City of West Linn

PRE-APPLICATION CONFERENCE MEETING
DRAFT
Notes
June 3, 2010

SUBJECT: 2-year Extension permit for previous approval for 2-lot partition at 21510 Shannon Lane

ATTENDEES: Applicants: Eugene Labunsky
Staff: Tom Soppe (Planning Department), Khoi Le (Engineering Department)

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. <u>These comments are PRELIMINARY in nature.</u> Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

<u>Project Details</u>

On June 4, 2007, the Planning Director approved West Coast Construction's request for a 2-lot partition at 21510 Shannon Lane in the Rosemont Summit neighborhood. This was file number MIP-07-02. The decision became effective on June 19, 2007, and therefore the 3-year expiration date for the decision will be June 19, 2010.

Section 99.325 is the new section of the CDC regarding Extension applications. Community Development Code (CDC) 99.325(D)(1) states "Only those applications approved between July 1, 2006 and December 31, 2009 shall be eligible for an extension." The previous application therefore qualifies the applicant to be able to apply for an Extension. CDC 99.325(D)(2) allows applicants with applications that expire before June 30, 2010 to apply for Extensions by June 30, 2010 even if the application has already passed its 3-year expiration by this date. Therefore, despite the 3-year expiration date set to occur on June 19, the applicant can still apply for the Extension by June 30. The two-year Extension, if approved, would be measured from the original expiration date. Therefore if the Extension application is approved, the expiration date would be June 19, 2012.

The two-year Extension application would require the final plat to be recorded by June 19, 2012. 85.090 states "The final plat map shall be submitted to the Planning Director and recorded with the County within three years from the date of approval of the tentative plan, or as approved under CDC Section 99.325. If the final plat is not recorded by that time, the approval expires."

The Extension application must respond to all criteria that may have changed since the time of the submittal of the original application (April 17, 2007), and comply with any necessary changes based on this.

Chapter 85 Land Division has not changed substantially since the submittal of the original application. For responses to Chapter 85 criteria, the applicant needs to respond only to those that have changed due to code amendments since the original application (and any related to errors or omissions in the review of MIP-07-02, if any are discovered). Some of the changed code sections may not have not have changed in the context of what they require from this particular subdivision application, in which case the applicant shall respond to the criteria by explaining this. For any that do necessitate changes in the site plan or other aspects of the partition proposal, this should be explained in the narrative and plans should be altered accordingly for the Extension application submittal. The criteria of Chapter 85.200 that appear to have undergone code changes since the original application are (A)(1) Streets (General), (A)(3) Street Widths, (A)(22) off-site improvements, (B)(2) Block Sizes, and 85.200(J)(10) Annexation and Street Lights. Some of these (i.e. related to block sizes and annexation) do not apply to this application; the applicant should still reply to these in the narrative, but merely by writing that they don't apply and why.

If changes instigated by these affect the nature of the submittal as it relates to other criteria in 85.200 as well, than those criteria should be responded to in the narrative also, even if these other criteria themselves have not changed since the original application.

There are submittal requirements that have changed since the original application was made. These include 85.160(D)(1) (proposed street names) which will not affect the applicant's submittal as there are no new streets proposed. CDC 85.170(B)(2)(F) has changed; this regards transportation improvements. If this necessitates changes in the submittal for the Extension application as compared to the original submittal, the changes should be reflected in the new submittal.

Engineerng Comments

Developer shall complete the follow items before Extension to be recommended for approval:

1. Lowering of gas line and install sub-grade for the street improvement along the project frontage on Shannon Lane.
2. Make payment of approximately $1900 for dig in of new service and $2500 deposit for installation of 3 existing services.
3. Landscape restoration at home at 3830 Horton Rd. and water irrigation line repair (is currently still leaking).
4. Restoration of curb and asphalt at Horton Rd. or at minimum temporary piping of raindrain to catchbasin.
5. Decommission the existing water well located in the right of way in front of the development frontage on Shannon Lane.

Process

The Extension permit is required.

A neighborhood meeting is not required for an Extension permit for a partition, but neighborhood meetings are always encouraged nonetheless. Contact Dean Suhr, President of the Rosemont Summit Neighborhood Association, at (503) 656-4808 or deansuhr@deansuhr.us. The applicant is required to provide the neighborhood association with conceptual plans and other material at least 10 days prior to the meeting.

Follow the instructions under Project Details above as to which selected Chapter 85 criteria should be responded to in a narrative. The CDC is online at http://westlinnoregon.gov/planning/community-development-code-cdc.

Follow the submittal requirements for Chapter 85. Submittal requirements may be waived but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Director and must identify the specific grounds for that waiver. The waiver may or may not be granted by the Planning Director. Per above, the applicant should respond to the following criteria in 85.200 and any other criteria the applicant discovers to be necessary:

- 85.200(A)(1)
- 85.200(A)(3)
- 85.200(A)(22)
- 85.200(B)(2)
- 85.200(J)(10)

Also see the paragraph above in the Project Details section regarding which non-narrative submittal requirements have changed since the submittal of MIP-07-02.

N/A is not an acceptable response to the approval criteria. Prepare the application and submit to the Planning Department with deposit fees and signed application form.

The deposit for an Extension is half the deposit of the original application. The original application had a deposit of $2,800 so the deposit for the Extension application will be $1,400. Any cost overruns to the Extension deposit will result in additional billings.

Once the submittal is deemed complete, the staff will schedule a Planning Director decision date and will send out public notice of the Planning Director decision at least 20 days before it occurs. The Planning Director's decision may be appealed to City Council by the applicant or anyone with standing.

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.

Pre-app2010/Preapp 2010-06-03/PA-10-15 Shannon Lane

Other ped. and bike connection opportunities? N

TSP referenced? As approp. ; orig file

Any submittal waivers proposed? ?

Easement/needed ROW limitations? See orig file

Neighborhood Meeting required? (CDC 99.038) no

Identify Neighborhood Association and neighborhoods w/in 500' Rose. Sum.

Adequate on/off site infrastructure? (Answer "Yes" or "No" only. Details to be provided by Engineering) Y

Other agencies to be contacted? (DSL, ODOT, USACE, etc) N/A

STAFF CHECKLIST: Planned Unit Development and Subdivision

Percent of site comprising Type I and II lands (PUD required if over 25%) 0

PUD required? N

Developability re: PUD table in CDC 24.130? N/A

Number of lots allowed? (CDC 24.110 and 24.120) 2

Do lots meet minimum lot size either for subdivision or PUD? Y for partition

Need more site analysis information from applicant to determine if PUD required? N

Need more site analysis information from applicant to determine developability and number of lots allowed? N ***

Specify what we need (prelim. only) N/A

PUD Perimeter Transitions provided? (CDC 24.140) N/A

PUD Useable Open Space required? (CDC 24.170) N/A

Applicant to dedicate or establish easement for all Type I and II lands? N/A

*** *Advise applicant that lack of data (type I and II breakdown, significant tree analysis, etc) could result in subsequent determination that variances and other permits are needed to meet code or that the number of lots or size/location of building etc. will have to be modified. Burden is on applicant to provide this information.*

MISCELLANEOUS

Pre-Application notes shall contain reference to the following:

Pre-application notes are void after 18 months. ✓

The applicant must provide the neighborhood association with maps and other material at least ten days prior to the meeting. ✓