

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
November 2, 2017

SUBJECT: Application for the vacation of an undeveloped section of Canemah Street and Falls View Avenue ROW adjacent to 4511 Riverview Avenue

FILE: PA-17-42

ATTENDEES: Applicant: Don Rasmussen and Laurel Jamtgaard
Staff: Peter Spir (Planning); Morgan Palmer (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 Canemah Street and Falls View Avenue ROW adjacent to 4511 Riverview Avenue

Site Area: 10,511 square feet in the ROW (210.22 feet long and 50 feet wide)

Neighborhood: Sunset

Comp. Plan: Medium density residential

Zoning: 4.5 (adjacent properties)

Applicable code: ORS 271.080-.230

PROJECT DETAILS: The applicant owns property at 4511 Riverview Avenue which is adjacent to the undeveloped Canemah Street and Falls View Avenue ROW proposed to be vacated. The proposed vacation, if approved, would convey and divide the ROW per ORS 271.140 evenly among adjacent property owners. Of the total 10,511 square foot ROW to be vacated, the applicant would receive 5,255 square feet. There is an existing sanitary sewer line that extends the length of the Canemah Street ROW (plus a fire hydrant adjacent to Riverview Avenue that may be in the ROW). They would have to be protected by a Public Utility Easement as applicable. There are no other public utilities in the ROW. No path or informal pedestrian route exists, due largely to steep slope and vegetation/blackberries. (This route is not identified as an "Off-Street Trail" in the Trails Master Plan.) (See TSP Figure 6.)

Engineering Comments: Contact Amy Pepper at apecpper@westlinnoregon.gov for engineering comments. Evidence regarding the existence or non-existence of private utilities in the ROW is needed.

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 (prepared by licensed surveyor or engineer) proposed to be vacated to demonstrate that the signees were fully appraised 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. The fee for a street ROW vacation is \$6,000. In addition to the hard copy submittal, an electronic version is required: thumb drive, disk, or

PDF. 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.

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. These notes are not intended to constitute minutes of the meeting. 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.***