



TYPE II APPLICATION (LAND USE) -- 2015

File #: _____

TYPES - PLEASE CHECK ONE:

- Design review
- Tentative Plan for Partition
- Tentative Plan for Subdivision
- Type II Major Modification
- Variance
- Other: (Explain) _____

APPLICANT INFORMATION:

APPLICANT: Den of Newberg LLC - Same as owner
 ADDRESS: _____
 EMAIL ADDRESS: _____
 PHONE: _____ MOBILE: _____ FAX: _____
 OWNER (if different from above): DEN of NEWBERG PHONE: 503-740-8391
 ADDRESS: 5105 SW 45TH SUITE 201
 ENGINEER/SURVEYOR: ARCHITECT-CONCEPT DESIGN PHONE: 503-515-7418
 ADDRESS: PO BOX 8464 PORTLAND, OREGON

GENERAL INFORMATION:

PROJECT NAME: URSUS PLACE PROJECT LOCATION: 1st of Church
 PROJECT DESCRIPTION/USE: HOUSES w/ ADU
 MAP/TAX LOT NO. (i.e. 3200AB-400): 3220 BS ZONE: R2 SITE SIZE: 1 SQ. FT. ACRE
 COMP PLAN DESIGNATION: _____ TOPOGRAPHY: FUT
 CURRENT USE: SUBDIVISION
 SURROUNDING USES:
 NORTH: COMM SOUTH: RES
 EAST: RES WEST: RES

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: Fees Public Notice Information Current Title Report Written Criteria Response Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Design Reviewp. 12
 Partition Tentative Platp. 14
 Subdivision Tentative Platp. 17
 Variance Checklistp. 20

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

Applicant Signature _____ Date _____

[Signature] 10/26/15
Owner Signature _____ Date _____

Print Name _____

Sean Heyworth
Print Name _____

Attachments: General Information, Fee Schedule, Criteria, Checklists

**Application and Findings
for
Assessory Dwelling Units
in
"Ursus Place Subdivision"
for
Portland Houseworks, LLC**

Property Owner:	Den of Newberg, LLC 5105 SW 45th Ave., #210 Portland, OR 97221
Applicant:	Portland Houseworks, LLC Sean Hayworth/Mike Mitchoff 5105 SW 45th Ave., Suite 201 Portland, OR 97221 503-740-8391/503-891-1999
Applicant's Representative:	Concept Design & Associates PO Box 8464 Portland, OR 97207 503-515-7418
Location:	102, 104 Church Street 1500 1st Street 3220BA-2300, 2400, 2500
Area:	43,205 SF
Zoning:	R-2
Requested Land Use Reviews:	Type II Design Review Approval for accessory dwelling units on 10 lots of "Ursus Place", an 11-lot subdivision

Proposal: The application requests approval for accessory dwelling units on 10 of the 11 lots of "Ursus Place".

Site and Vicinity: The project site is located at the corner of 1st and Church, and previously contained a nursing home and two small dwellings. Across 1st Street to the north is a gas station with convenience store and a Grocery Outlet store. Adjacent properties to the east and south, and across Church Street to the west all contain residential uses.

The proposed development meets Newberg design review standards for zoning and development.

NEWBERG DEVELOPMENT CODE

Chapter 15.302 Districts and Their Amendment

15.302.032 Purposes of each zoning district.

B. R-2 Medium Density Residential District.

1. The purpose of this land use designation is to provide a wide range of dwelling types and styles at an average overall density of nine units per gross buildable acre in the district.

Response: The site is approximately one acre in size, the site is approved for 11 lots for single family dwellings, 10 of which are proposed to contain accessory dwellings.

Chapter 15.305 Zoning Use Table

15.305.010 Classification of uses.

Response: Accessory dwellings are permitted in the R-2 as a Special Use.

15.405.040 Lot Coverage and parking coverage requirements.

A. Purpose. The lot coverage and parking coverage requirements below are intended to:

1. Limit the amount of impervious surface and storm drain runoff on residential lots.
2. Provide open space and recreational space on the same lot for occupants of that lot.
3. Limit the bulk of residential development to that appropriate in the applicable zone.

B. Residential uses in residential zones shall meet the following maximum lot coverage and parking coverage standards.

1. Maximum Lot Coverage.
 - b. R-2 and RP: 50 percent
2. Maximum Parking Coverage. R-1, R-2, R-3 and RP: 30 percent.
3. Combined Maximum Lot and Parking Coverage.
 - a. R-1, R-2 and RP: 60 percent.

Response: Combined maximum lot coverage ranges from 53% to 60%.

Chapter 15.410 Yard Setback Requirements

15.410.020 Front Yard Setback.

A. Residential

1. AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet. Said yard shall be landscaped and maintained.
3. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least 20 feet from the nearest property line of the street to which access will be provided. However, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.

Response: All lots will have a 15' front yard setback, as shown on the plans. Garages on Lots 1-3 will be set back 20', all other lots are accessed from an alley.

Chapter 15.415 Building and Site Design Standards

15.415.020 Building height limitation.

A. Residential.

1. In the R-1, R-2, AR, and RP districts, no main building shall exceed 30 feet in height...

Response: The proposed single-family dwelling structures and associated accessory dwellings will not exceed 30' in height.

Chapter 15.440 Off-Street Parking, Bicycle Parking and Private Walkways

15.440.010 Required off-street parking.

Response: Each lot will accommodate 3-4 parking spaces.

15.440.030 Parking spaces required.

Response: According to the table, 2 off-street parking spaces are required for each 4 bedroom dwelling unit, plus 1.5 spaces for each 2 bedroom dwelling unit. The Accessory Dwelling development standards of 15.445.260 specify that only one paved or covered parking space is required for an accessory dwelling unit. Lots 1-3 will have a garage plus two spaces in the driveway, Lots 4-11 will have a carport, with room for two additional cars in the driveway.

Chapter 15.445 Special Use Standards

Article V. - Accessory Dwelling Units

15.445.250 Purpose

This article provides clear and objective standards for the establishment of accessory dwelling units in existing and new detached single-family residences to achieve the following:

- A. Increase the number of affordable housing units in the community.
- B. Increase residential densities with minimal impact on the quality or character of existing neighborhoods.
- C. Allow small and/or older households to retain large homes as residences.

- D. *Permit young households to achieve home ownership by using the rent from the accessory unit to offset mortgage costs.*
- E. *Provided needed space for elderly family members, teenagers, and/or returning adult children.*

Response: The proposal is to include accessory dwelling units on ten of the single-family lots in the subdivision. The site is within walking distance to George Fox University and will provide additional options for convenient student housing.

15.445.260 *Development Standards*

- A. *Location. Accessory dwelling units are permitted as conditional uses in the R-1 zone and as outright permitted uses in the R-2 and R-3 zones.*

Response: The site is within the R-2 zoning district.

- 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 or as an addition to a detached or attached single-family structure or as a freestanding accessory building.*

Response: As shown on the plans, some of the proposed accessory dwellings will be within the detached single-family structures, others will be a freestanding accessory building.

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

Response: All of the primary units are more than twice the size of the accessory dwellings, as detailed on the plans and square footage synopsis table.

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

Response: According to City staff, the accessory dwellings can legally house up to five people.

- 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.*

Response: Lots 1 & 2 will accommodate up to three parking spaces, lots 4-11 will accommodate up to 4 spaces on the lots.

- 5. *The front door of the accessory unit shall not be located on the front facade of the primary residence unless the door is already existing.*

Response: The front doors of the accessory dwelling are not located on the front facade of the primary residence.

6. *Second story windows 10 feet or less from the property must be made of privacy glass.*

Response: Privacy glass will be utilized as specified.

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

Response: The proposed accessory dwellings are consistent with the applicable development standards of the base zone, as addressed in this document and shown on the plans.

Conclusion: This application for approval of accessory dwelling units on 10 of the 11 lots of 'Ursus Place' meets all of the statutory requirements. Findings have been made in support of the project and the City of Newberg Planning staff can approve this application.



*265-004
URSUS*

Fidelity National Title Company of Oregon
900 SW 5th Avenue
Portland, OR 97204

Date: October 19, 2015
Title No.: 45141518211
County: Yamhill
Dated As Of: October 15, 2015

PROPERTY

We have searched our Tract Indices as to the following described real property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

VESTING

The Den of Newberg, LLC, an Oregon limited liability company

RECORDED INFORMATION

Said property is subject to the following on record matter(s):

1. Unpaid Property Taxes are as follows:

Fiscal Year: 2015-2016
Amount: \$1,226.64, plus interest, if any
Levy Code: 29.0
Account No.: 57235
Map No.: R3220BA 02300
(Affects Parcel 1)

Fiscal Year: 2015-2016
Amount: \$622.06, plus interest, if any
Levy Code: 29.0
Account No.: 57262
Map No.: R3220BA 02400
(Affects Parcel 3)

Fiscal Year: 2015-2016
Amount: \$833.88, plus interest, if any
Levy Code: 29.0
Account No.: 57324
Map No.: R3220BA 02500
(Affects Parcel 4)

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

2. City Liens, if any, in favor of the City of Newberg.

STATUS OF RECORD TITLE REPORT

(continued)

3. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: September 9, 1940

Recording No: Book 117, Page 63

4. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance No. 93-2367

Recording Date: December 13, 1993

Recording No: Film Volume 299, Page 1279

Affects: Parcel 1

5. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in the court decree arising out of the following court case:

Court: Circuit

Case No: CV91-216

Date entered: January 6, 1994

Recorded Date: January 8, 2013

Recording No.: 2013-00291

The above easement was replaced and superseded by that certain Easement

Recorded Date: July 1, 2015

Recording No.: 201509318

6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: TCI Cablevision of Oregon, Inc.

Purpose: Broadband Services

Recording Date: January 4, 2001

Recording No: 200100116

Affects: Parcel 1

7. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey, and disclosed of record by Warranty Deed recorded December 14, 2012, Recorder's No. 2012-18147:

Job No.: 39051

Dated: December 7, 2012

Prepared by: Michael A. Hoffman

Matters shown: The following encroachments are noted:

1. Pedestrian light and sign encroach up to 1.3 feet Northerly into the public right of way.
2. Gate for pedestrian ingress/egress over the Easterly and Southerly lot lines.
3. Block wall encroaches up to 0.3 feet Southerly into the neighboring property.
4. Neighboring chainlink fence encroaches up to 0.2 feet Northerly on the the subject property.

STATUS OF RECORD TITLE REPORT

(continued)

8. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

9. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$300,000.00
Dated: June 19, 2014
Trustor/Grantor: The Den of Newberg, LLC, an Oregon limited liability company
Trustee: Fidelity National Title of Oregon
Beneficiary: George Heyworth
Recording Date: October 17, 2014
Recording No.: 201413217

10. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$300,000.00
Dated: June 19, 2014
Trustor/Grantor: The Den of Newberg, LLC, an Oregon limited liability company
Trustee: Fidelity National Title of Oregon
Beneficiary: George & Connie Heyworth Revocable Trust
Recording Date: November 12, 2014
Recording No.: 201414203

THIS REPORT IS TO BE UTILIZED FOR INFORMATION ONLY.

Any use of this report as a basis for transferring, encumbering or foreclosing the real property described will require payment in an amount equivalent to applicable title insurance premium as required by the rating schedule on file with the Oregon Insurance Division.

The liability for Fidelity National Title Company of Oregon is limited to the addressee and shall not exceed the No Dollars And No/100 Dollars (\$0.00) paid hereunder.

FIDELITY NATIONAL TITLE COMPANY OF OREGON

Sincerely,



Kerry Steinmetz
VP Development Service Group
Kerry.Steinmetz@fnf.com

EXHIBIT "A"
Legal Description

PARCEL 1:

Lots 16, 15, 14 and the West 40 feet of Lot 13, Block A of the Amended Plat of Block A of HOBSON'S ADDITION to the City of Newberg, County of Yamhill, State of Oregon.

TOGETHER WITH that portion of alley which would inure thereto, by reason of its vacation, as disclosed by Ordinance No. 93-2367, recorded December 13, 1993 in Film Volume 299, Page 1279, Deed and Mortgage Records.

PARCEL 2:

A permanent, non-exclusive easement for access, ingress and egress as awarded by Judgment arising from Case No. CV91216, entered January 6, 1994 in the Circuit Court of the State of Oregon for Yamhill County, said easement being described as follows:

Beginning at a point on the North line of that certain tract of land described in Film Volume 254, Page 191, Deed Records of Yamhill County, Oregon, said point bears South 89°59'00" West 33.00 feet from the Northeast corner of said tract of land and running thence South 80.00 feet; thence South 14°37'36" East 23.76 feet; thence East 27.00 feet; thence South 26.00 feet; thence South 89°59'00" West 120.0 feet; thence North 35.00 feet; thence North 83°44'56" East 60.27 feet; thence North 00°59'02" West 54.15 feet; thence North 01°41'43" West 33.33 feet; thence North 89°59'00" East 29.00 feet to the Point of Beginning.

PARCEL 3:

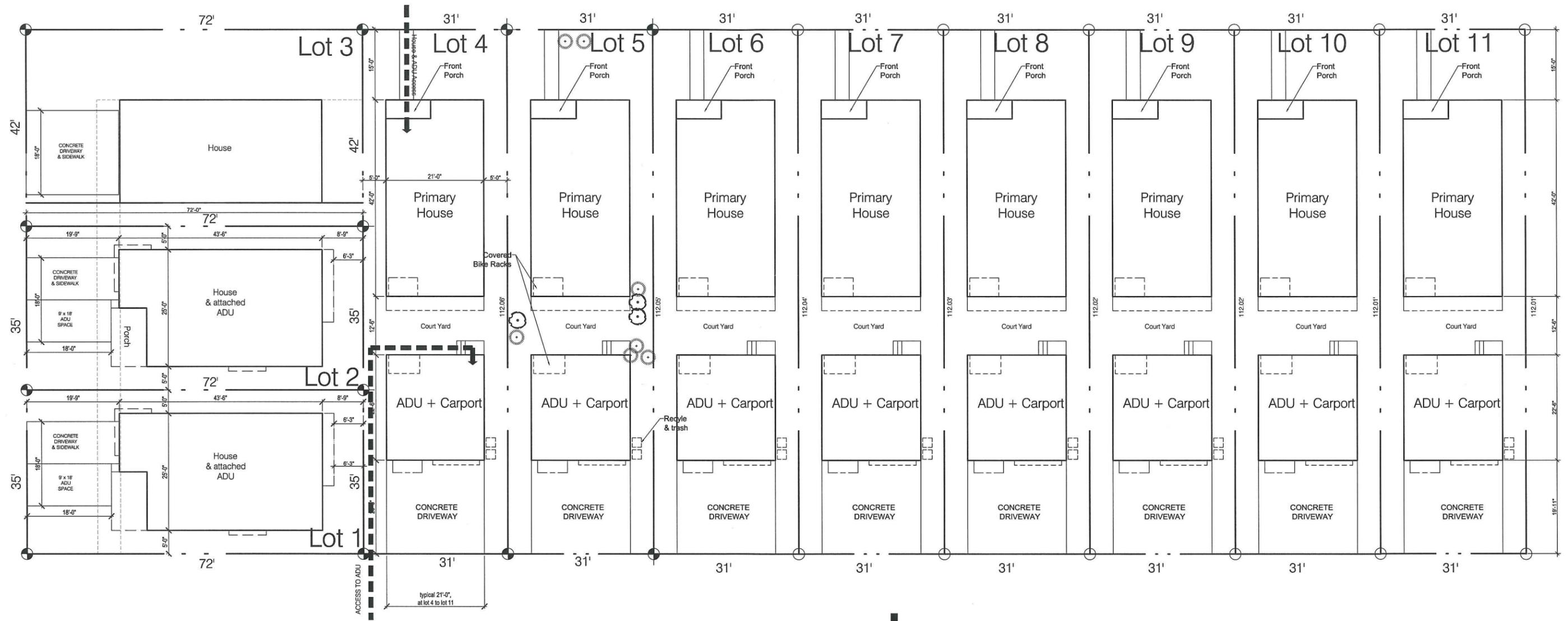
The North 65 feet of Lots 17 and 18 in Block A, HOBSON'S ADDITION to the City of Newberg, County of Yamhill, State of Oregon.

PARCEL 4:

The South 70 feet of Lots 17 and 18, Block A, HOBSON'S ADDITION to the Town (now City) of Newberg, County of Yamhill, State of Oregon.

East 1st St

Church Street



Private Drive



SITE PLAN

SCALE : 1" = 10'-0"

DATE: 10-21-2015
 PROJECT #: 15-089
 PROJECT ADDRESS: CHURCH ST, NEWBERGE, OR
 PROPOSED FOR: Portland HouseWork Inc



P.O. BOX 8464 - PORTLAND - OREGON 97207
 PHONE: 503-515-7418

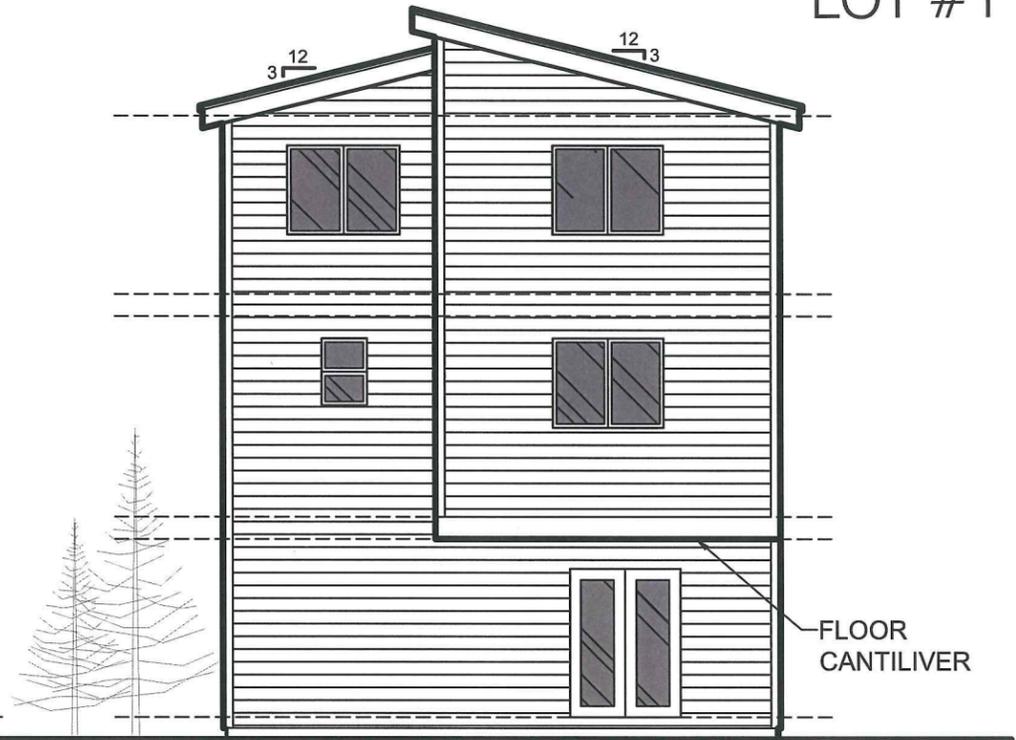
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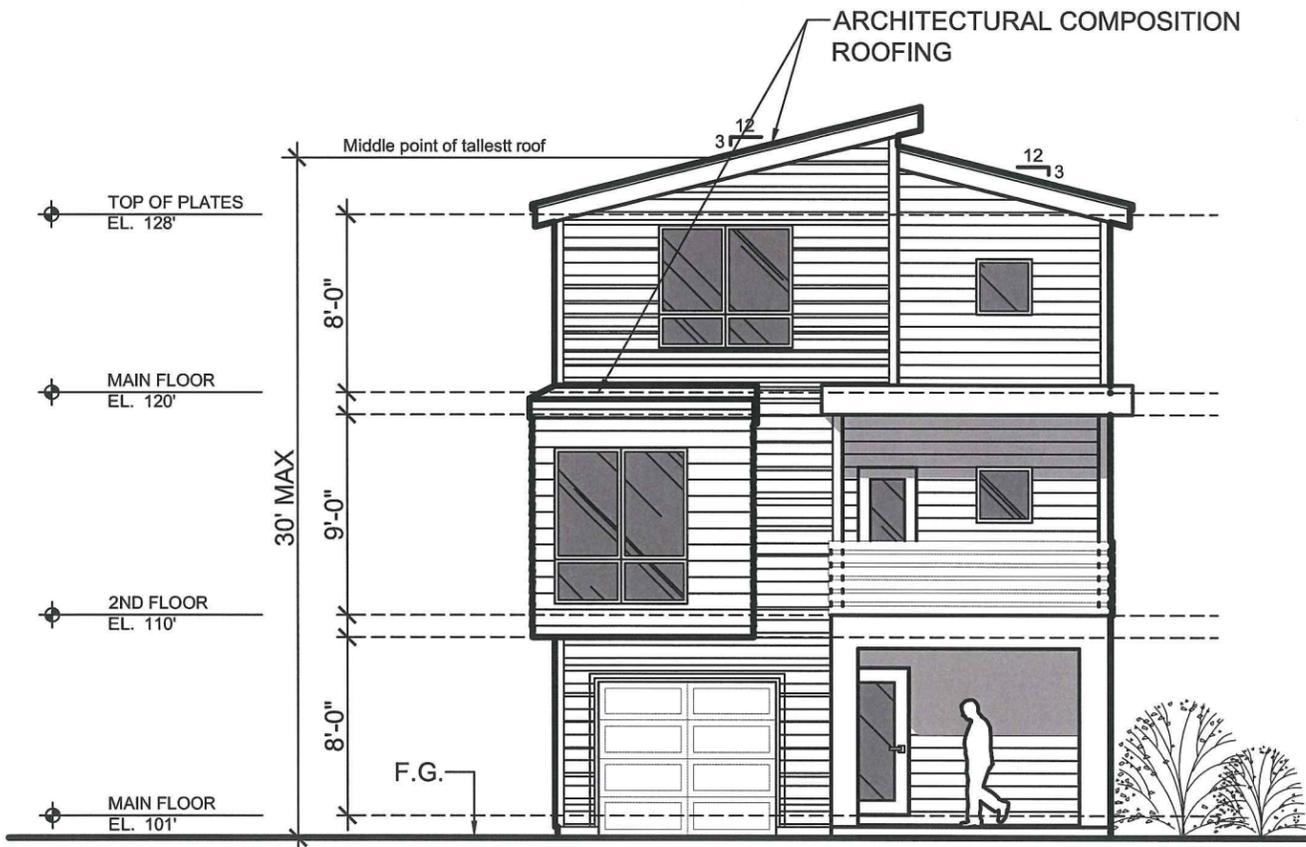
A00



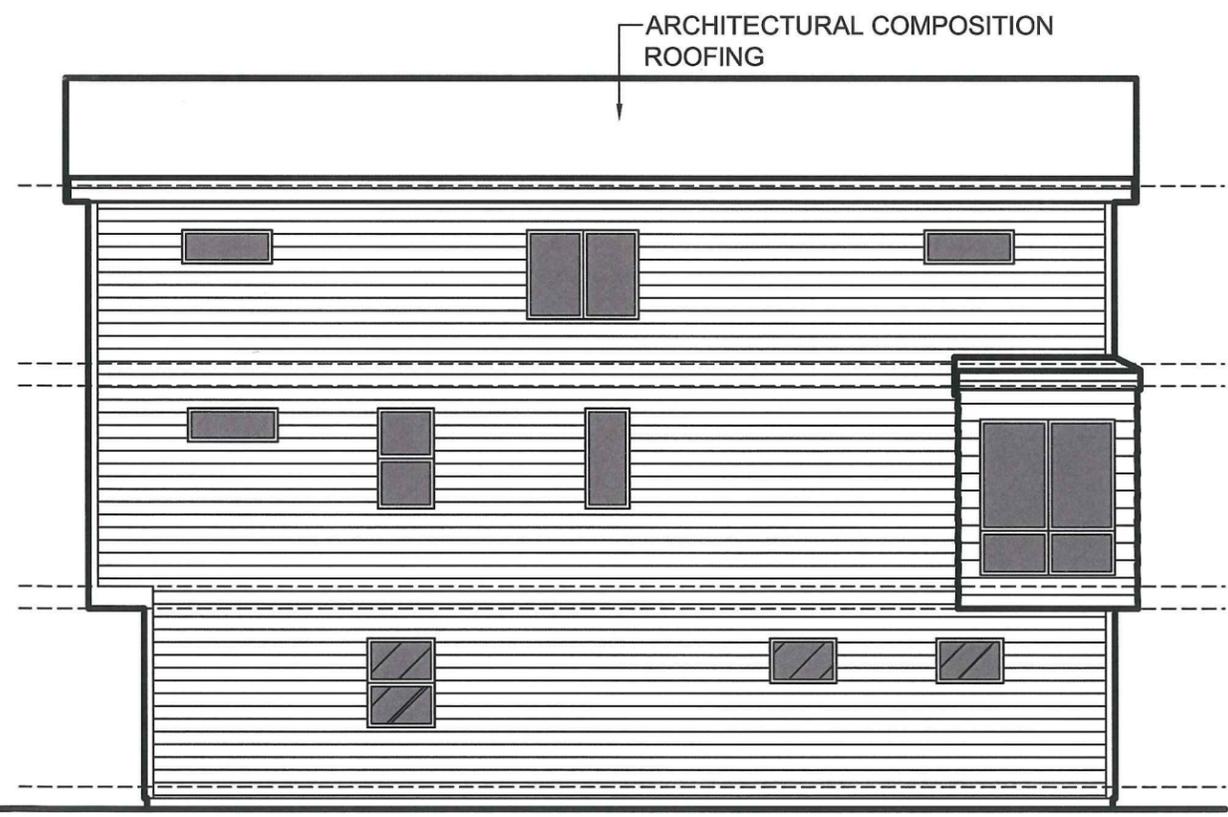
3
A03 RIGHT - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



4
A03 REAR - EAST ELEVATION
SCALE: 1/8" = 1'-0"



2
A03 FRONT - WEST ELEVATION
SCALE: 1/8" = 1'-0"



1
A03 LEFT - NORTH ELEVATION
SCALE: 1/8" = 1'-0"

TOP OF PLATES
EL. 128'

8'-0"

MAIN FLOOR
EL. 120'

9'-0"

2ND FLOOR
EL. 110'

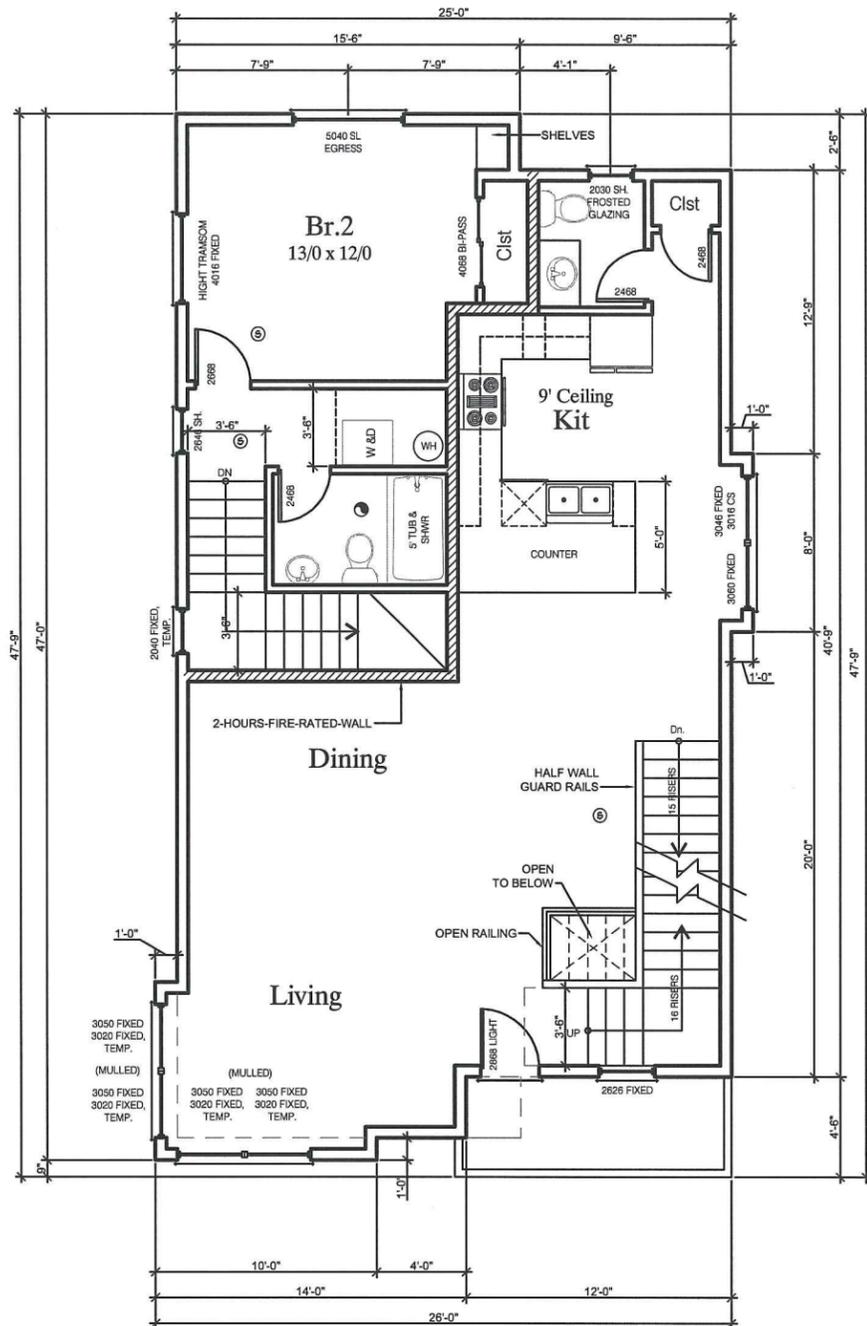
8'-0"

MAIN FLOOR
EL. 101'

30' MAX

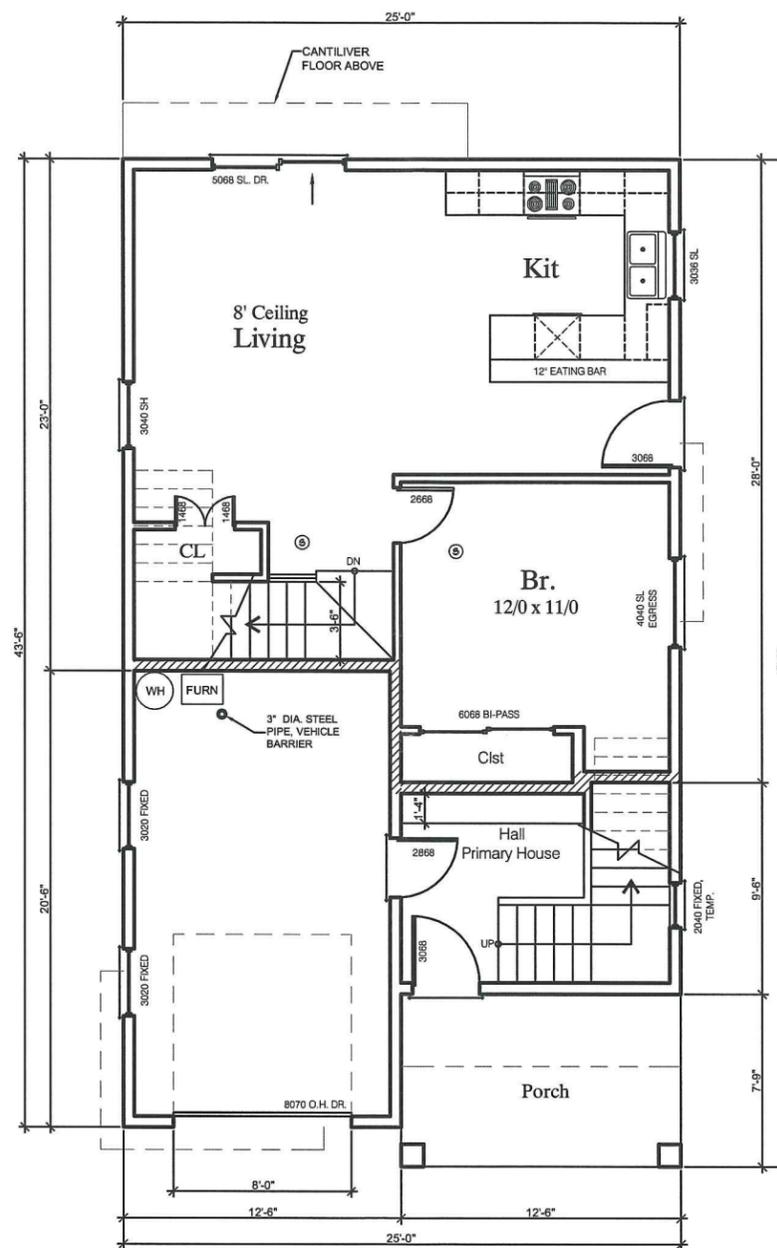
Middle point of tallest roof

F.G.



2
A04 **2ND FLOOR PLAN** — N

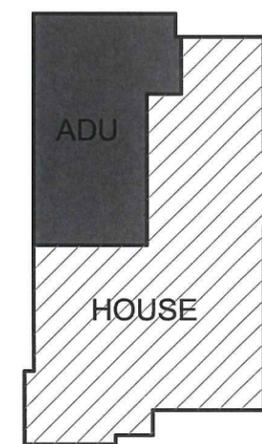
SCALE: 1/8" = 1'-0"
ADU
2ND FLOOR LIVING AREA: 278 SF
TOTAL LIVING AREA: 903 SF
PRIMARY HOUSE
2ND LIVING AREA: 774 SF



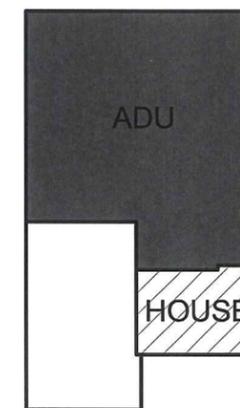
1
A04 **MAIN FLOOR PLAN** — N

SCALE: 1/8" = 1'-0"
ADU
MAIN FLOOR LIVING AREA: 625 SF
PRIMARY HOUSE
MAIN LIVING AREA: 122 SF
GARAGE: 249 SF
PORCH: 97 SF

FLOOR LEGEND:



2ND FLOOR PLAN



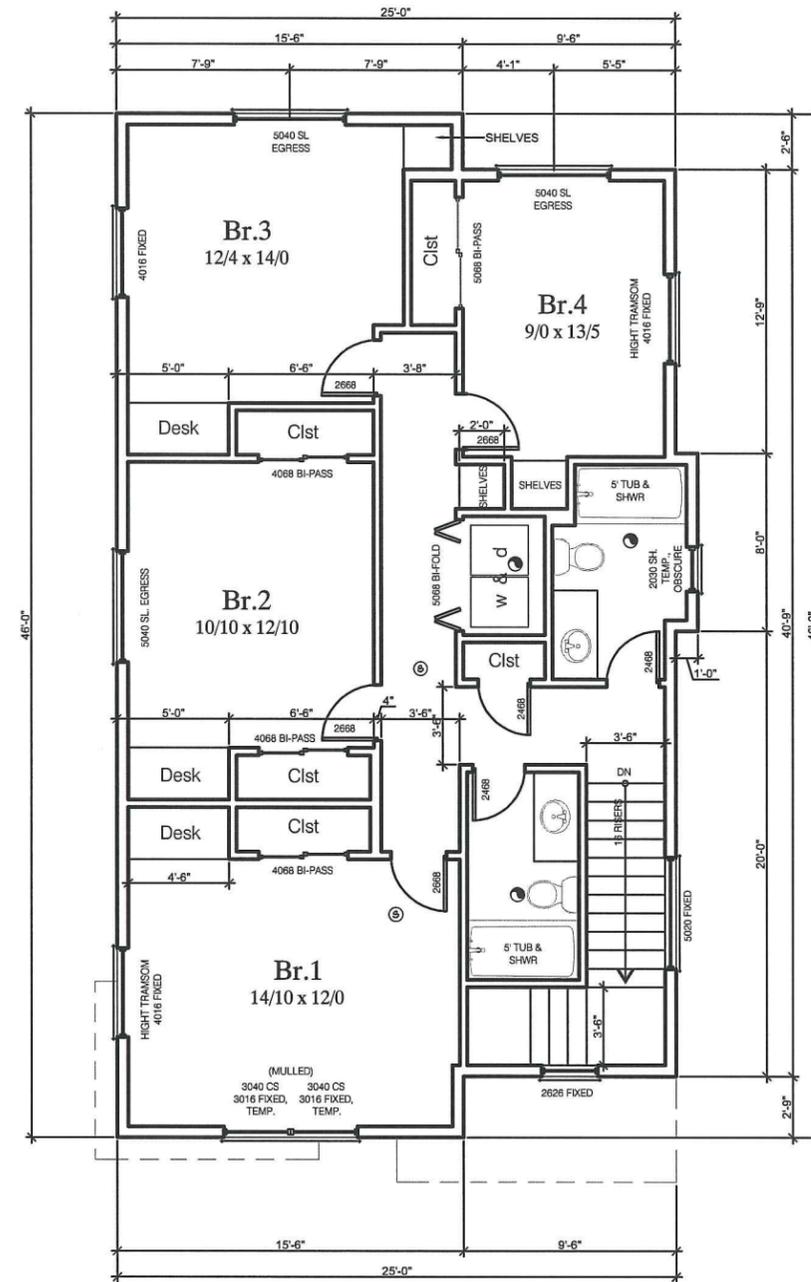
MAIN FLOOR PLAN

DATE: 10-20-2015
PROJECT #: 15-089
PROJECT ADDRESS: LOT 1 & LOT 2, CHURCH ST., NEWBERGE, OR
PROPOSED FOR:

Portland HouseWork Inc

PRIMARY HOUSE WITH ATTACHED ADU

A04



1
A05

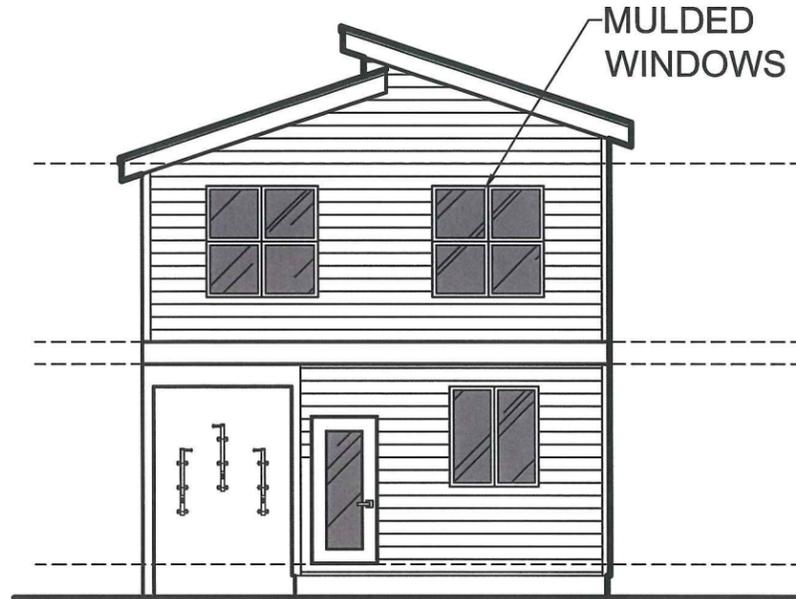
3RD FLOOR PLAN

SCALE: 1/8" = 1'-0"
PRIMARY HOUSE
3RD FLOOR LIVING AREA: 1,045 SF
TOTAL LIVING AREA: 1,941 SF

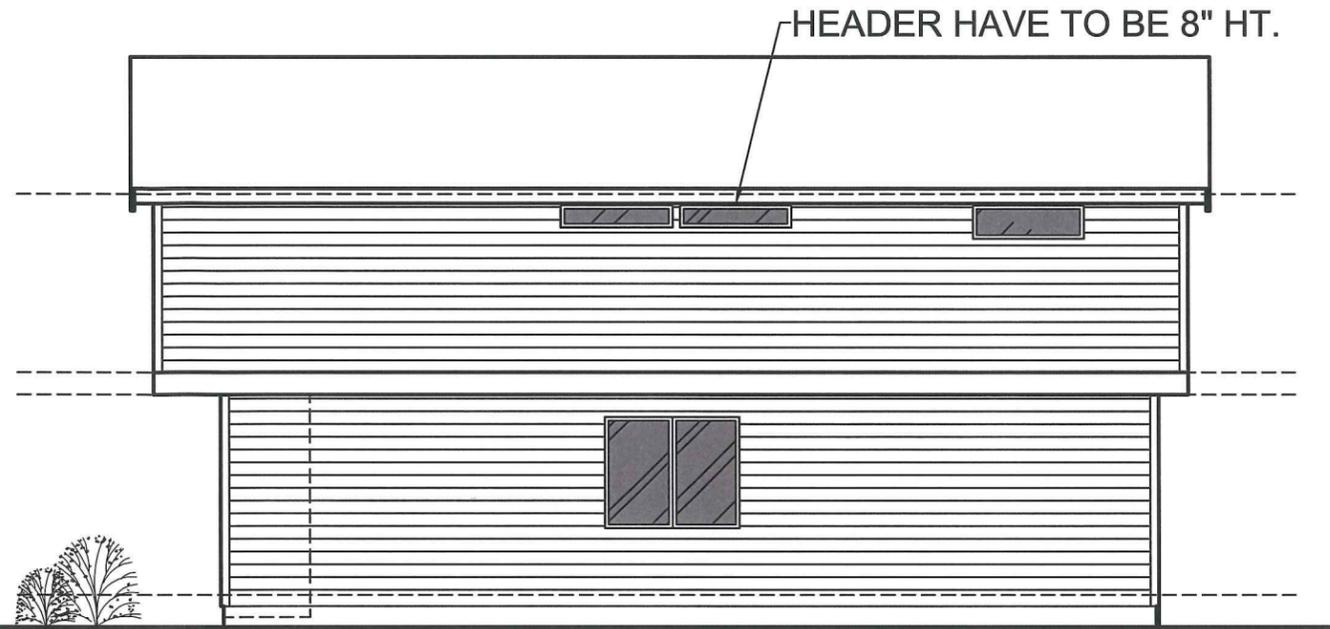


PRIMARY HOUSE WITH ATTACHED ADU

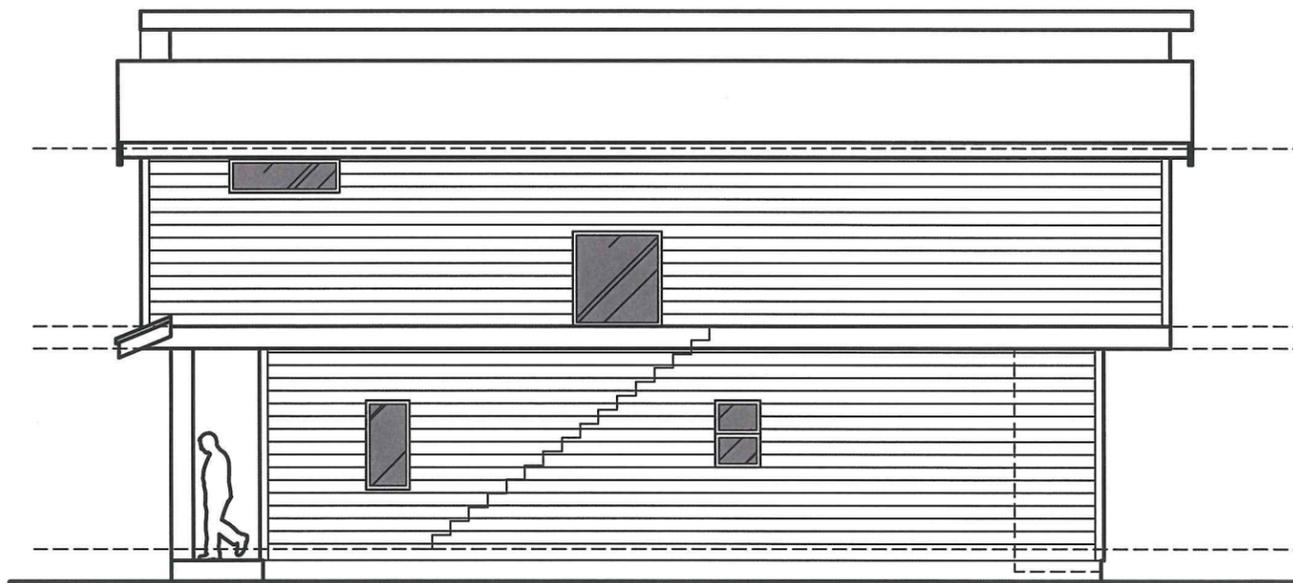
A05



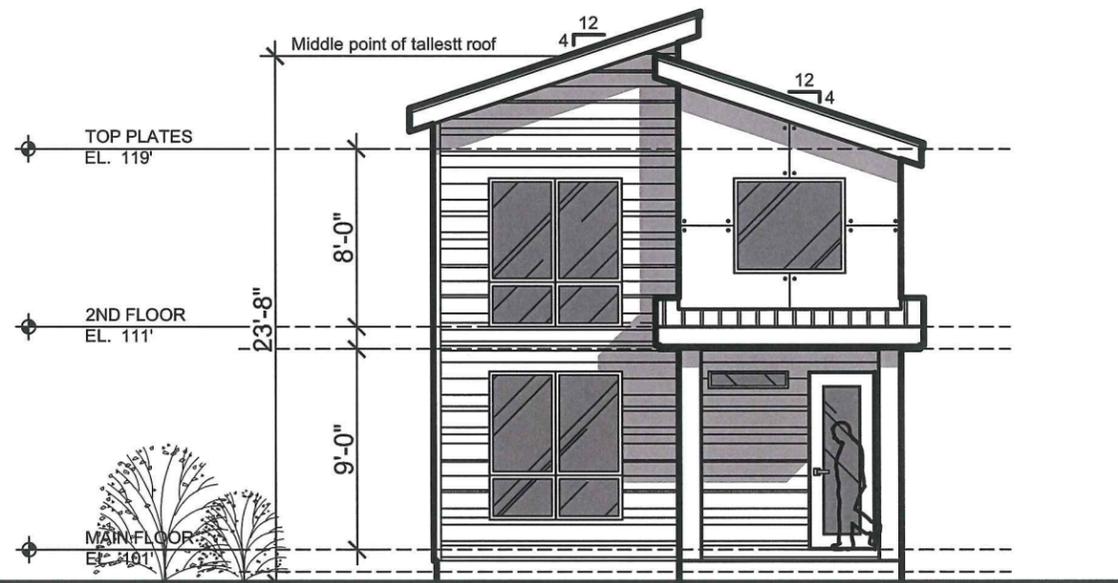
3 REAR - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



4 LEFT- EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 RIGHT - WEST ELEVATION
SCALE: 1/8" = 1'-0"



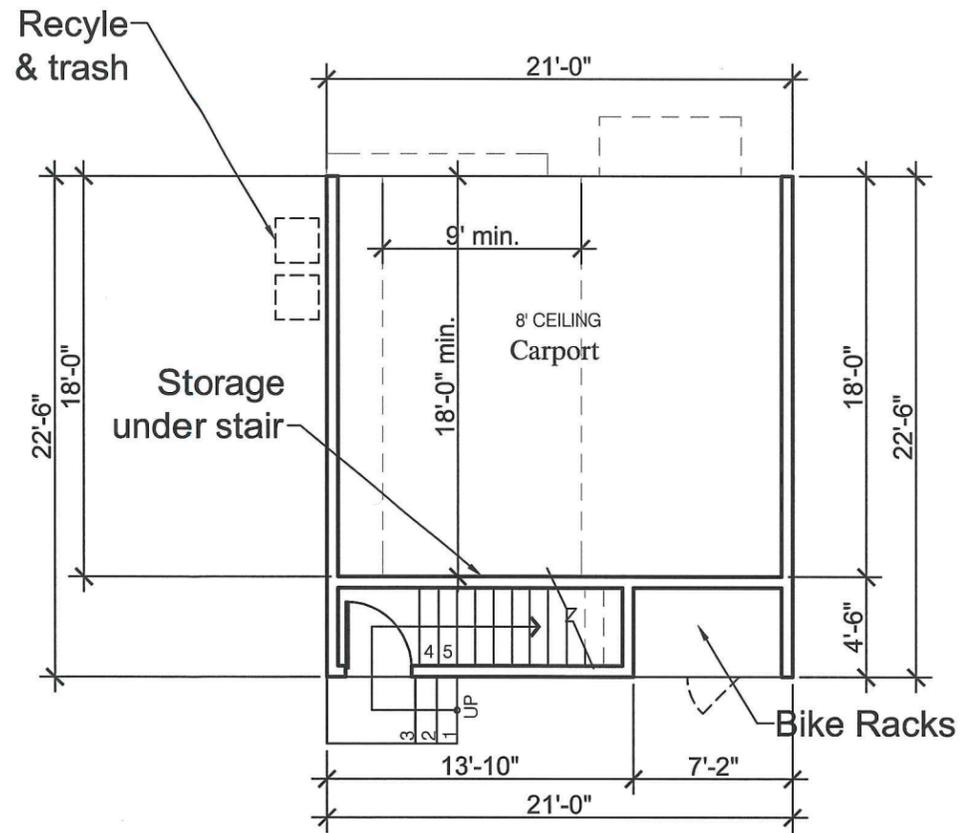
1 FRONT - NORTH ELEVATION
SCALE: 1/8" = 1'-0"

DATE: 10-20-2015
PROJECT #: 15-089
PROJECT ADDRESS: LOT 4-11, EAST 1ST ST, NEWBERGE, OR
PROPOSED FOR:

Portland HouseWork Inc

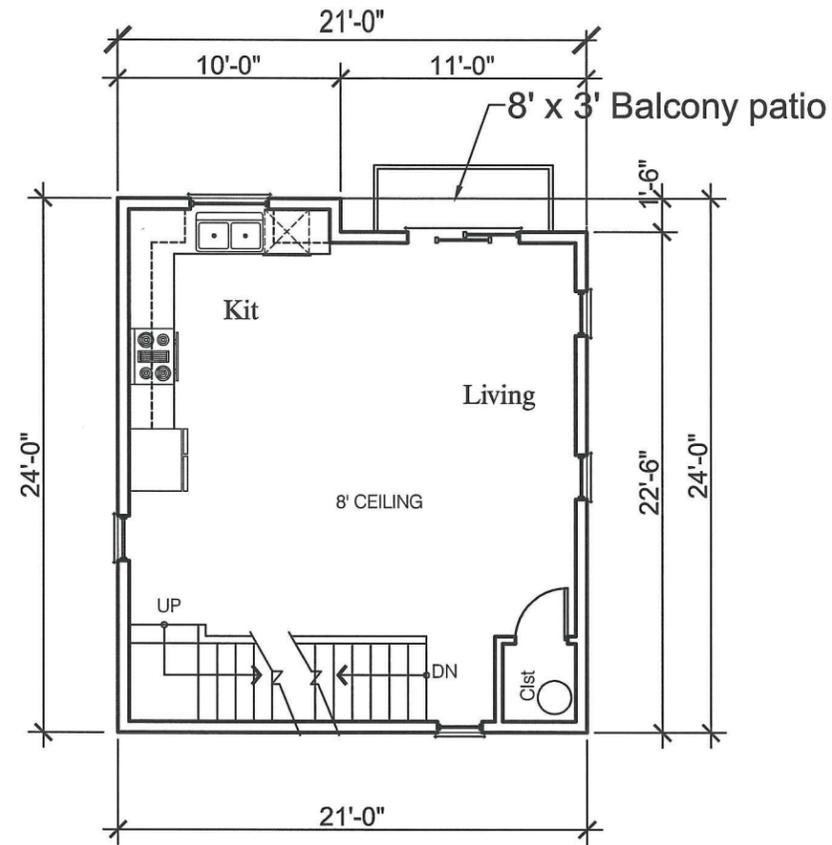
PRIMARY HOUSE

A06



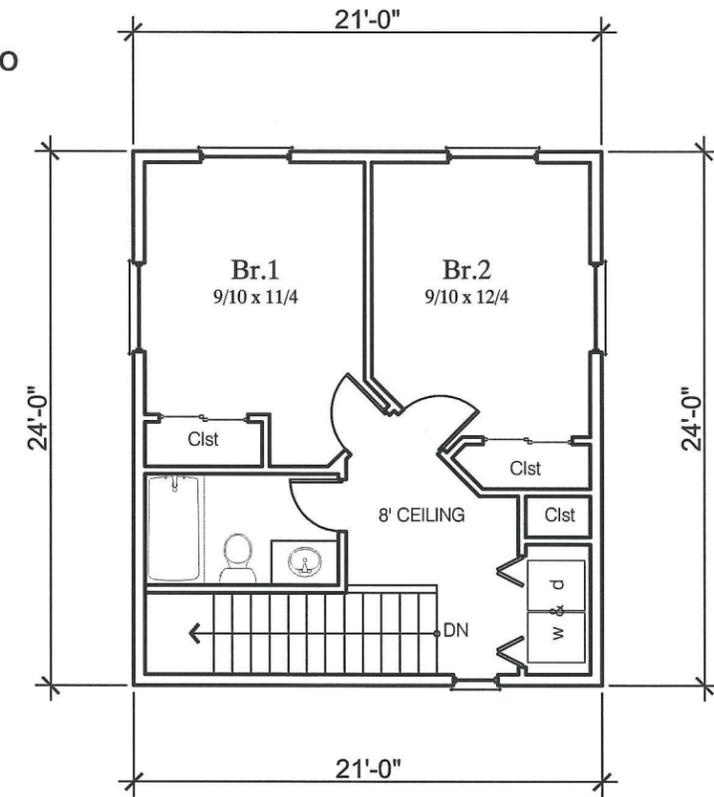
1 MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"

STAIR AREA: 62 SF - NONE LIVABLE
CARPORT AREA: 378 SF
BIKE RACKS: 32.5 SF



2 2ND FLOOR PLAN
SCALE: 1/8" = 1'-0"

ADU
2ND LIVING AREA: 424 SF



2 2ND FLOOR PLAN
SCALE: 1/8" = 1'-0"

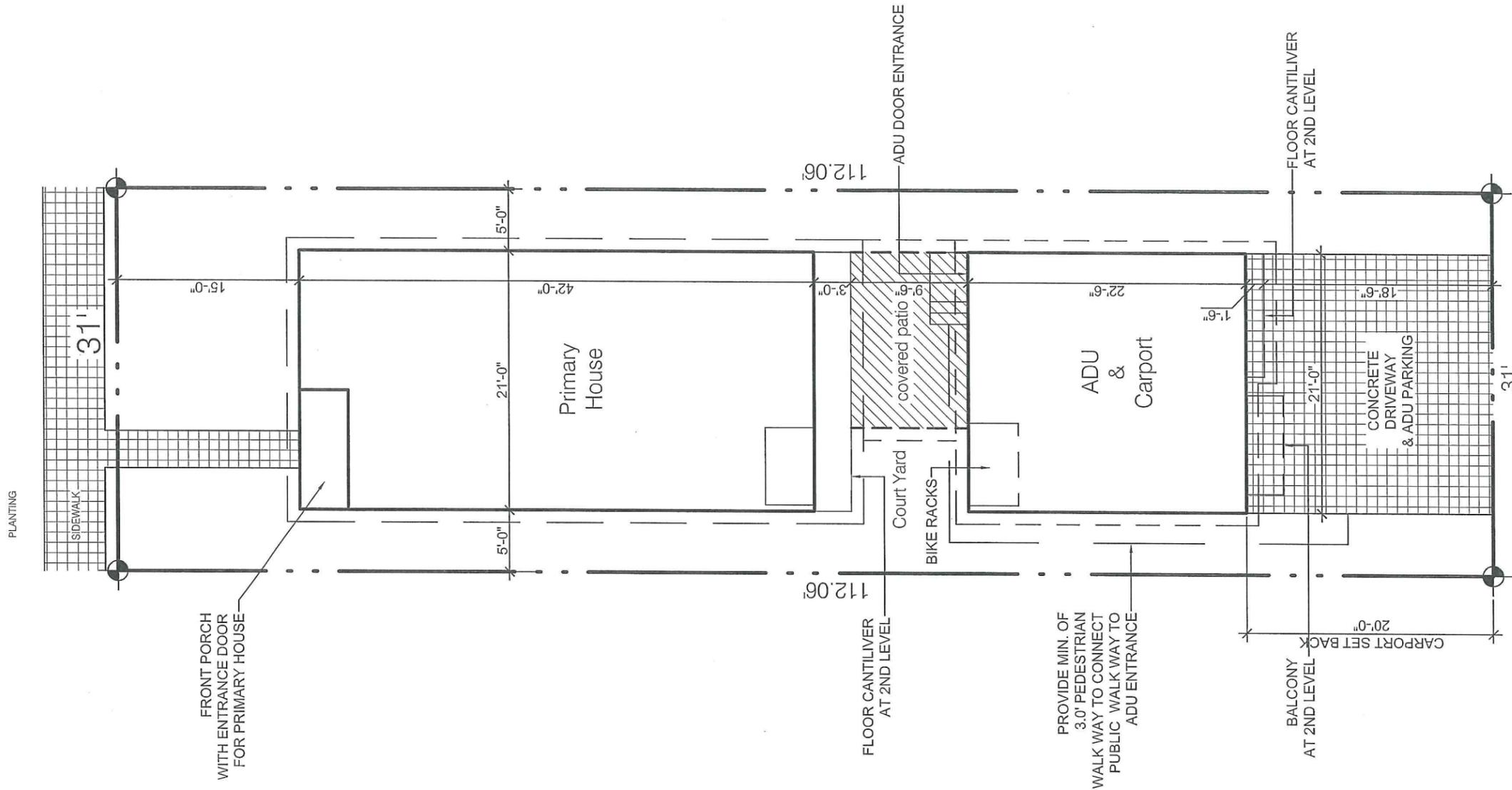
ADU
3RD LIVING AREA: 447 SF
TOTAL LIVING AREA: 871 SF

DATE: 10-20-2015
PROJECT #: 15-089
PROJECT ADDRESS: LOT 4-11, EAST 1ST ST, NEWBERGE, OR
PROPOSED FOR:
Portland HouseWork Inc

ADU & CARPORT

East 1st St

LOT # 4 - 11



Private Street — N

SITE PLAN

SCALE : 1" = 10'-0"

ZONING: _____ R2
 LOT NUMBERS: _____ 4 -TO 11
 LOT AREA: _____ 3,472 SF
 LOT COVERAGE:
 PRIMARY HOUSE: _____ 945 SF
 DETACHED ADU: _____ 487 SF
 TOTAL LOT COVERAGE: _____ 1,432 SF
 DRIVEWAY & ADU PARKING: _____ 420 SF
 TOTAL COMBINED COVERAGE
 (HOUSE, ADU & PARKING): _____ 1,852 SF

TOTAL ADU LIVING AREA: _____ 871 SF
 TOTAL HOUSE LIVING AREA: _____ 1,750 SF



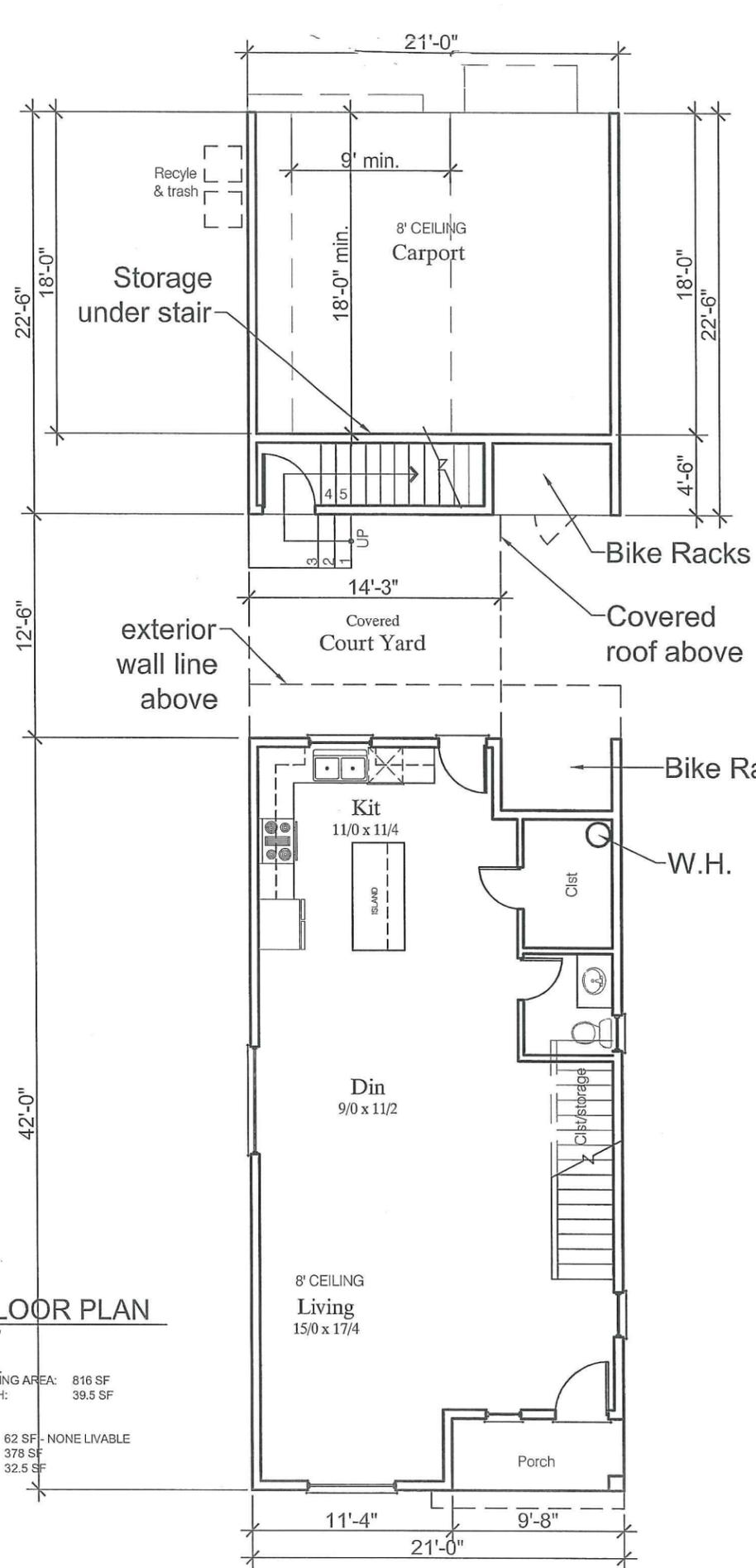
DATE: 11-24-2015
 PROJECT #: 15-089
 PROJECT ADDRESS: LOT 4-11, EAST 1ST ST, NEWBERGE, OR
 PROPOSED FOR: Portland HouseWork Inc

PROJECT ADDRESS:

LOT 4 - LOT 11

A02

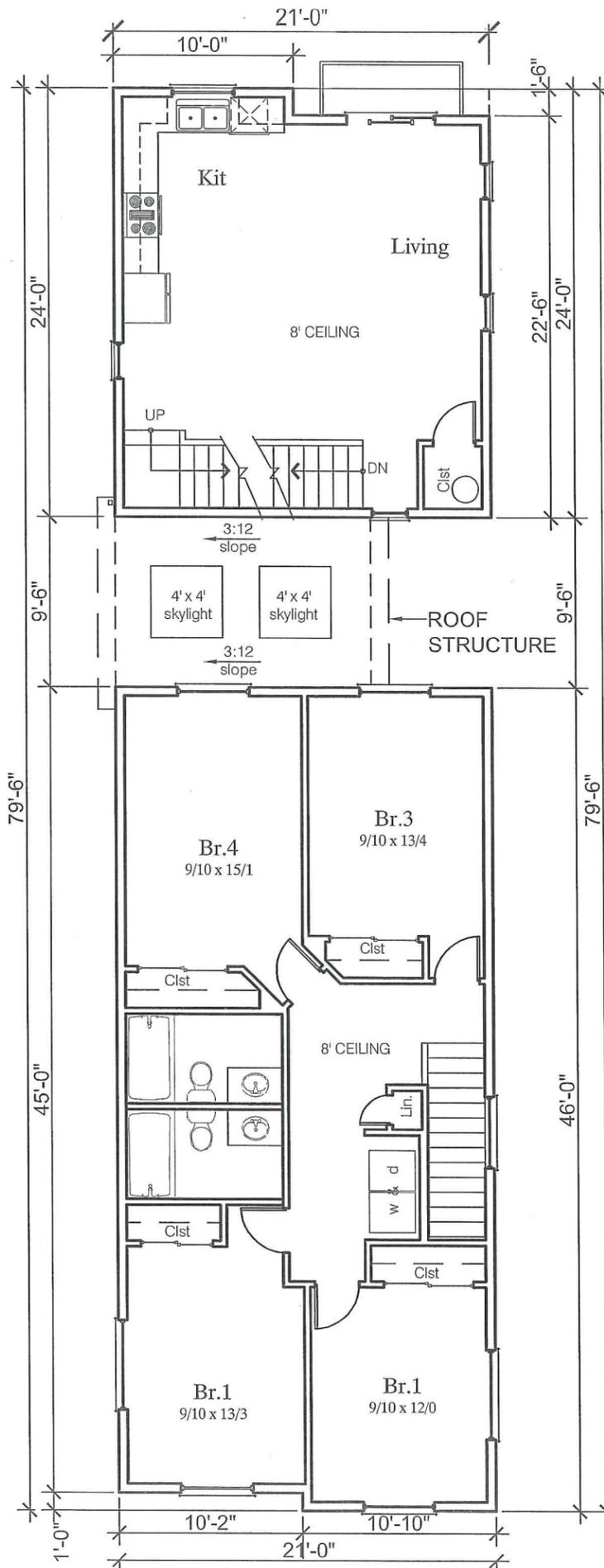
LOT # 4-11



1 MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"

PRIMARY HOUSE
MAIN FLOOR LIVING AREA: 816 SF
COVERED PORCH: 39.5 SF

ADU:
STAIR AREA: 62 SF - NONE LIVABLE
CARPORT AREA: 378 SF
BIKE RACKS: 32.5 SF



2 2ND FLOOR PLAN
SCALE: 1/8" = 1'-0"

PRIMARY HOUSE
2ND LIVING AREA: 934 SF

TOTAL LIVING AREA: 1,750 SF

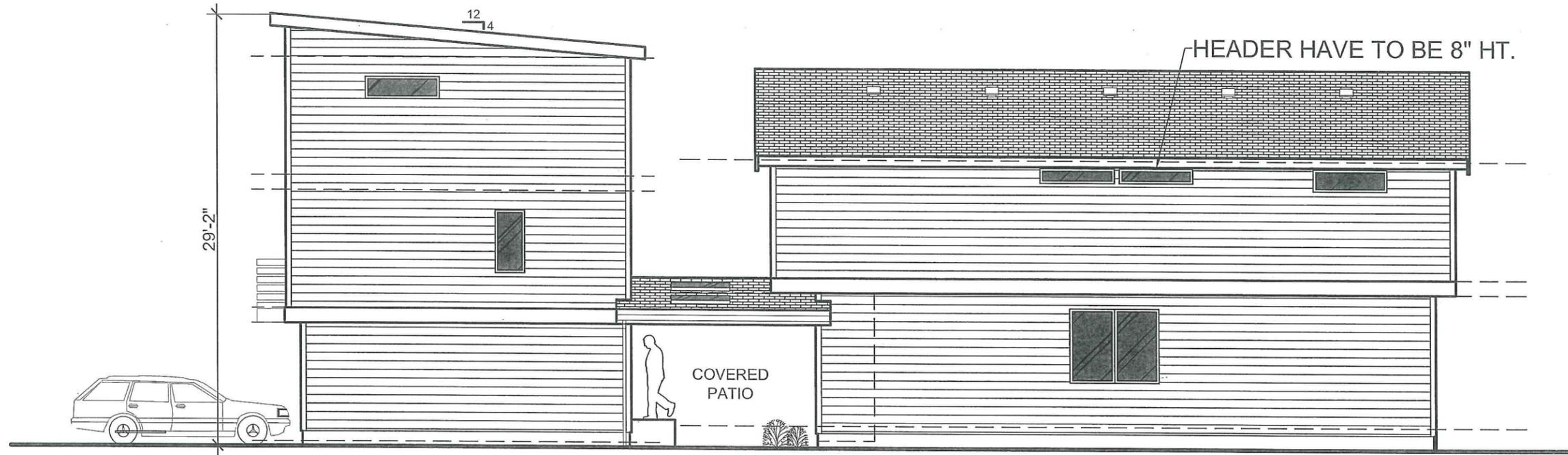
ADU
2ND LIVING AREA: 424 SF

DATE: 11-24-2015
PROJECT #: 15-089
PROJECT ADDRESS: LOT 4-11, EAST 1ST ST, NEWBERG, OR
PROPOSED FOR:

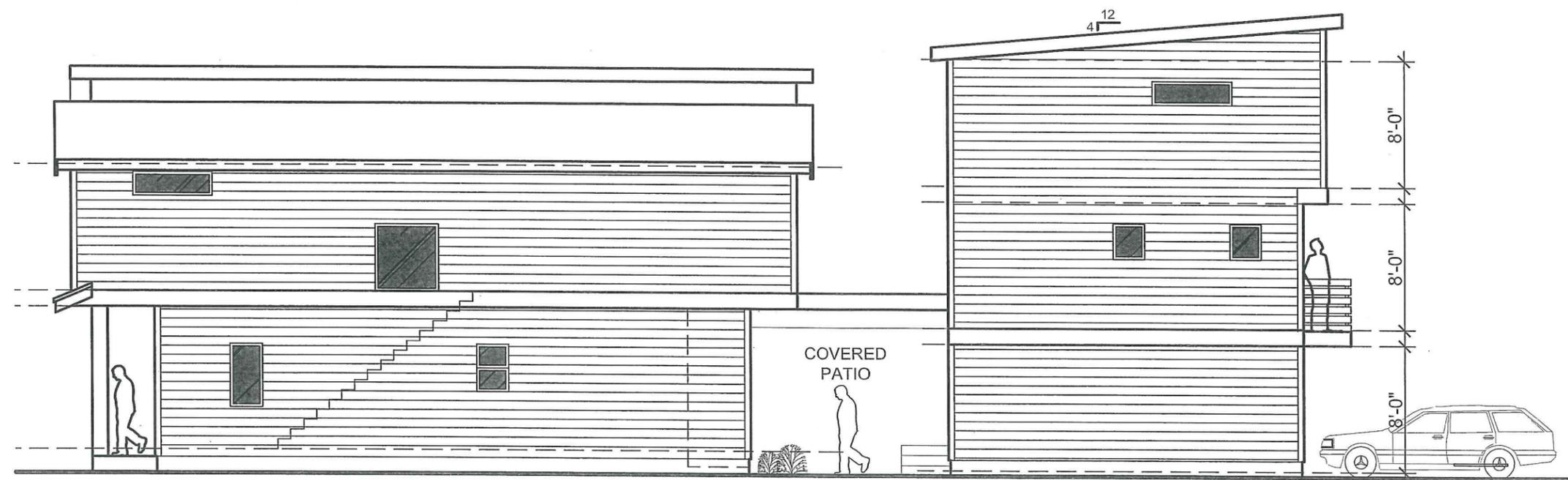
Portland HouseWork Inc

PRIMARY HOUSE

A07



2 WEST SIDE ELEVATION
SCALE: 1/8" = 1'-0"



1 EAST SIDE ELEVATION
SCALE: 1/8" = 1'-0"

DATE: 11-24-2015
PROJECT #: 15-089
PROJECT ADDRESS: LOT 4-11, EAST 1ST ST, NEWBERGE, OR
PROPOSED FOR:
Portland HouseWork Inc

ADU & CARPORT