

Council to consider North Laurel Street proposal

Three new homes and a rebuilt cottage are proposed

By Erick Bengel
Cannon Beach Gazette

The fate of property on North Laurel Street, where landowner Jeff Nicholson wants to build three regular family-sized houses and rebuild an existing 99-year-old cottage on the northwest corner may be decided by the City Council Feb. 10.

Nicholson, of Portland, hopes to rebuild the cottage to modern building standards but use the house's original building materials. In its current state, the historic cottage is "on its last legs," Nicholson said.

To carry out his reconstruction project would require an investment of several hundred thousand dollars, which he said he cannot afford without selling the other three houses he is proposing for the site at 532 N. Laurel St.

Nicholson, who purchased the property last summer for \$895,000, will ask the council to make an exception to the municipal code's "slope density requirement," which limits the number of houses that can be built on a steeply sloped property.

If an exception is granted, the city will recognize four buildable 5,000-square-foot lots on his 0.57-acre parcel. Because it is sloped more than 30 percent, the city currently considers the parcel one consolidated 25,000-square-foot lot



With members of the planning commission watching, Jeff Nicholson, of Portland, explains a model of his property on North Laurel Street. Foreground from left: Commissioner Charles Bennett, Vice Chairman Hank Johnson, Nicholson and Chairman Bob Lundy.

(which also includes two half-sized lots) where, for safety and stability reasons, only one house is allowed.

Nicholson will have to make his case without the blessing of the city planning commission.

The planning commission voted 6-1 on Jan. 22 not to recommend that the council grant his request. Ryan Dewey was the only commissioner who voted in Nicholson's favor.

Nicholson said he fears he will ultimately be forced to sell the entire property to someone who will demolish the cottage and, in its place, erect a 15,000-square-foot house out of scale with the other houses in the neighborhood.

Skepticism

Armed with a \$2,000 model of the site measuring 11-by-11-by-2-inches, Nicholson tried to assuage the

commission's doubts that four houses could actually fit on the property.

Three experts — Matthew Dolan, an engineer from KPFF Consulting Engineers; Jay Orloff, a designer from Tolovana Architects; and Don Rondema, a geotechnical engineer from Geotech Solutions — sought to persuade the planning commission that the site is capable of supporting both the existing cottage and the three other proposed houses.

Will Rasmussen, Nicholson's Portland-based attorney, previously argued, based on his interpretation of the city code, that the slope density rule applies

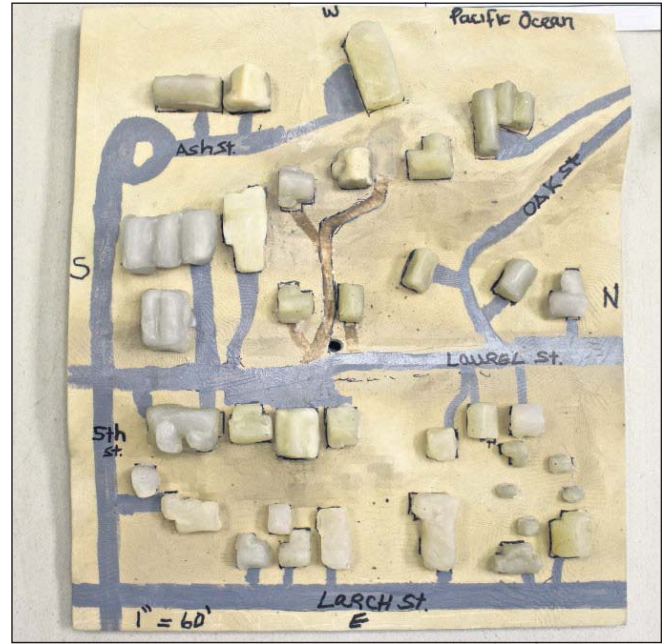
only to future subdivisions. The Seal Rock Beach subdivision encompassing Nicholson's property was platted in 1890.

'I don't believe there's any way we can justify approving this plan as it stands'

Planning Commissioner
Lisa Kerr

"I don't believe there's any way we can justify approving this plan as it stands without completely ignoring our own steep-slope requirements, our own ordinances," Commissioner Lisa Kerr said.

It marked the second time the planning commission rejected Nicholson's plan. The commission denied the first iteration of the proposal, and the City Council upheld the



Jeff Nicholson's model of the North Laurel Street area shows how he plans to position four homes at 532 North Laurel St. The commission turned down the proposal.

decision last fall.

Nicholson then appealed to the State Land Use Board of Appeals. He chose to put that appeal on hold, however, while he tried again at the local level, seeking a variance to the slope density rule and a planned unit development.

When he goes before the City Council next month, he is technically not appealing the planning commission's January vote; the commission is required to hear all planned unit development requests, even though the council makes the final decision.

"Worn out"

Nicholson remains optimistic that the City Council, now under the leadership of Mayor Sam Steidel, will let him move forward. He has already sunk about \$150,000 into the project so far. "It's expensive to do

stuff like this," he said.

However, he may reactivate the State Land Use Board of Appeals appeal anyway, he said after the January planning commission meeting, which he called "pretty hostile."

"I just want to work with the city, and I don't like holding things over people's heads," he said. At this point, though, he added, "I'm kind of getting worn out with this process."

The way Nicholson sees the dilemma, Cannon Beach can either have four regular single-family dwellings on his site, or it can have a McMansion, which potential buyers have expressed interest in building there, he said.

Last year, as he embarked on this project, he "didn't think there would be so much opposition to having normal-sized houses (on the land)," he said. "That did blindsides me."

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