City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
July 1, 2010

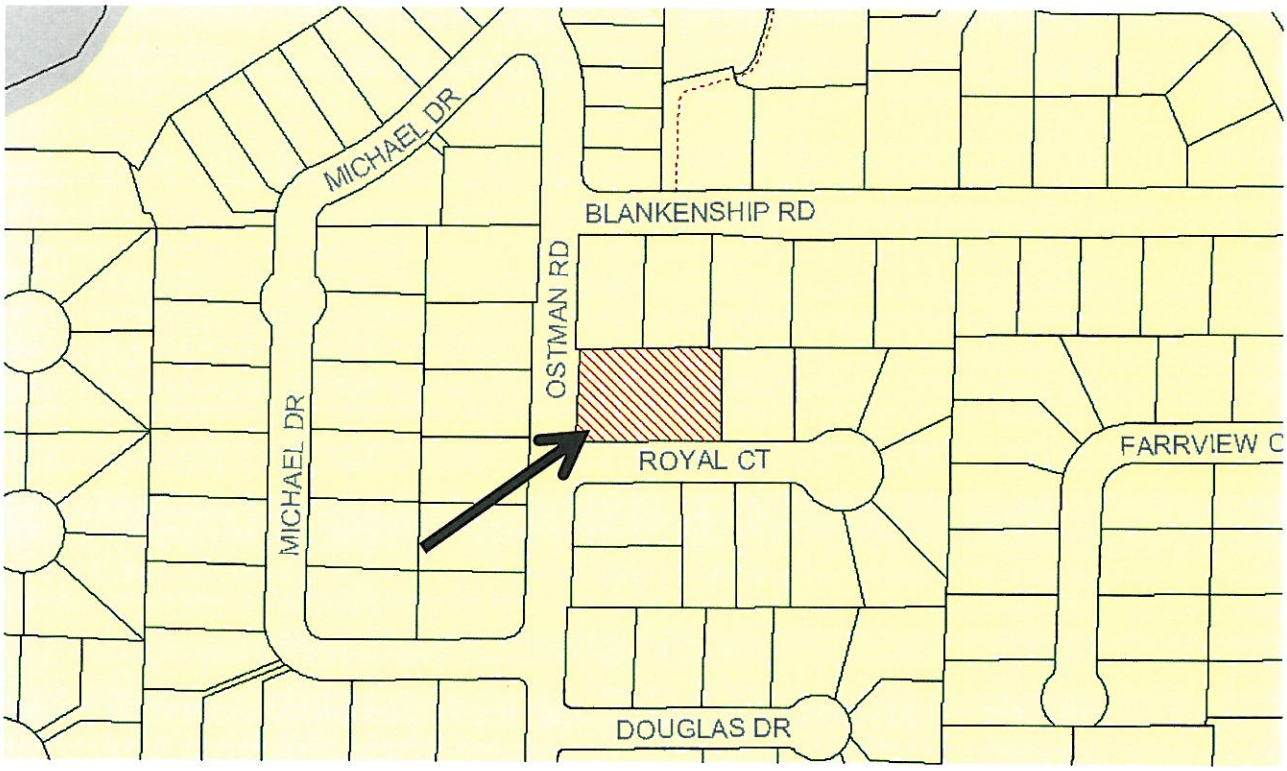
SUBJECT: Two lot minor partition at 2277 Ostman Road

ATTENDEES: Applicant: R. Scott Reavely
Staff: Peter Spir (Planning Department); Khoi Le (Engineering Division)
Other:

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.

Project Details

The applicant is seeking approval of a 2-lot minor partition at 2277 Ostman Road in the Willamette Neighborhood of West Linn. An existing house is located on the 20,050 square foot site. The lot is at the northeast corner of Ostman Road and Royal Court.

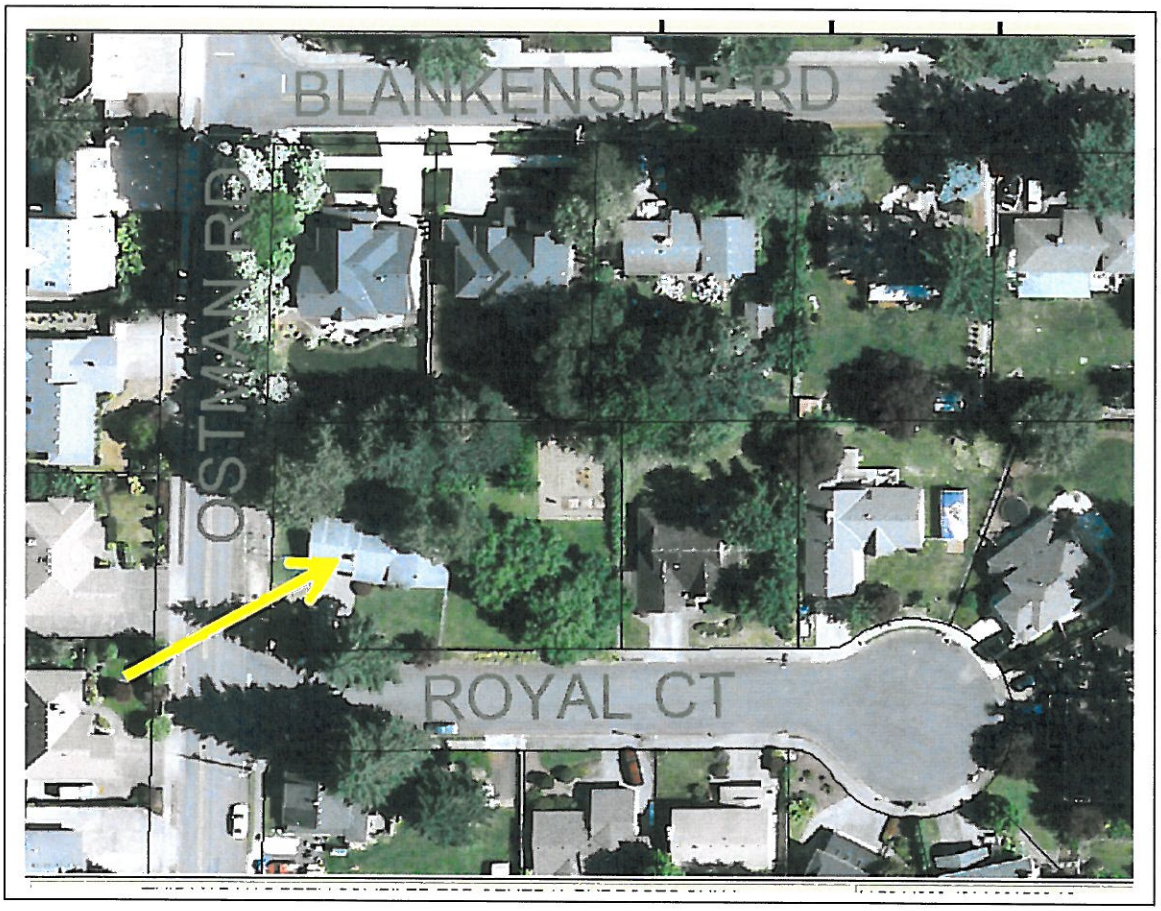


This same proposal was submitted as a minor partition and approved by the Planning Director in 2006 (MIP-06-05). Subsequent to the approval, the applicant did not fulfill the final platting requirements in time so the approval lapsed necessitating this pre-application conference which is expected to be followed by a new partition application.

While the existing house has an Ostman Road address, it faces Royal Court, from which the driveway can also be accessed. The property is surrounded by similarly zoned and developed single family homes. The proposal is compatible with the current development pattern per the R-10 zoning designation.

The partition line will be drawn at an unusual angle, but this is necessary to divide the existing lot into two lots that are large enough to meet the setback and dimensional requirements of the R-10 zone, without destroying or moving the existing house. The unusual line bends only once across the lot which will not adversely affect surrounding parcels in any way.

The applicant will have to provide a mapped tree inventory (by location, type and size [DBH]) to the City Arborist. (*Please note*: *No trees at this site may be removed without permit or land use application approval.*) Once the inventory is complete and trees mapped and tagged in the field, contact the City Arborist, Mike Perkins, at (503) 557-4700, to conduct a site visit and identify significant trees. The applicant may, as an alternative, request a waiver of this submittal requirement since the earlier partition application already inventoried the trees and that information is part of the record.



In the course of MIP-06-05, it was determined by the City Arborist that all significant trees on site are either on Parcel 1 or are in the rear setback area of Parcel 2. Therefore the construction of the new house and driveway on Parcel 2 will not result in any significant trees being removed. As a condition of approval for MIP-06-05 the applicant was required to ensure the significant tree along the street on Parcel 1 will be preserved by the meandering of the sidewalk and the width variation of the planter strip. This re-application should result in the removal of no significant trees.

Engineering comments are as follows:

1. *In general, along Royal Court frontage, the sidewalk shall be 4 feet in width and the planter strip shall be 2-foot in width to match the pattern on the remainder of Royal Court. The sidewalk on Royal Court shall meander and vary in width, if needed, in order to avoid the mature tree six feet from the curb. The sidewalk/planter plan in this area shall be submitted to the City Arborist for review/approval. The Planter strip may be reduced to zero feet in width but the sidewalk may not be reduced below the 4-foot minimum. A sidewalk easement shall be created on the property if it is determined that the most feasible way to avoid the tree involves meandering the sidewalk north off the ROW.*

2. *Applicant shall provide 5-foot utility easements on the front (Royal Court) and rear (opposite Royal) of each lot, as well as along the side street side (Ostman Road) of the lot with the existing house.*

3. *Applicant shall underground all utilities along property frontage or pay an in-lieu fee to the City for the eventual undergrounding.*

4. *A raingarden, a small swale, or another facility that will supply stormwater treatment to all impervious surfaces on Parcel 2 shall be installed at the southeast corner of the site. The applicant shall provide the Engineering Department with a facility design for approval.*

5. *Prior to commencement of any site clearing or grading, the applicant shall place anchored and secured chain link fencing around the dripline + 10 areas of all significant trees to be preserved. The City arborist shall inspect and approve this location prior to the start of work. The fencing shall remain in place throughout the development of the site and construction of the homes, to be removed only upon the completion of all construction activity.*

6. *Applicant shall ½ street improvements along property frontage. The pavement widths shall be aligned with widths already established to the immediate north and south boundaries of the property.*

7. *Applicant shall provide a street illumination study to the City for both the Ostman Road and Royal Court frontages. If illumination levels are below City standards, streetlights shall be installed to the City's standards.*

The applicant asked that the sidewalk on Ostman Road have a curb flush sidewalk to match the sidewalk it connects to the north. He also asked about the need for street lighting fixtures given

the existing street lights in the area. Staff stated that an illumination test is required. Staff stated that while the changes to the CDC have been limited, the applicant will still need to satisfy the County Assessor's interpretation of the proposed lot line and if it is acceptable.

Process

Meeting with the Neighborhood Association is not required for minor partitions, but it is always encouraged nonetheless. The Willamette Neighborhood Association is Beth Kieres at 503-722-1531 or willametteneighborhood@gmail.com. In the application, the submittal requirements and approval criteria of Community Development Code (CDC) Chapter 85 must be addressed. Since this application was already submitted the applicant could re-submit the original application. Please submit the number of copies and materials as identified on the application form. A preliminary review of recent changes to the CDC indicates that there have been no changes since 2006 that would impact this partition. Staff is not familiar with final platting procedural changes that may have occurred in the past few years or new procedures/requirements of the County Surveyor so you would need to be responsible to make inquiries on your own or through your consultant.

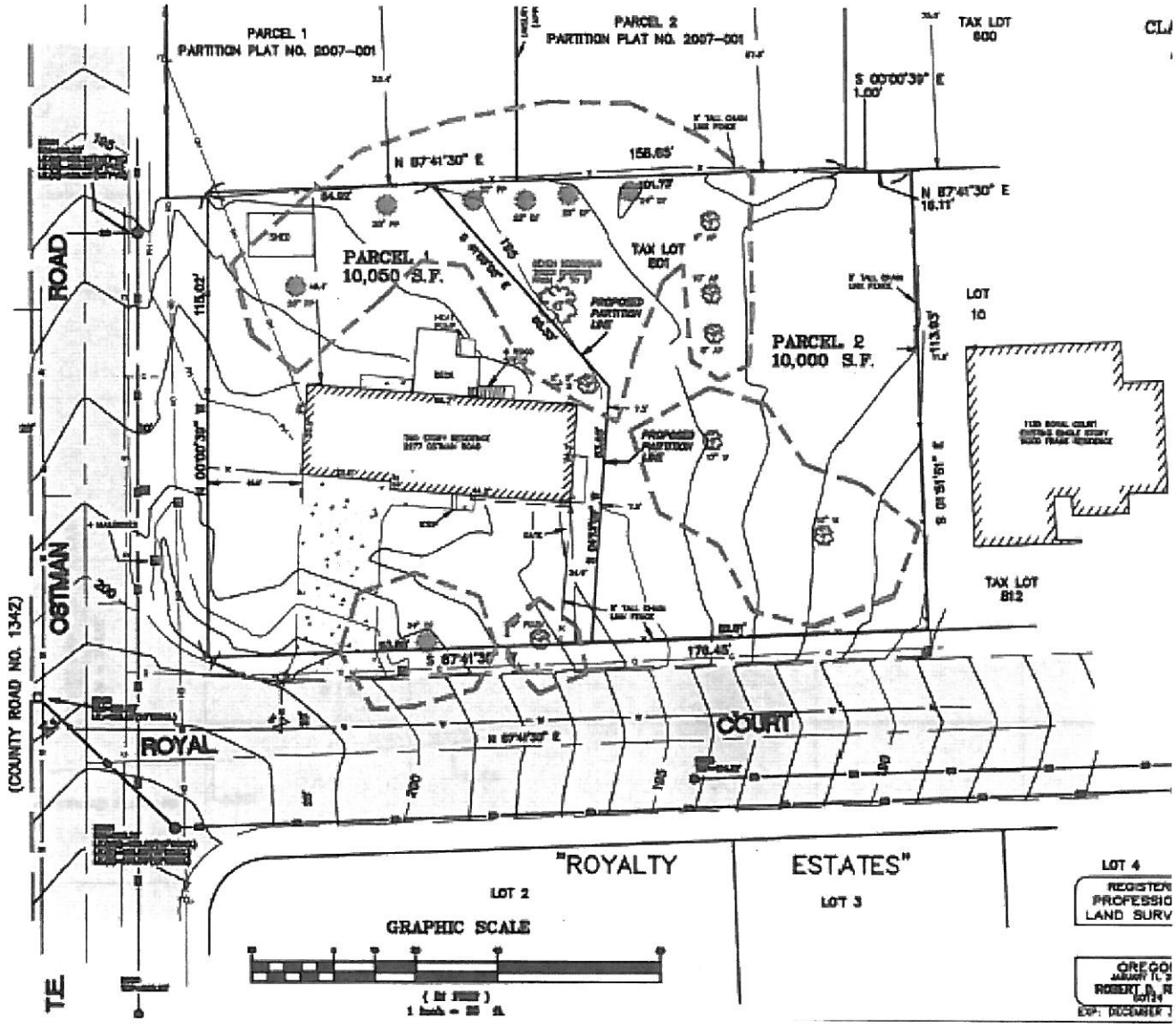
Prepare the application and submit to the Planning Department with deposit fees. Deposit fees are 2,800 dollars for the preliminary minor partition. Staff bills hours against the deposit. (Please note: If the application is complex or is contentious and appealed the deposit could be used up and additional deposit fees would be required.) The City has 30 days to determine if the application is complete or not (most applications are incomplete). The applicant has 180 days to make it complete, although usually it is complete within three months of the original submittal. Once complete, the City has 120 days to exhaust all local review and appeals.

Staff prepares public notice and schedules the Planning Director decision date. The decision may be appealed to the City Council. If appealed, the City Council hearing is 6-8 weeks from the

Planning Commission hearing date. Subsequent appeals go to LUBA. Once approved, the applicant has three years to record a final map and satisfy conditions of approval before approval lapses and is void. Up to two years of extensions are possible and must be applied for separately.

Typical land use applications can take 6-10 months from beginning to end. Street and utility improvements typically increase the amount of time required.

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. Please also note that these notes have a limited shelf life and as new codes are introduced the ability to develop per these provisions may no longer be possible.



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