

September 7, 2011

Clackamas County Hearings Officer

Planning and Zoning staff contact:

Sandy Ingalls, 503-742-4532, Email: sandying@co.clackamas.or.us

Re:

File no: Z0304-11-C

Proposal: Filing for a **conditional use permit** to establish a church in an existing approximately 1400 square foot residence in an existing R-10 Urban Low Density Residential 10,000 square foot district.

Site address: 13980 SE Briggs, Milwaukie Oregon.

Legal description: T2S, R1E, Section 01DC, Tax Lots 1100, 1190, W.M.

Applicant: Meeting Room Holdings, Inc, Bob Snair, 4040 SE Powell,  
Portland, Or.

Owner: Steven J. Paden, 11000 SE 121<sup>st</sup> Ct, Happy Valley,

COMMENTS FROM:

Community Planning Organization for the Area:

Oak Lodge CPO, Jim Martin 503-659-2818

Comments:

At the regularly scheduled meeting of August 24, 2011, the Oak Lodge CPO was asked by members of the Briggs street neighborhood, in which this conditional use permit was being requested, if the council would hear and discuss their concerns. The neighbors explained to our chair that this was an extremely disturbing request (the conditional use) and we scheduled time for them. Approximately 30 members attended the August 24 meeting and were not satisfied that their concerns had been voiced. Due to the high level of concern from the neighbors it was decided that the CPO would hold a special meeting to hear the neighbors. This special meeting was held on August 30, 2011 and we had in excess of 150 neighbors show up to explain their concerns for their neighborhood. Five members representing the applicant group and two Clackamas County planning members also attended to listen and respond to the issues. The applicant and two Clackamas County planning members also attended to listen and respond to the issues.

Conditional Use File: ZO486-10-PAC

Date 6-11-11

The applicant has stated that 50+ people will be associated with this proposed use.

The days and hours of operation are:

Sunday: 6-AM 1 hr weekly; 3:30 PM 1 hr. bi-weekly

Monday: 6:45 PM 1 hr. weekly

Thursday or Friday: 7 PM 1 hr. weekly

The existing house will be converted to a meeting room.

We have two main concerns – Character of the Neighborhood and Need.

### **1 - Character of the Neighborhood:**

There are two types of issues in this category - A) Physical and B) Social.

#### **A - Physical Character**

##### Trees:

It is the belief of the neighbors that the removal of a number of the fruit trees and other ornamental trees is not necessary due to the fact that the applicant has stated that they do not need all the parking spaces shown which would result in leaving more of the trees. This would be a great improvement in fitting into the neighborhood.

##### Surface Water:

Building a parking lot will result in a greater run off of surface water that could lead to flooding problems.

The fact that a parking lot will be constructed at all initiates a huge change in the character. This is a unique case in that the applicant and the neighbors agree that this use could make do with a much smaller parking lot sized to accommodate only 7 to 8 cars as the applicant has stated. This would result in fewer trees being removed and be beneficial to the quality of the air as well as reducing the potential for any overflow or flooding from surface. This would also reduce the number of trips into and out of the site

which would reduce some of the headlight encroachment into neighboring properties.

The issue of surface risk could be greatly alleviated by reducing the number parking spaces and thereby reducing the square footage of impervious surface that the parking field would require. This would seem to be a very reasonable and practical way to reduce a potential problem.

Traffic:

The applicant states that only 10 to 20 vehicles will be used to transport the members to and from the church. There will be 50 members and the site plan shows 30 parking spaces as previously noted. The fact that a traffic study is not required does not alleviate the concerns of the neighbors or for that matter the LUART team review. This location is served by two small local roads and it only takes the addition of a few cars to cause problems.

**B - Social Character:**

Lights:

There is a major concern of headlight intrusion into homes with cars turning into and leaving the site at unusual hours, for example 5:30 to 6:00 A.M. Sunday morning

Noise:

Shutting or slamming of car doors and the starting of cars during normally quiet times in a residential neighborhood.

Concentration of traffic at specific times:

Concentration of cars arriving and leaving at the same time due to the schedule of the service will cause backups and traffic congestion at the intersection of Briggs and Pinehurst, and Pinehurst and Oatfield.

Quiet enjoyments of life and impacts to these:

Parking lot in the middle of the neighborhood

Altering the back yard by removing trees, installing fencing, and paving almost the entire yard.

Safety

Aggravation and disruptions caused by lights, noise, and music.

Life as the residents are accustomed to.

## **2 - Need:**

In ZDO 202 (Definitions) **Conditional Use** is defined as a use addressing a limited or specific need. We have not been able to show how this conditional use application meets this definition.

### **Additional concerns:**

Approximately 150 people from the immediate neighborhood attended a CPO special meeting, of which everyone was in opposition to this conditional use application.

Some of the fears/questions voiced were:

Devaluing of local properties.

Is this a church?

Code enforcement: The County is unlikely to enforce parking violations, or the number of people attending services, noise and light encroachment into neighboring properties, etc.

Growth of the church

Removing the property from the tax rolls.

Lack of public transportation at the time services are held.

There are numerous other concerns regarding this application but not directly related to an ordinance. It has not been clearly explained by the applicant how this church will operate. They have stated that they will not grow and it is not open to the public which is contrary to traditional church goals. There seems to be a veil of secrecy to this church that is not typically found in most church operations.

We believe that due to the above listed reasons the application should be: **denied.**

Sincerely:

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Eleanore Hunter

Chair of the Oak Lodge Community Council: