

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**September 7, 2017**

**SUBJECT:** Street vacation at the corner of Elliott Street and Randall Street  
**FILE:** PA-17-36  
**ATTENDEES:** Applicant: Gary Mimnaugh  
Staff: Morgan Palmer, Engineer; Jennifer Arnold, Associate Planner

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*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**

Tax Not No.: Tax lot 7600 of Assessor's Map 21E25AA  
Site Area: 9,500 square feet  
Zoning: R-10 (Single-family residential, 10,000 sq. ft. minimum lot size)

**Project Details:** The applicant proposes to vacate all or part of Randall Street and Elliott Street unimproved right of way and build a new home on tax lot 7600.

**Discussion:** The subject property has frontage on both Randall Street and Elliott Street. Both of these streets are unimproved at this property's location. Due to the steep slopes on the south side of this property and a small unnamed creek on adjacent property, the applicant proposes to place the new home on the south side of the property up hill. This location would be within the setbacks of Randall Street or in the right of way itself.

**Engineering Division:** The applicant should contact Morgan Palmer of the Engineering Department at [mpalmer@westlinnoregon.gov](mailto:mpalmer@westlinnoregon.gov) with questions. Street vacation of public ROW would be a separate process under ORS 271 which requires City Council approval.

**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.**