

**CITY OF WEST LINN**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**June 15, 2022**

**SUBJECT:** Proposed 11 lot subdivision at 2175 & 2200 Mountain View Court

**FILE:** PA-23-09

**APPLICANTS PRESENT:** Philip Gentemann, Bruce Goldson, Robert Kao, Alan Brickley

**STAFF PRESENT:** John Floyd (Planning), Lynn Schroder (Planning), Maryna Ascuncion (Engineering), Clark Ide (Engineering)

**PUBLIC PRESENT:** Karie Oakes (Marylhurst Neighborhood Association)

*These pre-application summary notes have been prepared for the applicant to identify applicable code sections and critical issues for the proposed application and summarize the application process and fees\*. Pre-Application summary notes are based on preliminary information and may not include all considerations. Contact the assigned planner for additional information regarding the process, approval criteria, submittal requirements, questions, and clarifications. Pre-Application Conference summary notes are valid for eighteen months from the meeting date. Once a complete application is submitted, the final decision can take 6-10 months.*

**SITE INFORMATION:**

Site Address: 2200 Mountain View Court  
Tax Lot No.: 21E14CD00101 & 21E14CD00102  
Site Area: 5.9 Acres +/- per Clackamas County Assessor  
Neighborhood: Marylhurst Neighborhood Association  
Comp. Plan: Low Density Residential  
Zoning: R-10  
Zoning Overlays: Significant Riparian Corridor (Arbor Creek); High & Moderate Habitat Conservation Areas

**PROJECT DESCRIPTION:**

The site consists of two lots containing an existing home, extensive tree cover, steep slopes, and a riparian corridor associated with Arbor Creek. The applicant proposes to divide the site into 11 residential lots with an associated open space tract along Arbor Creek and steep slopes within the western portion of the project area, and a stormwater facility tract at the eastern corner of the project site. Proposed lot sizes range from 10,909 to 17,053 square feet. Access to be provided through an extension of Mountain View Court, with vacation of the existing cul-de-sac and a replacement constructed within the project site.

**APPLICABLE COMMUNITY DEVELOPMENT CODE SECTIONS:**

Approval standards and criteria in effect when an application is *received* will be applied to the proposed development. The following Community Development Code (CDC) Chapters apply to this proposal:

- [Chapter 11: Residential, R-10](#)
- [Chapter 28: Willamette and Tualatin River Protection](#) (Habitat Conservation Area Standards)
- [Chapter 32: Water Resource Area Protection](#) (If work is proposed within Water Resource Area)
- [Chapter 41: Building Height, Structures on Steep Slopes, Exceptions](#)
- [Chapter 48: Access, Egress, and Circulation](#)
- [Chapter 85: General Provisions \(land division\)](#)
- [Chapter 92: Required Improvements](#)
- [Chapter 99: Procedures for Decision Making: Quasi-Judicial](#)

## **KEY ISSUES & CONSIDERATIONS**

Staff has identified the following development issues, design considerations, or procedural issues that you should be aware of as you prepare your formal application for submittal. The identification of these issues or considerations here does not preclude the future identification of additional issues or considerations:

- The number of proposed lots must meet or exceed 70% of maximum density. The developable net area is calculated by taking the total site acreage and deducting Type I and II lands; then up to 20 percent of the remaining land may be excluded as necessary for the purpose of protecting significant tree clusters or stands as defined in CDC 55.100(B)(2).
- The 25-foot private accessway must include a turnaround to TVF&R standards and must not exceed 15% grade as measured along the centerline of the driveway.
- The site has potential to be designated as a Planned Unit Development (PUD) as permitted in CDC Chapter 24, which would allow for the transfer of density from the protected slopes and water resource area.
- Most of 2175 Mountain View Court is covered by a Habitat Conservation Area (HCA) overlay. Chapter 28 Willamette and Tualatin River Protection (28.110) addresses the criteria for HCAs and permitting within HCAs.
- A Water Resource Area (WRA) extends 100 feet from the ordinary high-water mark of Arbor Creek per the City's adopted WRA Map and CDC Table 32-2. Any work in this area must comply with CDC Chapter 32, including construction of a water quality facility.
- Building heights may be an issue with the steep slopes. Applicant should review Community Development Code Chapter 41 (41.005) to determine how to measure the height of a building on steep slopes.
- The City will not accept the open space tract in dedication, and it will need to be managed by the future property owners.

## **RESPONSE TO APPLICANT QUESTIONS:**

- A traffic study will not be required as none of the traffic study thresholds detailed in CDC 85.170.B.2 appear to be met.
- A geotechnical report will be required per 85.170.C.3.
- Existing trees and contours are required per CDC 85.160.E. The tree survey shall include tree protection measures recommended by a certified arborist.
- Widening of Mountain View Court to a 28-foot pavement width is likely to be required per the following:
  - 85.200.A.3 requires streets adjacent to the subdivision to have a 28-foot pavement width, unless reduced per subsection A.4.
  - 85.200.A.11.b limits cul-de-sacs to no more than 200 feet in length unless the design complies with TVF&R access standards and adequately provides for anticipated traffic per TSP.
  - Any required widening would be subject to rough proportionality limits, which would likely take into consideration the relatively low amount of new frontage within the bounds of the subdivision, relative to the number of lots proposed.
- Vacation of the outer wings of the existing cul-de-sac bulb would be reasonable, and would need to proceed under a separate application, following completion of the road extension.
- A neighborhood meeting will be required with the Marylhurst Neighborhood Association per CDC 99.038. As the project site is within 500 feet of the Skyline Ridge and Robinwood Neighborhood Associations, those associations must also be notified and invited to the meeting with the Marylhurst Neighborhood Association per CDC 99.038.C. However, a separate meeting with all three neighborhood associations is not required to meet neighborhood contact requirements in the CDC.

## **PUBLIC QUESTIONS:**

Questions pertained to the size of the water resource area and neighborhood meeting requirements, which are addressed above in response to applicant questions.

**ENGINEERING:**

The Engineering department comments are attached. For further details, contact Maryna Asuncion at 503-722-3436 or [Masuncion@westlinnoregon.gov](mailto:Masuncion@westlinnoregon.gov).

**BUILDING:**

For building code and ADA questions, contact Adam Bernert at [abernert@westlinnoregon.gov](mailto:abernert@westlinnoregon.gov) or 503-742-6054 or Alisha Bloomfield at [abloomfield@westlinnoregon.gov](mailto:abloomfield@westlinnoregon.gov) or 503-742-6053.

**TUALATIN VALLEY FIRE & RESCUE:**

A Service Provider Permit must be provided with this application - <https://www.tvfr.com/399/Service-Provider-Permit>. Contact Jason Arn at [jason.arn@tvfr.com](mailto:jason.arn@tvfr.com) or 503-259-1510 with any questions.

**TREES:**

For information on the tree requirements for this proposal, contact the Ron Jones, City Arborist at [rjones@westlinnoregon.gov](mailto:rjones@westlinnoregon.gov) or 503-722-4728.

**PROCESS:**

A subdivision is a quasi-judicial decision by the Planning Commission. A public hearing is required. The applicant must present their proposal to the Planning Commission at the hearing. Once the application is complete, staff will review the application, schedule a public hearing date, send a 20-day public comment notice, and post a notice sign on the property. Staff will prepare a report with a recommendation available 10 days before the public hearing. A final decision can take 6-10 months.

After the Planning Commission decides, there is a 14-day appeal period. If the decision is not appealed, the applicant may proceed with the development.

**NEIGHBORHOOD MEETING:**

Before applying for a subdivision, the applicant must conduct a neighborhood meeting to discuss the proposed development with the Marylhurst Neighborhood Association, per [CDC 99.038](#). The meeting should be scheduled at the association's regularly scheduled monthly meeting or at another time at the association's discretion. The purpose of the neighborhood meeting is to identify potential issues or conflicts regarding a proposed application to address them before the application is submitted. Please contact Christine Blanche at [MarylhurstNA@westlinnoregon.gov](mailto:MarylhurstNA@westlinnoregon.gov) to schedule a meeting.

**HOW TO SUBMIT AN APPLICATION AND WHAT TO INCLUDE:**

Submit a complete application in a single PDF document through the [Submit a Land Use Application](#) web portal. A complete application should include:

1. A [development application](#);
2. A project summary outlining the scope of the project;
3. A compliance narrative containing full written responses to approval criteria in the identified CDC chapters;
4. Water Resource Application Materials required in CDC 32.050;
5. Subdivision Application Materials required in CDC 85.150-170;
6. Geologic report prepared by a certified engineering geologist or geotechnical engineer per 85.170.C.3
7. A Service Provider Letter from Tualatin Valley Fire and Rescue; and
8. Demonstration of compliance with Neighborhood Association meeting requirements per [CDC 99.038\(E1-5\)](#).

**COMPLIANCE NARRATIVE:**

Written responses supported by substantial evidence must address all applicable approval standards and criteria. Written materials must explain how and why the proposed application will meet each applicable approval criteria. "Not Applicable" is not an acceptable response to the approval criteria.

Submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in writing, that the Planning Manager waive the requirement. The applicant must identify the specific grounds for the waiver. The Planning Manager will respond with a written determination about the waiver request before applying.

**APPLICATION FEES & DEPOSITS:**

The Planning Division Fee Schedule can be found on our website: <https://westlinnoregon.gov/finance/current-fee-schedule>

- Deposit for a Subdivision = \$4,500
- Fee for a Water Resource Area Permit (if required) = \$2,850

Applications with deposits will be billed monthly for time and materials. Please provide the name and address of the party responsible for the final invoice in your application.

**Timelines:**

Once the application and payment are received, the City has 30 days to determine if the application is complete. If the application is incomplete, the applicant has 180 days to complete it or provide written notice to staff that no other information will be provided. Once complete, the City has 120 days from the completeness determination to make a final decision on the application. Typical land use applications can take 6-10 months from beginning to end.

*\* **DISCLAIMER:** These pre-application notes have been prepared per [CDC Section 99.030.B.7](#). The information provided is an overview of the proposal considerations and requirements. Staff responses are based on limited material presented at the pre-application conference. New issues and requirements can emerge as the application is developed. Failure to provide information does not constitute a waiver of the applicable standards or requirements. The applicant has the burden of proof to demonstrate that all approval criteria have been satisfied. These notes do not constitute an endorsement of the proposed application or assure project approval.*