

**NARRATIVE for LINCOLN CITY PLANNING COMMISSION  
RAINBOW VILLA CONDITIONAL USE REQUEST  
4250 U.S. HIGHWAY 101, LINCOLN CITY, OREGON 97367**

**PART ONE: GENERAL DESCRIPTION and INTENDED USE:**

Current property is now approximately 1.1 acre and zoned CG. RM use is allowed as conditional use. No zone change is requested because Applicants believe that their proposal will be beneficial to the City of Lincoln City and its Citizens within the requirements of the Residential Multiple code, which must be applied.

The property is mainly flat with a general slope, north to south on its plateau from 108.0 to 102.0 feet. Thence the property drops off on a steep grade to the south east providing a natural setting with significant trees. The natural zone will continue to be a wildlife corridor, providing access from Highway 101 to the east, where there is an existing large preserve of forest. It also provides access for wildlife across to the west of 101 to an internal smaller corridor that runs north to south.

The existing non-conforming use is RM; however poorly planned from decades ago with only nine scattered units, causing a hardship to provide proper density for a well-located service point for midrange apartments.

To accommodate density and additionally preserve the natural space, the designer, well experienced with cantilevered designs, has illustrated that with a proper foundation to the south, valuable land space may be utilized which will not remove any of the tall, significant trees. This work will be under the overview and direction of Geotechnical Geologists and Structural Engineers.

The result will be that the occupants will enjoy the view of the trees and the accompanying rich ground cover; enhanced with a bird population and probable passage of small carnivores, squirrels and deer. Additionally, the trees will provide sound absorption of the 101 traffic.

The public benefits from this botanic growth that has survived this urban setting over decades will be sustained and the dominant view for motorists coming north on 101.

Notably, vistas will be viewed from the proposed, larger than normal, garden patio for each apartment, providing personal open space, room for seating and a table, and planters with herbs, tomatoes and peppers.

All the units will provide 36-inch doors as a standard, and full accessibility. There will be no steps into the building and the use of an elevator, making every part of the building accessible, including the roof patio and walking surface.

The elevator will go all the way to the roof level where there will be open space for all the tenants to enjoy the view of the Ocean and the sea breeze; and be possible to do walking in private, safe space, and foster congregate gardening.

## **PART TWO: REVIEW OF PRE-APP NOTES:**

### **City notes:**

**Lot line adjustment and survey conclusions:** The surveyor has checked the property leaps and bounds. A lot line adjustment is being applied for today. The property legal goes into the 101 right-of-way. There are public improvements, including the public sidewalk, on this property deed. The applicants propose to deed all the property to the west of the east edge of the existing public sidewalk to the public; and agree to make this a condition of approval.

Reflected in the site plan parking, all the north, west to east, compact parking spaces plus one full size fit because the surveyor concludes that the measurement to the east edge of the public sidewalk is 89.22 feet plus 4.05 feet on the north of the property. Additionally, the east west measurement 50 feet farther to the south is 89.21 feet plus 2.76 feet. The survey proof of this will be a condition of approval, and be recorded to the public.

**Parking spaces:** Required parking spaces have been satisfied. There are 26, 9x20 full size spaces and 24, 8x16 compact, 50 total. 49 spaces are required for the 46 units.

**Parking area:** Landscape in parking vicinity is 20 percent of the open-air parking.

Parking is no longer in the front of the building. There is now a 10 foot landscape strip between the 101 R.O.W. and parking. It is not possible to maximize the use of the land, and questionable that parking be reconfigured to the rear, when open and natural space may be sustained otherwise.

**Parking lighting:** A plan to code will be submitted.

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**Bicycle parking:** There is a 3.5 feet wide strip in the parking structure its entire length. Several bays will be reserved for bicycles only.

**Clear highway vision:** We are blessed with a location where vision is clear 560 feet to the north and 1300 feet to the south. The driveway is level and one foot higher than the highway.

**Utilities:** All utilities will be underground; and are present.

**Solid waste area:** The waste and recycle area is about 200 feet east of the 101 sidewalk. It will be enclosed.

**Mechanical equipment:** HVAC units will be roof mounted in the midspan of the roof, and not be visible to the public. Electric meters will be screened, or within the building envelope.

**Trees:** The plan is not to remove any significant trees.

**Standards:** The setbacks have been met. The 40 feet maximum height has also been met in the drawings. With the main floor 4 inches above the driveway, the total height to the top of the stair structure is 39.95 feet. Since the elevator shaft is about in the center of the roof, east to west, we will apply that exception, and perhaps be at 43 feet, but not close to the view of a vertical wall. The building percent of coverage to the entire property is 25.5 percent. Common area is about 40 percent of the total, or 19,000 square feet. The grade of a trail in the bottom of the draw of the nature area is about 14 percent, and leads to spacious forest areas. Additional common area will be on the roof patio. Gross roof area is about 12,000 sq feet; but may not be 100 percent roof patio. A small structure is being considered to the benefit of a roof patio, and for viewing the Ocean or getting out of the rain. Its height may not exceed 40.0 feet. There will be a tenant ground level deck in the trees on the east end of the building.

**Pfeifer notes:**

**Fire Marshall:** Noted that the building height exceeded 34 feet; therefore, wanted proper driveway for apparatus. Also, that the access to the building exceeded 150 feet; so, a turn around with a 28 feet radius would be required. Email, 4/1/2022, exhibit from Fire Marshall, Frederick

Ulrich, confirms that the current driveway plan meets the standards, and will be part of the conditions.

**PART THREE: CONDITIONAL USE APPLICATION REQUIREMENTS:**

**LCMC 17.77.060.D.1, Compliance with the comprehensive plan:**

**That of the City of Lincoln City, Oregon:**

- 1. Land Use Planning:** The expectation is that the comprehensive plan needs to be implemented with factual information. It also needs to recognize that there may be exceptions when the literal perfection of a goal cannot or should not be applied to a particular area or situation. We believe that with the sustainable feature of the natural area and its direct benefits to the occupants and the vista of the citizens at large, that this application is such a case.
- 2. Citizen Involvement:** This proposal is being presented to the local planning commission, members from the citizens at large. Their task is to determine if this application is the best interest of the general atmosphere and wellbeing of the City and its Citizens.
- 3. Public Facilities and Services:** Having already been an active, yet non-conforming apartment use, all the City services are present. However, the water and sanitary sewer services need to be enlarged. The services in the highway being adequate, the request to extend them should be reasonable. The Fire Department has deemed it reasonable to be supportive.
- 4. Urbanization:** The subject property is already within the city limits of Lincoln City. The area of land it represents is poorly utilized. As such, it is a field ready to be planted and fertilized without conflict with an UGB issue.
- 5. Natural Disasters and Hazards:** By the size of the significant trees, we realize that this property has had its personality profile for many decades. It is not clear why there is an escarpment on the south side because there is no current source of water which would have started the obvious historical erosion that had run to the east. Upon review, the elevation from Highway 101 flows to the west. What is clear is the slope is

stable because the trees indicate so. Proper science and registered professionals will be determining the soil compression and the necessary concrete grade beam to prevent the structure from moving to the south east. Any additional storm water generated by the new impervious area, will be retained from immediate entry into the City's storm system, and not able to flow randomly to the sloped area. The roof water is all flowing to the north to be controlled. Additionally, the blanket of existing vegetation ground cover and tree roots will remain undisturbed.

- 6. Housing:** It is clear that additional varieties of housing are needed in Lincoln City. Our design will be affordable, yet provide some exterior enjoyable space that tenants normally will not find in an apartment complex. The interior bicycle parking will be dry and more secure than most. It is also in a prime location for employees, in either direction.
- 7. Economy:** Providing more diversity in housing helps the employees be more confident in locating in Lincoln City. Thus, local businesses get more competent and happy employees.
- 8. Esthetics:** Lincoln City is known for its support of art, not just in its retail outlets; but displayed on its streets as well. The design presented for the front of this building is intended to emulate the name of the Villa. The sloping feature on the front represents a rainbow of color. Not garish, but a tone on tone of color in pastels. Just like a rainbow. And a large price of art. The tall trees being preserved, also help picture frame this art in a complimentary way. The large projecting garden patios make an interesting disappearing perspective. The plan proposes to place, another form of art, a full driftwood tree on the siding wall above our "green roof" on the west end of the building
- 9. Transportation:** The property already provides a bus stop. The encouragement of dry parking for bicycles encourages their presence without the need of wheeling them into their apartments only to clutter space. Handy location encourages more use. Otherwise, this proposal does not hamper the existing ongoing mass of traffic on 101.

**10. Energy:** The probable HVAC will be a ductless heat system to the units. There is better control of rooms that need various temperatures, rather than one thermostat controlling all areas. Also, the simple box building design avoids excess perimeters which creates more heat gain and heat loss. Certainly, the encouragement of man propelled transportation saves energy. Finally, the projected nature of the proposed garden patios will prevent excessive sun from entering the apartments in the summer months.

**11. Overall Environmental:** The box design with exterior appendages for esthetics provides a good example of conservation and sustainability. It has more energy efficient shell, uses less materials, takes less labor, saves time, saves funds, saves natural resources. “True sustainability releases funds for priorities”. The mature trees that are being saved will continue to release oxygen. Birds and animals have a sustaining environment. Location, walking and bicycles save energy. The HVAC is more efficient. Excess summer sun is actually shaded. Visual open space is improved; without crowding the street with buildings. We will be incorporating a green roof on the west end lower roof.

**ALMC 17.77.060.D.2:** .The proposed site is adequate. The setbacks work; there is common space, both natural and manufactured; a special foundation design is successful; parking and loading areas are to code expectations; landscaping exceeds code; the building is esthetically and artistically pleasing; urban land area is being saved and utilized, yet preserving natural assets; the City tax base is benefited.

**LCMC 17.77.060.D.3:** A major arterial is increasing its efficiency, handling more traffic volume. The same driveway is being utilized.

**LCMC 17.77.060. D.4:** Minimal adverse impact on adjoining properties. All the adjoining properties on the east side of 101 are the same CG zone. The property to the north is an RV park. The grade drops down from the RV Park vertically 4 to 8 feet, acting much like a landscape car light screen. This north development will have little impact. The property to the south is bare and appears to be farmed for hay. The natural tree setting will continue to be a screen. The property to the east is a small forest. There are no conflicts.

**LCMC 17.77.060. D5:** The subject property is not a historic area. What it is is a natural setting with mature trees that will be preserved. That natural setting will screen the view of the building; and provide a symbiotic long-term relationship, trees and building; nature and man.

**PERT FOUR: CONDITIONS OF APPROVAL: LCMC 17.76.120:**

- 1. Good intentions:** The applicants have reviewed the list of potential requests that the planning commission may impose. Effort has diligently been made and disclosed to properly address concerns that may arise. Concerns not limited to the list published in 17.76.120 have been considered to make this project be long term successful and desirable for the owners, the tenants, the City and the Citizens of Lincoln City. We pray that our preliminary plans and narrative provide testimony to that conclusion.
- 2. Docks:** Docks are not applicable regarding LCMC 17.44.040.B; being far from water.

**PART FIVE: REQUIRED SUBMITTAL ITEMS:**

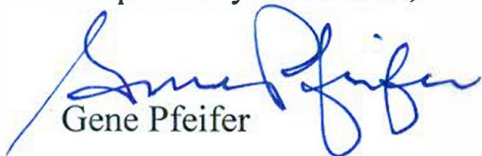
1. Completed Conditional Use Application is attached and signed by all owners.
2. The narrative is complete.
3. The direct pay fees are being completed today.
4. The Existing Conditions Plan is in the exhibits.
5. The proposed site plan is in the exhibits.
6. The Landscape areas are marked on the site plan; but not detailed.
7. Proposed Building Elevations are in the exhibits.
8. A phasing plan is not applicable.
9. There is no Traffic Impact Study. A letter could be readily available.
10. Other reports are in the exhibits.
11. Dock use is not applicable.

**PART SIX: CLOSING STATEMENT:**

Our proposed project has mid-sized apartments in a mid-range of rental expense. Our intent is to supply needed inventory that will supply passive amenities and answer concerns for a natural setting beyond the average. An unusual structural approach has been enabled us to sustain and afford that goal, presenting a design that is perpendicular to the street with parking to the side. The number of units then becomes affordable per economy of scale; yet provides open space and the guarantee of a long-term setting with large trees complimenting the architecture. Open space and the actual feeling of openness to those who pass on the highway will be permanently sustained for the Citizens of Lincoln City and for your many reoccurring visitors.

Thank you for the opportunity.

Respectfully submitted,

  
Gene Pfeifer

Applicant

Seasoned design build specialist  
Manager, Design Build Associates, LLC  
“True Sustainability Releases Funds for Priorities”  
503-873-6393  
gene@innovdc.com

**PART SEVEN: EXHIBITS:**

1. Conditional Use Application
2. Confirmation of Payment
3. Existing Conditions
4. Proposed Site Plan
5. Green Space and Landscaping Footprint
6. Front building Elevation



7. 3D Perspectives
8. Tentative Floor Plans
9. Computer Cross Section
10. Pfeifer Cross Section: Foundation and Actual Height
11. Fire Marshall Approval
12. Warrantee Deed
13. Signed Survey
14. Property Line Adjustment Application
15. Pre-App Documents

**END**