



CITY OF  
**West Linn**  
 PLANNING AND DEVELOPMENT

**STAFF REPORT  
 PLANNING DIRECTOR DECISION**

DATE: June 10, 2014  
 FILE NO.: MIP-14-03  
 REQUEST: Request for a 2-lot Partition at 1519 6<sup>th</sup> Avenue  
 PLANNER: Tom Soppe, Associate Planner

*TS* Planning Manager *KQL* Development Review Engineer

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## SPECIFIC DATA

**OWNER:** David Arnold & Deborah Helper, 1516 6<sup>th</sup> Avenue, West Linn, OR 97068

**APPLICANT:** Darren Gusdorf, Icon Construction & Development LLC, 1980 Willamette Falls Drive, Ste. 200, West Linn, OR 97068

**CONSULTANT:** Rick Givens, Planning Consultant, 18680 Sunblaze Dr., Oregon City, OR 97045

**SITE LOCATION:** 1519 6<sup>th</sup> Avenue

**SITE SIZE:** 27,482 Square Feet

**LEGAL DESCRIPTION:** Assessor's Map 3-1E-02BC Tax Lot 2900

**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 April 30, 2014. The 120-day period therefore ends on August 28, 2014.

**PUBLIC NOTICE:** Notice was mailed to property owners within 500 feet of the subject property and the Willamette Neighborhood Association on May 13, 2014. The notice was printed in the West Linn Tidings on May 22, 2014. A sign was placed on the property on May 14, 2014. The notice was also posted on the City's website. Therefore, public notice requirements of CDC Chapter 99 have been met.

## EXECUTIVE SUMMARY

The application is for a two-lot partition in the Willamette neighborhood located on the southeast corner at the intersection of 6<sup>th</sup> Avenue, 16<sup>th</sup> Street, and Cheryl Drive. Both proposed parcels front and take access from 6<sup>th</sup> Avenue.

The property is in the R-10 zone. No variances are required or proposed. Therefore the applicable approval criteria include:

- Chapter 11, Single-Family Residential Detached R-10 zoning district;
- Chapter 85, Land Division General Provisions, criteria in Section 85.200;

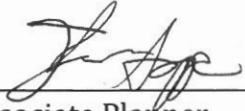
## **DECISION**

Staff approves application MIP-14-03 subject to the following proposed conditions:

1. Site Plan. With the exception of modifications required by these conditions, the project shall conform to the Tentative Partition Plan, dated April 2014 on Page 27 of Exhibit PD-4.
2. Utility Easements.
  - A) The applicant shall provide 8-foot public utility easements along the street frontages of 6<sup>th</sup> Avenue and Cheryl Drive.
  - B) The applicant shall provide a provide sanitary sewer easement within Parcel 2,. The easement shall be 8 feet wide surrounding the proposed sanitary sewer lateral for Parcel 1. This shall stretch from the border of Parcel 1 to the existing 15-foot utility easement along the south side of Parcel 2. This easement shall be recorded on the plat.
  - C) The above required easements shall be recorded on the final plat, as should the existing easements as shown on the Tentative Partition Plan on Page 27 of Exhibit PD-4.
3. Engineering Standards. All public improvements and facilities associated with public improvements including street improvements, grading, onsite stormwater design, street lighting, easements, and easement locations are subject to the City Engineer's review, modification, and approval. These must be engineered, constructed, and completed by final platting.
4. Stormwater Infiltration. The applicant shall provide a study showing that on-site infiltration to accommodate a 25-year storm event is feasible.
5. Existing Shed. The applicant shall remove the existing shed in the front yard before final platting.

Staff has determined that with the recommended condition of approval as discussed above, the application meets the criteria of chapters 11 and 85.

This decision was processed under the provisions of Chapter 99.



TOM SOPPE, Associate Planner

6-10-14

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 June 3, 2014. Approval will lapse 3 years from effective approval date.

Mailed this 11<sup>th</sup> day of June, 2014.

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

June 25, 2014.

## DISCUSSION OF CONDITIONS

Condition of Approval 1 requires compliance with the submitted tentative plat except for what is modified for code compliance via other conditions.

Condition of Approval 2 requires the City's standards public utility easement in response to the Utility Easements criteria of 85.200(I), and requires a sanitary sewer easement where the Parcel 1 sanitary lateral is proposed across the east edge of Parcel 2. The latter is needed to connect sanitary service on Parcel 1 to the existing utility easement and sewer line at the south edge of Parcel 2.

Condition of Approval 3 requires compliance with all City Engineering standards and requires that all improvements be done by final platting.

Condition of Approval 4 requires that since the applicant proposes infiltration raingardens the applicant will provide a study showing that on-site infiltration is possible to fulfill 85.200(A).

Condition of Approval 5 requires the existing shed which does not comply with the setbacks of 11.070(5) be removed by final platting.

**Site Conditions:** The parcel is approximately 130 by 170 feet. It is located on the south side of 6<sup>th</sup> Avenue. In the northwest corner the right of way for Cheryl Drive cuts out an area of approximately 30 by 31 feet. The westernmost (approximately) 30 feet of the site was once an undeveloped right of way before a vacation of 16<sup>th</sup> Street made it part of the site. This 30-foot wide area is all in a utility easement currently. However Engineering has communicated to the applicant that the easement only needs to be 20 feet wide in total (including sections west of the property line on a neighboring property) to accommodate its existing sanitary sewer line.

Therefore upon platting this partition, only approximately the westernmost 10 feet of the site will be in this easement. This will allow Parcel 2 to be developable. The front of the site is fairly flat but slopes to the south. The rear of the site, to the south, is much more steep. Housing is only proposed in the front area. There is an existing house and garage on site which are proposed for removal. Most of the trees are toward the rear although some are in the front buildable area. There is an additional 15-foot-wide public utility easement, also with a sanitary sewer line, along the south end of the property.

**Site Aerial View**



Source: West Linn GIS, 2014

**Public comments:**

**Wiley & Beth Campbell, 1559 6<sup>th</sup> Avenue, June 3, 2014.** Re: 1541 6<sup>th</sup> Avenue and 1559 6<sup>th</sup> Avenue. The Campbells submitted comment concerning demolition of the garage on the subject property, which could potentially impact their properties to the east. This comment is attached at the rear of the attachments to this staff report. The garage to be demolished is very close to their lot line east of the subject property. They request the applicant to notify them when demolition will take place 24 hours prior. 503-650-7639.

## **Notes to Applicant.**

- Expiration of Approval. This approval shall expire three years from the effective date of this decision.
- Additional Permits Required. Your project may require the following additional permits:
  - Final Plat.
  - Building permit, the final permit after others are completed and conditions of approval are fulfilled. Contact the Building Division at (503) 656-4211, [jnomie@westlinnoregon.gov](mailto:jnomie@westlinnoregon.gov).

Final inspection: Call the Building Division's Inspection Line at (503) 722-5509.

**ADDENDUM  
APPROVAL CRITERIA AND FINDINGS  
MIP-14-03**

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.

**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.

**Staff Response 1:** The lots are proposed for single-family detached residential development. Each proposed lot has over 10,000 square feet. Each front lot line is 50 feet long. Each proposed lot has an average width of over 50 feet. Each lot has a buildable depth 2.5 times less than its buildable width, and each lot is more than 90 feet deep. Staff determines the criteria are met.

5. Except as specified in CDC 25.070(C)(1) through (4) for the Willamette Historic District, 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.

- b. For an interior side yard, seven and one-half feet.
- c. For a side yard abutting a street, 15 feet.
- d. For a rear yard, 20 feet.

**Staff Response 2:** New houses will be able to meet these standards on both proposed parcels. The applicant proposes to remove the existing house and garage but does not address the existing shed in the northeast area which does not meet the front or the side yard setbacks. Condition of Approval 5 requires this be removed by final platting. Staff determines the criteria are met upon the inclusion of Condition of Approval 5.

## **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**

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.

(...)

**Local streets** have the sole function of providing access to immediately adjacent land. Service to through traffic movement on local streets is deliberately discouraged by design.

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.



Sidewalk Location	Sidewalk Width
Residential Development	6 feet (+ 6-foot planter strip)

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 curblines. 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.

**Staff Response 3:** The City of West Linn Roadway Cross Section Standards table in 85.200(A)(3) requires local streets have 12-foot vehicle lane widths, six-foot sidewalks, and six-foot landscape strips. Half-street improvements with a six-foot sidewalk and six-foot planter strip are proposed meeting these requirements. The half-street pavement provided is 17 feet wide for a 34-foot wide existing full-street pavement. Condition of Approval 3 ensures these will be built to City standards and completed by final platting. Staff determines the criteria are met upon the inclusion of Condition of Approval 3.

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.  
(...)

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

**Staff Response 4:** Both lots front directly onto 6<sup>th</sup> Avenue, and the lot lines allow for spacing that meets the requirements of Chapter 48 for curb cut distances to intersections, and for TSP

standards of 50 feet between new and existing driveway entrance points. Staff determines the criterion is met.

**B. Blocks and 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.

(...)

**Staff Response 5:** The line proposed between the two parcels is perpendicular to 6<sup>th</sup> Avenue, except at the very front where it angles as much as needed to allow for driveway spacing as required by Chapter 48 and the TSP. Staff finds the criterion is met.

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

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.

**Staff Response 6:** This is not in a landslide area. There is room in the flatter area in front for both houses. Grading will comply with the above provisions per the applicant. Staff determines the criteria are met.

**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.

**Staff Response 7:** The applicant proposes Parcel 2's lateral to connect to the public line on the west end of Parcel 2. The applicant proposes Parcel 1's sanitary sewer lateral through the east edge of Parcel 2 to the public line at the south edge of Parcel 2. For the latter, an easement is needed for future access since this lateral crosses what will become a different parcel. Proposed Condition of Approval 2B requires a private sanitary sewer easement to be recorded on the plat which would contain the Parcel 1 sanitary lateral across Parcel 2 to the existing utility easement containing the public line. The condition requires this to be 8 feet wide. The Development Review Engineer's initials on this staff report satisfy Subsection (9) above. Staff determines the above criteria are met upon the inclusion of Condition of Approval 2B.

#### 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.

**Staff Response 8:** The applicant proposes infiltration raingardens. Proposed Condition of Approval 4 requires that the applicant provide a study showing infiltration will work here. Staff determines the criteria are met upon the inclusion of Condition of Approval 4.

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.

**Staff Response 9:** The applicant proposes to reduce the existing utility easement in the western area of the site to centering along the existing sewer line, with a total of 20 feet of easement width. This will result in approximately 10 feet of the site along the western edge being in the easement and extinguishing the wider easement area that currently covers the western 30 feet of the site. Also, Condition of Approval 2A requires standard 8-foot utility easements along the street frontages. Staff finds the criterion is met upon the inclusion of Condition of Approval 2A.

J. Supplemental provisions.  
(...)

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.  
(...)

**Staff Response 10:** The applicant's response to this criterion states that prior to platting an analysis of lighting will be done to see if more is needed to meet City standards here. Proposed Condition of Approval 3 requires the applicant meet all Engineering standards,

which include street lighting. Staff finds that the criterion is met upon the inclusion of Condition of Approval 3.

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.

**Staff Response 11:** The site is in an area that is substantially built out, and in which adjacent properties have above ground utilities. The development site's frontage is under 200 feet. The site is less than one acre in size. Therefore the site fits the exception in which underground utilities are not required per this section. Staff determines the criterion does not apply to this site.

# 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-14-03 Applicant's Name Icon Construction - Darren Gusdorf  
Development Name \_\_\_\_\_  
Scheduled Meeting/Decision Date 6-3-14

**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) 5-13-14 (signed) S. Shroyer  
B. Affected property owners (date) 5-13-14 (signed) S. Shroyer  
C. School District/Board (date) \_\_\_\_\_ (signed) \_\_\_\_\_  
D. Other affected gov't. agencies (date) \_\_\_\_\_ (signed) \_\_\_\_\_  
E. Affected neighborhood assns. (date) 5-13-14 Will: (signed) S. Shroyer  
F. All parties to an appeal or review (date) \_\_\_\_\_ All (signed) \_\_\_\_\_

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

Tidings (published date) 5-22-14 (signed) S. Shroyer  
City's website (posted date) 5-13-14 (signed) S. Shroyer

## 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) 5-14-14 (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) 6-11-14 (signed) S. Shroyer

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

(date) 6-11-14 (signed) S. Shroyer

**CITY OF WEST LINN  
PLANNING DIRECTOR DECISION  
FILE NO. MIP-14-03**

The West Linn Planning Director is considering a request for a two-lot minor partition at 1519 6<sup>th</sup> Avenue (Tax Lot 2900 of Clackamas County Assessor's Map 3-1E-02BC).

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 <http://westlinnoregon.gov/planning/1519-6th-avenue-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, June 3, 2014**, so please contact us prior to that 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

**CITY OF WEST LINN  
PLANNING DIRECTOR DECISION  
FILE NO. MIP-14-03**

The West Linn Planning Director is considering a request for a two-lot minor partition at 1519 6<sup>th</sup> Avenue.

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>.

You have received this notice because County records indicate that you own property within 500 feet of this property (Tax Lot 2900 of Clackamas County Assessor's Map 3-1E-02BC) or as otherwise required by the CDC.

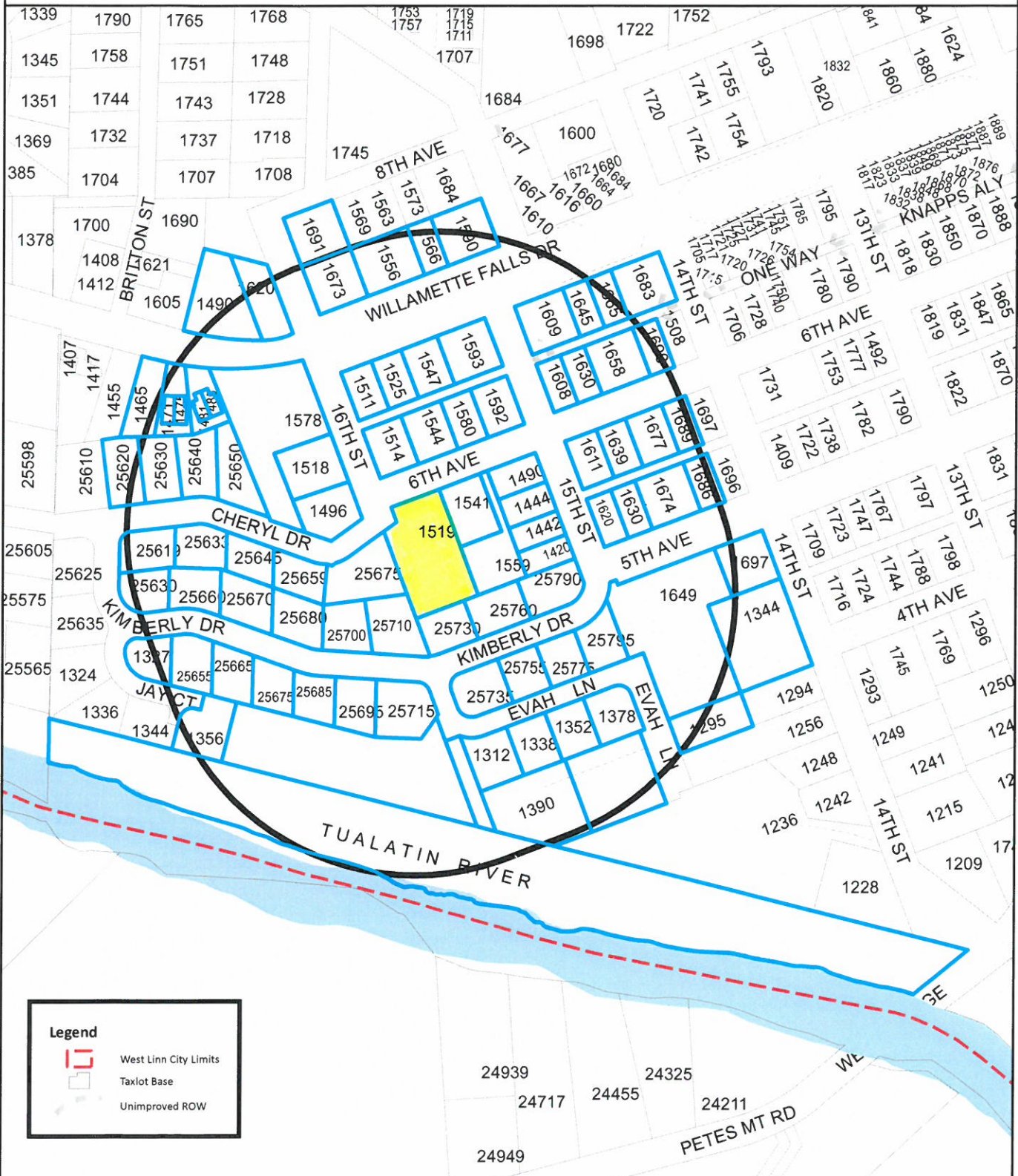
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SHAUNA SHROYER  
Planning Administrative Assistant



# 1519 6th Avenue, Public Notification Map



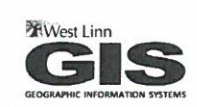
**Legend**

-  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



CITY OF WEST LINN GIS  
 SNAPNOTIFY.MXD / AHA APP 12-10-2013

User Name:  
 Map Creation Date: May 12, 2014

1556 WILLAMETTE FALLS DRIVE LLC  
10855 SW BUTNER RD  
PORTLAND, OR 97225

ARNOLD DAVID L & DEBORAH E HEPLER  
1519 6TH AVE  
WEST LINN, OR 97068

BAYS MICHAEL E  
1338 EVAH LN  
WEST LINN, OR 97068

BEATTY JAMES W & PAULINE  
1690 6TH AVE  
WEST LINN, OR 97068

BENSON MORGAN B & CAROLYN J  
25640 CHERYL DR  
WEST LINN, OR 97068

BIETSCHEK EDWIN H & MARY T  
1442 15TH ST  
WEST LINN, OR 97068

BOLLINGER PAUL J  
1630 5TH AVE  
WEST LINN, OR 97068

BRAMBILLA ANTHONY & RENEE  
1511 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

BRUNE ROBERT G & KARLYN L  
1620 5TH AVE  
WEST LINN, OR 97068

BUTGATTI LYDIA C  
1630 6TH AVE  
WEST LINN, OR 97068

CAMPBELL WILEY & MARY BETH  
1559 6TH AVE  
WEST LINN, OR 97068

CARNEL PAUL J & JANINE C  
25630 KIMBERLY DR  
WEST LINN, OR 97068

CASSIDY SHARLA J  
1580 6TH AVE  
WEST LINN, OR 97068

CHENG STEPHEN SHUN WING  
25730 KIMBERLY DR  
WEST LINN, OR 97068

CITY OF WEST LINN  
22500 SALAMO RD #600  
WEST LINN, OR 97068

CLARK RICHARD J CO-TRUSTEE  
1674 5TH AVE  
WEST LINN, OR 97068

CONVERGENT PACIFIC LLC  
8975 SW CENTER ST  
TIGARD, OR 97223

DIETZ MATTHEW P  
5145 MALLARDS LANDING DR  
KING GEORGE, VA 22485

DONNERBERG LYNDSEY  
1490 15TH ST  
WEST LINN, OR 97068

EARLE CAROL & LANCE  
1592 6TH AVE  
WEST LINN, OR 97068

EAVES SCOTT M  
21731 S BEAVERCREEK RD  
OREGON CITY, OR 97045

ERBIN JOE M & NANCY L MERRILL-  
ERBIN  
25675 KIMBERLY DR  
WEST LINN, OR 97068

GOETZE MICHAEL J & ANNE T  
1378 EVAH LN  
WEST LINN, OR 97068

GREENWOOD DARRELL W & VICKI M  
24323 SW MOUNTAIN RD  
WEST LINN, OR 97068

GRESS MARJORIE A  
1645 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

GUZIE PETER F & DEBBIE V  
25755 KIMBERLY DR  
WEST LINN, OR 97068

HACKETT STEVEN G & CATHLEEN L  
27017 SW LADD HILL RD  
SHERWOOD, OR 97140

HAFER SHAREE Q  
25775 KIMBERLY DR  
WEST LINN, OR 97068

HALE JUDY A  
1608 6TH AVE  
WEST LINN, OR 97068

HALL MICHAEL  
1356 JAY CT  
WEST LINN, OR 97068

HAUSER DIANNE S  
1485 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

JRT CONSTRUCTON LLC  
5536 KILCHURN AVE  
LAKE OSWEGO, OR 97035

KINZER NANCY A  
25760 KIMBERLY DR  
WEST LINN, OR 97068

LAWSON CHARLES L  
24299 PASEO DE VALENCIA APT 2107  
LAGUNA WOODS, CA 92637

MALOLEPSY THOMAS R CO-TRUSTEE  
1312 EVAH LN  
WEST LINN, OR 97068

MCCOID PAUL M & LINDA K  
1677 SE 6TH AVE  
WEST LINN, OR 97068

MCKNAMARA JOHN E & MARIANA P  
1611 6TH AVE  
WEST LINN, OR 97068

MILLER D ROBERT & DIANA L  
21650 SW RIBERA LN  
WEST LINN, OR 97068

MORRILL PAUL S TRUSTEE  
PO BOX 423  
APTOS, CA 95001

PORTLAND GEN ELEC CO  
121 SW SALMON ST  
PORTLAND, OR 97204

DARREN GUSDORF  
ICON CONSTRUCTION & DEV LLC  
1980 WILLAMETTE FALLS DR #200  
WEST LINN, OR 97068

KALPATHY-CRAMER JAYASHREE & A  
CRAMER  
25655 KIMBERLY DR *Ret*  
WEST LINN, OR 97068

KNIGHT CHRISTOPHER JON & S JACOBI  
1639 6TH AVE  
WEST LINN, OR 97068

LAYOUN MICHEL E & TONI A  
25665 KIMBERLY DR  
WEST LINN, OR 97068

MARCINKO PATRICK D  
25650 CHERYL DR  
WEST LINN, OR 97068

MCFALL KATHLEEN M  
1673 16TH ST  
WEST LINN, OR 97068

MEINHARD RICHARD & SANDRA K  
PELLENS  
3957 E BURNSIDE  
PORTLAND, OR 97214

MINATO MARCO A  
25620 CHERYL DR  
WEST LINN, OR 97068

NELSON GEORGE & BETTY J  
1686 5TH AVE  
WEST LINN, OR 97068

PRINZ CHERYL MOORE TRUSTEE  
25659 CHERYL DR  
WEST LINN, OR 97068

JOHNSON EARL P CO-TRUSTEE  
1475 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

KILEY STEPHEN H & ROBIN T  
25790 KIMBERLY DR  
WEST LINN, OR 97068

KREITZBERG JOHN S & KATHLEEN K  
1390 EVAN LN  
WEST LINN, OR 97068

LENZ H RANDALL & PATRICIA L  
1444 15TH ST  
WEST LINN, OR 97068

MATILE GEORGE A & OPAL M  
1490 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

MCGUIRE MICHAEL T & DEBORAH J  
25630 CHERYL DR  
WEST LINN, OR 97068

MEYER MICHELE N  
1481 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

MODARRESI FATEMEH E  
1566 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

OBRIEN DEBORAH  
8037 SW 17TH AVE  
PORTLAND, OR 97219

RAFFETTO DANIEL & S NELSON-  
RAFFETTO  
4782 COHO LN *Ret*  
WEST LINN, OR 97068

RASCHIO RONALD V  
1471 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

REINICHE MICHAEL B & DONNA M  
30925 PENNYROYAL LN  
PRATHER, CA 93651

ROBERTSON JUDEE ANNE & IAN  
FINDLAY JR  
25685 KIMBERLY DR  
WEST LINN, OR 97068

RUNKEL PROPERTIES LLC  
5151 FIRWOOD CT  
WEST LINN, OR 97068

SCHMIDT DARREN & KELLY S  
25700 KIMBERLY DR  
WEST LINN, OR 97068

SHROYER BRETT  
1496 16TH ST  
WEST LINN, OR 97068

SOUTH VIEW TERRACE HOMEOWNERS  
ASSOC  
5536 KILCHURN AVE  
LAKE OSWEGO, OR 97035

STEEH JOHN ROSS TRUSTEE  
25715 KIMBERLY DR  
WEST LINN, OR 97068

STEIN ELIZABETH  
19363 WILLAMETTE DR, PMB 171  
WEST LINN, OR 97068

STODDART ROBERT G  
1525 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

STOESSER MARTIN V TRUSTEE  
25695 KIMBERLY DR  
WEST LINN, OR 97068

STOGSDILL JON  
1691 16TH ST  
WEST LINN, OR 97068

STREET RODNEY E  
25680 KIMBERLY DR  
WEST LINN, OR 97068

RESIDENT  
25633 CHERYL DR  
WEST LINN, OR 97068

RESIDENT  
1352 EVAH LN  
WEST LINN, OR 97068

TREMBLAY JACK E & KATHERINE M  
25735 KIMBERLY DR  
WEST LINN, OR 97068

TUOR BARBARA J  
1620 16TH ST  
WEST LINN, OR 97068

TUOR DARREN C & KRISTEN D  
1649 5TH AVE  
WEST LINN, OR 97068

TWITCHELL GARY A  
1327 JAY CT  
WEST LINN, OR 97068

VERBIEST CHRISTOPHER F CO-TRUSTEE  
1465 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

VONTAGEN FREDERICK W TRSTEE  
1102 SW SCHAEFFER RD  
WEST LINN, OR 97068

WEBB LONNY R  
1344 14TH ST  
WEST LINN, OR 97068

WEBB LONNY R & KRISTINE A  
1294 14TH ST  
WEST LINN, OR 97068

WHITE CHARLES  
25675 CHERYL DR  
WEST LINN, OR 97068

WILLAMETTE UNITED METH CH  
1683 WILLAMETTE FALLS DR  
WEST LINN, OR 97068

WOLFE LAWRENCE D  
1544 6TH AVE  
WEST LINN, OR 97068

WOOLENSACK BARBARA  
1697 5TH AVE  
WEST LINN, OR 97068

Rick Givens, Planning Consultant  
18680 Sunblaze Dr.  
Oregon City, OR 97045

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

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

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

ERIK VAN DE WATER  
HIDDEN SPRINGS NA PRESIDENT  
6433 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

AARON BUFFINGTON  
ROBINWOOD NA PRESIDENT  
3820 RIDGEWOOD WAY  
WEST LINN OR 97068

KEN PRYOR  
SAVANNA OAKS NA VICE PRES  
2119 GREENE ST  
WEST LINN, OR 97068

ED SCHWARZ  
SAVANNA OAKS NA PRESIDENT  
2206 TANNER DR  
WEST LINN OR 97068

TRACY GILDAY  
SKYLINE RIDGE NA PRESIDENT  
1341 STONEHAVEN DR  
WEST LINN OR 97068

TONY BREAU  
SUNSET NA PRESIDENT  
1890 SUNSET CT  
WEST LINN OR 97068

JULIA SIMPSON  
WILLAMETTE NA PRESIDENT  
1671 KILLARNEY DR  
WEST LINN OR 97068

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

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

**MAILED**  
5-13-14 SS



CITY OF  
**West Linn**

May 6, 2014

Darren Gusdorf  
Icon Construction & Development LLC  
1980 Willamette Falls Drive, Ste. 200  
West Linn, OR 97068

SUBJECT: MIP-14-03 application for a 2-lot Minor Partition at 1519 6<sup>th</sup> Ave.

Dear Mr. Gusdorf:

You submitted this application on April 3, 2014. The Planning Department and the Engineering Division have found this application **complete** as of the resubmittal of April 30, 2014. The City now has 120 days (until August 28, 2014) to exhaust all local review per state statute. The application will shortly be scheduled for a Planning Director decision. At least 20 days before the scheduled decision date you will be sent a copy of the decision notice.

Please contact me at 503-742-8660, or by email at [tsoppe@westlinnoregon.gov](mailto:tsoppe@westlinnoregon.gov) if you have any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Soppe', written in a cursive style.

Tom Soppe  
Associate Planner

c: David Arnold & Deborah Helper, 1519 6<sup>th</sup> Ave., West Linn, OR 97068

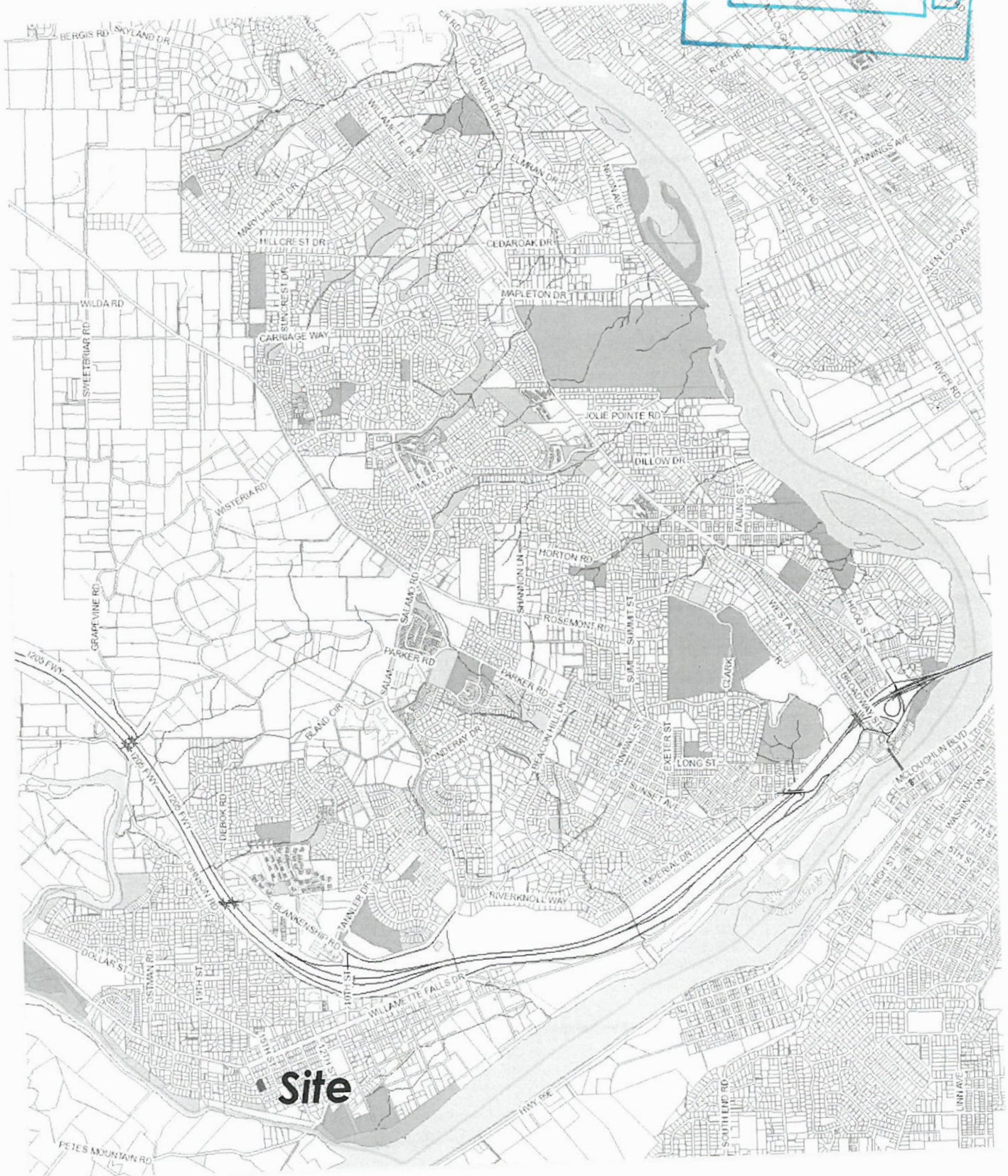
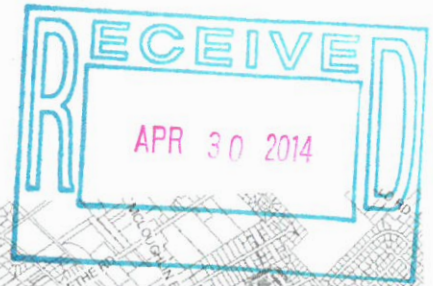
c: Rick Givens, Planning Consultant, 18680 Sunblaze Dr., Oregon City, OR 97045

c: Julia Simpson, Willamette NA President, 1671 Killarney Dr., West Linn, OR 97068

P:\Development Review\Projects Folder\Projects 2014\MIP14-03 1519 6<sup>th</sup> Ave/compl-MIP-14-03

**MAILED**  
5-6-14 ss

# 1519 Sixth Ave. Vicinity Map



April 30, 2013

Mr. Tom Soppe  
City of West Linn  
Planning Department  
22500 Salamo Road  
West Linn, OR 97068

**Rick Givens**  
**Planning Consultant**  
18680 Sunblaze Dr.  
Oregon City, Oregon 97045

Re: MIP-14-03 Application for Minor Partition at 1519 6<sup>th</sup> Avenue

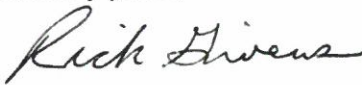
Dear Tom:

We are submitting the following items in response to your notice of incompleteness dated April 16, 2014:

1. Vicinity Map showing the location of the subject property.
2. Revised Site Plan showing proposed street tree locations. Note: Your letter indicated that a surveyor stamp is required, but Section 85.160(B) specifically states that this is not required for tentative plans for minor partitions.
3. An erosion control plan.
4. A street and utility plan showing proposed frontage improvements, sanitary sewer connections, and rain gardens to address storm water control. Please note that our narrative requests that the overhead utilities be allowed to remain in their current state. Please refer to discussion of 85.200(J)(6).

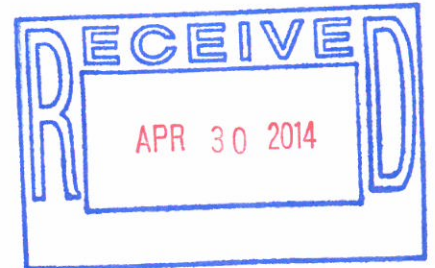
I believe that these additional items address all of the points outlined in your letter. Please contact me if you have any questions or need additional information.

Sincerely yours,

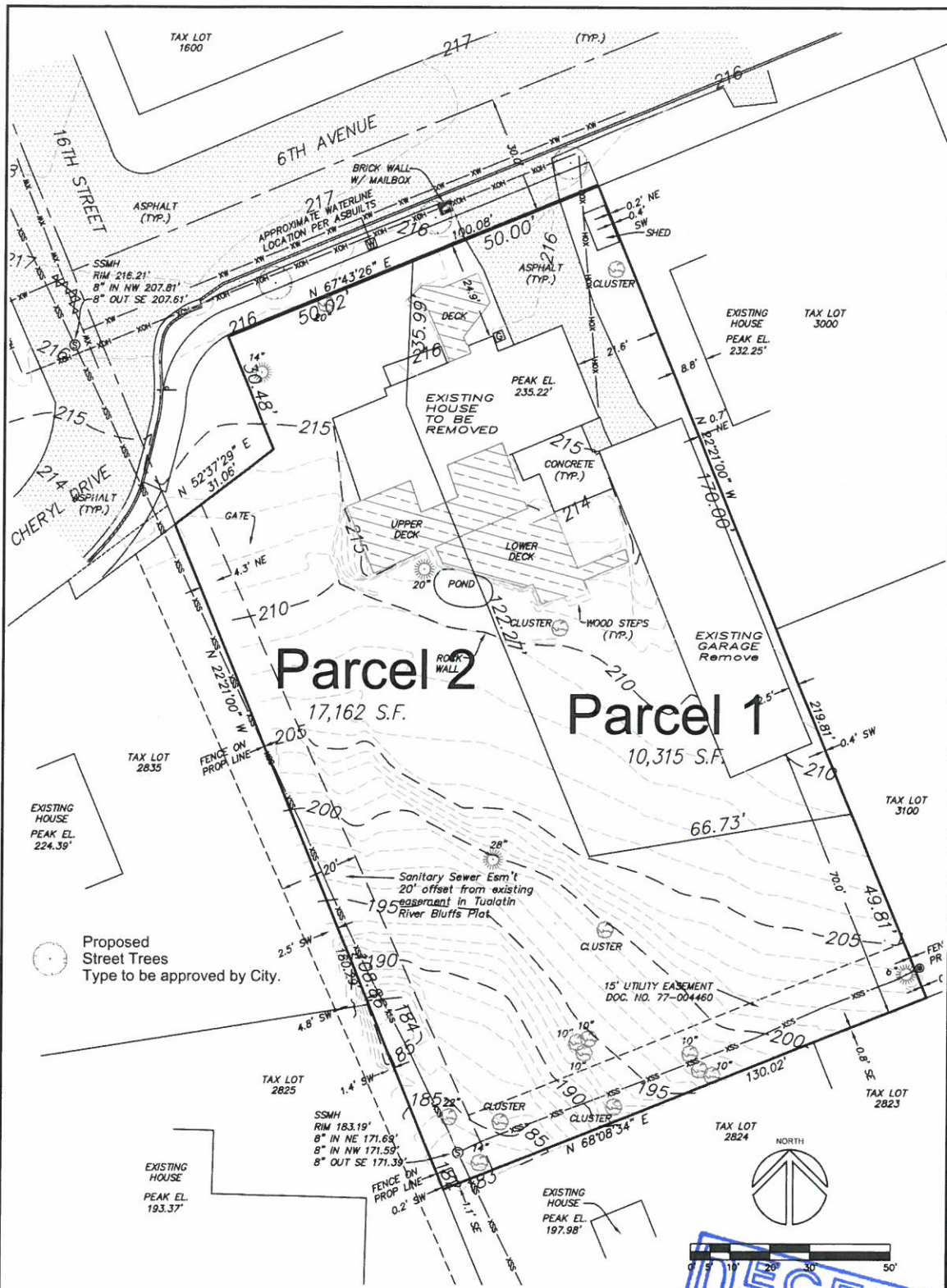


Rick Givens

cc: Darren Gusdorf, Icon Construction & Development LLC







Applicant: Icon Construction & Development, LLC.  
 1980 Willamette Falls Drive, Suite 200  
 West Linn, OR 97068  
 Ph: (503) 657-0406

Owner: David Arnold & Deborah Helper  
 1519 6th Avenue  
 West Linn, OR 97068  
 Ph: (503) 650-0087

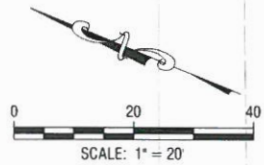
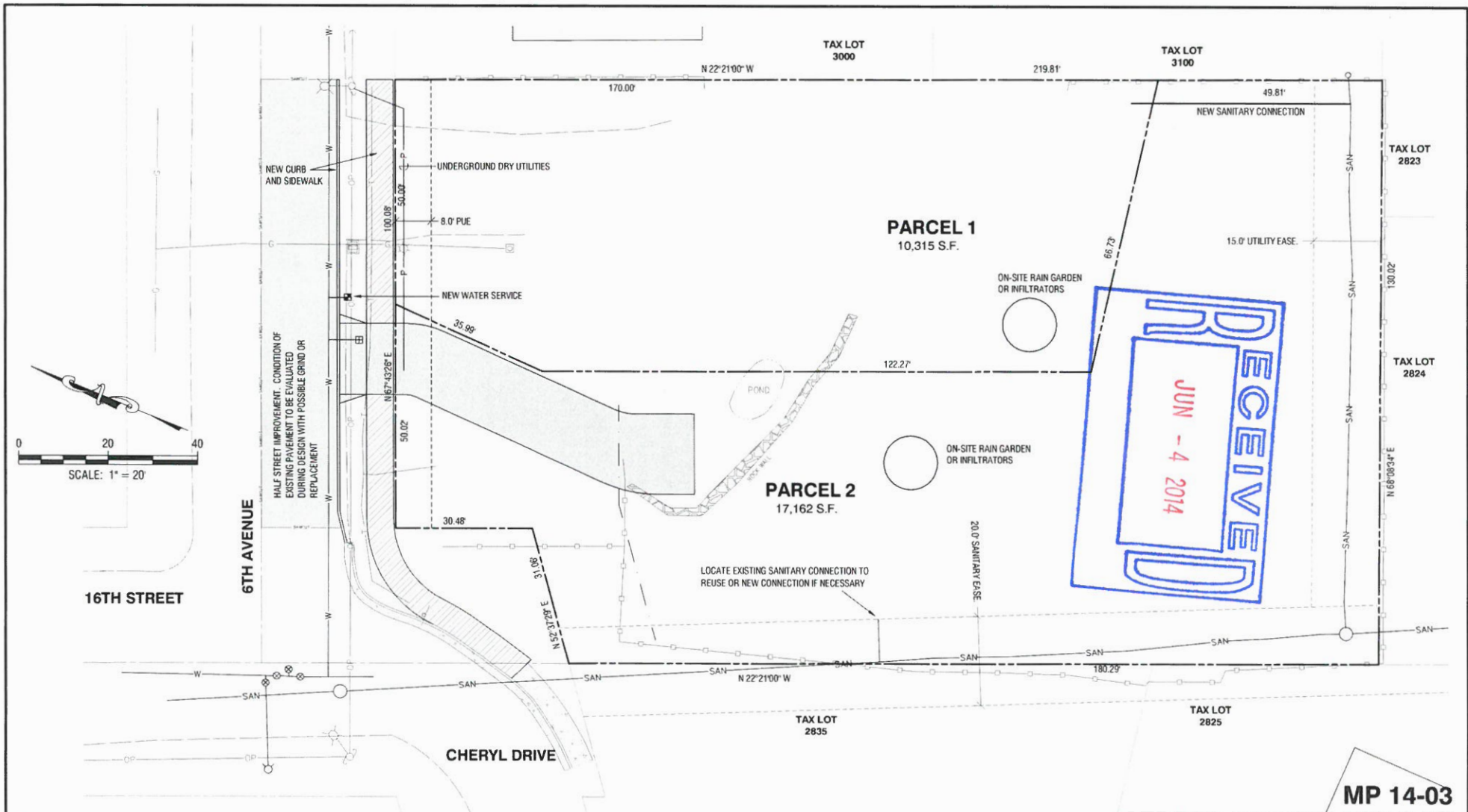
Legal: 3-1E-02BC TL 2906  
 Zoning: R-10  
 Surveyor: Centerline Concepts, Inc.  
 700 Molalla Ave.  
 Oregon City, OR 97045  
 Ph: (503) 650-0188



Richard E. Givens, Planning Consultant  
 18680 Sunblaze Dr.  
 Oregon City, OR 97045  
 PH: (503) 479-0097

SCALE 1" = 30'  
 DATE: April 2014  
 PROJECT 14-ICN-100

**Tentative Partition Plan**  
 West Linn, OR  
 Icon Construction & Development LLC



DESIGNED:	BDG
DRAWN:	BJS
SCALE:	1" = 20'
DATE:	April, 2014
FILE:	6th Street Partion1

**Theta, llc**

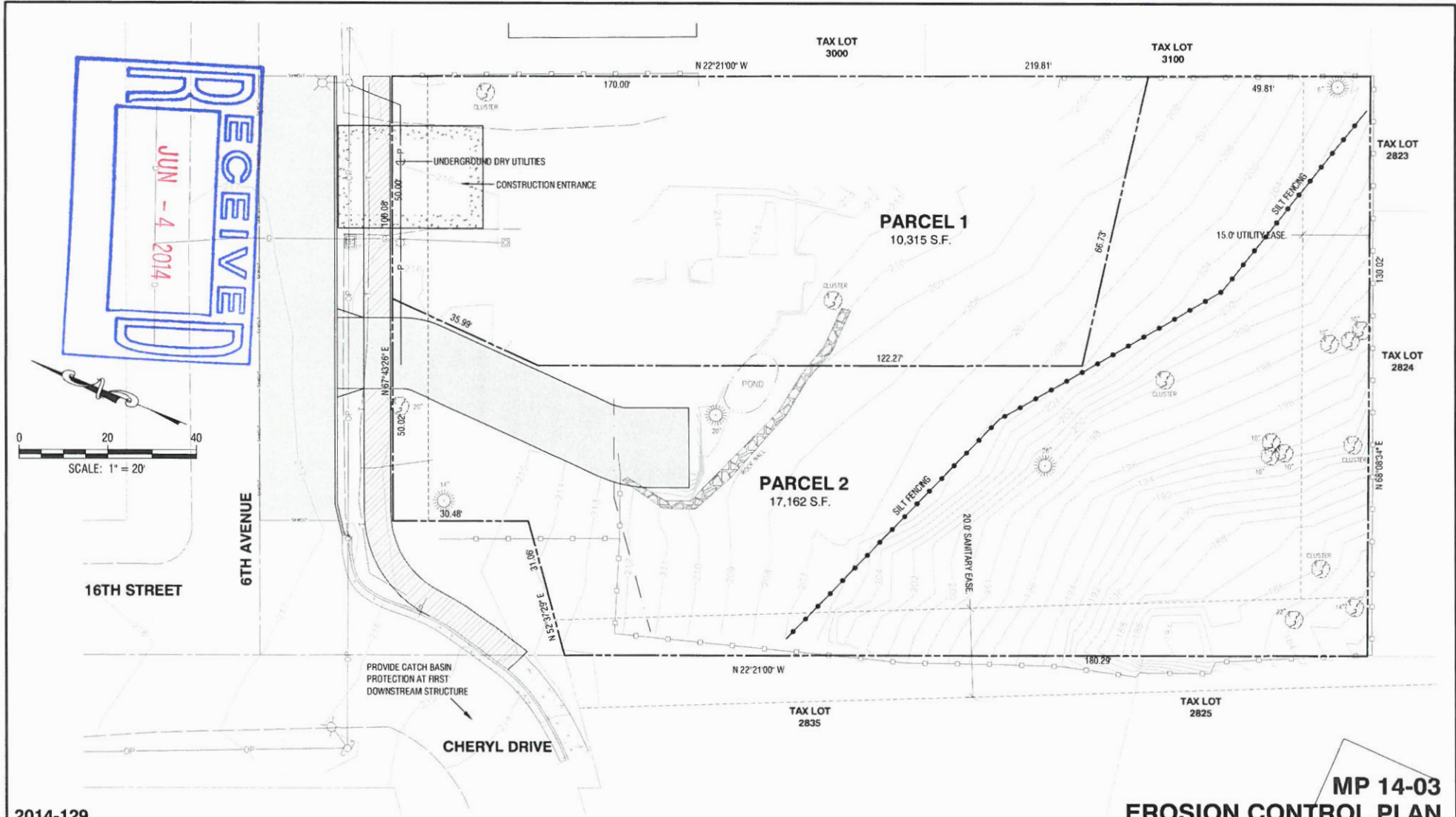
ENGINEERING - SURVEYING - PLANNING

PO Box 1345  
Lake Oswego, Oregon 97035

503/481-8822  
email: thetaeng@comcast.net

Icon Construction & Development, LLC.  
1980 Willamette Falls Drive, Suite 200  
West Linn, OR 97068  
Ph: (503) 657-0406

1519 6th Avenue  
West Linn, Oregon 97068  
T.3S., R.1E., Section 02BC  
Clackamas County, Oregon



2014-129

**MP 14-03  
EROSION CONTROL PLAN**

DESIGNED:	BDG
DRAWN:	BJS
SCALE:	1" = 20'
DATE:	April, 2014
FILE:	6th Street Partion1

**Theta, llc**  
ENGINEERING - SURVEYING - PLANNING  
PO Box 1345  
Lake Oswego, Oregon 97035  
503/481-8822  
email: thetaeng@comcast.net

Icon Construction & Development, LLC.  
1980 Willamette Falls Drive, Suite 200  
West Linn, OR 97068  
Ph: (503) 657-0406

1519 6th Avenue  
West Linn, Oregon 97068  
T.3S., R.1E., Section 02BC  
Clackamas County, Oregon

## PARTITION APPLICATION

1519 6<sup>TH</sup> Avenue

Icon Construction & Development, LLC

**Proposal:** This application requests approval of a two lot partition for property located at 1519 6<sup>th</sup> Avenue in the Willamette area of West Linn. Cheryl Drive also intersects with these streets at the western edge of the site. The subject property is 27,485 square feet in area and is presently developed with a single-family home. The proposed partition would remove the existing home and divide the property into two parcels, both fronting on 6<sup>th</sup> Avenue. The subject property is zoned R-10.

### 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.

Comment: The subject property is located at the intersection of 16<sup>th</sup> Street and 6<sup>th</sup> Avenue and would be accessed from a driveway to be constructed along the property's 6<sup>th</sup> Avenue frontage. No new street is needed. 6<sup>th</sup> Avenue is a local street and has a 60 foot right-of-way, which is the upper end of the 40-60' right-of-way width specified in this section for local streets. No additional right-of-way dedication is needed. The street section in front of the subject property would need to be improved to conform to City standards. The pre-application conference notes indicate that the paved section of the street needs to be widened to provide for 17' from centerline, a curb must be provided, a planter strip with street trees along 6<sup>th</sup> Avenue, and a 6' sidewalk. These improvements will either be provided by the applicant or a fee paid in lieu of making the improvements. The existing street grade is nearly flat, the intersections are at approximately 90 degrees and no cul-de-sac streets or alleys are proposed.

*B. Blocks and lots.*

Comment: No new blocks are proposed. The proposed lots are designed to conform to lot size and shape requirements. The lots are rectangular, contain sufficient area to meet the requirements of the R-10 zone and are not dimensioned to include any right-of-way areas. The lots have buildable depths that do not exceed 2.5 times their width. On Parcel One this is true because the width is 65 feet at the building line and the depth measured to the steeper portion of the property is approximately 125 feet. Parcel Two is 65 feet wide and has an average depth of approximately 162 feet.

The proposed driveway will conform to the provisions of Chapter 48 CDC, Access, Egress and Circulation. No through lots or parcels are proposed. The proposed lot lines are approximately at right angles to 6<sup>th</sup> Avenue, with the exception of the portion of Parcel One that flares out in order to provide sufficient distance from the intersection of Cheryl Drive with 6<sup>th</sup> Avenue to satisfy driveway spacing standards.

The proposed lots are not large enough to allow for future re-division under the provisions of the R-10 zone.

*C. Pedestrian and bicycle trails.*

Comment: Not applicable. 6<sup>th</sup> Avenue and Cheryl Drive are not indicated in the City Pedestrian Master Plan as a roadway with sidewalk deficiencies or bicycle deficiencies. No bicycle land improvements were listed on the Bicycle Master Plan.

*D. Transit facilities.*

Comment: Not applicable. No transit facilities are proposed or required in this area.

*E. Lot grading.*

Comment: Grading of the proposed building site will conform to City standards. Compliance will be reviewed at the time of building permit application.

*F. Water.*

Comment: The subject property is located in the Willamette Pressure zone, which information provided at the pre-application conference indicates has capacity to serve this site. City water is available in 6<sup>th</sup> Avenue, as shown on the Site Plan. There is one existing water meter that provides service to the existing home. An additional meter will be installed to serve the new lot. No new public water lines will be required.

G. Sewer.

Comment: As shown on the Site Plan, there is an existing public sewer line located in an easement on the west side of the subject property. Additionally, there is a City sewer line located in an easement along the south yard area of the subject property. Sewer service is available to the proposed lots from an existing manhole at the southwest corner of the property and no new public sewer facilities will be required.

H. Storm.

Comment: Storm sewer is available to serve the subject property from a storm sewer line in Kimberly Drive, to the south of the site. An existing utility easement between 25710 and 25730 Kimberly Drive would allow for the extension storm sewer to serve this site. An infiltration test will be performed on the property prior to final plat approval and stormwater may be retained on the property without overflow if the infiltration rate is 2 in./hr. or greater.

I. Utility easements. Comment: No new utility easements are anticipated.

J. Supplemental provisions.

1. Wetland and natural drainageways. Comment: No wetlands or drainageways exist on the subject property or adjacent to this site.
2. Willamette and Tualatin Greenways. The approval authority may require the dedication to the City or setting aside of greenways which will be open or accessible to the public. Except for trails or paths, such greenways will usually be left in a natural condition without improvements. Refer to Chapter [28](#) CDC for further information on the Willamette and Tualatin River Greenways.
3. Street trees. Street trees are required as identified in the appropriate section of the municipal code and Chapter [54](#) CDC.
4. Lighting. Comment: Prior to final plat approval an analysis of existing street lighting will be conducted and, if necessary, improvements made to comply with these standards.
5. Dedications and exactions. Comment: No new dedications or exactions are anticipated in conjunction with this partition.
6. Underground utilities. Comment: With the exception of power lines, all utilities will be underground as required by this section. Overhead power lines are located in 6<sup>th</sup> Avenue along the property frontage and a power pole at the northwest corner of the site provides for service to two homes. This section

allows for an exception 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. All of those requirements are met for the subject property and, therefore it is requested that the overhead power be allowed to remain.

7. Density requirement. Comment: The subject property contains 27,485 sq. ft., which allows for a maximum of 2 lots in the R-10 zone. The proposed partition would provide for 2 lots and, therefore, the minimum density standard is satisfied.
8. Mix requirement. Comment: Not applicable. This requirement only applies in the R-2.1 and R-3 zones. The subject property is zoned R-10.
9. Heritage trees/significant tree and tree cluster protection. Comment: No heritage trees, as defined in the Municipal Code, are present on the site. Other existing trees are mapped on the Site Plan. No trees are proposed to be removed at this time.
10. Annexation and street lights. Comment: Not applicable. The subject property is within the city limits.

6.3.2014

Tom Soppe -

Rec'd 6-3-14 ~~June~~

Re: 1541 6<sup>th</sup> Ave  
1559 6<sup>th</sup> Ave

Ref. File No.

TIIP-14-03

Two lot partition  
w/ 1519 6<sup>th</sup> Ave

\* Concern regarding demolition impact to our properties w/ west lot lines. most especially 1541 as building to be demolished is very close to lot lines and am seeking some confirmation the demolition will not impact our property and barriers will be placed to protect.

\* Can we be notified when demolition will take place 24 hrs prior.

Wiley & Beth Campbell  
1559 6<sup>th</sup> Ave.  
West. Linn

503-650-  
7639