

**STAFF REPORT**

**PLANNING DIRECTOR DECISION**

DATE: April 26, 2012  
FILE NO.: MIP-12-01  
REQUEST: Request for a 2-lot Partition at 1785 Ostman Road  
PLANNER: Tom Soppe, Associate Planner

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## **SPECIFIC DATA**

**OWNER/  
APPLICANT:**

Danut Haj, 1785 Ostman Rd., West Linn, OR 97068

**CONSULTANT:**

Hardy Li, Convergent Pacific, 8975 SW Center St., Tigard, OR 97223

**SITE LOCATION:**

1785 Ostman Rd.

**SITE SIZE:**

21,755 sq. ft.

**LEGAL  
DESCRIPTION:**

3 1E 03 AA Tax Lot 3200

**COMP PLAN  
DESIGNATION:**

Low-Density Residential

**ZONING:**

R-10, Single-Family Residential Detached

**APPROVAL  
CRITERIA:**

Community Development Code (CDC) Chapter 85, Land Division, General Provisions; Chapter 11, Single-Family Residential Detached, R-10

**120-DAY RULE:**

The application became complete on March 27, 2012. The 120-day period therefore ends on July 25, 2012.

**PUBLIC NOTICE:**

Notice was mailed to property owners within 500 feet of the subject property and the Willamette Neighborhood Association on April 6, 2012. The notice was printed in the West Linn Tidings on April 12, 2012. A sign was placed on the property on April 9, 2012. The notice was also posted on the City's website. Therefore, public notice requirements of CDC Chapter 99 have been met.

### **BACKGROUND**

The subject property is shown with red hatch lines on the following map. It is an R-10 zoned parcel located in the Willamette neighborhood. It is a remnant of an original parcel of record from the 1<sup>st</sup> Addition Willamette Falls Acreages Tracts plat. This plat has been partitioned and subdivided off over time, so many of the nearby lots are in other subdivisions atop the original plat. As such a remnant surrounded by newer plats (and the right-of-way to the west) it is considered a lot of record by Clackamas County. It is on the east side of Ostman Road approximately three parcels north of Willamette Falls Drive and one lot south of Bexhill Street.

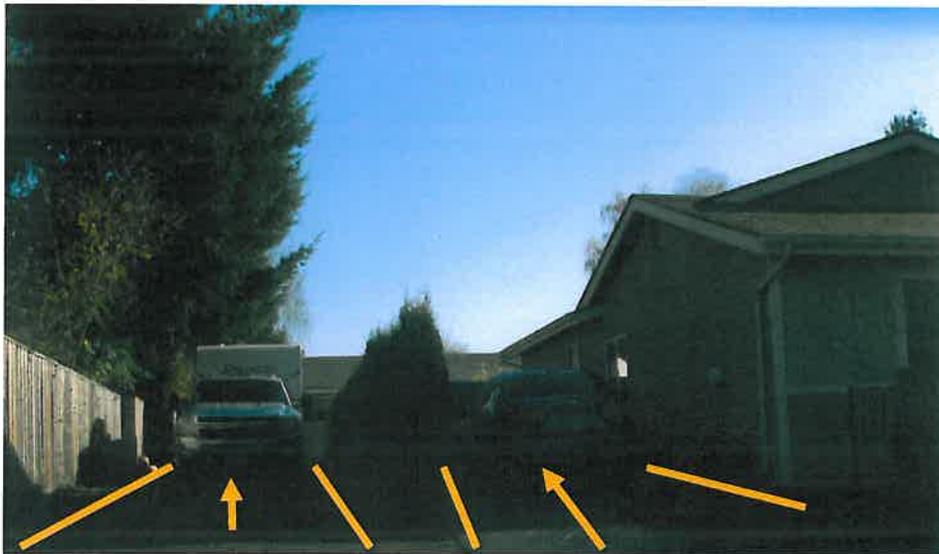


## Vicinity Map

**Site Conditions.** There is a house on site on what is proposed to be Parcel 1 (front parcel). The house is used as a Residential Home (i.e., a small group home), which is a permitted use in the R-10 zone. There is an outbuilding/garage behind this house that is on what is proposed to be Parcel 2. This is proposed for removal to make way for an eventual house on Parcel 2. At the north end of the site there is an existing gravel driveway which shares an entrance with another paved driveway. Both lead to the rear area of the house near the garage. These two driveways are separated from each other by a row of bushes. The applicant proposes to remove this paved driveway and retain the other. A completely separate driveway entrance further south on the property leads to a small paved parking area in front of the existing house. There are two large, significant fir trees around the southwest corner of the property. One is in the right-of-way and the other is in the front of the property. There are smaller trees in the rear of the property that are not significant.



**Existing house on what is to become Parcel 1 (front parcel). Both the northern paved driveway and the southern paved driveway are visible, from left to right respectively.**

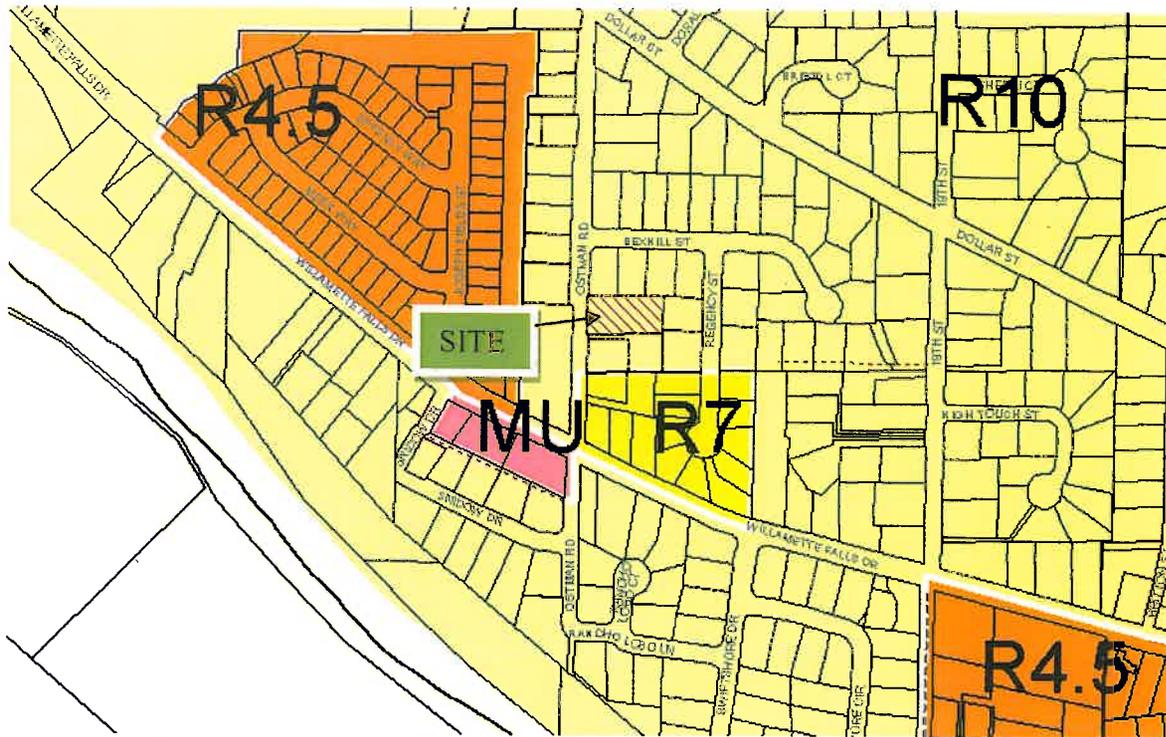


**The two driveways at the north end of the site. The gravel driveway on the left is in the area that will contain the access easement to serve Parcel 2 in the rear. The driveway on the right is proposed for removal. The garage in the far background is at the front of proposed Parcel 2 and is proposed for removal.**



**View of southern driveway and the two significant fir trees.**

Project Description. The applicant proposes a two-lot partition. Approximately the west half of the site is proposed to become Parcel 1, and the east half will become Parcel 2 upon a potential approval of this application. This is demonstrated by the Cover Sheet (Sheet S1) on Page 37 of Exhibit PD-5 and the Street Improvements plan (Sheet S5) on Page 41 of Exhibit PD-5. A 5-foot-wide strip across the front end of the site is dedicated for right-of-way, which would make the property match the existing right-of-way alignment to the north and south. An access easement across the north end of Parcel 1 would provide access to Parcel 2. Neither flaglot stems nor access easements (both a minimum of 15 feet wide when providing access to one flaglot) can count towards the minimum 10,000 square foot lot size of this zone. Therefore the two parcels are proposed to both have over 10,000 square feet, not counting either this easement or the 5-foot-wide strip to be dedicated as right-of-way. Currently two significant trees are in the area where the property meets the right-of-way. The applicant's submittal proposes their removal in order to install street improvements, including a sidewalk. The applicant plans to remove existing driveway pavement immediately north of the existing house, but the driveway at the north end will remain as the driveway to proposed Parcel 2.



**Zoning Vicinity Map**

Surrounding Land Use. The site is in a mainly residential area of the city, with a small area of Mixed Use-zoned commercial uses nearby on Willamette Falls Drive.

**Table 1 Surrounding Land Use and Zoning**

DIRECTION FROM SITE	LAND USE	ZONING
North	Single-family detached residential, with a few duplexes.	R-10, R-4.5
East	Single-family detached residential.	R-10
South	Single-family detached residential. Small MU-zoned area has light industrial uses.	R-10, R-7, MU
West	Single-family detached residential.	R-10, R-4.5

Source: West Linn GIS, 2012

Approval Criteria. As previously noted, the site proposed for a 2-lot Partition is in the R-10 zone, so Chapter 11 criteria and the partition requirements of CDC Section 85.200 apply.

Staff finds the application meets Chapter 11 criteria and that it meets Chapter 85 criteria with certain modifications to the site plan and application. Proposed Condition of Approval 2 ensures that the proposed 15-foot-wide access easement to Parcel 2 contains a driveway that is at least 12 feet wide and paved, in order to comply with Subsection 85.200(B)(7)(e) which

requires this. Proposed Condition of Approval 3 ensures recordation of the easement with Clackamas County, so there will be legal access to Parcel 2.

At the time of the submittal of the application, staff had concluded that there was likely no way to preserve the two significant trees at the front of the site while implementing a sidewalk connection through the site between the existing sidewalks to the north and south. Further analysis by Planning and Engineering staff and the City Arborist concluded that there was an alignment where the applicant could install the sidewalk while preserving these trees. Therefore, in order to meet both Subsection 85.200(A)(16) Sidewalks and Subsection 85.200(J)(9) requiring significant tree preservation, Condition of Approval 4 is recommended. This condition specifies the sidewalk layout and width needed to get around the trees, consistent with the above CDC sections. The condition also requires that the areas of the sidewalk that will meander onto proposed Parcel 1 be established by the recording of a pedestrian access easement. In keeping with the tree preservation requirements, proposed Condition of Approval 5 requires that the half-street improvements be limited to repaving the existing width of the half street area in front of the site, rather than widening it or installing a curb.

The sign for the existing Residential Home is currently in the public right-of-way, and will have to be moved anyway due to sidewalk construction. Condition 6 ensures it will be relocated outside the right-of-way.

Also, in the Public Comments section below, Susan and Richard Kessner raise the possibility that the fence between their property at 1101 Bexhill Street and the subject property is not at the legal property line. Mr. and Mrs. Kessner maintain that property markers and the fence in this area have been moved by the applicant several years prior. Staff has observed that the fence along this property line does not align with fences to the east. Due to the possibility that the fence and any property markers in the area are within the Kessner property and not on the property line, Condition of Approval 7 is recommended to ensure that surveying show the true legal property line, and that platting be based on the new survey.

## **PUBLIC COMMENTS**

### **Susan & Richard Kessner, 1101 Bexhill Street, April 13, 2012 and April 7, 2012, summary of what was discussed with staff on phone**

Applicant has moved the Kessner fence over into the Kessner property in the past, so applicant could put in utility trench at that time, serving the workshop (existing garage building) at the back of the applicant's property. Property line/corner markers were removed by the applicant at this time also. How will the applicant properly know the property lines to do a partition? It is visible that the Kessner fence no longer lines up with fences between applicant's site and the other two Bexhill Street properties the site borders. They would not want to see a partition approved based on a false property line. It is not right to for applicant to take over part of their property. They cannot remember the exact date the moving of the fence and markers occurred, Mrs. Kessner thinks it was around 2005 or so. They do not want to see more adult foster care homes such as the applicant's existing facility; there is already a lot of ambulance noise and exhaust in the neighborhood due to these facilities, sometimes in the middle of the night.

**STAFF RESPONSE:** The platting of the property and the access/utility easement along the north side will require surveying the true property lines between the subject property and other surrounding properties, including the Kessner property. Staff observed in the field that the fence between the subject property and the Kessner property is 11 inches further north than the fence between the subject property and other Bexhill Street properties, even though the entire north property line of the subject property is a straight line per both City GIS and the applicant's submitted plans. To ensure the final survey for the plat will ensure the true legal property lines are known and respected, staff has added Condition of Approval 7. Any other issues between the two property owners are civil in nature and do not relate to the ability of the subject property to be partitioned. The R-10 zoning allows for both single-family residential uses and Residential Home use, so the eventual building on Parcel 2 could be either of these per the zoning, as long as a Residential Home use here complies with all City codes related to this use.

**Geoff Christie, 1766 Regency Street, summary of phone conversation with staff, April 18, 2012**

Lives at property behind site. Would like to see house placed further north on the lot, and would like to see front/rear setbacks used on east and west frontages rather than north and south frontages (flaglots are flexible per code), so the house is not so close to his property and blocks less of his view of Pete's Mountain. Would prefer to see it not built, but understands that the lot is dividable.

**RECOMMENDATION**

Based on findings contained in the applicant's submittal in the City record and the staff findings, there are sufficient grounds to **approve** this application (MIP-12-01) subject to the following conditions of approval:

1. Site Plans. The improvements shall conform to the Street Improvements plan (Sheet S5) on Page 41 of Exhibit PD-5 and the Utility Improvements plan (Sheet S7) on Page 43 of Exhibit PD-5, except as modified by these conditions of approval.
2. Parcel 2 Driveway Width in Access Easement. The driveway for Parcel 2 within the access easement on Parcel 1 shall be a minimum of 12 feet wide and shall be paved.
3. Recording of Access and Utility Easement. The 15-foot wide access easement across Parcel 1, for the benefit of utilities and access for Parcel 2, shall be recorded with Clackamas County as a reciprocal access and utility easement with a mutual maintenance agreement, when the final plat is recorded.
4. Sidewalk Construction, Tree Preservation, Pedestrian Easement, and Street Trees. The two large fir trees in the right-of-way shall be preserved, and the sidewalk wound between the two trees consistent with staff's drawing on the site plan, Page 27 of Exhibit PD-1. The applicant's construction drawing shall conform to this modified site plan. The sidewalk shall be 4 feet wide within the canopy of the trees. The sidewalk

grade shall be ADA compliant, or as close as possible where this is not possible. New street trees are not required. A pedestrian access easement containing the areas where the sidewalk will be on the subject property in order to avoid the trees, shall be recorded with Clackamas County when the final plat is recorded.

5. Street Improvements. The applicant shall provide half-street improvements in the form of paving but not widening.
6. Residential Home Sign. The sign for the existing Residential Home on Parcel 1 shall be moved out of the public right-of-way.
7. Survey for Plat. The applicant shall provide a new survey showing the legal property lines. The plat shall be based on this survey.

I/We declare to have no interest in the outcome of this decision due to some past or present involvement with the applicant, the subject property, or surrounding properties, and therefore, can render an impartial decision. The provisions of the Community Development Code Chapter 99 have been met.

  
JOHN SONNEN, Planning Director

04/30/2012  
DATE

  
KHOI LE, Development Review Engineer

04/30/12  
DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date. Cost is \$400. The appeal must be filed by an individual who has established standing by submitting comments prior to or on April 26, 2012. Approval will lapse 3 years from effective approval date.

Mailed this 30<sup>th</sup> day of April, 2012.

Therefore, the 14-day appeal period ends at 5 p.m., on

May 14, 2012.

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# ADDENDUM

## APPROVAL CRITERIA AND FINDINGS

### MIP-12-01

Staff recommends adoption of the findings for approval contained within the applicant's submittal, with the following exceptions and additions:

#### **Chapter 11**

#### **SINGLE-FAMILY RESIDENTIAL DETACHED, R-10**

##### **11.030 PERMITTED USES**

*The following are uses permitted outright in this zoning district*

- 1. Single-family detached residential unit.*
- 4. Residential home.*

##### **11.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS**

*Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:*

- 1. The minimum lot size shall be 10,000 square feet for a single family detached unit.*
- 2. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.*
- 3. The average minimum lot width shall be 50 feet.*
- 4. The lot depth comprising non-Type I and II lands shall be less than two and one-half times the width, and more than an average depth of 90 feet. (See diagram below.)*

#### **FINDING NO. 1:**

The site contains one Residential Home on what is to become Parcel 1. A Residential Home is a use permitted outright in this zone. Single-family detached residential units are also a use permitted outright in this zone, so the applicant could build either of these on Parcel 2. Each parcel will have over 10,000 square feet including after street right-of-way dedication and recording of the access easement. Each parcel will have a front lot line of over 35 feet and an average minimum lot width of over 50 feet. The lot depth for each lot will be less than 2.5 times the width of the lot. There are no Type I or II lands on site. The criteria are met.

The sign for the residential home is currently located in the right-of-way in front of the site. Condition of Approval 6 requires it be moved out of the right-of-way.

5. *The minimum yard dimensions or minimum building setback area from the lot line shall be:*

a. *For the front yard, 20 feet; except for steeply sloped lots where the provisions of CDC 41.010 shall apply; and as specified in CDC 26.040(D) for the Willamette Historic District.*

b. *For an interior side yard, seven and one-half feet; except as specified in CDC 26.040(D) for the Willamette Historic District.*

d. *For a rear yard, 20 feet.*

7. *The maximum lot coverage shall be 35 percent.*

8. *The minimum width of an accessway to a lot which does not abut a street or a flag lot shall be 15 feet.*

9. *The floor area ratio shall be 0.45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter 66 CDC.*

#### **FINDING NO. 2:**

A potential new house on Parcel 2 will be able to meet these and other Chapter 11 dimensional standards. The accessway is proposed to be 15 feet wide. For the application to be approved, the existing house proposed to remain needs to meet all of the above standards as they relate to proposed Parcel 1. For Parcel 1, the front setback and north side setback will continue to be met, as the 5-foot dedication will not reduce the setback in front to less than 20 feet, and as the north property line of Parcel 1 will not change. The south side setback of the existing structure on Parcel 1 is non-conforming, but is not changed for the better or worse by this application, and the partition proposal meets the CDC. Therefore no additional application relating to the non-conforming status is required per Subsection 66.080(B)(1). The property line between the two proposed parcels is placed so the existing house on Parcel 1 will maintain a 20-foot setback. The one-story house on proposed Parcel 1 has 3,320 square feet counting porch/covered patio areas, so it would still have less than 35% lot coverage and less than 0.45 floor area ratio upon the partition. The criteria are met.

## **CHAPTER 85**

### **LAND DIVISION GENERAL PROVISIONS**

## 85.200 APPROVAL CRITERIA

*No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by condition of approval.*

### A. Streets.

1. General. *The location, width and grade of streets shall be considered in their relation to existing and planned streets, to the generalized or reasonable layout of streets on adjacent undeveloped parcels, to topographical conditions, to public convenience and safety, to accommodate various types of transportation (automobile, bus, pedestrian, bicycle), and to the proposed use of land to be served by the streets. The functional class of a street aids in defining the primary function and associated design standards for the facility. The hierarchy of the facilities within the network in regard to the type of traffic served (through or local trips), balance of function (providing access and/or capacity), and the level of use (generally measured in vehicles per day) are generally dictated by the functional class. The street system shall assure an adequate traffic or circulation system with intersection angles, grades, tangents, and curves appropriate for the traffic to be carried. Streets should provide for the continuation, or the appropriate projection, of existing principal streets in surrounding areas and should not impede or adversely affect development of adjoining lands or access thereto.*

*To accomplish this, the emphasis should be upon a connected continuous pattern of local, collector, and arterial streets rather than discontinuous curvilinear streets and cul-de-sacs. Deviation from this pattern of connected streets should only be permitted in cases of extreme topographical challenges including excessive slopes (35 percent-plus), hazard areas, steep drainageways, wetlands, etc. In such cases, deviations may be allowed but the connected continuous pattern must be reestablished once the topographic challenge is passed. Streets should be oriented with consideration of the sun, as site conditions allow, so that over 50 percent of the front building lines of homes are oriented within 30 degrees of an east-west axis.*

*Internal streets are the responsibility of the developer. All streets bordering the development site are to be developed by the developer with, typically, half-street improvements or to City standards prescribed by the City Engineer. Additional travel lanes may be required to be consistent with adjacent road widths or to be consistent with the adopted Transportation System Plan and any adopted updated plans.*

*An applicant may submit a written request for a waiver of abutting street improvements if the Transportation System Plan prohibits the street improvement for which the waiver is requested. Those areas with numerous (particularly contiguous) under-developed or undeveloped tracts will be required to install street improvements. When an applicant requests a waiver of street improvements and the waiver is granted, the applicant shall propose a fee amount that will be reviewed by the City Manager or the Manager's designee. The City Manager or the Manager's designee will revise the proposed fee as necessary and establish the amount to be paid on a case-by-case basis. The applicant shall pay an in-lieu fee*

for improvements to the nearest street identified by the City Manager or Manager's designee as necessary and appropriate. The amount of the in-lieu fee shall be roughly proportional to the impact of the development on the street system as determined in subsection (A)(22) of this section.

Streets shall also be laid out to avoid and protect tree clusters and significant trees, but not to the extent that it would compromise connectivity requirements per this subsection (A)(1), or bring the density below 70 percent of the maximum density for the developable net area. The developable net area is calculated by taking the total site acreage and deducting Type I and II lands; then up to 20 percent of the remaining land may be excluded as necessary for the purpose of protecting significant tree clusters or stands as defined in CDC 55.100(B)(2).

Right-of-way and roadway widths. In order to accommodate larger tree-lined boulevards and sidewalks, particularly in residential areas, the standard right-of-way widths for the different street classifications shall be within the range listed below. But instead of filling in the right-of-way with pavement, they shall accommodate the amenities (e.g., boulevards, street trees, sidewalks). The exact width of the right-of-way shall be determined by the City Engineer or the approval authority. The following ranges will apply:

<u>Street Classification</u>	<u>Right-of-Way</u>
Major collector	60 – 80
Collector	60 – 80

Additional rights-of-way for slopes may be required. Sidewalks shall not be located outside of the right-of-way unless to accommodate significant natural features or trees.

3. Street widths. Street widths shall depend upon which classification of street is proposed. The classifications and required cross sections are established in Chapter 8 of the adopted TSP. Streets are classified as follows.

**Collector streets** provide both access and circulation within and between residential and commercial/industrial areas. Collectors differ from arterials in that they provide more of a Citywide circulation function and do not require as extensive control of access and that they penetrate residential neighborhoods, distributing trips from the neighborhood and local street system. Collectors are typically greater than one-half to one mile in length.

The following table identifies appropriate street width (curb to curb) in feet for various street classifications. The desirable width shall be required unless the applicant or his engineer can demonstrate that site conditions, topography, or site design require the reduced minimum width.

**City of West Linn Roadway Cross-Section Standards**

<b>Street Element</b>	<b>Characteristic</b>	<b>Width/Options</b>
<i>Vehicle Lane Widths (minimum widths)</i>	<i>Arterial Collector Neighborhood Local Turn Lane</i>	<i>11 feet 10 feet 10 feet 12 feet 10-14 feet</i>
<i>On-Street Parking</i>	<i>Arterials Collectors Neighborhood Local</i>	<i>Limited (in commercial areas) Some (unstriped) Some (8 feet) Some (unstriped)</i>
<i>Bicycle Lanes (minimum widths)</i>	<i>New Construction Reconstruction</i>	<i>5 to 6 feet 5 to 6 feet</i>
<i>Sidewalks (minimum width) (See note below)</i>	<i>Arterial Collector Neighborhood/Local</i>	<i>6 feet 6 feet 6 feet</i>
<i>Landscape Strips</i>	<i>Can be included in all streets</i>	<i>6 feet</i>
<i>Medians</i>	<i>5-Lane 3-Lane 2-Lane</i>	<i>Optional Optional Consider if appropriate</i>
<i>Neighborhood Traffic Management</i>	<i>Arterials Collectors Neighborhood Local</i>	<i>Not recommended Under special conditions Should consider if appropriate Should consider if appropriate</i>
<i>Transit</i>	<i>Arterial/Collectors Neighborhood Route Local</i>	<i>Appropriate Only in special circumstances Not recommended</i>

*NOTE: Commercial/OBC zone development on arterials requires a 12-foot-wide sidewalk which includes three feet for street trees, hydrants, street furniture, etc. Commercial/OBC zone development on local streets requires an 8-foot-wide sidewalk with no planter strip, but shall include cut-outs for street trees. In both commercial and residential areas where site constraints exist, sidewalks and planter strips may be reduced to the minimum necessary (e.g., four feet for sidewalks and no planter strip) to accommodate walking and significant natural features such as mature trees, steep embankment, grade problems, and existing structures, or to match existing sidewalks or right-of-way limitations. These natural features are to be preserved to the greatest extent possible. Requests for this configuration shall require the endorsement of the City Engineer. The City Engineer has the authority to require that street widths match adjacent street widths.*

<b>Sidewalk Location</b>	<b>Sidewalk Width</b>
<i>Residential Development</i>	<i>6 feet (+ 6-foot planter strip)</i>

4. *The decision-making body shall consider the City Engineer's recommendations on the desired right-of-way width, pavement width and street geometry of the various street types within the subdivision after consideration by the City Engineer of the following criteria:*
  - a. *The type of road as set forth in the Transportation Master Plan.*
  - b. *The anticipated traffic generation.*
  - c. *On-street parking requirements.*
  - d. *Sidewalk and bikeway requirements.*
  - e. *Requirements for placement of utilities.*
  - f. *Street lighting.*
  - g. *Drainage and slope impacts.*
  - h. *Street trees.*
  - i. *Planting and landscape areas.*
  - j. *Existing and future driveway grades.*
  - k. *Street geometry.*
  - l. *Street furniture needs, hydrants.*
5. *Additionally, when determining appropriate street width, the decision-making body shall consider the following criteria:*
  - b. *Streets intended to serve as signed but unstriped bike routes should have the travel lane widened by two feet.*
  - c. *Collectors should have two travel lanes and may accommodate some parking. Bike routes are appropriate.*

**FINDING NO. 3:**

There are no new streets proposed. The existing street is a collector. The applicant proposed street improvements and right-of-way dedication matching existing conditions to the south. Two significant trees in and along the existing right-of-way will be preserved due to their high significance and good health, and the benefits they provide to the community, per Condition of Approval 4. These are the only significant trees on site and in the front right-of-way and they need to be protected if at all possible. Staff's drawing on Page 27 of Exhibit PD-1 shows what staff has found to be the achievable sidewalk route, in order to have both a connecting sidewalk and preserve the trees. Proposed Condition of Approval 4 requires the applicant follow this drawing. Street improvements will include paving on the north travel lane, but Proposed Condition of Approval 5 requires there be no widening, in order to protect the trees. The street can be widened to an appropriate width for a collector if and when the dividable property across the street develops. Per Subsections 16 and 17 below, planter strips can be narrowed or eliminated and sidewalks reduced to 4 feet in width (as required as necessary by Condition of Approval 4) to accommodate conditions such as significant tree preservation. The criteria are met upon the implementation of proposed conditions 4 and 5.

6. Reserve strips. *Reserve strips or street plugs controlling the access to streets are not permitted unless owned by the City.*

**FINDING NO. 4:**

There will be no reserve strips or street plugs.

7. Alignment. All streets other than local streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuations of the centerlines thereof. The staggering of street alignments resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the centerlines of streets having approximately the same direction and otherwise shall not be less than 100 feet.

10. Additional right-of-way for existing streets. Wherever existing street rights-of-way adjacent to or within a tract are of inadequate widths based upon the standards of this chapter, additional right-of-way shall be provided at the time of subdivision or partition.

**FINDING NO. 5:**

There are no new streets, only an existing street. Five feet of right-of-way dedication is required here to match the existing alignment to the north and south.

13. Grades and curves. Grades shall not exceed 8 percent on major or secondary arterials, 10 percent on collector streets, or 15 percent on any other street unless by variance. Willamette Drive/Highway 43 shall be designed to a minimum horizontal and vertical design speed of 45 miles per hour, subject to Oregon Department of Transportation (ODOT) approval. Arterials shall be designed to a minimum horizontal and vertical design speed of 35 miles per hour. Collectors shall be designed to a minimum horizontal and vertical design speed of 30 miles per hour. All other streets shall be designed to have a minimum centerline radii of 50 feet. Super elevations (i.e., banking) shall not exceed four percent. The centerline profiles of all streets may be provided where terrain constraints (e.g., over 20 percent slopes) may result in considerable deviation from the originally proposed alignment.

**FINDING NO. 6:**

The grade will not exceed those specified above. This collector street will not be widened here per Condition of Approval 4 despite the proposed right-of-way alignment matching existing conditions to the north and south. This is required in order to preserve the significant trees at the front of the site. Future development across the street will enable the street widening to the minimum collector width provided by this criterion. The criterion is met as much as possible with this development located on one side of the existing collector street.

16. Sidewalks. Sidewalks shall be installed per CDC 92.010(H), Sidewalks. The residential sidewalk width is six feet plus planter strip as specified below. Sidewalks in commercial zones shall be constructed per subsection (A)(3) of this section. See also subsection C of this section. Sidewalk width may be reduced with City Engineer approval to the minimum amount (e.g., four feet wide) necessary to respond to site constraints such as grades, mature trees, rock outcroppings, etc., or to match existing sidewalks or right-of-way limitations.

17. Planter strip. The planter strip is between the curb and sidewalk providing space for a grassed or landscaped area and street trees. The planter strip shall be at least 6 feet wide to accommodate a fully matured tree without the boughs interfering with pedestrians on the sidewalk or vehicles along the curbline. Planter strip width may be reduced or eliminated, with City Engineer approval, when it cannot be corrected by site

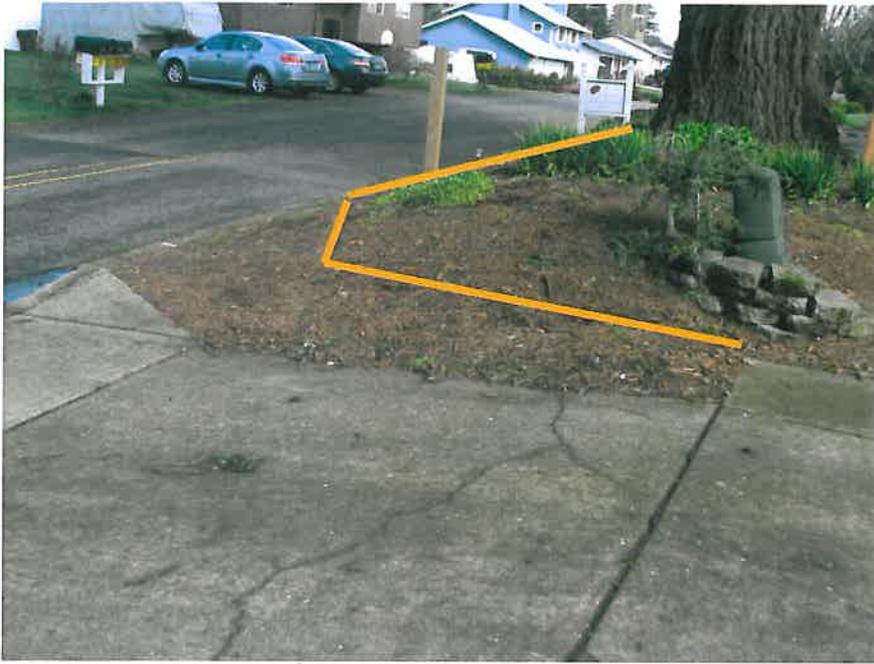
*plan, to the minimum amount necessary to respond to site constraints such as grades, mature trees, rock outcroppings, etc., or in response to right-of-way limitations.*

**FINDING NO. 7:**

Per proposed Condition of Approval 4 the sidewalk will be meandered and reduced in width to 4 feet, and the planter strip eliminated or reduced in width as necessary to preserve the two significant trees at the front of the site. The sidewalk route east of the trees cannot be implemented due to significant grade difference between the subject property and the properties to the south. Also, the sidewalk cannot be implemented only west of the trees because of the large root system of the northern of the two trees, which is immediately alongside the existing street pavement. Therefore the route winding between the trees is required by Condition 4. See the photo below for where this route would be implemented in relation to the trees.



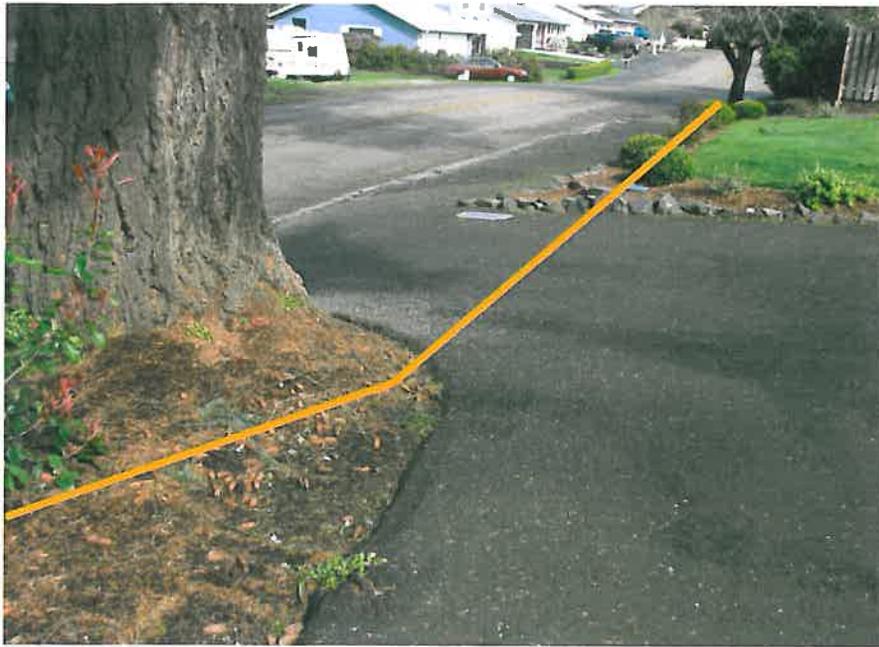
The southern of the two trees is on the right, and the northern on the left. Because of the tree root system along the street pavement for the northern tree, the sidewalk shall gradually slope and curve around the west side of the southern tree, while then curving around to the east of the northern tree. This alignment provides for a 4-foot sidewalk without stairs or steep grades, making the connection along site between sidewalks to the north and those to the south, along Ostman Road. See the staff drawing (on a copy of the site plan) on Page 27 of Exhibit PD-1 which Condition of Approval 4 requires as a modification to the submitted plan. The sidewalk and planter strip in the remainder of the property frontage, north of the trees and existing driveway, will match existing conditions to the north. Condition of Approval 4 requires a pedestrian easement for the areas the sidewalk will meander onto Parcel 1 (in the areas not to be dedicated for public right-of-way). As this is a pedestrian easement, not a motor vehicle access easement, the buildable lot area is not reduced in size and the Parcel 1 will still conform to the 10,000 square foot minimum.



**Looking northwest at tree and sidewalk area from property to south. This is where the sidewalk shall turn left along the driveway in the foreground (within the public right of way), coming close to the street before turning back to go between the trees. The line shown approximately matches this alignment.**



**This is just north of the previous picture, at the southwest corner of the subject property. This is where the sidewalk shall turn away from the street and slope between the two trees. The line shown approximately matches this alignment.**



**This is just northeast of the previous picture, where the sidewalk shall head north again along the remainder of the property.**

*18. Streets and roads shall be dedicated without any reservations or restrictions.*

**FINDING NO. 8:**

The appropriate amount of right-of-way is being dedicated. It is being dedicated with no reservations or restrictions.

*19. All lots in a subdivision shall have access to a public street. Lots created by partition may have access to a public street via an access easement pursuant to the standards and limitations set forth for such accessways in Chapter 48 CDC.*

**FINDING NO. 9:**

This is a 2-lot partition. Parcel 1 fronts on Ostman Road and has existing access there which will remain. Parcel 2 is behind Parcel 1 and does not front on a street. The applicant proposes an access easement across the north end of Parcel 1 to serve Parcel 2. Staff proposes conditions 2 and 3 to ensure the access easement and its driveway are compliant with Chapter 48. For details, see Finding No. 15 below, which is in response to Subsection 85.200(B)(7) Flag Lots.

*22. Based upon the determination of the City Manager or the Manager's designee, the applicant shall construct or cause to be constructed, or contribute a proportionate share of the costs, for all necessary off-site improvements identified by the transportation analysis commissioned to address CDC 85.170(B)(2) that are required to mitigate impacts from the proposed subdivision. The proportionate share of the costs shall be determined by the City Manager or Manager's designee, who shall assume that the proposed subdivision provides improvements in rough proportion to identified impacts of*

*the subdivision. Off-site transportation improvements will include bicycle and pedestrian improvements as identified in the adopted City of West Linn TSP.*

**FINDING NO. 10:**

No off-site contributions or construction is necessary. The criterion is met.

*B. Blocks and lots.*

*1. General. The length, width, and shape of blocks shall be designed with due regard for the provision of adequate building sites for the use contemplated; consideration of the need for traffic safety, convenience, access, circulation, and control; and recognition of limitations and opportunities of topography and solar access.*

*2. Sizes. The recommended block size is 400 feet in length to encourage greater connectivity within the subdivision. Blocks shall not exceed 800 feet in length between street lines, except for blocks adjacent to arterial streets or unless topographical conditions or the layout of adjacent streets justifies a variation. Designs of proposed intersections shall demonstrate adequate sight distances to the City Engineer's specifications. Block sizes and proposed accesses must be consistent with the adopted TSP.*

**FINDING NO. 11:**

A two-lot partition is proposed for a mid-block site with no opportunity for new blocks or new connecting street sections. Therefore the proposal does not affect the size of the existing block. The criteria cannot be applied.

*3. Lot size and shape. Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision, for the type of use contemplated, for potential utilization of solar access, and for the protection of drainageways, trees, and other natural features. No lot shall be dimensioned to contain part of an existing or proposed street. All lots shall be buildable, and the buildable depth should not exceed two and one-half times the average width. "Buildable" describes lots that are free of constraints such as wetlands, drainageways, etc., that would make home construction impossible. Lot sizes shall not be less than the size required by the zoning code unless as allowed by planned unit development (PUD).*

*Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.*

**FINDING NO. 12:**

There are no significant natural features on site except for the trees in the front right-of-way and dedication area. Due to the existing house on site, division of the site into two parcels mandates that the second parcel be in the rear. The rear is an appropriate building location in terms of solar access, buildability, tree protection, etc. There are no significant trees on Parcel 2, the parcel proposed for the rear area.

4. Access. Access to subdivisions, partitions, and lots shall conform to the provisions of Chapter 48 CDC, Access, Egress and Circulation.

**FINDING NO. 13:**

Parcel 1 has existing access from Ostman Road. The applicant proposes an access easement across the north end of Parcel 1 to access Parcel 2. Staff proposes conditions 2 and 3 to ensure the access easement and the driveway comply with Chapter 48. For details, see Finding No. 15 below, in response to Subsection 85.200(B)(7) Flag Lots.

6. Lot and parcel side lines. The lines of lots and parcels, as far as is practicable, should run at right angles to the street upon which they face, except that on curved streets they should be radial to the curve.

**FINDING NO. 14:**

The proposal creates no new side lines as it proposes a front and rear parcel using existing side lot lines. The existing side lines are at right angles to the street.

7. Flag lots. Flag lots can be created where it can be shown that no other reasonable street access is possible to achieve the requested land division. A single flag lot shall have a minimum street frontage of 15 feet for its accessway. Where two to four flag lots share a common accessway, the minimum street frontage and accessway shall be eight feet in width per lot. Common accessways shall have mutual maintenance agreements and reciprocal access and utility easements. The following dimensional requirements shall apply to flag lots:

a. Setbacks applicable to the underlying zone shall apply to the flag lot.

b. Front yard setbacks may be based on the rear property line of the parcel which substantially separates the flag lot from the street from which the flag lot gains access. Alternately, the house and its front yard may be oriented in other directions so long as some measure of privacy is ensured, or it is part of a pattern of development, or it better fits the topography of the site.

c. The lot size shall be calculated exclusive of the accessway; the access strip may not be counted towards the area requirements.

d. The lot depth requirement contained elsewhere in this code shall be measured from the rear property line of the parcel which substantially separates the flag lot from the street from which the flag lot gains access.

e. As per CDC 48.030, the accessway shall have a minimum paved width of 12 feet.

f. If the use of a flag lot stem to access a lot is infeasible because of a lack of adequate existing road frontage, or location of existing structures, the proposed lot(s) may be accessed from the public street by an access easement of a minimum 15-foot width across intervening property.

**FINDING NO. 15:**

Parcel 2 is proposed to be a flag lot accessed by a 15-foot wide access easement as provided for in Subsection (f) above. Condition of Approval 2 requires that the driveway have a minimum paved width of 12 feet. Both lots have over 10,000 square feet not counting the access easement. The area just east of the access easement in Parcel 2 is used to count towards the minimum 10,000 square foot parcel size, but is allowed to as it is wider than a 15-foot stem or accessway. Proposed Condition of Approval 3 requires the recording of the easement as an access and utility easement with a mutual maintenance agreement. The criteria are met upon the implementation of conditions 2 and 3.

*D. Transit facilities.*

- 1. The applicant shall consult with Tri-Met and the City Engineer to determine the appropriate location of transit stops, bus pullouts, future bus routes, etc., contiguous to or within the development site. If transit service is planned to be provided within the next two years, then facilities such as pullouts shall be constructed per Tri-Met standards at the time of development. More elaborate facilities, like shelters, need only be built when service is existing or imminent. Additional rights-of-way may be required of developers to accommodate buses.*
- 2. The applicant shall make all transit-related improvements in the right-of-way or in easements abutting the development site as deemed appropriate by the City Engineer.*
- 3. Transit stops shall be served by striped and signed pedestrian crossings of the street within 150 feet of the transit stop where feasible. Illumination of the transit stop and crossing is required to enhance defensible space and safety. ODOT approval may be required.*
- 4. Transit stops should include a shelter structure bench plus eight feet of sidewalk to accommodate transit users, non-transit-related pedestrian use, and wheelchair users. Tri-Met must approve the final configuration.*

**FINDING NO. 16:**

There is a bus line on Ostman Road, but no transit improvements are required for this 2-lot partition.

*E. Lot grading. Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:*

- 1. All cuts and fills shall comply with the excavation and grading provisions of the Uniform Building Code and the following:*
  - a. Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically (i.e., 67 percent grade).*
  - b. Fill slopes shall not exceed two feet horizontally to one foot vertically (i.e., 50 percent grade). Please see the following illustration.*

2. *The character of soil for fill and the characteristics of lot and parcels made usable by fill shall be suitable for the purpose intended.*
3. *If areas are to be graded (more than any four-foot cut or fill), compliance with CDC 85.170(C) is required.*
4. *The proposed grading shall be the minimum grading necessary to meet roadway standards, and to create appropriate building sites, considering maximum allowed driveway grades.*
5. *Where landslides have actually occurred, where the area is identified as a hazard site in the West Linn Comprehensive Plan Report, or where field investigation by the City Engineer confirms the existence of a severe landslide hazard, development shall be prohibited unless satisfactory evidence is additionally submitted by a registered geotechnical engineer which certifies that methods of rendering a known hazard site safe for construction are feasible for a given site. The City Engineer's field investigation shall include, but need not be limited to, the following elements:*
  - a. *Occurrences of geotropism.*
  - b. *Visible indicators of slump areas.*
  - c. *Existence of known and verified hazards.*
  - d. *Existence of unusually erosive soils.*
  - e. *Occurrences of unseasonably saturated soils.*

*The City Engineer shall determine whether the proposed methods or designs are adequate to prevent landslide or slope failure. The City Engineer may impose conditions consistent with the purpose of these ordinances and with standard engineering practices including limits on type and intensity of land use, which have been determined necessary to assure landslide or slope failure does not occur.*

6. *All cuts and fills shall conform to the Uniform Building Code.*

**FINDING NO. 17:**

The site is not in a landslide hazard area. Most of the site will need little or minimal grading. The criteria are met.

**F. Water.**

1. *A plan for domestic water supply lines or related water service facilities shall be prepared consistent with the adopted Comprehensive Water System Plan, plan update, March 1987, and subsequent superseding revisions or updates.*
2. *Adequate location and sizing of the water lines.*
3. *Adequate looping system of water lines to enhance water quality.*

5. *A written statement, signed by the City Engineer, that water service can be made available to the site by the construction of on-site and off-site improvements and that such water service has sufficient volume and pressure to serve the proposed development's domestic, commercial, industrial, and fire flows.*

G. Sewer.

1. *A plan prepared by a licensed engineer shall show how the proposal is consistent with the Sanitary Sewer Master Plan (July 1989). Agreement with that plan must demonstrate how the sanitary sewer proposal will be accomplished and how it is gravity-efficient. The sewer system must be in the correct basin and should allow for full gravity service.*
2. *Sanitary sewer information will include plan view of the sanitary sewer lines, including manhole locations and depth or invert elevations.*
3. *Sanitary sewer lines shall be located in the public right-of-way, particularly the street, unless the applicant can demonstrate why the alternative location is necessary and meets accepted engineering standards.*
4. *Sanitary sewer line should be at a depth that can facilitate connection with down-system properties in an efficient manner.*
5. *The sanitary sewer line should be designed to minimize the amount of lineal feet in the system.*
7. *Sanitary sewer shall be extended or stubbed out to the next developable subdivision or a point in the street that allows for reasonable connection with adjacent or nearby properties.*
8. *The sanitary sewer system shall be built pursuant to DEQ, City, and Tri-City Service District sewer standards. The design of the sewer system should be prepared by a licensed engineer, and the applicant must be able to demonstrate the ability to satisfy these submittal requirements or standards at the pre-construction phase.*
9. *A written statement, signed by the City Engineer, that sanitary sewers with sufficient capacity to serve the proposed development and that adequate sewage treatment plant capacity is available to the City to serve the proposed development.*

**FINDING NO. 18:**

The public water and sanitary sewer lines are under Ostman Road. Water and sanitary sewer services exist for the existing house on proposed Parcel 1. Water and sanitary sewer services are proposed for proposed Parcel 2. There are no surrounding other streets or dividable parcels on this side of the street. By signing this staff report, Engineering acknowledges these services can appropriately serve the site.

H. Storm.

1. *A stormwater quality and detention plan shall be submitted which complies with the submittal criteria and approval standards contained within Chapter 33 CDC. It shall include profiles of proposed drainageways with reference to the adopted Storm Drainage Master Plan.*

2. *Storm treatment and detention facilities shall be sized to accommodate a 25-year storm incident. A registered civil engineer shall prepare a plan and statement which shall be supported by factual data that clearly shows that there will be no adverse off-site impacts from increased intensity of runoff downstream or constriction causing ponding upstream. The plan and statement shall identify all on- or off-site impacts and measures to mitigate those impacts. The plan and statement shall, at a minimum, determine the off-site impacts from a 25-year storm.*

3. *Plans shall demonstrate how storm drainage will be collected from all impervious surfaces including roof drains. Storm drainage connections shall be provided to each dwelling unit/lot. The location, size, and type of material selected for the system shall correlate with the 25-year storm incident.*

4. *Treatment of storm runoff shall meet municipal code standards.*

**FINDING NO. 19:**

The swale is provided in the western area of Lot 2 for new impervious area. The system is designed for a 25-year event. The criteria are met.

I. *Utility easements. Subdivisions and partitions shall establish utility easements to accommodate the required service providers as determined by the City Engineer. The developer of the subdivision shall make accommodation for cable television wire in all utility trenches and easements so that cable can fully serve the subdivision.*

**FINDING NO. 20:**

Utility easements are proposed along the driveway to Parcel 1 to serve Parcel 2, and along the border between the two parcels should utilities ever need to be placed there. The criterion is met.

J. *Supplemental provisions.*

3. *Street trees. Street trees are required as identified in the appropriate section of the municipal code and Chapter 54 CDC.*

**FINDING NO. 21:**

Per Condition of Approval 4, street trees are not required because the two significant trees at the front of the site are required to be preserved.

4. *Lighting. To reduce ambient light and glare, high or low pressure sodium light bulbs shall be required for all subdivision street or alley lights. The light shall be shielded so that the light is directed downwards rather than omni-directional.*

**FINDING NO. 22:**

This is a partition. The only new lot to be created without an existing house is a flag lot. Ostman is an existing street. Engineering has not identified the need for further lighting.

5. *Dedications and exactions. The City may require an applicant to dedicate land and/or construct a public improvement that provides a benefit to property or persons outside the property that is the subject of the application when the exaction is roughly proportional. No exaction shall be imposed unless supported by a determination that the exaction is roughly proportional to the impact of development.*

**FINDING NO. 23:**

Five feet of right-of-way dedication is required in the front to match existing conditions to the north and south. With or without this dedication, the site is able to be divided into a total of two buildable, conforming lots. The criterion is met.

6. *Underground utilities. All utilities, such as electrical, telephone, and television cable, that may at times be above ground or overhead shall be buried underground in the case of new development. The exception would be in those cases where the area is substantially built out and adjacent properties have above-ground utilities and where the development site's frontage is under 200 feet and the site is less than one acre. High voltage transmission lines, as classified by Portland General Electric or electric service provider, would also be exempted. Where adjacent future development is expected or imminent, conduits may be required at the direction of the City Engineer. All services shall be underground with the exception of standard above-grade equipment such as some meters, etc.*

**FINDING NO. 24:**

The applicant proposes the utilities serving Parcel 2 to be underground. Parcel 1 already has utilities as it has an existing house which will remain. The only above-ground wire utility on Parcel 1 is a line coming from the southwest corner of the house southwest across neighboring property to a pole along Ostman Road. The site is surrounded mainly by built-out areas, with the exception of the property immediately across the street which has one house but would be theoretically dividable into four lots by the R-10 zoning. The site is less than 1 acre. Therefore further undergrounding of existing utilities is not required. The criterion is met.

9. *Heritage trees/significant tree and tree cluster protection. All heritage trees, as defined in the Municipal Code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction. All non-heritage trees and clusters of trees (three or more trees with overlapping dripline; however, native oaks need not have an overlapping dripline) that are considered significant by virtue of their size, type, location, health, or numbers shall be saved pursuant to CDC 55.100(B)(2). Trees are defined per the municipal code as having a trunk six inches in diameter or 19 inches in circumference at a point five feet above the mean ground level at the base of the trunk.*

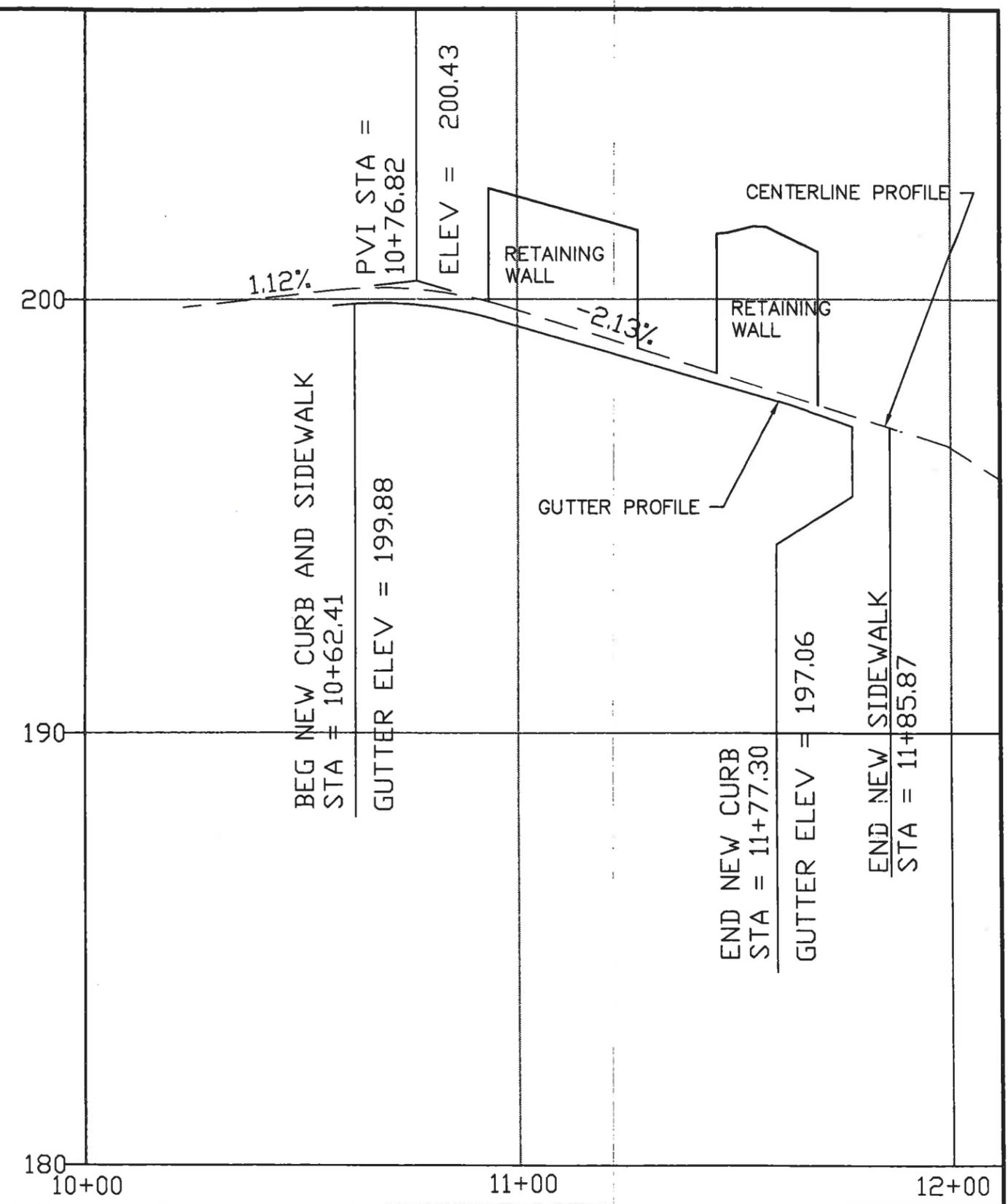
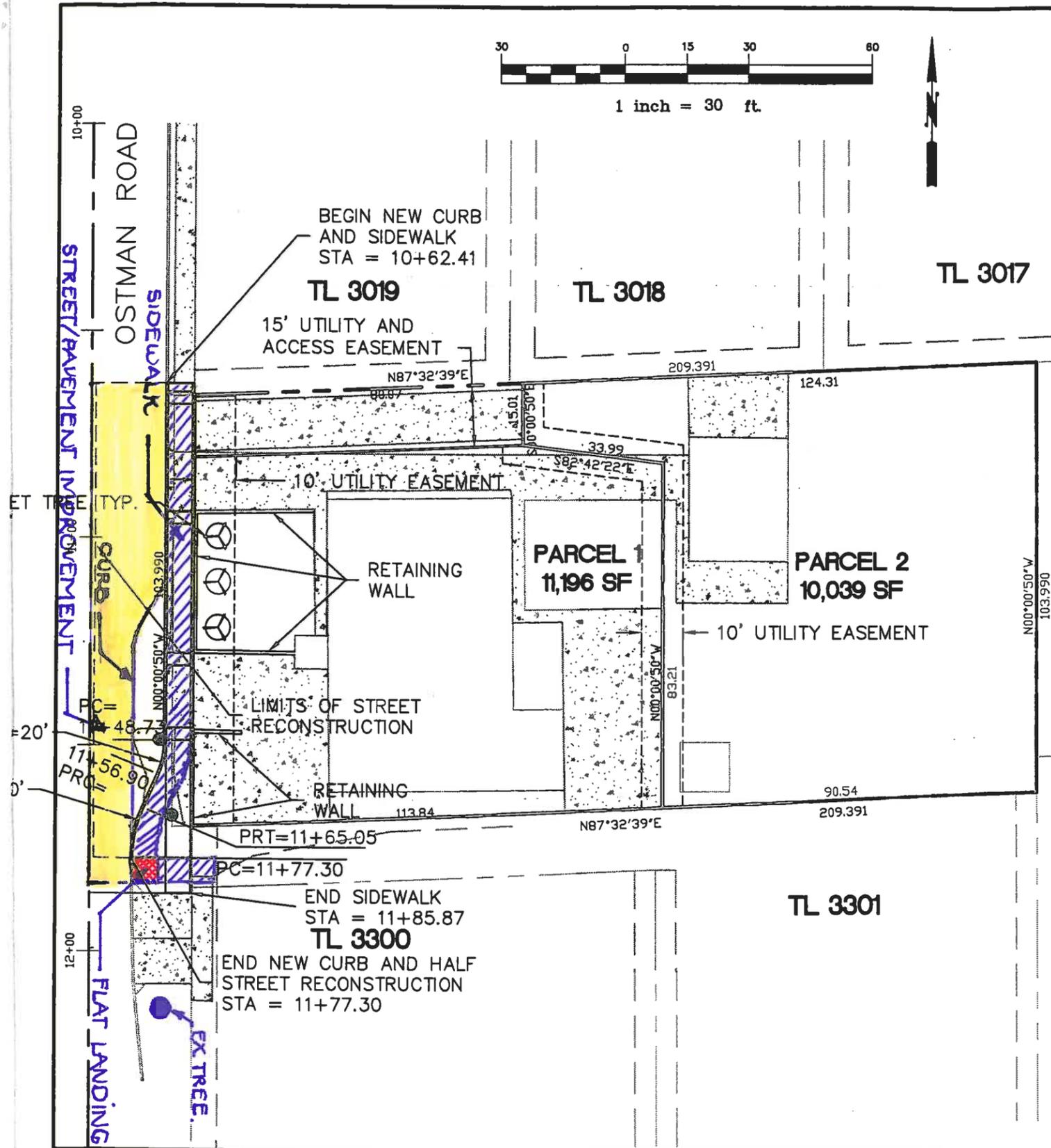
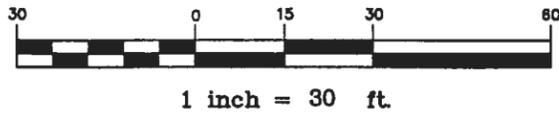
**FINDING NO. 25:**

The two significant trees on site are being preserved via meandering and narrowing the sidewalk, adjusting planter strip width, and requiring the street pavement not be widened as

part of half-street improvements. The sidewalk construction and appropriate narrowing and the planter strip adjustment are required by proposed Condition 4. The street improvement as discussed in this finding is required by proposed Condition 5. The criterion is met upon the implementation of these conditions. Also see Page 27 of Exhibit PD-1, staff's drawing of the sidewalk improvements required by proposed Condition 4 for tree preservation.

# EXHIBITS

PD-1	STAFF REVISION TO SITE PLAN TO DELINEATE SIDEWALK .....	29
PD-2	AFFADAVIT OF NOTICE.....	30
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PD-5	APPLICANT'S SUBMITTAL.....	39-75



No.	Date	By	Chk.	Revisions

Designed By:  
HL  
 Drawn By:  
SFG  
 Checked By:  
HL  
 Approved By:



**CONVERGENT PACIFIC**  
 8975 SW CENTER STREET  
 TIGARD, OREGON 97223  
 T: 503-747-3569; F: 503-747-3579

Scale:  
 Filename:  
 Contract No.:  
 Date:  
 2/6/2012

**TWO LOT PARTITION**  
 1785 Ostman Road  
 West Linn, Oregon  
 STREET IMPROVEMENTS

Drawing No.:  
 Rev.:  
 Sheet No.:  
**S5**

**AFFIDAVIT OF NOTICE**

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

**GENERAL**

File No. MIP-12-01 Applicant's Name Danut Haj  
Development Name 1785 Ostman Rd - 2 lot partition  
Scheduled Meeting/Decision Date 4-26-12

**NOTICE:** Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

**TYPE A**

- A. The applicant (date) 4-6-12 (signed) S. Skoyev
- B. Affected property owners (date) 4-6-12 (signed) S. Skoyev
- C. School District/ Board (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- D. Other affected gov't. agencies (date) 4-6-12 (signed) S. Skoyev
- E. Affected neighborhood assns. (date) 4-6-12 (all) (signed) S. Skoyev
- F. All parties to an appeal or review (date) \_\_\_\_\_ (signed) \_\_\_\_\_

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted:

Tidings (published date) 4-12-12 (signed) \_\_\_\_\_  
City's website (posted date) 4-3-12 (signed) S. Skoyev

**SIGN**

At least 10 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

(date) 4/9/12 (signed) [Signature]

**NOTICE:** Notices were sent at least 14 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

**TYPE B** \_\_\_\_\_

- A. The applicant (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- B. Affected property owners (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- C. School District/ Board (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- D. Other affected gov't. agencies (date) \_\_\_\_\_ (signed) \_\_\_\_\_
- E. Affected neighborhood assns. (date) \_\_\_\_\_ (signed) \_\_\_\_\_

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.  
Date: \_\_\_\_\_ (signed) \_\_\_\_\_

**STAFF REPORT** mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.

(date) \_\_\_\_\_ (signed) \_\_\_\_\_

**FINAL DECISION** notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

(date) 4-30-12 (signed) S. Skoyev

**CITY OF WEST LINN  
PLANNING DIRECTOR DECISION**

**FILE NO. MIP-12-01**

The West Linn Planning Director is considering a request for a 2-lot Minor Partition at 1785 Ostman Road (Tax Lot 3200 of Clackamas County Assessor's Map 3-1E-03AA). The decision will be based on the approval criteria in chapters 11 and 85 of the Community Development Code (CDC). The approval criteria from the CDC are available for review at City Hall, at the City Library, and at <http://www.westlinnoregon.gov.cdc>.

All relevant materials in the above noted file are available for inspection at no cost at City Hall, and on the city web site at <http://westlinnoregon.gov/planning/1785-ostman-road-2-lot-minor-partition> or copies may be obtained for a minimal charge per page. Although there is no public hearing, your comments and ideas are invited and can definitely influence the final decision of the Planning Director. Planning staff looks forward to discussing the application with you. **The final decision is expected to be made on, and no earlier than, April 26, 2012**, so please get in touch with us prior to this date. For further information, please contact Tom Soppe, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503) 742-8660, [tsoppe@westlinnoregon.gov](mailto:tsoppe@westlinnoregon.gov)

Any appeals to this decision must be filed within 14 days of the final decision date with the Planning Department. Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes the raising of the issue at a subsequent time on appeal or before the Land Use Board of Appeals.

SHAUNA SHROYER  
Planning Administrative Assistant

Please Publish: West Linn Tidings, April 12, 2012

**CITY OF WEST LINN  
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The property is located at Tax Lot 3200 of Clackamas County Assessor's Map 3-1E-03AA. You have received this notice because you own property within 500 feet of this property or as otherwise required by the CDC.

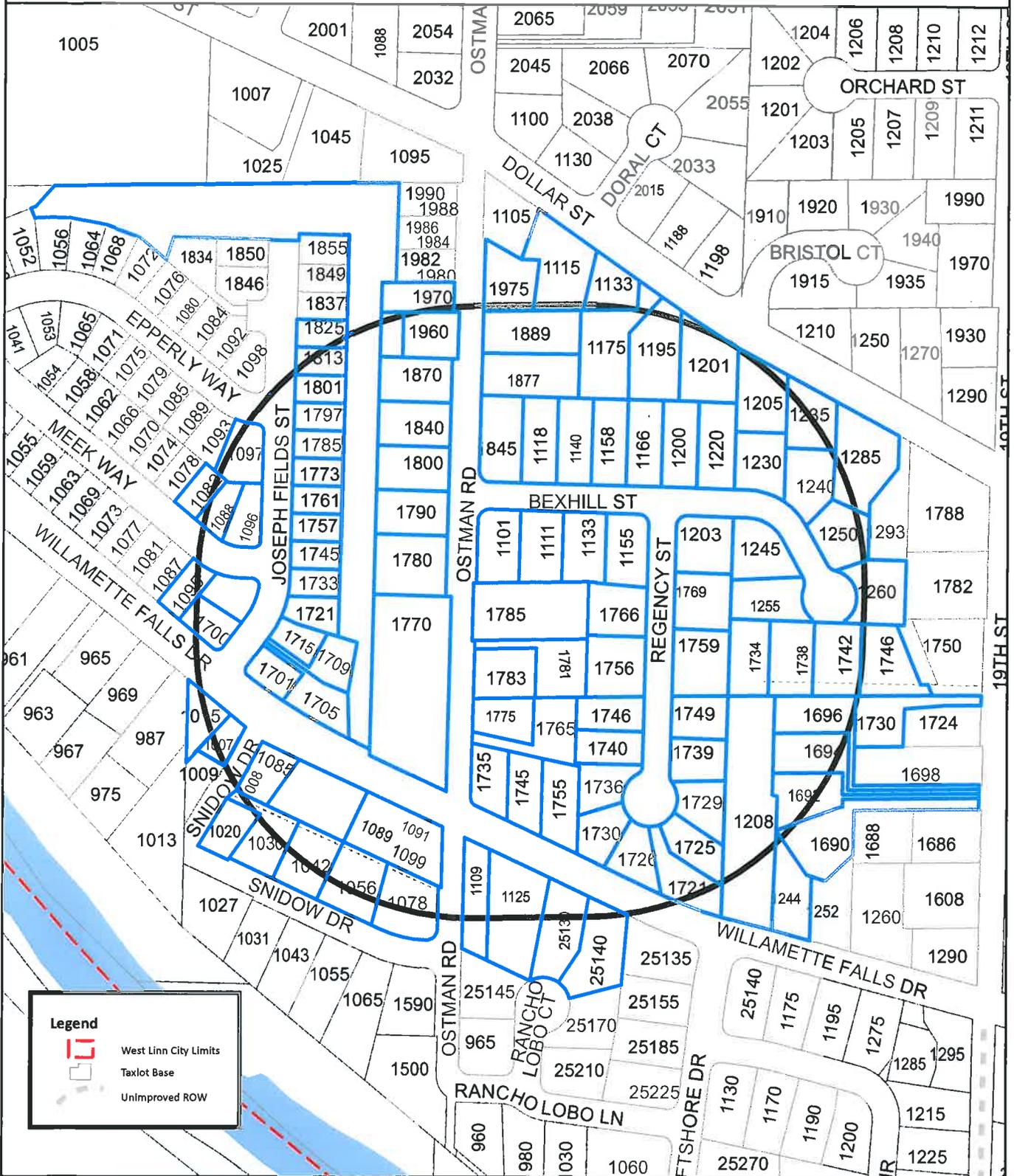
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SHAUNA SHROYER  
Planning Administrative Assistant

p:\devrvw\projects folder\projects 2012\MIP-12-01\notice-MIP-12-01

# 1785 Ostman Road 500' Buffer



**Legend**

-  West Linn City Limits
-  Taxlot Base
-  Unimproved ROW

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Taxlot Base Source: Clackamas County GIS

NOT TO SCALE



SNAPNOTIFY.MXD / AHA APP 3-24-2011

User Name:  
Map Creation Date: Apr 02, 2012

DR HORTON INC-PORTLAND  
4380 SW MACADAM AVE STE 100  
PORTLAND, OR 97239

ROMES CHRISTOPHER C & MARY E  
1785 JOSEPH FIELDS ST  
WEST LINN, OR 97068

WILDEY BRIAN R & JUDITH J  
1761 JOSEPH FIELDS ST  
WEST LINN, OR 97068

HEMSLEY MATTHEW  
1097 EPPERLY WAY  
WEST LINN, OR 97068

ATKINS KATHLEEN W TRUSTEE  
1096 MEEK WAY  
WEST LINN, OR 97068

OKADA AI & DAVID L GERSHON  
1088 MEEK WAY  
WEST LINN, OR 97068

PAVEN WILLIAM G  
1082 MEEK WAY  
WEST LINN, OR 97068

ARBOR COVE HOMEOWNERS ASSN  
~~NO MAILING ADDRESS  
AVAILABLE,~~

HARKLEROAD SHIRLEY  
1970 OSTMAN RD  
WEST LINN, OR 97068

SANDERS MARK J & TAMELA S  
1960 OSTMAN RD  
WEST LINN, OR 97068

SMILEY GAIL  
1730 19TH ST  
WEST LINN, OR 97068

GIBSON RONALD SCOTT  
1696 19TH ST  
WEST LINN, OR 97068

THIERAUF R G & A C FAMOUS-  
THIERAUF  
1690 19TH ST  
WEST LINN, OR 97068

SULLIVAN BRYON S & TRACI L  
1694 19TH ST  
WEST LINN, OR 97068

FLORES JEFFERY LEE  
1692 19TH ST  
WEST LINN, OR 97068

ELLINGSON LISA  
1244 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

MCCURDY JOHN P TRUSTEE  
1208 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

PATRICK BRIAN C & KERRI A  
1734 19TH ST  
WEST LINN, OR 97068

DEVALL JEFFREY D & SHANNON M  
1738 19TH ST  
WEST LINN, OR 97068

GUSDORF DARREN S & LINDA A  
1742 19TH ST  
WEST LINN, OR 97068

JORDAN MICHAEL E & KIMBERLY A  
1746 19TH ST  
WEST LINN, OR 97068

BARKER GARRETT W  
1235 DOLLAR ST  
WEST LINN, OR 97068

BREMPELIS MARY JO  
1205 DOLLAR ST  
WEST LINN, OR 97068

KLETZOK EDWARD J & ELLEN V  
1230 BEXHILL ST  
WEST LINN, OR 97068

MANNING STEVEN A & MARGARET A  
1240 BEXHILL ST  
WEST LINN, OR 97068

YATES CAROL LYNN  
1285 DOLLAR ST  
WEST LINN, OR 97068

DICKSON DANIEL H & M C REV LVNG  
TRST  
1250 BEXHILL ST  
WEST LINN, OR 97068

TANZER JAY & RITA M  
1302 FAIR ST  
CAMDEN, SC 29020

GUY ROBIN D & MARJORIE J  
1255 BEXHILL ST  
WEST LINN, OR 97068

ALARCON ROBERTO E  
1245 BEXHILL ST  
WEST LINN, OR 97068

TIEDEMAN EMERSON L JR & SHARON L  
1201 DOLLAR ST  
WEST LINN, OR 97068

BLEVINS A J & ELIZABETH ANN  
PO BOX 524  
WEST LINN, OR 97068

HARRIS PAMELA J  
1133 DOLLAR ST  
WEST LINN, OR 97068

STATEN DUSTIN L & KELLY S  
1975 OSTMAN RD  
WEST LINN, OR 97068

PRUEITT LACEY L & AARON J  
1175 DOLLAR ST  
WEST LINN, OR 97068

FRANZEN KELLY N  
1889 OSTMAN RD  
WEST LINN, OR 97068

MARINES JANET ANNE  
1877 OSTMAN RD  
WEST LINN, OR 97068

BURNETT THOMAS D  
1845 OSTMAN RD  
WEST LINN, OR 97068

MATHESON DAVID K & KATHRYN M  
5216 NELCO CIR  
WEST LINN, OR 97068

HUGHES JONATHAN P  
1140 BEXHILL ST  
WEST LINN, OR 97068

FEIGHTNER RICKY R & PATRICIA L  
1158 BEXHILL ST  
WEST LINN, OR 97068

LIDDELL CHRISTOPHER J & SARAH J  
1166 BEXHILL ST  
WEST LINN, OR 97068

PRESTHUS COLE G & LORENE M  
1200 BEXHILL ST  
WEST LINN, OR 97068

RECONTRUST COMPANY NA  
400 NATIONAL WAY  
SIMI VALLEY, CA 93065

MADSON ARTELLA L  
1203 BEXHILL ST  
WEST LINN, OR 97068

BASHAM SANTINA L  
1401 PATRICIA APT 204  
SAN ANTONIO, TX 78213

PRAHL MICHAEL D & KAREN L  
1759 REGENCY ST  
WEST LINN, OR 97068

COLE N DEAN  
1756 REGENCY ST  
WEST LINN, OR 97068

CHRISTIE GEOFFRY H  
1766 REGENCY ST  
WEST LINN, OR 97068

MERRIAM WILLIAM A & CHERYL H  
1155 BEXHILL ST  
WEST LINN, OR 97068

MILLER HARVEY B & DEBORAH A GSELL-  
MILLER  
1133 BEXHILL ST  
WEST LINN, OR 97068

KINCART PETER DANIEL  
1111 BEXHILL ST  
WEST LINN, OR 97068

KESSNER RICHARD H  
1101 BEXHILL ST  
WEST LINN, OR 97068

SMITH BRANDON WADE & CINDY L  
24498 S CENTRAL POINT RD  
CANBY, OR 97013

FUEHRER JANET M  
1109 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

DAVIS RICHARD  
1781 OSTMAN RD  
WEST LINN, OR 97068

EGE BRENDA A  
1735 OSTMAN RD  
WEST LINN, OR 97068

HERRON THOMAS J & MARSHA  
1745 OSTMAN RD  
WEST LINN, OR 97068

WADE JUDY RILEY  
1755 OSTMAN RD  
WEST LINN, OR 97068

BOETTCHER MADELEINE MARIE  
1765 OSTMAN RD  
WEST LINN, OR 97068

COLDEA STEFAN  
1775 OSTMAN RD  
WEST LINN, OR 97068

JUD SHEMS B & CRYSTAL A  
1749 REGENCY ST  
WEST LINN, OR 97068

ANDERSON MARY ANN & WILLIAM B  
1739 REGENCY ST  
WEST LINN, OR 97068

SEWARD ALLAN B & R VIGNERY-  
SEWARD  
1729 REGENCY ST  
WEST LINN, OR 97068

FELLMAN MATHEW LAWRENCE  
ALEXANDER  
PO BOX 665  
WEST LINN, OR 97068

BAWDEN JOHN M & JUDY L  
1721 REGENCY ST  
WEST LINN, OR 97068

WILSON BRUCE H & LORI A  
1726 REGENCY ST  
WEST LINN, OR 97068

LARSEN SHANNON K  
1730 REGENCY ST  
WEST LINN, OR 97068

H&T VENTURES LLC  
PO BOX 541  
WEST LINN, OR 97068

GRAY BRIAN  
PO BOX 404  
CLACKAMAS, OR 97015

SWIGART DARRICK K & DEBORAH A  
1746 REGENCY ST  
WEST LINN, OR 97068

BECKERS DONALD L  
1790 OSTMAN RD  
WEST LINN, OR 97068

BURMESTER DALE L & LINDA J  
1840 OSTMAN RD  
WEST LINN, OR 97068

SNAPP TONI RAE  
1870 OSTMAN RD  
WEST LINN, OR 97068

MAY RICHARD JAMES & KATHERINE L  
1800 OSTMAN RD  
WEST LINN, OR 97068

KLOER ROBERT W SR & JUDITH A  
1780 OSTMAN RD  
WEST LINN, OR 97068

NODURFT THOMAS TRUSTEE  
15588 S SADDLE LN  
OREGON CITY, OR 97045

TRUAX BROS LLC  
1091 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

WINDJAMMER INVESTMENTS LLC  
1085 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

CAMPBELL DEWAYNE A  
1078 SNIDOW DR  
WEST LINN, OR 97068

ALEMAN CY O  
1056 SNIDOW DR  
WEST LINN, OR 97068

LAMBERT MARIEANNE  
1042 SNIDOW DR  
WEST LINN, OR 97068

SHIPP JAMES H JR & JENNIFER A SEIBEL  
1030 SNIDOW DR  
WEST LINN, OR 97068

WARD BENNETT GENE  
1007 SNIDOW DR  
WEST LINN, OR 97068

ZEZINI ALAN G  
PO BOX 134  
LAKE OSWEGO, OR 97034

BLANKENSHIP NATHAN  
25165 SW PETES MOUNTAIN RD  
WEST LINN, OR 97068

WIDMAN JON & BRYN  
1715 JOSEPH FIELDS ST  
WEST LINN, OR 97068

DUNGAN CHRISTINE K  
25140 RANCHO LOBO CT  
WEST LINN, OR 97068

TUFTE KRISTIN A  
25130 RANCHO LOBO CT  
WEST LINN, OR 97068

YORK RONALD D & BRENDA  
1125 WILLAMETTE FALL DR  
WEST LINN, OR 97068

HAI DANUT  
1785 OSTMAN RD  
WEST LINN, OR 97068

TRI-MET  
PROJECT PLANNING DEPT  
710 NE HOLLADAY  
PORTLAND, OR 97232

HARDI LI  
CONVERGENT PACIFIC  
8975 SW CENTER ST  
TIGARD, OR 97223

STEVE GARNER  
BHT NA PRESIDENT  
3525 RIVERKNOLL WAY  
WEST LINN OR 97068

SALLY MCLARTY  
BOLTON NA PRESIDENT  
19575 RIVER RD # 64  
GLADSTONE OR 97027

ALEX KACHIRISKY  
HIDDEN SPRINGS NA PRESIDENT  
6469 PALOMINO WAY  
WEST LINN OR 97068

JEF TREECE  
MARYLHURST NA PRESIDENT  
1880 HILLCREST DR  
WEST LINN OR 97068

BILL RELYEA  
PARKER CREST NA PRESIDENT  
3016 SABO LN  
WEST LINN OR 97068

ANTHONY BRACCO  
ROBINWOOD NA PRESIDENT  
2716 ROBINWOOD WAY  
WEST LINN OR 97068

~~DEAN SUHR  
ROSEMONT SUMMIT NA PRESIDENT  
21345 MILES DR  
WEST LINN OR 97068~~

DAVE RITTENHOUSE  
SAVANNA OAKS NA PRESIDENT  
2101 GREENE ST  
WEST LINN OR 97068

KRISTIN CAMPBELL  
SKYLINE RIDGE NA PRESIDENT  
1391 SKYE PARKWAY  
WEST LINN OR 97068

TROY BOWERS  
SUNSET NA PRESIDENT  
2790 LANCASTER ST  
WEST LINN OR 97068

BETH SMOLENS  
WILLAMETTE NA PRESIDENT  
1852 4TH AVE  
WEST LINN OR 97068

ALMA COSTON  
BOLTON NA DESIGNEE  
PO BOX 387  
WEST LINN OR 97068

SUSAN VAN DE WATER  
HIDDEN SPRINGS NA DESIGNEE  
6433 PALOMINO WAY  
WEST LINN OR 97068

KEVIN BRYCK  
ROBINWOOD NA DESIGNEE  
18840 NIXON AVE  
WEST LINN OR 97068

DOREEN VOKES  
SUNSET NA SEC/TREAS  
4972 PROSPECT ST  
WEST LINN OR 97068

WEST LINN CHAMBER OF  
COMMERCE  
1745 WILLAMETTE FALLS DR  
WEST LINN OR 97068

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