

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**Notes**  
**October 5, 2017**

SUBJECT: Seven lot subdivision or multi-unit attached townhomes at 21305 Shannon Lane

FILE: PA-17-38

ATTENDEES: Applicant: David Shelofsky, Peter Fry, Luke Lappin  
Staff: Peter Spir, Associate Planner; Erich Lais, Development Engineer  
Public: David Baker (Rosemont Summit NA President), Steven and Ruth Ramsby, Jessica Henry, John Walker, Bill Ramirez, Roberta Staff, Marcia Kies, Diana Graham, Robert Dervedde, Mary Jo Billings, Roxanne Blackwood

*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: 21305 Shannon Lane (21E25BB tax lots 600 and 700)  
Area: 196,455.6 square feet / 4.51 acres  
Neighborhood: Rosemont Summit Neighborhood Association  
Comp. Plan: Low density residential  
Zoning: R-10 (Single family residential detached / 10,000 square foot minimum lot size)  
Applicable code: CDC Chapter 85: Subdivision and Lot Line Adjustment (LLA)  
CDC Chapter 92: Required Improvements  
CDC Chapter 11: R-10  
CDC Chapter 24: Planned Unit Development (PUD)  
CDC Chapter 28: Willamette and Tualatin River Protection (WRG/HCA)  
CDC Chapter 32: Water Resource Area (WRA)  
CDC Chapter 75: Class II Variance  
CDC Chapter 55: Design Review II (townhome proposal only)

**Project Details:** The applicant proposes a seven lot subdivision/PUD served by a cul de sac which would extend from an extension of Horton Road on the adjacent McLean property to the south. Lots would be developed on the west side of the property to avoid the resource areas. The applicant also introduced the option of a multi-unit attached townhouse project, also on the west side.

**Engineering Division Comments:** Contact Erich Lais at [elais@westlinnoregon.com](mailto:elais@westlinnoregon.com) or 503-722-3434 for engineering requirements. Contact Ty Darby from Tualatin Valley Fire and Rescue (TVF&R) at [ty.darby@tvfr.com](mailto:ty.darby@tvfr.com) or 503-259-1409 for their requirements.

**Public Comments/Concerns:** (1.) leave Athena Road "as is" without a cul de sac or hammerhead, (2.) the subdivision option is preferred over the townhouse option, (3.) protect the streams, habitat conservation areas and riparian corridor, (4.) protect significant trees and steeply sloped areas, (5.) want larger lot sizes, (6.) storm water facility design, (7.) the street design and the future connection of Horton Road eastwards, (8.) a connective trail between Athena Road and Shannon Lane.

**Process:** The application requires a neighborhood meeting per CDC 99.038. Please follow those requirements very carefully. The site is completely within the Rosemont Summit Neighborhood Association boundary. Contact David Baker, President, at [RosemontSummitNA@westlinnoregon.gov](mailto:RosemontSummitNA@westlinnoregon.gov). The applicant should select one development option prior to the neighborhood meeting so, going into that meeting, the neighborhood clearly understands what is being proposed.

This land use application will require response to the submittal requirements and approval criteria for a subdivision and LLA (Chapter 85), PUD (Chapter 24), WRA (Chapter 32), Willamette and Tualatin River Protection (WRG) (Chapter 28) permits. Variance(s) to waive specific required improvements would be addressed through CDC Chapter 75. (Design Review Class II (Chapter 55) would be required for the townhome option.) The CDC is online at <http://westlinnoregon.gov/cdc>.

A traffic study is required. A wetland specialist is required if the "Alternate Review Process" is proposed in the delineation of the WRA boundary. (Any amendments to the CDC that become effective prior to the submittal of this application must be complied with, as applicable.)

N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived or increased per CDC 99.035. Waivers may also be subsequently overruled by the decision making body.

Submit the application to the Planning Department with an application form signed by the property owner(s). The deposit for a subdivision is \$4,200 plus \$200 per lot. The final plat fee is \$2,000. There is also a \$500 fee for final site inspection. A PUD has a deposit fee of \$4,200 plus \$400 per acre. The WRA deposit fee is \$1,850. The WRG permit has a deposit fee of \$1,050. Class II Variance fee is \$2,900. Class II Design Review is \$4,000 plus 4% of construction value to maximum \$20,000 deposit. A Lot Line Adjustment has an \$800 fee and \$200 final plat fee.

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 and schedule a public hearing with the Planning Commission. Appeals of the Planning Commission's decision are heard by City Council and subsequently by the Land Use Board of Appeals.

**NOTE: All applicants for 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 and partitions which are decided by the Planning Manager with no hearing, **ELD subdivision and partition 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.) 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. **These notes are not minutes.** 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. **Any changes to the CDC standards between the date of this pre-app and the date of submittal of an application may require a different design or submittal.**