

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
November 1, 2018

SUBJECT: Proposed 3-lot partition for 22985 Bland Circle and modification of MIP-16-02 to provide access to 22985 Bland Circle

FILE: PA-18-30

ATTENDEES: Applicant: Brian and Inger Babcock, Rick Givens
Staff: Jennifer Arnold, (Planning); Erich Lais (Engineering)
Other attendees: Ed Schwarz, Kathie Halicki, & Margot Kelly

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.

Project Details

Site Address: 22985 & 22995 Bland Circle
Tax Not No.: 2S 1E 25AD tax lot 9900
Site Area: 2.11 acres (91,856 sq. ft.)
Neighborhood: Savanna Oaks
Comp. Plan: Low Density Residential
Zoning: R-10: Single-Family Residential, Detached
Environmental Overlays: None
Applicable CDC Chapters: Chapter 11, R-10 Zoning; Chapter 48, Access, Egress, and Circulation, Chapter 85, General Provisions, and Chapter 92, Required Improvements

Summary

The applicant proposes a 3 lot partition, for the purpose of constructing detached-single-family homes, by partitioning an approximately 46,419 sq. ft. parcel at 22985 Bland Circle. This use is permitted outright and the three proposed lots meet minimum size requirements. Access by private drive is allowed for up to four lots. Contact TVF&R for private drive clearance/turnaround requirements. Bland Circle is a local street, but dedication along the frontage of Bland Circle will be required to meet street cross section requirements. The subject property is not located in an area identified as a landslide hazard zone, but a geotechnical report is still required. A significant tree inventory is required. Please contact the City Arborist to coordinate a significance determination.

There is an existing sewer line in Bland Circle, a water line in unimproved right-of-way/Killarney Drive. Stormwater management must be reviewed and approved by Engineering Staff.

Engineering Comments: contact Erich Lais at elais@westlinnoregon.gov

Tualatin Valley Fire & Rescue Comments: contact Jason Arn at jason.arn@tvfr.com

Process: For the Partition Review, address the submittal requirements and responses to the criteria of CDC Chapter 85 and associated/referenced regulations in Chapters 11, 48, and 92. N/A is not an acceptable response to the approval criteria. Submittal requirements may be waived by the Planning Manager following a request by the applicant. Such a

request must identify the specific grounds for the waiver and must be submitted to the Planning Manager (or designee) in letter form (email is acceptable).

The applicant proposes to modify the approved minor partition (Planning Dept. File number MIP-16-02). The applicant must show the changes from the original approval in the narrative and submitted plans. The modification of MIP-16-02 and the minor partition for 22985 must be submitted as two separate applications. The unimproved Right-of-way on the southern boundary of 22995 Bland Circle must be vacated. The applicant must complete the vacation process prior to moving forward with the modification of MIP-16-02. The vacation would not include the West Linn owned strip of land containing the defined pedestrian trail (stairs).

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 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.

The applicant was advised of the expedited process as outlined in HB 3223.

The deposit for a minor partition is \$2,800. The fee for the modification is 50% of the original deposit (this application fee is \$1,400). You may access the West Linn Community Development Code (CDC) online at <http://westlinnoregon.gov/cdc>. Once the application and deposit/fee are submitted for the modification and/or partition, the City has 30 days to determine if the application is complete. 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 declared complete, staff will prepare a staff report and schedule a date for the Planning Manager's decision. There is a 14-day window following the Planning Manager's decision to appeal the decision to City Council. If no appeal has been received by the close of the appeal period, the Planning Manager's decision is final and the applicant may move forward with the development of their proposal.

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.

Neighborhood Association Concerns: Tree protection and any other identified recourse protection on both lots were identified as a concern with developing these sites. Widening Bland Circle to provide parking on one side is desired. A concern over traffic safety on Killarney/Alpine Drive was expressed regarding maneuvering in and out of these parcels with the blind curves.

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. 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. 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. Any changes to the CDC standards may require a different design or submittal.