Avenue.

Wastewater: There is an existing 8-inch public wastewater line documented in the City's GIS system on N Hulet Avenue.

Stormwater: There no stormwater facilities adjacent to the property.

Overhead Lines: There are overhead utility lines along N Hulet Avenue serving the property. New or modified service connections are required to be undergrounded.

Engineering Notes:

Permits required for construction of the proposed ADU include any applicable Building Permits, Public Improvement Permit for frontage improvements or connections to public utilities/infrastructure, and an Erosion and Sedimentation Control (ESC) Permit for any ground disturbance during construction.

1. According to NMC 15.430.010 existing utilities lines shall be placed underground when they are relocated. The applicant should anticipate undergrounding any relocated power service to the proposed single-family home/ADU.
2. Per NMC 12.05.090, if the valuation for the site improvements exceed \$30,000 the applicant shall meet the following requirements:

1. Construct a sidewalk within the dedicated right-of-way for the full frontage in which a sidewalk in good repair does not exist. The sidewalk construction shall be completed within the building construction period or prior to issuance of an occupancy permit, whichever is the lesser.

2. Dedicate right-of-way in accordance with the city transportation plan.

The applicant should anticipate constructing frontage improvements along N Hulet Avenue per the cross-sectional requirements of the City's Transportation System Plan as required through the building permit process. These improvements are likely to include, but are not limited to upgrading the existing sidewalk to meet current ADA requirements.

3. The City of Newberg has stormwater requirements which are outlined in NMC 13.25 Stormwater Management, and the Public Works Design and Construction Standards. Should the applicant create more than 500 square feet of net new impervious surface area they will be required to meet the City's standards for treating and detaining stormwater.