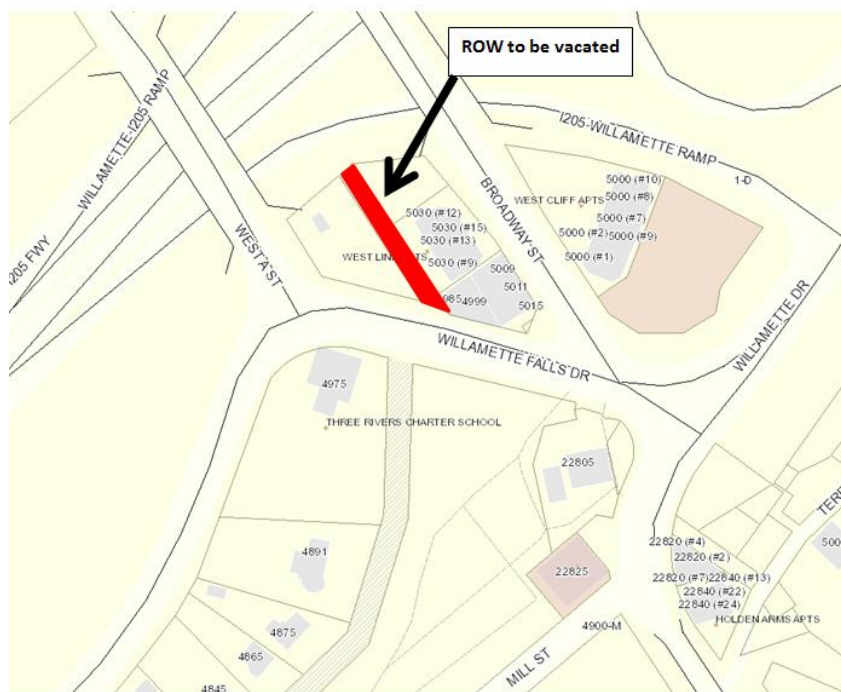


City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
May 1, 2014

SUBJECT: Street vacation of an undeveloped alley right-of-way (ROW) between Broadway Street and West A Street and north of Willamette Falls Drive.

ATTENDEES: Applicant: DeWitt Montgomery
Staff: Peter Spir (Planning) Khoi Le(Engineering)

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.



Proposal

The applicant proposes to vacant a 20 foot wide by a 200 foot long City owned right of way between West A Street and Broadway Street and north of Willamette Falls Drive. The vacated ROW would go to the adjacent property owners.

Neither the City Planning nor Engineering Departments consider it necessary to retain that ROW. Also, according to planning staff, the Arch Bridge Plan, being developed by the city, will not be compromised by this vacation.

The adjacent property owner had spoken about building a personal storage facility at this site but that is neither certain nor germane to the ROW vacation.

Details and Process

The applicant is required to meet the standards of ORS 271 which mandates that all property owners abutting the ROW and two-thirds of property area within the “affected area” must agree to the vacation. The “affected area” is geographically defined as 200 feet lateral from the ROW or to the next parallel street, whichever is less; and 400 feet beyond the north and south termini of the ROW. The rectangle created by this method is the “affected area”. (See attached map below.) ODOT, County or City ROW and City owned properties do not count in the “affected area” calculations. The applicant stated at the pre-application conference that he has obtained enough notarized signatures to pursue this vacation.

Once all the submittal requirements of ORS 271 are met, the application shall be made. The application shall include:

1. all copies of the notarized signatures in favor of the vacation tied to addresses/tax lots,
2. the calculation of the two –thirds for the affected area broken down by square footage and also expressed as a percent of the affected area,
3. written request for the vacation directed to City Council,
4. completed and signed application form,
5. fee of \$6,000.

Once staff has made a determination of completeness, the vacation request will be noticed and submitted to City Council. There are two meetings of City Council on these items; the first, to determine whether it should be considered for vacation, and the second, is the public hearing to approve or deny the vacation. If successfully, the applicant is then responsible for the necessary filings and costs with the County.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. Thus, there is no “shelf life” for pre-apps.

