

CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
February 16, 2023

SUBJECT: Proposed Variance for a 6 lot private access drive
FILE: PA-23-02
ATTENDEES: Applicant: Tracy Peterson; Hillary Harris
Staff: Chris Myers (Planning), Lynn Schroder (Planning)
Public: No public in attendance

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: 2622 Marylhurst Drive & 18600-18690 Midhill Circle
Tax Lot No.: 21E14DC06700, 5800, 6700, 6701, 6601, 6600, 6500
Site Area: .70 acres +/- per site plan submitted with application
Neighborhood: Robinwood Neighborhood Association
Comp. Plan: Low Density Residential
Zoning: Residential, R-10
Zoning Overlays: N/A

Project Site and Proposed Project

Relevant details of the project and project site include the following:

- The proposed project is to construct a shared access drive for 6 lots of record.
- Variance is required as the Community Development Code allows for no more than 4 lots takes access from a shared access drive.
- A class II Variance is required which requires a pre-application conference
- The decision making authority for a Class II Variance is the Planning Commission
- All 6 lots are lots of record and thus each can be developed independently of one another. This is not a subdivision which would require street improvements
- There are no environmental constraints on the property. No streams, no riparian corridor restrictions, no easements on any of the properties, and the properties are not located within a Flood Management Area.
- The site has slope which makes access from Midhill Circle challenging. The slope can be mitigated by taking access from the proposed shared access drive.

Planning Staff Comments

Planning staff has the following comments on the application:

- For a Class II Variance there are four total Community Development Code (CDC) chapters that apply:
 - Chapter 11 Single-Family Residential Detached R-10
 - Chapter 48 Access, Egress, and Circulation
 - Chapter 75 Variances and Special Waivers
 - Chapter 96 Street Improvement Construction
 - Chapter 99 Procedures for Decision Making: Quasi-Judicial

- The West Linn Public Works and Engineering Departments express (via email) that they support the single shared access drive for all six lots as the safest option for motor vehicles and pedestrians alike.

Discussion:

Staff :

- Staff discussed each chapter that is applicable to the variance application with notations of relevant sub-chapters.
 - Chapter 11: Single-Family Residential Detached, R-10
 - Chapter 48: Access, Egress, and circulation
 - 48.020 Applicability and General Provisions
 - 48.025 Access Control
 - 48.030 Minimum Vehicle Requirements for Residential Uses
 - 48.060 Width and Location of Curb Cuts and Access Separation Requirements
 - Chapter 75: Variances and Special Waivers
 - 75.020 Classifications of Variances
 - Chapter 96: Street Improvement Construction
 - 96.010 Construction Required
 - 96.020 Standards
 - Chapter 99: Procedures for Decision Making Quasi-Judicial
 - 99.030 Application Process: Who May Apply, Pre-Application Conference, Requirements...
 - 99.060 Approval Authority

Further discussion during the pre-app conference:

- Tualatin Valley Fire & Rescue service provider permit required prior to land use application

Engineering:

The Engineering department provided the following comments. For further details, please contact Maryna Asuncion at 503-722-3436 or MAasuncion@westlinnoregon.gov.

Building:

For building code and ADA questions, please contact Adam Bernert at abernert@westlinnoregon.gov or 503-742-6054 or Alisha Bloomfield at abloomfield@westlinnoregon.gov or 503-742-6053.

Tualatin Valley Fire & Rescue:

Please contact Jason Arn at jason.arn@tvfr.com or 503-259-1510 with any questions. **Note that a Service Provider Permit must be presented with the application in order for the application to be deemed complete.**

<https://www.tvfr.com/399/Service-Provider-Permit>

Process:

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

- Chapter 11: Residential, R-10
- Chapter 48: Access, Egress, and Circulation
- Chapter 75: Variances and Special Waivers (if needed)
- Chapter 92: Street Improvement Construction
- Chapter 99: Procedures for Decision Making: Quasi-Judicial

Compliance Narrative:

When preparing the compliance narrative, 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.

Fees:

The **fee** for a Class II Variance is \$2900.

Timelines: 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.