

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
April 21, 2022

SUBJECT: Amendments to Conditions of Approval for SUB-20-01/AP-20-05, an approved six-lot subdivision at 4096 Cornwall Street

FILE: PA-22-08

ATTENDEES: Applicant: Darren Gusdorf (Icon Construction & Development), Rick Givens (Consultant)
Staff: Darren Wyss (Planning), Erich Lais (Engineering), Justin Loveland (Engineering)
Public: Christine Henry, Pia Snyder, David Corey

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: 4096 Cornwall Street
Tax Not No.: 2S 1E 36BA tax lot 6300
Site Area: 2.2 acres
Neighborhood: Sunset Neighborhood Association
Comp. Plan: Low Density Residential
Zoning: R-10 Residential
Zoning Overlays: None
Applicable CDC Chapters: Chapter 92: Required Improvements
Chapter 99: Procedures for Decision-Making: Quasi-Judicial

Summary

The applicant proposes to amend the Conditions of Approval (CofA) for the Willow Ridge subdivision. The proposed amendments are as follows:

1. Include language in Condition of Approval 2 to allow the City to partner with Icon to make additional improvements to Cornwall Street that are not required as part of the subdivision approval.
2. Amend Condition of Approval 6 to provide options to either construct a trail in another location or pay a fee-in-lieu equal to the cost of constructing the trail. This request is in response to the steep terrain and engineering issues with constructing the trail in the approved location.

The proposed amendment to CofA 2 is standard operating procedure for the City and this language is now included in all CofAs. This change occurred subsequent to the Willow Ridge approval, so this proposal is consistent with current City policy and procedures.

The 2013 West Linn Trails Plan does not include a trail in the undeveloped Cornwall right-of-way. The proposed amendments to CofA 6 would allow resources to be directed to trail connections identified in the Trails Plan. City staff has identified a few alternative locations for Icon to construct a trail and does not anticipate accepting a fee-in-lieu.

Several questions and comments were submitted by neighborhood attendees and include:

1. It makes sense for the City to partner with Icon to make additional improvements to Cornwall.
2. What will happen to the undeveloped Cornwall right-of-way if the trail is not located there? Answer: the right-of-way will be vacated and half of the area will be given to adjacent property owners.

3. Will there be any additional expenses to the City because of this proposal? Answer: no, the Cornwall improvements are budgeted and Icon will fund the trail construction.
4. How does fee-in-lieu get calculated and where does it go? Answer: the City does not anticipate accepting a fee-in-lieu, but requiring a trail connection be made in the area. If fee-in-lieu were accepted, three bids would be submitted by Icon to establish the cost of construction and the money would be added to the City's trails fund.
5. There were a few more questions related to infrastructure location for the subdivision. Although outside the scope of this proposal, Icon answered the questions and agreed to meet the neighbors on-site to discuss any concerns.

Engineering Comments: contact Erich Lais at elais@westlinnoregon.gov or 503-722-3434 or Justin Loveland at jloveland@westlinnoregon.gov or 503-722-3437

Tualatin Valley Fire & Rescue Comments: contact Jason Arn at jason.arn@tvfr.com or 503-259-1510

Process

For the Amendment to Conditions of Approval application, submit the following

1. Narrative explaining the proposal, included why the trail in the Cornwall right-of-way is infeasible to construct
2. Map of proposed Cornwall Improvements
3. Map of conditioned trail location and contours/slope issues
4. Address approval criteria, adopted findings, and provide new findings for"
 - a. CDC 92.010(F-G) for amended Condition of Approval 2
 - b. CDC 92.010.A(1-2) for amended Condition of Approval 6.

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).

A neighborhood meeting is not required per 99.038.

The deposit for an Amendment to a Subdivision Approval is half the original deposit or \$2,950

You may access the West Linn Community Development Code (CDC) online at <http://westlinnoregon.gov/cdc>.

Once the application and fees 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.

The proposed CofA Amendments require a public hearing before the Planning Commission. Once the submittal is declared complete, staff will schedule a public hearing date, send a 20-day public hearing notice, and complete a staff report with a recommendation. There is a 14-day window following the PC decision to appeal the decision to City Council. If no appeal has been received by the close of the appeal period, the PC decision is final and the applicant may move forward with the development of their proposal.

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.