

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
July 20, 2017

SUBJECT: Application for the vacation of an undeveloped section of Wilson Street ROW between West A Street and Broadway Street by Jeremy Barnett

FILE: PA-17-29

ATTENDEES: Applicants: Jeremy Barnett; Public: Gail Holmes, Jason Conn, Peggy Kirkendall
Staff: Peter Spir (Planning); Erich Lais (Engineering)

*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: Undeveloped section of Wilson Street ROW between West A and Broadway Streets
Site Area: 8,800 square feet in the ROW (220 feet long and 40 feet wide)
Neighborhood: Bolton
Comp. Plan: Medium density residential
Zoning: R-5 (adjacent properties)
Applicable code: ORS 271.080-.230

PROJECT DETAILS: The applicant owns property at 5685 West A Street which is adjacent to the undeveloped Wilson Street ROW proposed to be vacated. The proposed vacation, if approved, would convey the ROW between Broadway Street and West A Street to the adjacent property owners. Per ORS 271.140, the vacated ROW would be divided evenly among adjacent property owners. Of the total 8,800 square foot ROW to be vacated, the applicant would receive 2,400 square feet. There is an existing storm water line that extends the length of the ROW. It would have to be protected by a Public Utility Easement. There are no other public utilities in the ROW. Currently, an undeveloped footpath in the ROW is used, primarily to access the High School. (This route is identified as an "Off-Street Trail" in the Trails Master Plan.) (See TSP Figure 6.) An all-weather footpath with directional signage located in a public access easement would be appropriate between Broadway and West A Streets.

Engineering Comments: Contact Erich Lais at elais@westlinnoregon.gov for Engineering comments.
Parks Department contact: Ken Warner at kwerner@westlinnoregon.gov

Neighborhood Comments:

- Prior to the pre-application meeting, Neighborhood representatives submitted a letter of opposition to street vacation from the Bolton Neighborhood Association (dated July 18, 2017), noting the importance of retaining the ability for pedestrians to use the connection for Safe Routes to School (SRTS) and to access other neighborhood destinations.
- Citizens attending the meeting stated that they would not oppose a street vacation should public and SRTS access through the site be improved and maintained in perpetuity.
- Questions were raised regarding whether an additional house could be constructed, and where driveways might be located, should the ROW vacation be granted.

PROCESS: The vacation procedure is explained in Oregon Revised Statute Chapter 271.080-.230. The applicant must prepare a petition to vacate the ROW. The petition must include a legal description and map of the ROW proposed to be vacated to demonstrate that the signees were fully apprised of the area to be vacated. The petition must also include a statement explaining the purpose for which the ROW is proposed to be used and the reason for such vacation. One hundred percent of adjacent or abutting property owners must support and sign the petition to vacate. Two thirds of properties within the affected area (as defined in ORS 271.080) must support and sign the petition. All signatures must be notarized. Concurrent with signature gathering, the applicant should seek out the support of the Public Works Director. The fee for a street ROW vacation is \$6,000. (A narrative explaining why the street ROW is proposed to be vacated and how it will be used is needed.) Once the submittal is deemed complete, staff will provide notice per ORS 271.110 and schedule a public hearing with the City Council. (The 120-day rule does not apply to legislative action.) If approved, the applicant is responsible for filing the vacation with the County, establishing/recording all necessary easements and fulfilling any conditions (e.g. footpath).

A neighborhood meeting, per CDC 99.038, is not required.

Typical land use applications can take 6-12 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 after 18 months and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.**