

# North end property topic of discussion

## Proposal is to build five houses on sloped land

By Erick Bengel  
Cannon Beach Gazette

A city planning commission discussion about the development of a lot on North Laurel Street, where the property owner hopes to restore one historic cottage and build four new family-sized homes, will continue Jan. 22.

But, before Jeff Nicholson can proceed with the as-yet-undesigned structures, he must persuade the planning commission to make an exception to the city code's "slope density rule," which limits the number of houses a property owner can build on land that is significantly sloped.

The task is proving more strenuous than he anticipated.

### A slippery slope

Having purchased the 0.57-acre property for \$895,000 last year, Nicholson, of Portland, plans to tear down the 95-year-old house on the lot's northwest corner and rebuild it with the original materials according to current building codes.

He also wants to build four additional cottages on that same parcel, which slopes on its west and northeast portions. The slope density rule, however, doesn't permit so many houses on so little land when the slope is greater than 30 percent.

Instead, the city has consolidated what, on a more level property, would be four buildable 5,000-square-foot lots and two half-sized lots into one buildable 25,000-square-foot lot.

"That makes some sense. We don't want dense development on steeply sloping property" because such property is "more likely to be unstable," City Planner Mark Barnes said at the planning commission's December meeting.

But Nicholson believes that the ground, though sloped, is stable enough to support the four envisioned cottages.

In addition, he and his attorney have argued, based on their reading of the city code, that the slope density rule applies only to future subdivisions rather than existing subdivisions. The Seal Rock Beach subdivision that encompasses Nicholson's property was platted in 1890.

After the city denied Nicholson's application for a development permit, he took his case to the planning

commission, which also denied his request 5 to 1 last August. The City Council in October turned down his appeal. He then went to the State Land Use Board of Appeals (LUBA), where his appeal is still pending.

### A tight fit

To avoid following through with the LUBA appeal, Nicholson returned to the planning commission last month, requesting a variance to the city code. He bolstered the variance request with a request for a planned development permit, which gave him the chance to explain his ideas for the site.

But, even though Nicholson provided geotech data testifying to the site's soil stability — backed up by the testimony of Matthew Dolan, from KPFF Consulting Engineers in Portland — the commissioners had an altogether different objection to Nicholson's proposal: They just couldn't picture how four new cottages, plus the existing cottage, could fit into a such a tight space.

Commissioner Joe Bertin expressed concern that, with setbacks and a shared driveway included, Nicholson's development plan "pretty much uses up every square inch possible, and there's not much real common area," he said. "It's

incumbent upon you to sell this, and if we can't see it, it's hard for us to buy it."

"I can't picture it either," commissioner Lisa Kerr said. "I just can't."

The commission finally voted to leave the public hearing open and continue the discussion at the Jan. 22 meeting.

Some members suggested that Nicholson provide architectural site plans or a three-dimensional model to help flesh out his vision. Until then, they made it clear that they could not support his proposal.

"I would like to see this work, but I'm reluctant to go along with approving it without being able to visualize some way that those houses, and that driveway, could be there," commissioner Bob Lundy said.

If Nicholson is ultimately unsuccessful and forced to live with what, for development purposes, amounts to one lot that happens to be 25,000 square feet, he will still be able to fix up the old cabin, but no more primary single-family-sized dwellings will be permitted on the site, Barnes said.

At most, Nicholson could build a 600-square-foot accessory dwelling, or a small structure like a garden shed or a detached garage, Barnes added.

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## Class offered on Facebook for businesses

A two-hour workshop that provides an introduction to Facebook for businesses is planned in Seaside and Astoria Jan. 20.

Jane Francis, a personal computer trainer, will teach the class, which will meet from 8:30 to 10:30 a.m. in Clatsop Community College's South County campus computer lab, 1455 N. Roosevelt Drive, Seaside.

The class will meet later that day from 5:30 to 7:30 p.m. in Clatsop Community College's Towler Hall, room 105, 1651 Lexington Ave., Astoria.

Business operators will learn how to create a Facebook account, set sharing preferences, add friends to their networks and engage customers. They also will learn how to create a business page separate from their personal Facebook pages.

Email SBDC@clatsopcc.edu for a registration link, or call 503-338-2402. Cost is \$15 per workshop, payable at class by check or credit card.

## Scholarship winner



Howard Hazelett, the master of Evergreen Masonic Lodge in Seaside, presents Haylie Moon with a \$500 check from the lodge's Stanley Abramson Scholarship Fund. Moon graduated from Seaside High last June and attends nursing school in Portland.

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