



Memorandum

To: West Linn Planning Commission

From: Tom Soppe, Associate Planner

Date: October 2, 2013

Re: Applicant's proposed changes to conditions of approval

Attached is the applicant's submittal from October 1 suggesting changes to three of staff's proposed conditions of approval from the staff report.

The applicant proposes adding the words, "Prior to occupancy" at the beginning of Condition of Approval 4. This would ensure that installation of the required fencing is tied to the development of each adjacent building site rather than to the final plat. Staff has no objection to this proposed revision.

Condition of Approval 6 as proposed in the staff report required looping of water lines between Crestview and Sunbreak. The applicant proposes Condition of Approval 6 to read, "The applicant shall work with the City Engineer to determine if a looped water line is possible and, if so, how the looped water line shall be accomplished." This leaves the provision of looped water lines open to appropriate flexibility. Staff has no objection to this proposed revision.

Also attached is a comment from Charles Matthews regarding the proposed location of the trail north of Crestview Drive.



October 2, 2013

City of West Linn
Planning Commission
22500 Salamo Road
West Linn, OR 97068

**SUBJECT: SUB-13-02/VAR-13-05/VAR-13-06/VAR-13-07/VAR-13-08/VAR-13-09
11 LOT SUBDIVISION WITH LOT DIMENSION VARIANCES AT 23150 BLAND CIRCLE**

Dear Commissioners,

I am writing on behalf of JT Smith Companies regarding an application for a Subdivision with variances along Bland Circle (SUB-13-02). The purpose of this letter is to request consideration by the Planning Commission of the following amendments to the City's proposed conditions of approval. The following changes to the conditions of approval are requested:

Condition 4:
<u>Fence Along Trail:</u> The applicant shall install a three- to four-foot high black matte chain link fence (or an alternative that is acceptable to the Parks and Recreation Department) along all trail corridors, including Tract C, except in areas where other fences are proposed such as along the backyards of lots.
Applicant's Request
Add the following prefix: "Prior to occupancy" to the first sentence.
Justification
This condition of approval should not be associated with the recording of the plat. The trail fencing is better completed at the time of building construction.

Condition 6:
<u>Water Line Looping:</u> The Applicant should loop water lines between Sunbreak and Crestview.
Applicant's Request
Proposed Condition of Approval: The applicant shall work with the City Engineer to determine if a looped water line is possible and, if so, how the looped water line shall be accomplished.
Justification
The Applicant intends to work with the City engineer to determine whether or not this looping is feasible. A looped system to from Sunbreak to Bland may achieve the same results and would be the Applicant's preferred alignment.

We trust that these requests will be favorably received by the City and will assist in the City's favorable evaluation of our proposed development plans. Please feel free to contact us with any questions that you may have. We will be ready to respond to any questions or requests for any further clarification.

Sincerely,



Andrew Tull
Senior Planner
3J Consulting, Inc.

copy: Mr. John Wyland, JT Smith Companies
Mr. Mike Robinson, Perkins Coie
Mr. Brian Feeney, 3J Consulting, Inc.
File



Soppe, Tom



From: Mathews <robarmat@aol.com>
Sent: Wednesday, October 02, 2013 9:46 AM
To: Soppe, Tom
Subject: Re: Meeting 10/2/13

Tom: I just sent an email to Shauna and neglected to copy you. In essence my issue with the planned development is the relocation of the trail from what was on the city's trail master plan when I bought my house to the current development plan. The trail was originally planned for between my property and plot 9. In the current development plan it is now between plot 9 and 10. I presume the change was to assist the developer in dealing with the lot shape variances. Regardless, I object to the change in the trail plan and request that the city and the developer be consistent with the original trail plan. There is a sharp drop off from plot 9 down to my property and I am concerned that without the trail the proximity of the home on plot 9 would degrade the slope and damage my home. Thank you for your consideration. Charlie Mathews On Oct 2, 2013, at 8:44 AM, Soppe, Tom wrote:

> Mr. Mathews

>

> Thank you for letting us know that you did not receive the notice. Our mailing records for this application show that a notice was sent to "Mathews Charles W II & Roberta R, 2305 Crestview Dr, West Linn, OR 97068".

>

> In the Community Development Code, Section 99.100(B) states "The failure of a property owner to receive notice shall not invalidate the action provided a good faith attempt was made to notify all persons entitled to notice." Therefore this is not considered a material breach of the process. Sometimes these do not make it to their recipient, but what matters in meeting process requirements is that we did send it out.

>

> That being said I hope that you can attend and testify tonight. If there are any questions I can answer for you today about the application, please let me know as soon as possible.

>

> Thank you,

>

> Tom Soppe

>

>

> Tom Soppe

> <mailto:tsoppe@westlinnoregon.gov>

> Associate Planner

> 22500 Salamo Rd

> West Linn, OR 97068

> P: (503) 742-8660

> F: (503) 656-4106

> Web: <http://westlinnoregon.gov>

> West Linn Sustainability Please consider the impact on the environment before printing a paper copy of this email.

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> -----Original Message-----

> From: Sonnen, John

> Sent: Wednesday, October 02, 2013 8:24 AM

> To: Soppe, Tom

> Subject: FW: Meeting 10/2/13