



STAFF REPORT TO THE DESIGN REVIEW COMMITTEE

Permit Type: Design Review and Conditional Use

File No. Z0160-25 and Z0161-25

Applicant's Proposal: The applicant proposes to build a 42-bed residential care facility with 24-hour care for elderly tenants. The care facility will also include a memory care endorsement. The development will include associated on-site landscaping, lighting, and parking.

Date of Staff Report: July 1, 2025

Date of DRC Meeting: July 8, 2025

Issued By: Melissa Lord, Senior Planner, MLord@clackamas.us, 503-742-4504

Applicant: Raluca Vlad

Owner of Property: Raluca Vlad

Zoning: Urban Low Density Residential District (R-10)

Assessor's Map & Tax Lot(s): T2S R2E Section 07AC Tax Lot 00300

Site Address: 5212 SE Thiessen Rd., Milwaukie, OR 97267

Location Map



Community Planning Organization (CPO) for Area:

Oak Grove Community Council, Joseph Edge, land-use@oakgrovecpo.org

Community Planning Organizations (CPOs) are part of the county's community involvement program. They are advisory to the Board of County Commissioners, Planning Commission and Planning and Zoning Division on land use matters affecting their communities. CPOs are notified of proposed land use actions and decisions on land within their boundaries and may review these applications, provide recommendations or file appeals. If this CPO currently is inactive and you are interested in becoming involved in land use planning in your area, please contact Clackamas County Community Engagement at 503-655-8751.

Opportunity to Review the Record and Decision: The complete decision, including findings and conditions of approval, and the submitted application are available for review online at <https://aca-prod.accela.com/CLACKAMAS>. Select the **Planning** tab and enter the file number to search. Select **Record Info** and then select **Attachments** from the dropdown list, where you will find the submitted application. A copy of the decision, application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost by contacting the Planner listed above. Copies of all documents may be purchased at a cost established by the County fee schedule.

Appeal Rights: **This decision will not become final or effective until the period for filing an appeal with the County has expired without the filing of an appeal.** Any person who is adversely affected or aggrieved or who is entitled to written notice of the decision pursuant to Subsection 1307.09(C) of the Clackamas County Zoning and Development Ordinance may appeal this decision to the Clackamas County Land Use Hearings Officer by filing a written appeal. An appeal must include a completed Appeal Form available at www.clackamas.us/planning/supplemental.html and a \$250.00 filing fee and must be **received** by the Planning and Zoning Division by the appeal deadline identified above.

Appeals may be submitted in person during office hours (8:00 am to 4:00 pm Monday through Thursday, closed Friday and holidays). Appeals may also be submitted by email or US mail.

A person who is mailed written notice of this decision cannot appeal this decision directly to the Land Use Board of Appeals under ORS 197.830.

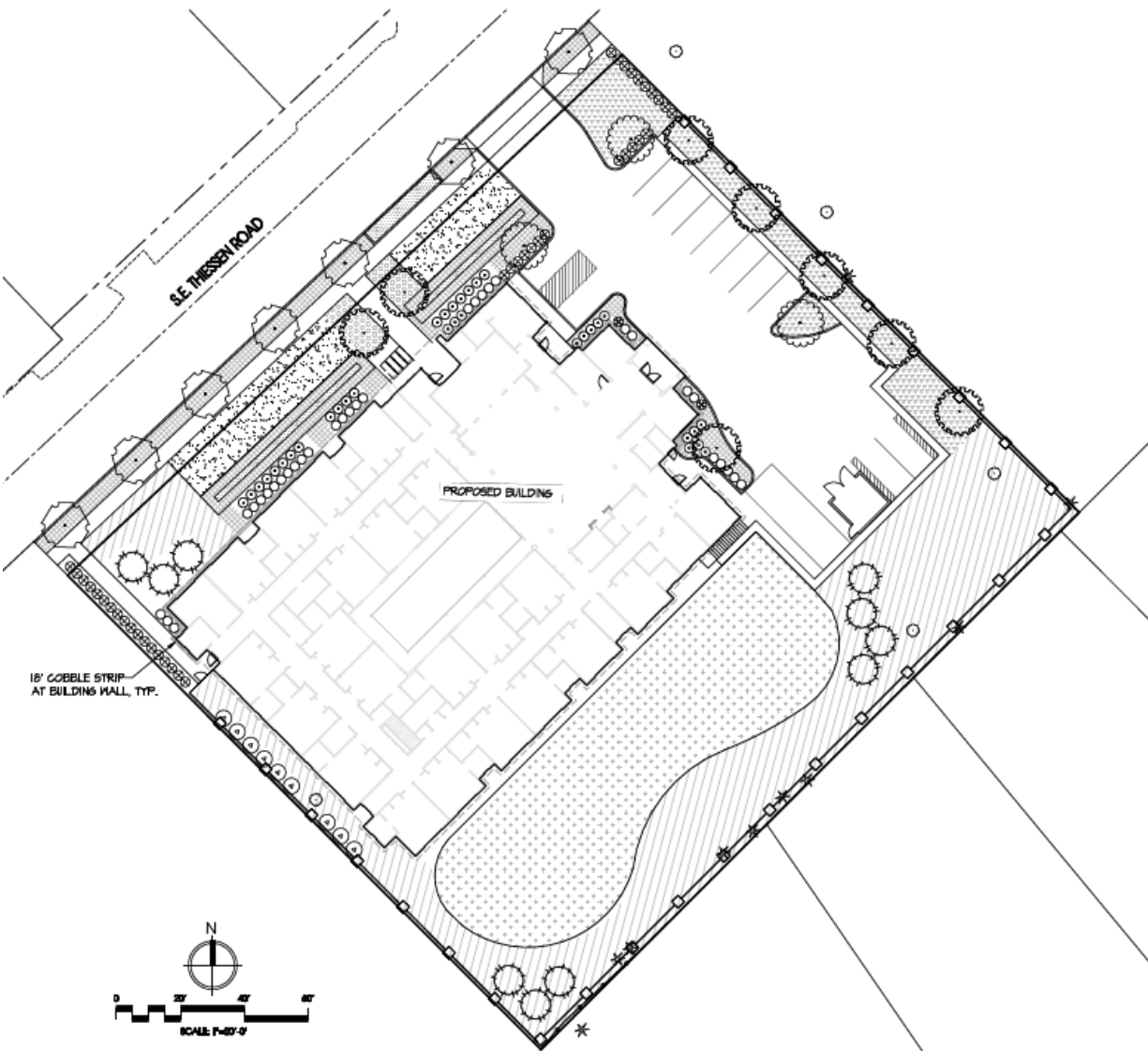
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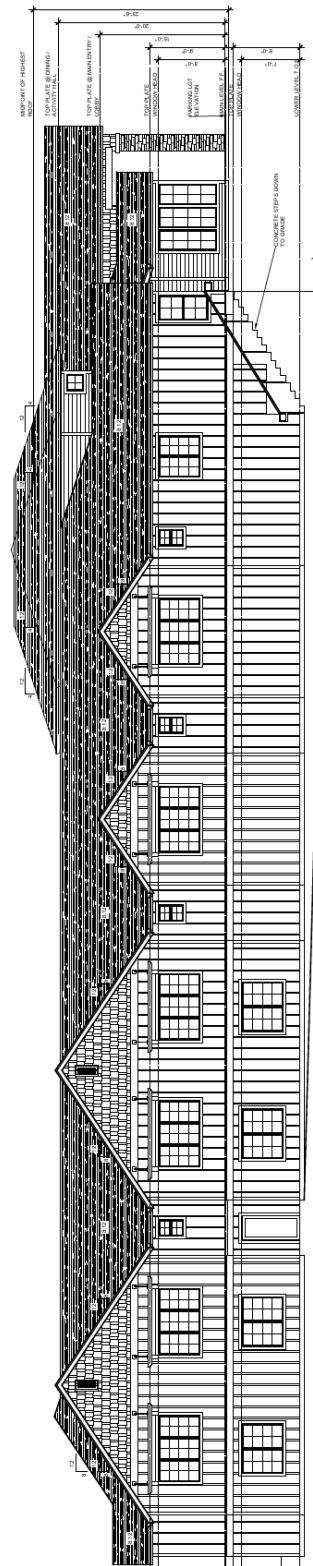
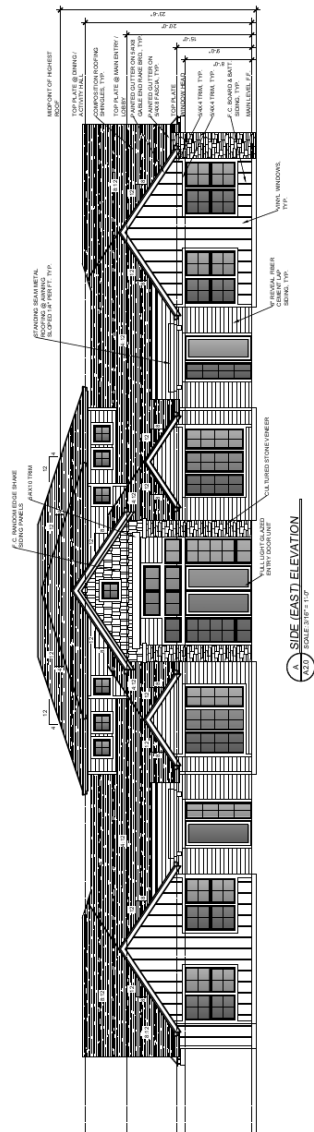
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Landscaping Plan



Conditional Use and Design Review Staff Report
File Z0160-25 and Z0161-25

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PRELIMINARY RECOMMENDED CONDITIONS OF APPROVAL

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parentheses.

1. The height of pole-mounted fixtures shall not exceed 25 feet. [1005.04(A)]
2. Wall-mounted entrance lighting may not exceed a height of 12 feet. [1005.04(A)]
3. The development must be in conformance with the rules and regulations of Oak Lodge Water Services.
4. Subsection 1005.05 requires applicants to employ three “Additional Requirements”, and only two were provided. A third “requirement” shall be proposed **prior to land use approval**.
5. The retaining wall shall be a minimum three feet in height along the northern/northeastern (side) property line to meet the perimeter landscaping requirements. [1009.03(B)(2)]
6. The irrigation system shall be automatic, except that hose bibs and manually operated methods of irrigation may be permitted in small landscaped areas close to buildings. Automatic irrigation systems are subject to the standards of Subsection 1009.10(M).
7. **Prior to issuance of Certificate of Occupancy** the applicant/property owner shall complete the following:
 - a. Street lighting shall be installed pursuant to the requirements of Clackamas County Service District No. 5 and the electric company serving the development. [1006.02]
 - b. The developer shall either submit a signed maintenance contract for the one-year period or provide a performance surety pursuant to Section 1311, Completion of Improvements, Sureties, and Maintenance, covering the landscape maintenance costs for the one-year period [1009.10(F)]

APPLICABLE APPROVAL CRITERIA

This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 202, 315, 903, 1000-series, 1102, 1203 and 1307.

PUBLIC AND AGENCY COMMENTS

Notice was sent to applicable agencies and owners of property within 300 feet. By the time of this staff report, staff received one phone call from a neighbor that backs on to the subject property expressing concerns with privacy. The resident was glad to know

that there is no plan to remove the existing trees on the rear property line, but still expressed concern regarding privacy into their backyard.

FINDINGS

The findings below identify the standards and criteria that are relevant to this decision, state the facts relied upon in rendering the decision, and explain the justification for the decision.

1. Background/Overview of Applicant's Proposal:

5212 SE Thiessen Rd. is currently developed with a single-family dwelling (circa 1935) and detached garage. A demolition permit was obtained to remove these structures from the property (reference permit B1681924), but the building has yet to be removed. The applicant proposes to construct a new 42-bed residential care facility along with associated site parking and landscaping.

A pre-application conference was held on October 10, 2024 to discuss the preliminary proposal (ZPAC0077-24). The Design Review Committee will review this application on July 8, 2025 and there will be a public hearing on July 24, 2025 in front of the Hearings Officer.

2. ZDO Section 202, Definitions

Section 202 provides definitions for certain terms found within the Zoning and Development Ordinance (ZDO).

“NURSING HOME” is defined as:

“A nursing, convalescent, or rest home facility licensed by the State under ORS chapters 441 and 442, or an assisting living facility licensed under ORS 443, which provides, for a period exceeding 24 hours, the continuous services of licensed nursing personnel to care for chronically ill or infirm patients, exclusive of those patients related to the owner or facility administrator by blood or marriage. Such nursing, convalescent, or rest home must provide nursing services to those patients who, in the judgment of a physician, registered nurse, or facility administrator, require remedial, restorative, supportive, or preventive nursing measures.”

“PEDESTRIAN AMENITIES” is defined as:

Outdoor improvements directly visible and accessible to pedestrians that promote and facilitate pedestrian use, including plazas, pocket parks, courtyards, awnings or other weather protection, kiosks, gazebos, water features, drinking fountains,

sculpture, outside seating areas, planters, trellises, and street furniture

3. **ZDO Section 315, Urban Low Density Residential (R-10) District**

Subsection 315.03 Uses Permitted; Table 315-1

Finding: The applicant describes the proposed use as a residential care facility and memory care facility in their submitted application materials' however, the use meets the definition of "nursing home" in the County's Zoning and Development Ordinance. The subject property is located in the R-10 zoning district and "nursing home" is a Conditional use in the R-10 district. The applicant submitted a conditional use permit for review. This standard is met.

Subsection 315.04 Dimensional and Building Standards

Finding: Pursuant to Subsection 315.04 and Table 315-2, the applicant's proposal complies with the dimensional standards of the R-10 district.

	Standard	Proposed	Compliant
Maximum Lot Coverage	50%	33.9%	Yes
Maximum Building Height	35 feet	23.5 feet	Yes
Minimum Front Setback	15 feet, except 20 feet to garage and carport motor vehicle entries	24 feet	Yes
Minimum Rear Setback	20 feet	40 feet	Yes
Minimum Side Setback	5 feet	10 feet	Yes

As proposed, the dimensional and building standards are met.

4. **ZDO Section 1001, General Provisions**

Section 1001.03 and Table 1001-1 establishes the applicability of Section 1000 for Institutional uses. Applicable sections are reviewed below.

5. **ZDO Section 1002, Protection of Natural Features**

Section 1002 addresses the protection of various natural features including hillsides, the excessive removal of trees prior to development, the protection of trees and wooded areas through development, river and stream corridors, the winter ranges of

deer and elk populations, certain open spaces near Mount Hood, significant natural areas, and significant landforms and vegetation.

Finding: The site is developed with a single-family detached dwelling and a residential accessory structure; the dwelling and accessory structure will be demolished. The site is generally flat and has a gentle slope. The property is located outside of the deer and elk winter range, as identified on Comprehensive Plan Map III-2. The subject property is within both the Metropolitan Service District Boundary and the Portland Metropolitan Urban Growth Boundary and so the river and stream corridor standards are not applicable. There has been no known excessive tree removal on site; this land use application will approve the removal of many trees on site; trees along the rear property line will remain intact.

The standards of Section 1002, as applicable, are met.

6. **ZDO Section 1003 and 1004, Hazards to Safety and Historic Preservation**

Section 1003 addresses various hazards to safety including flood, soils, fire, and mass movement areas. Section 1004 addresses standards related to historic preservation.

Finding: The property is not within a mass movement hazard area and does not include soil hazards, as identified on the State Department of Geology and Mineral Industries Bulletin 99 maps. The property is not within the flood hazard area and was not identified as an area of significant fire hazard on the repealed State wildfire maps (reference Senate Bill 83). The property is served by Clackamas Fire District #1. The existing dwelling was not a designated historic or cultural resource. Therefore, the standards in these Sections are not applicable to this development.

7. **ZDO Section 1005, Site and Building Design**

Section 1005 addresses the development of sites and design of buildings so as to efficiently utilize land, create lively, safe, and walkable centers, support the use of non-auto modes of transportation, reduce impact of development of natural features, utilize opportunities arising from a site's configuration, design illumination so dark skies are maintained when possible and accommodate the needs of users of developments. It applies to institutional, commercial, and industrial development; multifamily dwellings; and developments of more than one, two- or three-family dwelling.

Subsection 1005.02 – General Site Design Standards establishes standards for the sites of commercial, industrial, and multifamily developments and addresses standards for the placement and orientation of buildings, on-site pedestrian circulation, the placement and orientation of building entrances, and other use- and zone-specific standards.

Finding: There is only one building proposed on site, and so clustering buildings is not feasible. The adjacent properties are developed with single-family dwellings, and

so a vehicular and/or pedestrian connection to the adjoining lots would not be appropriate for this development.

The building will not be oriented within 20 degrees of true south due to the layout of the site and because the lot sits diagonally from a true north-south axis. The applicant states that “the longest building elevations are generally parallel with the street property line to have the building up near the street and to provide parking and stormwater for the site. Therefore, it is not feasible to have the longest building elevations oriented within 20 degrees of true south.” Staff concurs.

An 8-foot wide concrete walkway connects the primary entrance of the building to the proposed sidewalk on Thiessen Rd. A 5-foot wide unobstructed walkway connects the accessible building entrance to the parking lot; the parking spaces adjacent to the walkway include wheelstops. The lighting plan submitted demonstrates that the walkways will be illuminated by the proposed lighting.

A minimum of 50 percent of the street frontage of the development site is required to have buildings located at the 15-foot front setback line except that the front setback can be increased to 20 feet when pedestrian amenities are provided. However, the proposed building is located between 24 and 28 feet from the front property line and there are no pedestrian amenities, as defined in ZDO Section 202, provided. The applicant proposes a modification to this standard pursuant to subsection 1005.06 because “There are pedestrian walkways to the building within the front setback. There is a main entrance to the building facing the street and has an 8’ wide walkway from the public sidewalk to the entryway.” The connection from the sidewalk to the building entrance alone would not promote pedestrian use in the way that the “pedestrian amenities” definition intends, nor would it implement the Purpose of Section 1005.01. In order for staff to approve a design modification to the standard, pursuant to Section 1005.06, the proposal needs to result in a design that achieves the purposes stated in Subsection 1005.01 as well as or better than the requirement.

At this time, staff requests input from the Design Review Committee regarding the design and how it complies with Subsection 1005.02(E) or 1005.06.

Subsections F through L are not applicable to this development.

Subsection 1005.03 – Building Design provides standards for building facades, entrances roof design, exterior building materials, the screening of mechanical equipment, and other use- and zone-specific standards.

Finding: The proposed building design includes architectural relief and visual interest through the use of building materials, window placement and treatment, and changes in plane.

There are two primary building entrances; one faces the parking lot and the other is on the façade fronting Thiessen Rd. Each entrance is sheltered by an awning or overhang of at least 4 feet. The entrances are defined with horizontal siding and masonry, which differs from the rest of the building. Subsection 1005.03(B) requires

public entrances be clearly defined and highly visible, and if the building is sited to comply with 1005.02(E) institutional buildings (including a nursing home) must have a public entrance that faces the street. As explained above, the applicant is requesting a modification to 1005.02(E), and if approved then 1005.03(B)(2) would not be required. The proposed design has the entrance that connects to Thiessen Rd. not facing or visible from the street. Staff requests feedback from the Design Review Committee regarding whether that entrance is “clearly defined” and “highly visible” such that the intent of this standard is being met.

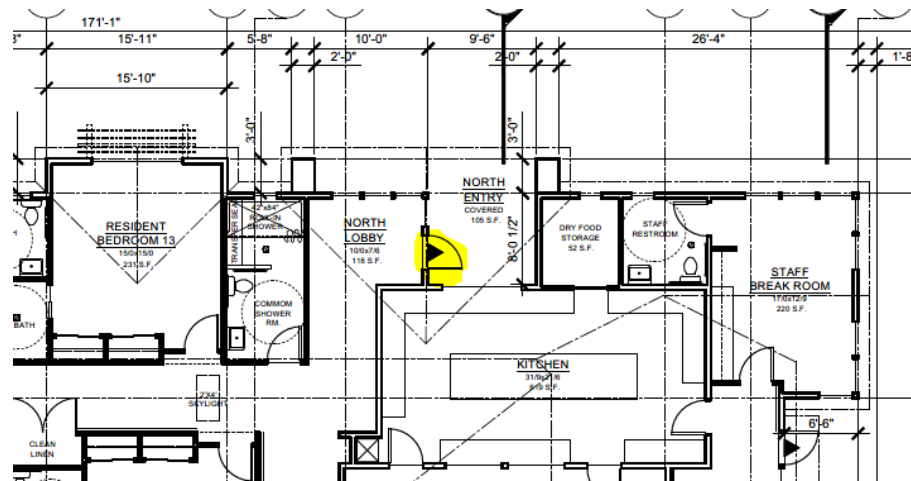


Figure 1 Main building entrance accessing the walkway to Thiessen Rd. that does not directly face Thiessen Rd.

The front building façade facing Thiessen Rd. has a minimum 60% transparency of the first floor linear frontage. The building has a pitched roof and eaves will overhang at least 24 inches. The proposed building materials include a mix of horizontal siding and masonry at the two primary entrances, and a mix of board and batten siding and shake siding on the rest of the building.

The building is located to maximize the potential for surveillance of the parking area and walkways. The application materials demonstrate that there will be lighting installed to increase the safety of the site.

Subsection 1005.04 – Outdoor Lighting provides standards to ensure that onsite lighting is compatible with the site and surrounding uses while preventing light trespass and pollution.

Finding: The applicants submitted a photometric plan that includes footcandle information and light fixture details. The proposed light fixtures do not shine light skyward. The pole-mounted site lighting is proposed to be installed at a height of 26 feet, however the maximum height allowed is 25 feet. If approved, a condition of approval is recommended to ensure that the light is installed no higher than 25 feet. Entrance lighting may not exceed a height of 12 feet, however the proposal includes a mounting height of 13 feet. If approved, a condition of approval is recommended to ensure that the light is mounted no higher than 12 feet. As conditioned, these standards can be met.

Subsection 1005.05 – Additional Requirements requires projects to employ one additional design element per 20,000 square feet of site area.

Finding: Section 1005.05 requires applicants to employ one “Additional Requirement” for every 20,000 square feet of site area. The site area is 1.13 acres, or 49,058 square feet and so three design elements are required. The applicant proposes three design elements:

(B): Provide skylights or clerestory windows to provide natural lighting.

(G): Provide additional landscaping area at least 10 percent above the requirement for the site pursuant to Table 1009-1, Minimum Landscaped Area. A minimum of 12,265 square feet of landscaping is required, and so an additional 1,226.5 square feet of landscaping must be proposed to meet this item. The proposal includes 12,743 square feet of landscaping, which exceeds the minimum amount required by Section 1009, but is 748.5 square feet shy of using this item “G” to comply with Subsection 1005.05. **This standard is not met.**

(X): Locate buildings at the minimum side setback line or within 10 feet of the side lot line whichever is greater. The proposed building will be located 10 feet from the side property line, which is the minimum side setback line and is within 5 feet, and so this design element is met.

Subsection 1005.06 Modifications. Modification of any standard identified in Subsections 1005.02 and 1005.03 may be approved as part of design review if the proposed modification will result in a development that achieves the purposes stated in Subsection 1005.01 as well or better than the requirement listed.

Finding: The applicant has requested staff to consider modifications to subsections 1005.02(E) a minimum of 50% of the street frontage of the site shall have buildings located as the minimum front setback line. Staff requests the input from the Design Review Committee regarding the request for a design modification.

8. **ZDO Section 1006, Utilities, Street Lights, Water Supply, Sewage Disposal, Surface Water Management, and Erosion Control**

Section 1006 addresses the provision of appropriate infrastructure for utilities, water supply, and sewage disposal, as well as the management of surface water and site erosion.

Subsection 1006.01 General Standards. Except where otherwise prohibited by the utility district or company, utility service lines shall be installed underground.

Finding: The proposal demonstrates compliance with this subsection; all utility lines will be underground. There is an 8-foot wide public utility easement along Thiessen Rd. This standard is met.

Subsection 1006.02 Street Lights. Street lights are required for all development inside the Portland Metropolitan Urban Growth Boundary.

Finding: The applicant does not propose to install street lights on Thiessen Rd. at this time; however street lights are required to be installed with this development. If approved, a condition of approval is recommended to ensure the installation of street lights according to the requirements of the Clackamas County Service District No. 5.

Subsection 1006.03 Water Supply, 1006.04 Sanitary Sewer Service, and 1006.06 Surface Water Management and Erosion Control

Finding: The proposed site is served by public water and sewer. The applicant submitted a preliminary statement of feasibility with the application materials from Oak Lodge Water Services, the water and sewer provider and stormwater management authority.

The proposal must be in conformance with the rules and regulations of Oak Lodge Water Services and Chapter 4 of the Clackamas County Roadway Standards. As conditioned, this standard is met.

9. **ZDO Section 1007, Roads and Connectivity**

Subsection 1007.01 – General Provisions

Subsection 1007.02 – Public and Private Roadways

Subsection 1007.04 – Pedestrian and Bicycle Facilities

A-C: General Standards, Design and Requirements

D-G: Location and Construction of Sidewalks and Pedestrian Paths

H: Sidewalk and Pedestrian Path Width

I-N: Accessways, Bikeways, Trails, Bike/Pedestrian Circulation

Finding: The Clackamas County Development Engineering Division was sent the proposal to review. At the time of this report, County Development Engineering have not yet provided review comments and review of this subsection is forthcoming.

1007.06 Street Trees.

Applicant proposes Trident Maple (*Acer buergeranum*) which are on the Clackamas County's approved street tree list for planter strips of 3.6 feet to 6 feet in width. As proposed, this standard is met.

Subsection 1007.07 – Transportation Facilities Concurrency

Finding: Clackamas County's Development Engineering Division was sent the proposal to review. Per ZDO subsection 1007.07, approval of a development shall be granted only if the capacity of transportation facilities is adequate or will be made adequate in a timely manner.

At the time of this report, County Development Engineering have not yet provided review comments and review of this subsection is forthcoming.

10. **ZDO Section 1009, Landscaping**

The Section 1009 seeks to ensure that sites are design with appropriately selected, designed, installed, and maintained landscape materials and that landscaped areas are used for appropriate purposes.

Finding: The minimum required landscaped area is 25% for conditional uses in the R-10 zoning district. The subject property is 49,058 square feet, therefore a minimum of 12,265 square feet of landscaping is required. The development plan results in 47% of the site remaining undeveloped; the applicant proposes to plant 12,743 square feet of landscaping.

Turf lawn may comprise a maximum of 10% of the minimum landscaped area required, which equates to a maximum of 1,226.5 square feet. The applicant proposes 1,639 square feet of turf area, but only 1,226.5 square feet of the turf can “count” towards the minimum requirement. The proposal meets the minimum amount of landscaping required.

The landscaping plan submitted demonstrates that a variety of plants will be provided, and at least 75% will be drought-tolerant or native. A concrete retaining wall abuts the parking spaces and is in front of a 5-foot side landscaping strip between the parking lot and the adjacent property. One tree is proposed every 30 feet along the perimeter parking spaces to comply with the minimum requirements. Subsection 1009.03(B)(2) requires the wall to be at least 3 feet tall if shrubs are not going to be provided; if approved, a condition of approval is warranted to ensure compliance with this criteria. Due to the subjective nature of Subsection 1009.03(B)(2), if the applicant would rather install shrubs to satisfy this code section instead of a 3-foot tall retaining wall, the landscaping plan should be updated in advance of a land use decision. A 6-foot cedar fence surrounding the rear and sides of the property and a trash enclosure is proposed to screen the garbage and recycling receptacles. These standards are met.

11. **ZDO Section 1010, Signs**

The provisions of section 1010 are intended to maintain a safe and pleasing environment for the people of Clackamas County by regulating the size, height, number, location, type, structure, design, lighting, and maintenance of signs.

Subsection 1010.08 provides standards for institutional sings in urban low density residential districts.

Finding: There are no signs proposed. This section is not applicable.

12. **ZDO Section 1015, Parking and Loading**

Section 1015 is designed to ensure that developments in Clackamas County provide sufficient and properly designed parking for motor vehicles and bicycles as well as appropriate off-street loading areas.

Finding: The Climate Friendly and Equitable Communities (CFEC) rules are in effect pursuant to OAR 660, Division 12. Per OAR 660-012-0400 through OAR 660-012-0450, a minimum number of off-street vehicular parking spaces cannot be required for any development that is within the Urban Growth Boundary and is served by an urban water and sanitary service. This property is eligible to follow the CFEC rules; therefore, no minimum parking is required.

The applicant is choosing to construct 12 vehicular parking spaces to serve the development, and will include parking lot landscaping. Each space is at least 8.5 in width and between 16 feet in length. The drive aisle is at least 24 feet wide which will allow for adequate vehicle maneuvering and circulation. Wheel stops will be provided at the two ADA parking spaces that abut a walkway; the other parking spaces abut a retaining wall.

ZDO Table 1015-3 requires a minimum of one bicycle parking space for every eight beds in a nursing home; this facility will include 42 beds and so a minimum of six bicycle parking spaces are required. Four bicycle parking spaces are proposed with a rack next to the entry facing SE Thiessen Road and two bicycle parking spaces are proposed with a rack near a doorway, just north of the main entry facing the parking lot. Both entrances are public entrances to the building. Both racks are within 50 feet of an entrance. The lighting plan demonstrates that the bicycle parking areas will be illuminated. The racks are accessible from the on-site walkway.

The criteria of this section are met.

13. **ZDO Section 1021, Solid Waste and Recyclable Material Collection**

Section 1021 applies to multifamily dwellings, and institutional, commercial, and industrial developments. It provides standards for the design, placement, and accessibility of trash enclosures.

Finding: The applicant proposes to construct an approximately 15-foot by 14-foot CMU trash and recycling enclosure at the end of the drive aisle with a hammerhead turnaround. The enclosure will be six feet tall and will have a min. 4" concrete pad, 2-4" high bumper curb, gates which swing freely with restrainers in the open and

closed positions, and “No Parking” painted on the pavement in front of the enclosure.

When containers face each other, a minimum 4-foot separation is required (subsection 1021.05(A)(3)). As designed, the enclosure does not meet the 4-foot spacing requirement. If the spacing cannot be met, the applicant can request modification pursuant to 1021.08. At this time, staff recommends that the applicant provide additional information regarding whether they will modify the enclosure to that it can meet the standard, or provide a modification request for staff to review.

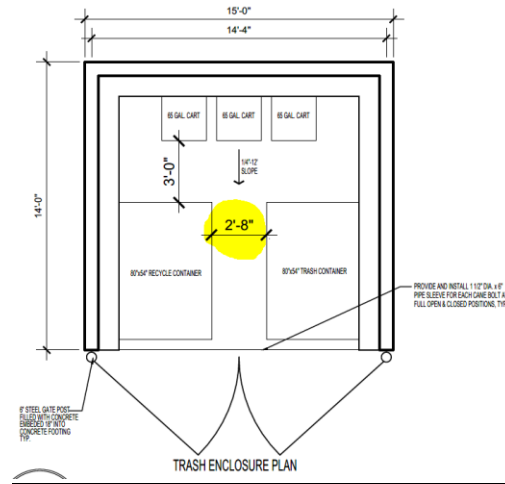


Figure 2 Space between the two recycle containers must be a minimum 4 feet.

14. **ZDO Section 1102, Design Review**

Subsection 1102.01 Applicability

Finding: Clackamas County’s Zoning and Development Ordinance determines development types for which design review is required. ZDO Subsection 1102.01(A) states that design review is required for the development of institutional uses in the R-10 zone; therefore design review is required for the project. This criteria is met.

Subsection 1102.02 Submittal Requirements

Finding: Clackamas County’s Zoning and Development Ordinance determines the submittal requirements necessary for design review. The applicant submitted a set of information consistent with the submittal requirements of the Zoning and Development ordinance which county staff deemed complete on May 28, 2025. The standard is met.

Subsection 1102.03 Approval Criteria

Finding: Clackamas County’s Zoning and Development Ordinance (ZDO) determines that projects which require design review are subject to the standards of the underlying zoning district as well as to Section 1000 “Development Standards”.

The analysis of the proposal, per those sections of the Clackamas County ZDO, follow in earlier sections of this decision. This standard is met.

15. ZDO Section 1203, Conditional Uses

1203.02: Submittal Requirements

This application includes a completed land use application form, site plan, application fee and completed supplemental application addressing the criteria in ZDO Section 1203. The application also includes a description of the proposed use and vicinity map. All the submittal requirements under Subsection 1203.02 are included in the application. The application was submitted on April 28, 2025 and additional materials received were on May 28, 2025. The application was deemed complete on May 28, 2025.

1203.03(A): The use is listed as a conditional use in the zoning district in which the subject property is located.

Finding: The subject property is located in the Urban Low Density Residential R-10 district. ZDO Section 315, Table 315-1, of the ZDO controls land uses in the underlying R-10 zoning district. "Nursing Home" is listed as a conditional use in Table 315-1. The proposed use is a conditional use in the underlying zoning district. This criterion is met.

1203.03(B): The characteristics of the subject property are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features.

Finding: The subject property is served by the existing transportation system and is conveniently located near the amenities available on McLoughlin Blvd. There are no mapped environmental features or hazards on the subject property. Although vehicle parking is not required, the site is large enough to support the nursing home building and its associated parking needs on site. The site has a gentle slope that allows the building to be a single-story on the front and two-story on the rear; both single- and two-story buildings are typical of the area. When considering the characteristics of the subject property, staff finds that this criterion is met.

1203.03(C): The proposed use is consistent with Subsection 1007.07, and safety of the transportation system is adequate to serve the proposed use.

Finding: Clackamas County Development Engineering staff will review the proposal for compliance with 1007.07; the determination whether or not the transportation system is adequate to support the proposed use is forthcoming.

1203.03(D): The proposed use will not alter the character of the surrounding area in a manner that substantially limits, impairs or precludes the use of surrounding properties for the primary uses allowed in the zoning district(s) in which surrounding properties are located.

Finding: The site is in the Urban Low Density Residential (R-10) zoning district and is surrounded by other properties in R-10 district. Permitted uses of the R-10 district are included in ZDO Section 315. This criterion does not require the proposed use to

not have any impacts, rather the impacts must not substantially limit, impair or preclude the use of surrounding properties for the allowed primary uses.

Lands in the surrounding area are predominantly developed with single-family dwellings and there is also a church in close proximity. The properties immediately adjacent to the subject lot are developed with single-family dwellings. The submitted lighting plan proposes six pole-mounted lights on the perimeter of the parking lot along the shared property line (shared with 5318 SE Thiessen Rd) which results in an average of about 5 footcandles sustained along the property line. Staff requests the input from the Design Review Committee regarding the brightness along this shared lot line and whether this would cause a substantial impact to the neighboring lot.

A neighbor to the rear of this project expressed concern that there would be significant impacts to their enjoyment of their yard due to the proposed two-story building. The existing trees along the rear property line will remain intact, and the lighting plan does not propose any significant illumination along the back property line. Moreover, two-story buildings are typical of the area. At this time, it does not appear as though there will be substantial impacts to the properties to the rear, in such a way that would impair, preclude or limit the use of their property.

1203.03(E): The proposed use is consistent with the applicable goals and policies of the Comprehensive Plan.

Finding: Staff has reviewed this proposal relative to the Comprehensive Plan and finds the goals and policies from Chapter 5, Transportation, and Chapter 6, Housing are met. The development will provide a housing option within a residential area for elderly and for those where a typical single-family dwelling is not suitable. The proposal will construct the necessary improvements to the road and sidewalk that will implement Chapter 5 goals. This criterion is met.

1203.03(F): The proposed use complies with any applicable requirements of the zoning district and overlay zoning district(s) in which the subject property is located, and Section 1000 Development Standards.

Finding: Staff reviewed compliance with ZDO Section 1000, as applicable. The findings are included in this staff report.