

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
June 1, 2017

SUBJECT: Proposed 2-lot partition at 1560 Rosemont Road

FILE: PA-17-21

ATTENDEES: Applicant: Ken Beegle; Consultant: Rick Givens
Staff: Peter Spir, Associate Planner; Amy Pepper, Development Engineer

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Site Information

Site Address: 1560 Rosemont Road
Tax Not No.: Tax lot 900 of assessor's map 21E25DB
Area: 23,000 sq. ft.
Neighborhood: Parker Crest (HSRS north of Rosemont Road)
Comp. Plan: Low density residential
Zoning: R-10 (Single family residential detached / 10,000 square foot minimum lot size)
Applicable code: CDC Chapter 85: Land Division
CDC Chapter 92: Required Improvements
CDC Chapter 11: R-10

Project Details: There is an existing single family home towards the front of the property. The proposed plan preserves the home on lot 1 with lot 2 to the rear in a flag lot configuration. Lots have to exceed the 10,000 square foot minimum lot size, (even after any Rosemont Road right of way dedication) and also meet the R-10 dimensional standards in CDC Chapter 11. The square footage of the 15 foot wide flag lot stem cannot count to the square footage of either lot 1 or 2. The house on lot 1 has a lot coverage of about 3,850 square feet so the applicant needs to be mindful of staying under the 35% lot coverage and 45% floor area ratio standards. If the applicant cannot meet the 7.5 foot setback from the house to the 15 foot wide flag lot stem, then a Class I Variance is required.

Regarding the issue of the rear covered deck/porch and setbacks, CDC 38.060(F) allows a five foot encroachment of covered porches. Therefore you would only need a 15 foot setback from the rear covered porch to the rear property line. (The remainder of the house would have to have a 20 foot setback.

Site Details: There is a modest west to east slope of 0-5%. There are a number of trees on the site perimeter. The applicant must inventory and map the trees by location, type, size and tag them in the field. Mike Perkins, the City Arborist, will then make a determination of significance for the on-site trees (mperkins@westlinnoregon.gov).

Engineering Division Comments: Contact Amy Pepper at apepper@westlinnoregon.com or 503-722-3437 for engineering requirements. The applicant should anticipate, at minimum, a ROW dedication requirement and street improvements per CDC Chapter 92. Contact Ty Darby from Tualatin Valley Fire and Rescue (TVF&R) at ty.darby@tvfr.com or 503-259-1409 for their requirements. (The nearest hydrant is 62 feet from the property.)

Process: For the partition, address the submittal requirements of CDC 85.150, 85.160 and 85.170 and provide responses to the approval criteria of CDC 85.200. There is a deposit fee of \$2,800 plus final plat fee of \$1,500 and a final inspection fee of \$500. A Class I Variance will require a response to CDC 75.020(A) (1). The fee is \$825. The CDC is online at <http://westlinnoregon.gov/cdc>. The application form must be signed by the property owner.

N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Manager and must identify the specific grounds for that waiver.

Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided.

Once the submittal is deemed complete, staff will provide notice per CDC Chapter 99. The Planning Manager will issue a decision to approve, approve with conditions or deny the application. Appeals of the Planning Manager's decision are heard by City Council and subsequently by the Land Use Board of Appeals.

NOTE: All applicants for minor partitions and subdivisions must complete the Expedited Land Division (ELD) Acknowledgement Form, stating that they were notified about the ELD process, its eligibility standards of ORS 197.360(1), and indicate whether they intend to apply for an ELD or a standard partition/subdivision using the procedures set forth in the City of West Linn's Community Development Code. Applicants who do not sign the ELD Acknowledgement Form and subsequently submit a land division application will have the land division processed under the ELD procedures per ORS 197.365. The completed form must accompany the separate ELD or standard partition/subdivision application form. Unlike standard subdivision applications which require a Planning Commission hearing with public testimony, ELD subdivision decisions are made at a meeting of the Planning Commission which may only consider written comments submitted during a 14 day period. (There is no public hearing.) ELD minor partition decisions are made by the Planning Manager who may also only consider written comments submitted during a 14 day period. Subsequent appeals of ELD partitions and subdivisions are heard by an appointed referee and then the Court of Appeals. Differences in notice requirements, decision-making and appeals are explained in ORS 197.365, 197.370 and 197.375. Application fees are similar but ELD applicants must pay for referee costs, if applicable.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application **or provide any assurance of potential outcomes.** Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. **A new pre-application conference would have to be scheduled one that period lapses and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.**