

**CITY OF WEST LINN**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**March 17, 2022**

**SUBJECT:** Minor Partition with possible rezone and possible street vacation  
**FILE:** PA-22-06  
**ATTENDEES:** Applicant: Theodore Kooy  
Staff: John Floyd (Planning), Lynn Schroder (Planning)  
Public: None

*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: 2289 5<sup>th</sup> Avenue  
Tax Lot No.: 31E02AB06400  
Site Area: 21,779 Square Feet +/-  
Neighborhood: Robinwood Neighborhood Association  
Comp. Plan: Low Density Residential  
Zoning: Single-Family Residential Detached, R-10  
Zoning Overlays: N/A  
Applicable CDC Chapters: Chapter 11: Single-Family Residential Detached, R-10  
Chapter 46: Off-Street Parking, Loading and Reservoir Area  
Chapter 48: Access, Egress and Circulation  
Chapter 85: General Provisions  
Chapter 92: Required Improvements  
Chapter 98: Procedures for Decision Making: Legislative (if applying for a rezone)  
Chapter 99: Procedures for Decision Making: Quasi-Judicial  
Chapter 105: Amendments to the Code and Map

**Project Details**

Project site contains a nonconforming multi-family building, which appears to have been constructed prior to 1968 which is the first aerial photograph where it appears. No environmental resources appear to be located on or adjacent to the property. The proposal is to partition the property into two lots, with the existing building remaining as-is on the northern lot, and unspecified new development occurring on the southern lot. The applicant was also interested in the potential to rezone the property to allow multi-family, and whether the city was interested in vacating 8<sup>th</sup> Street.

**Discussion:**

During the pre-application meeting staff noted that the existing frontage improvements were non-conforming, and it was unclear whether the existing building and associated parking met minimum parking requirements. The new lot lines would need to ensure that all existing buildings meet setbacks, or a variance would be required as part of the minor land partition application. Other topics discussed included utility access, sewer easements, and whether a vacation of 8<sup>th</sup> street would be appropriate given the fact that it served only a handful of homes and was not likely to be extended due to the wetland complex at the bottom of the slope.

Frontage improvements are typically required per CDC 92.010(C). Given the existing development on the northerly side of the parcel combined with the grade and existing sidewalk along the entire block, frontage improvements appear

appropriate along 8<sup>th</sup> Street where the new development would occur. Should a street vacation be requested, development would be limited to the new frontage boundary along 5<sup>th</sup> Avenue.

Required application materials for the Minor Land Partition are set forth in CDC 85.160 through 85.170 and includes the following.

Note that the City is nearing finalization of text amendments related to the implementation of Oregon House Bill 2001 and related legislation. These changes are not expected to substantially change the proposed design, but staff wants you to be aware that a broader variety of housing types will be permitted on your property. For more information please visit the following website: <https://westlinnoregon.gov/planning/house-bill-2001-phase-2>

Building: For building code and ADA questions, please contact Adam Bernert at [abernert@westlinnoregon.gov](mailto:abernert@westlinnoregon.gov) or 503-742-6054.

Engineering: Please see attached comments from West Linn Engineering.

Tualatin Valley Fire & Rescue: Please contact Jason Arn at [jason.arn@tvfr.com](mailto:jason.arn@tvfr.com) or 503-259-1510 with any questions.

Process: For the proposal, address the submittal requirements and standards for decision making in the Community Development Code (CDC) chapters:

- Chapter 11: Single-Family Residential Detached, R-10
- Chapter 46: Off-Street Parking, Loading and Reservoir Area
- Chapter 48: Access, Egress and Circulation
- Chapter 85: General Provisions
- Chapter 92: Required Improvements
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- Chapter 99: Procedures for Decision Making: Quasi-Judicial
- Chapter 105: Amendments to the Code and Map

N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Manager and must identify the specific grounds for that waiver.

The fee for a Partition Plat is \$2,800 deposit with actual costs charged thereto, and the fee for a Street Vacation is \$6,000.

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 complete, the City has 120 days from the date of completeness to make a final decision on the application.

***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.



CITY OF  
**West  
Linn**

## Pre-app Comments

**Project Number: PA-22-06**  
**2289 5<sup>th</sup> Avenue**

### Engineering Contact:

Maryna Asuncion, EIT  
masuncion@westlinnoregon.gov  
Telephone: (503) 722-3436

**Project Description:** Creation of 1 additional (2 total) buildable lots

**Pre-application meeting date:** March 17, 2022

The comments provided below are based upon material provided as part of the pre-application packet and are intended to identify potential design challenges associated with the development. Comments are not intended to be exhaustive and do not preclude the engineering department from making additional comments as part of the formal land use application process.

### TRANSPORTATION

#### Minimum Required Improvement:

- 5<sup>th</sup> Street Improvements:
  - Existing right-of-way width: 40 feet.
  - Classification: Local
  - No street improvements required. Existing sidewalk shall remain.
- 8<sup>th</sup> Street Improvements:
  - Existing right-of-way width: 45 feet.
  - Classification: Local
  - The applicant inquired about whether the City would be willing to vacate the ROW on 8<sup>th</sup> Street so it can become a private driveway. The City is discussing this possibility. 4 existing lots are accessed by this roadway. The proposed partition will result in 5 lots with an access point off 8<sup>th</sup> Street.
- Street trees: coordinate with the Park Department to install appropriate number and type of tree, as applicable:
  - Parks Contact: Mike Perkins  
[mperkins@westlinnoregon.gov](mailto:mperkins@westlinnoregon.gov)  
503-723-2554
- All new distribution and communication franchise utilities and their services must be placed underground. Existing above-ground utilities may remain.
- A 5-foot ROW dedication is proposed along the frontages of 5<sup>th</sup> St. and 8<sup>th</sup> St.

### SANITARY SEWER

#### Minimum Required Improvement:

- Each proposed lot shall have its own sanitary sewer service line.
- An existing 8" sanitary sewer main line exists at the frontage of the property in 5<sup>th</sup> St. and has capacity to receive flow from the 2 proposed lots.
- There is no existing sanitary sewer pipe in 8<sup>th</sup> St.



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### DOMESTIC WATER

#### Minimum Required Improvement:

- Each proposed lot shall have its own water service and meter.
- There is an existing 6" water main line in 5<sup>th</sup> St. in opposite side of the street from the proposed partition.
- In 8<sup>th</sup> St. there is an existing 4" water main line that transitions to a 2" water main line approximately where the existing water meter service Parcel 1 is connected to the main.
- Any connection to the public water main line shall be made by City crews, who will install the service line to the edge of right-of-way.

### SURFACE WATER (STORM SEWER)

#### Minimum Required Improvement:

- Onsite run-off generated from new impervious areas of greater than 5,000 square feet must be captured, treated, detained and conveyed to the nearest public stormwater system in accordance with the *Portland Stormwater Management Manual*, the Uniform Plumbing Code, and *City of West Linn Public Works Standards*.
- Onsite run-off generated from new impervious area of greater than 1,000 square feet must be captured, treated, and conveyed to nearest public stormwater system.
- There is an existing storm system that may be used as a discharge point for future storm water management if infiltration is not feasible. The extent of the existing storm system is unknown and will require additional survey at the time of site development.
- Stormwater facilities installed to capture, treat, detain and convey stormwater from the private improvements shall be privately owned and maintained.

### OTHER

- All public improvements shall be constructed, inspected and accepted by the City prior to signing the plat.
- A 5-foot wide Public Utility Easement is anticipated to be required along the frontage of the property at the time of development.
- Development shall pay all applicable System Development Charges (SDC) fees at the time of home construction.
- Future development of the site will disturb more than 1 acre, therefore a 1200-CN Erosion Control Permit Application, as outlined in Section 2.0066 of the *City of West Linn Public Works Standards*, will be required prior to the commencement of construction.



# LAND USE PRE-APPLICATION CONFERENCE

Thursday, March 17, 2022

Webex Virtual Meeting

11:00am: **Proposed partition of one lot into two lots and a potential rezone of both lots from R10 to Multi-family**  
Applicant: **Theodore Kooy**  
Property Address: **2289 5th Avenue**  
Neighborhood Assn: **Willamette Neighborhood Association**  
Planner: **John Floyd** Project #: **PA-22-06**





### PRE-APPLICATION CONFERENCE

THIS SECTION FOR STAFF COMPLETION		
CONFERENCE DATE:	3/17/22	TIME: 11:00
		PROJECT #: PA-22-06
STAFF CONTACT:	John Floyd	FEE: \$1,000

Pre-application conferences occur on the first and third Thursday of each month. To schedule a conference, submit this this form with the property owner’s signature, the fee, and accompanying materials by 4:00pm at least **15** days before the conference date. Twenty-four hour notice is required to reschedule. Pre-application notes are valid for 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

Address of Subject Property (or map/tax lot): 2289 5th Avenue, West Linn, OR 97068

Brief Description of Proposal: I would like to divide this land into 2 separate parcels for future development.

Applicant’s Name: Theodore J. Kooy

Mailing Address: 2277 Cherry Street, Lynden, WA 98264

Phone No: 503-969-9769 Email Address: tkooy815@gmail.com

Please attach additional materials relating to your proposal including a site plan on paper up to 11 x 17 inches in size depicting the following items:

- North arrow
- Scale
- Property dimensions
- Streets abutting the property
- Conceptual layout, design and/or building elevations
- Easements (access, utility, all others)
- Access to and from the site, if applicable
- Location of existing trees, highly recommend a tree survey
- Location of creeks and/or wetlands, highly recommend a wetland delineation
- Location of existing utilities (water, sewer, etc.)

Please list any questions or issues that you may have for city staff regarding your proposal:

Could the zoning on the property be changed to allow multi family?

By my signature below, I grant city staff right of entry onto the subject property in order to prepare for the pre-application conference.

Theodore J. Kooy  
Property owner’s signature



2/24/22  
Date

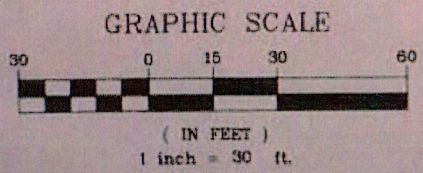
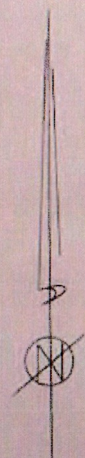
Property owner’s printed name and mailing address if different from above.


2289 5TH AVE, WEST LINN, OR, 97068



Note :  
5.00' ROW Dedications  
Proposed along the  
Frontages of 5<sup>th</sup> and 8<sup>th</sup>.

Primary Address: 2289 5th Ave, West Linn, 97068  
Jurisdiction: West Linn (<https://westlinnoregon.gov>)  
Map Number: 31E02AB  
Taxlot Number: 31E02AB06400  
Parcel Number: 00748427  
Document Number: 2015-028019  
Estimated Acres: 0.50  
Current Year Assessed Value: \$357,048.00  
Market Building Value: \$606,060.00  
Market Land Value: \$152,174.00  
Market Total Value: \$758,234.00



	TECH. ENGINEERING PO Box 80483 Portland, Oregon 97280 Phone (503) 819-6494
Owner - Developer	
Project	