

**CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
SEPTEMBER 21, 2203**

SUBJECT: Proposed Land Division of 4092 Norfolk
FILE: PA-23-17
APPLICANTS PRESENT: Paul Roeger; Elena Krivonogoff (property owner); Taylor (daughter of owner)
STAFF PRESENT: John Floyd, Associate Planner; Jameson Lumpkin, Associate Engineer
PUBLIC PRESENT: N/A

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: 4092 Norfolk
Legal Description: 584 GLENESK PT LT 6
Tax Lot No.: 21E36AC01400
Site Area: 45,826 SF
Neighborhood: Sunset Neighborhood Association
Comp. Plan: Medium Density Residential
Zoning: R-7
Zoning Overlays: N/A

PROJECT DESCRIPTION:

The applicant proposes to divide the property into 2 lots if possible, for the purpose of selling the undeveloped portion of the possible. If not possible, between 3 and 5 lots per the preliminary plats submitted. The project may also include a zoning map amendment to change from R-7 to R-5/R-4.5.

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:

- [Section 5.020: Classification of Zones](#)
- [Chapter 12: Residential, R-7](#)
- [Chapter 34: Accessory Structures](#)
- [Chapter 48: Access, Egress and Circulation](#)
- [Chapter 85: General Provisions \(Land Divisions\)](#)
- [Chapter 92: Required Improvements](#)
- [Chapter 99: Procedures for Decision Making: Quasi-Judicial](#)
- [Chapter 105: Amendments to the Code and Map](#)

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:

- Division of the property must proceed through a Subdivision process to comply with minimum density requirements of 70% (CDC 85.200.J.7). Maximum density of the site appears to be 6 lots (45,826 / 7,000 = 6.55 lots), placing minimum density at 4 lots (6 x 0.7 = 4.2)
- The property is eligible for a quasi-judicial zone change, as the zoning of the site is inconsistent with the underlying Comprehensive Plan Designation of Medium Density Residential.
 - Per CDC 5.020, the R-7 zone implements the low-density comprehensive plan designation, while the R-5 and R-4.5 zones implement the Medium Density Comprehensive Plan Designation.
 - The change may be justified under criterion 105.050.B.2 – “Proof of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or Zoning Map as it relates to the property which is the subject of the development application.”
 - A Quasi-Judicial Zone Change is a Planning Commission decision per CDC Chapter 105.
- On Monday, September 18th, the City Council approved Ordinance 1745 as part of the Clear and Objective Code Compliance Project. The changes have not yet been codified, but you can find a copy of the adopted ordinance [here](#). We anticipate these standards to be in effect at the time of your application.
- See attached comments from West Linn Engineering.

RESPONSE TO APPLICANT QUESTIONS:

- *“Can we just partition off the existing house?”*
- *“If not, do we have to do a full subdivision at this time, or can we just partition it into three parcels that could be divided further?”*

No. As discussed above, a subdivision is required to satisfy minimum density requirements.

- *“If we are allowed to do a partition, will we need to do any street improvements at this time, or can they be done as part of the development of each parcel.”*
- *“What street improvements will be required, either now or in the future?”*
- *“It appears the waterline in Norfolk Street only goes as far South as Southslope way. If that is correct, what will we need to do to develop the Southern part of the property?”*
- *“It appears that the Sanitary Sewer does NOT go South of Southslope Way. If that is true, how can we serve the Southern portion of the property?”*

See comments from engineering. Sidewalk construction may be deferred until construction of the dwelling per CDC 92.010.H.2, provided a letter of credit is provided and the work is completed within four years of final plat approval.

- *“We believe the existing house is connected to the sanitary sewer in Norfolk Street.”*
- *“Was the old house on the southern portion of the property connected to City sewer?”*

There is an existing home at 4092 Norfolk, and until 2021 there was a second home on the property at 4050 Norfolk. A review of city records suggests both homes were connected to sanitary sewer circa 1992, but additional inquiry is recommended through a [public records request](#) and coordination with the Engineering and Utility Billing department.

- *“Does the City know how infiltration of stormwater is in this area? Will we be able to use drywells?”*

See comments from engineering.

- *“If the property were rezoned to R-5 or R-4.5 what would be the City Process and what potential development could occur?”*

As described above, the process is a public hearing with the Planning Commission per CDC 105. This application could be processed separately or concurrently with a subdivision application.

Both the existing and proposed zones allow residential development, including single-family and all middle housing types, though the following standards would change:

- Minimum lot size would decrease from 7,000 SF to 5,000 or 4,500 SF
- Minimum side setback would decrease from 7.5 feet to 5 feet
- Maximum lot coverage would increase from 35% to 40%
- The maximum FAR limit of 0.60 for duplexes, triplexes, fourplexes, and townhomes would be removed.

PUBLIC COMMENT:

None.

ENGINEERING:

The Engineering department comments are attached. For further details, contact Clark Ida at 503-722-3437 or Clde@westlinnoregon.gov.

BUILDING:

For building code and ADA questions, 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:

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 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 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 contact and discuss the proposed development with the Sunset Neighborhood Association at a neighborhood meeting. 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.

The applicant should initiate the neighborhood meeting by mailing a request letter to the neighborhood association president and designee formally requesting, within 60 days, a date and location for the neighborhood meeting. The meeting should be scheduled at the association's regularly scheduled monthly meeting or at another time at the association's discretion. The complete requirements for the neighborhood meeting can be found in [Section 99.038 of the CDC](#). Email John Floyd to request the Sunset Neighborhood Association contact information.

HOW TO SUBMIT AN APPLICATION:

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. Full written responses to approval criteria in the identified CDC chapters;
4. A Service Provider Letter from Tualatin Valley Fire and Rescue; and
5. 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 Quasi-Judicial Zoning Map Amendment = \$4,500
- deposit for a Subdivisiion = \$4,500
- fee for Final Plat Review = \$2,000

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.*



CITY OF
**West
Linn**

Pre-app Comments

**Project Number: PA-23-17
Proposed Partition**

Engineering Contact:

Jameson Lumpkin
jlumpkin@westlinnoregon.gov
Telephone: (503) 722-4739

Project Description:

The project is located at the 4092 Norfolk Street. The existing dimensions of the lot are 303' by 150' with only one frontage (303'). There is currently a 60' right of way over Norfolk Street, no right of way dedication would be required for this proposed development.

Pre-application meeting date: September 21, 2023 @ 10:00am

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:

- Norfolk Street
 - Norfolk Street is listed as a local street on the West Linn Roadway Functional Classifications List.
 - Existing right-of-way on Norfolk Street is approximately 60 foot wide. There is an existing sidewalk on both sides of Norfolk Street including the properties Directly to the North and South of 4092 Norfolk Street.
 - Frontage improvements include curb, gutter, sidewalk, planter strip, and half street pavement improvements. Sidewalk will taper nearing the northern property line to match existing sidewalk.
- Street trees: coordinate with the Park Department to install appropriate number and type of tree, as applicable:
 - Parks Contact: Ron Jones
rjones@westlinnoregon.gov
503-722-4728
- All existing and new distribution and communication franchise utilities and their services must be placed underground
- Development shall pay all applicable Transportation System Development Charges (SDC) fees (Street and Bike/Ped).



CITY OF
**West
Linn**

Pre-app Comments

**Project Number: PA-23-17
Proposed Partition**

Engineering Contact:

Jameson Lumpkin
jlumpkin@westlinnoregon.gov
Telephone: (503) 722-4739

SANITARY SEWER

Minimum Required Improvement:

- There exists a sewer main in Norfolk Street. Sewer main does not span the entire frontage of 4092 Norfolk Street.
- Developer could extent main from Fairhaven Drive to provide service to the proposed Southern lots. Public Works would prefer this option due the slope concerns.
- Developer could extent existing main on Norfolk Street to span more of the existing frontage. End of main extension would require a manhole.
- Private utility easements could also be used along the frontage of the proposed Southern properties in order to reach existing sewer main. Private utility easements should only be used when other options have been exhausted.
- Development shall pay all applicable Sanitary Sewer SDC fees.

DOMESTIC WATER

Minimum Required Improvement:

- There is an existing 6" DI water main in Norfolk Street that has adequate capacity to serve the proposed development.
- Existing water main does not span the entire frontage of 4092 Norfolk Street.
- The existing main would need to be extended across the entire frontage of the property for additional taps. The end of the extended main would require a blow off or a hydrant.
- Development shall pay all applicable Water SDC fees.

SURFACE WATER (STORM SEWER)

Minimum Required Improvement:

- Onsite run-off generated from new impervious areas of greater than 1,000 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*.
- Stormwater facilities installed to capture, treat, detain and convey stormwater from the frontage improvements shall be privately owned and maintained.
- Facility for the frontage improvements would be required if the footprint of the sidewalk and driveway appoans exceeds 1,000 square feet. Common facility for this would include greenstreet landscaping within the planter strip.
- Facilities for structure development would be for each individual lot and a maintenance agreeemet would be signed and recorded with the County.
- Development shall pay all applicable Surface Water SDC fees.



CITY OF
**West
Linn**

Pre-app Comments

**Project Number: PA-23-17
Proposed Partition**

Engineering Contact:

Jameson Lumpkin
jlumpkin@westlinnoregon.gov
Telephone: (503) 722-4739

OTHER/Applicant Questions:

- An 8' public utility easement will need to be provided at the front of each property.
- All utilities, such as electrical, telephone, and television cable, that may at times be above ground or overhead shall be buried underground in the case of new developments frontage exceeding 200 feet. The development is exempt if its frontage is less than 200 feet and the site is less than 1 acre. High voltage transmission lines as classified by PGE or other electrical service provider would also be exempt.