

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**May 17, 2017**

**SUBJECT:** Application for the vacation of an undeveloped section of an alleyway (public ROW) between Broadway Street and Willamette Drive by Tim Walker of Dream Builder Custom Homes

**FILE:** PA-18-12

**ATTENDEES:** Applicants: Tim Walker of Dream Builder Custom Homes, Dan Williams; Public: Peter Eddy  
Staff: Jennifer Arnold (Planning); Amy Pepper (Engineering)

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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:**

**Site Address:** Undeveloped section of alleyway ROW between Broadway Street and Willamette Drive

**Site Area:** 2,400 square feet in the ROW (150 feet long and 16 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 21765 Willamette Drive which is adjacent to the undeveloped unnamed alleyway ROW, of which a portion is proposed to be vacated. The proposed vacation, if approved, would convey the ROW between the Willamette Drive and Broadway Street to the adjacent property owners. Per ORS 271.140, the vacated ROW would be divided evenly among adjacent property owners. Of the total 2,400 square foot ROW to be vacated, the applicant would receive 1,200 square feet. There are no public utilities in the ROW, however there is a water lateral from the meter on Willamette Drive to the applicant's property that crosses the alleyway proposed to be vacated.

**Engineering Comments:** Contact Amy Pepper at [apecpper@westlinnoregon.gov](mailto:apecpper@westlinnoregon.gov) for Engineering Department comments.

**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 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. Concurrent with signature gathering, the applicant should seek out the support of the Public Works Director. The fee for a 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 (e.g. public utility easement).

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.***