

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

SUBJECT: Application for annexation including zone assignment and subsequent subdivision for a 2.56 acre property at 22870 Weatherhill Road

FILE: PA-17-44

ATTENDEES: Applicants: Neil Fernando, Bob Schultz, Eric Evans, Annemarie Skinner, David Dean.
Other Attendees: Ed Schwarz, Gail Holmes, Robert Jester. 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: 22870 Weatherhill Road (21E35B tax lot 405)
Site Area: 2.56 acres/111,537 square feet
Neighborhood: Savanna Oaks (also within 500 feet of Willamette N.A.)
Comp. Plan: Low density residential (West Linn)
Zoning: Current zoning in Clackamas County: Future Urban 10 acre minimum
Applicable code: Community Development Code (CDC) Chapter 81: Boundary Changes
CDC Chapter 105: Amendments to the Code and Map
Municipal Code Chapter 2.915: Annexations
Metro Code Chapter 3.09 Local Boundary Changes (Expedited Decision)
See also Tri-City Service District
http://www.clackamas.us/wes/documents/tri_city_annexation_packet.pdf
CDC Chapter 85: Land Division (Subdivision) and 32: Water Resource Area (WRA)

PROJECT DETAILS: The property is an unincorporated "island" located one eighth of a mile inside the city limits and UGB. The applicant proposes to annex the property to the City with an R-7 zoning designation. The R-7 designation is compatible with the existing "Low Density Residential" comprehensive plan designation and R-7 zoning on adjacent properties. Completed annexation applications go through a two-step process with City Council ("Council"). In Step 1, ("Land Use Decision") Council reviews the land use aspect of the petition based on the approval criteria of CDC Chapter 81 and 105. Step 2 involves a second public hearing where the Council considers policy issues.

The 12 lot subdivision proposal was discussed. The lot layout and street alignment was consistent with CDC standards. The subdivision application can only take place after annexation is final. Sewer and storm water utilities and facilities will require attention. Recent CDC amendments for storm water facilities and geotechnical requirements will apply. The Expedited Land Division process was discussed.

Engineering/TVFR Comments: Contact Erich Lais at elais@westlinnoregon.gov for Engineering comments and Ty Darby at ty.darby@tvfr.com for TVFR comments.

Public Concerns: It would be preferred if the abutting property to the east could be annexed at this time to avoid piecemeal annexation and problems associated with incremental development. Traffic generated by the future subdivision will contribute to increased traffic on Salamo Road and difficulty merging from side streets. There was concern expressed about the lack of sidewalk and street improvements further east on Weatherhill Road adjacent to the Cascade Summit apartments.

PROCESS: (Annexation) Submit completed application form and provide responses to approval criteria of CDC 81.040 and 81.050; and 81.055; West Linn Municipal Code 2.915 to 2.930; and Metro Code 3.09.040 and 3.09.045 (Expedited Decisions). The application should also declare the intent to withdraw from the Clackamas County Enhanced Law Enforcement District and annex to the Tri-City Service District.

Annexation to the Tri-City Service District requires responding to the submittal requirements as explained in the Water Environment Services publication. Approval by the Clackamas County Board of Commissioners is required. Contact Erik Carr, Development Review Specialist, Clackamas County - (503-742-4571) ECarr@co.clackamas.or.us.

The City of West Linn's fee for an annexation is \$15,000 plus \$1,000 for every acre up to \$20,000. This does not include any applicable election costs, County/Tri-City fees (\$895 per WES handout), Metro fee (\$300 per Metro website), Department of Revenue fees, etc. which are the responsibility of the applicant. The annexation process takes about 8-12 months.

For the zone assignment, respond to CDC 105.050 requirements. Because this a zone assignment and not a change of city zones, the requirements of Oregon Administrative Rule (OAR) 660-012-0060 including a Traffic Impact Analysis (TIA) per 105.050(D) (3) do not apply. A neighborhood meeting, per CDC 99.038, is not required for annexation; (but would be for a subdivision). Once the annexation submittal is deemed complete, staff will provide notice per CDC Chapter 99 and schedule a public hearing with the City Council. (The 120-day rule does not apply to legislative action.)

For the subdivision, the submittal requirements and approval criteria of CDC Chapter 85 apply. A TIA, storm water report, geotechnical report, tree inventory are required. The presence of a headwater to a small ephemeral stream will require a Water Resource Area (WRA) permit if development is proposed within the WRA boundary. CDC Chapter 32 contains the submittal requirements and approval criteria for WRAs. The "Alternate Review Process" of CDC 32.070 may be appropriate. The subdivision has a deposit fee of \$4,200 plus \$200 per lot. The WRA permit deposit fee is \$1,850.

Once the subdivision application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. Once the submittal is deemed complete, the City has 120 days to exhaust all local review. The review includes providing notice per CDC Chapter 99 and scheduling 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.

After 18 months with no application approved or in process, a new pre-application conference is required.

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. **Any changes to site conditions or CDC standards between the date of this pre-app and the date of submittal of an application may require a different design or submittal.** (vn)