

**CITY OF WEST LINN  
PRE-APPLICATION CONFERENCE MEETING  
SUMMARY NOTES  
NOVEMBER 1, 2023**

**SUBJECT:** Proposed middle housing land division to split an existing duplex onto two separate lots.  
**FILE:** PA-23-22  
**APPLICANTS PRESENT:** Jim Mitchell (Owner); Danelle Isenhardt (Consultant)  
**STAFF PRESENT:** John Floyd, Senior Planner  
**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: 1407 & 1417 Willamette Falls Drive  
Legal Description: Units 1 and 2, Gallogly heights Condominium; a replat of Lot 6, Southern Exposure View Estates (Plat 4066)  
Tax Lot No.: 31E02BC70000  
Site Area: 16,446 SF +/-  
Neighborhood: Willamette Neighborhood Association  
Comp. Plan: Medium Density Residential  
Zoning: R-4.5  
Zoning Overlays: N/A

**PROJECT DESCRIPTION:**

The applicant proposes to split an existing duplex structure onto two separate lots. No physical development is proposed, other than that necessary to comply with ORS 92.031.

**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:

- [ORS 92.031](#)
- [ORS 197.360-380](#)
- [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 City applies ORS 92.031 and ORS 97.360-380 directly, and has not adopted middle-housing land divisions into the Community Development Code
- As noted in the application, the property will need to vacate/deconvert the existing Fallogly Heights Condominium Plat (Plat Book 133, Page 018, Plat 4066) prior to recording the middle-housing partition plat. This process is not administered by the City.

- City staff have not identified any environmental or other applicable overlays on the property.
- The city is pre-empted from requiring additional parking per CFEC and ORS 92.031.
- Each unit will require its own sanitary sewer lateral running from the dwelling to the City of West Linn (COWL) sewer main at the rear of the property.
  - The COWL Operations crew will camera the existing main to determine if two laterals already exist. This investigation is still be scheduled at this time.
- A Building/Site Development permit will be required for the dwelling change of status from a condo/duplex to townhomes.
- The estimated System Development Costs (SDCs) to the applicant for changing the property from a condo/duplex to townhomes is \$12,800. This is inclusive of all applicable permit fees for the conversion.

**RESPONSE TO APPLICANT QUESTIONS:**

*Will there be dedication or improvements required along the site’s Willamette Falls Drive right-of-way?  
Are there any stormwater requirements for this proposed partition with the existing development to remain?*

Staff Response: As no development is proposed, these requirements do not apply.

*Please explain the middle housing partition applications and process.*

Staff Response: The city applies SB458 directly. Applicable code sections for the narrative are listed on page 1, and minimum submittal requirements on page 3 of these notes.

*What other reports will be required for the middle housing partition application (i.e., storm report, arborist report, etc.)?*

*Please verify that the existing fire wall is adequate for the proposed townhome / middle housing partition.*

Staff Response: This verification will occur through a site development permit and change of occupancy permit administered through the Building Department. The Building Department may require a report by a licensed architect or other code specialist as part of that review. Contact information for that department is below.

*Please verify what needs to be done with the existing easements on the site through this process.*

Staff Response: No changes are needed at this time. We recommend you coordinate with Clackamas County regarding recording requirements.

**PUBLIC COMMENT:**

N/A.

**ENGINEERING:**

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

**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.

**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.

**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 middle housing land division is a Planning Director’s decision. No public hearing is required. Once the application is declared complete, staff will review the application, and send a 14-day public comment notice. When the public comment period closes, the Planning Director will prepare a decision with 63 days of being deemed complete.

There is a 14-day appeal period after the decision. If the decision is not appealed, the applicant may proceed with the development.

**NEIGHBORHOOD MEETING:**

A neighborhood meeting is not required for a middle-housing land division.

**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. All items require on the Development Review Checklist unless specifically waived by City Staff in writing; and
5. A Service Provider Letter from Tualatin Valley Fire and Rescue.

**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>

- Fee for an Expedited Land Division = \$4,900

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 63 days from the completeness determination to make a final decision on the application.

*\* **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-APPLICATION CONFERENCE

Thursday, November 2, 2023

Willamette Room  
City Hall  
22500 Salamo Rd  
West Linn

**11:00 am:** Proposed 2-lot Partition  
**Applicant:** Danelle Isenhart  
**Property Address:** 1407 and 1417 Willamette Falls Drive  
**Neighborhood Assn:** Willamette Neighborhood Association  
**Planner:** John Floyd

**Project #:** PA-23-22







### Pre-Application Conference Request

For Staff to Complete:

**PA** PA-23-22

**Conference Date:** 11/2/23

**Time:** 11:00

**Staff Contact:** John Floyd

**Fee:** \$1,200

Pre-application conferences are held on the first and third Thursdays of the month between 9:00 am and 1:00 pm. Appointments must be made by 5:00 pm, 15 days before the meeting date. The applicant has a choice of an in-person or virtual meeting. To schedule a conference, submit this form, a site plan, and accompanying materials through the [Submit a Land Use Application](#) web page. The City will contact you to collect payment. Pre-application notes are valid for 18 months.

#### Property Owner Information /Applicant

Name: Jim Mitchell  
Email: jmitchell180@gmail.com  
Phone #: 503-780-8997  
Address: 1417 Willamette Falls Drive,  
West Linn, OR 97068

#### Applicant<sup>Representative</sup> Information

Name: Danelle Isenhart, Isenhart Consulting, LLC  
Email: danelle@isenhartconsulting.com  
Phone #: 503-880-4979  
Address: P.O. Box 2364  
Beaverton, OR 97075

Address of Subject Property (or tax lot): 1407 and 1417 Willamette Falls Drive

#### REQUIRED ATTACHMENTS:

- A project narrative with a detailed description of the proposed project. Briefly describe the physical context of the site.
- A list of questions or issues the applicant would like the City to address.
- A dimensional site plan that shows:
  - North arrow and scale
  - Location of existing trees (a tree survey is highly recommended)
  - Streets Abutting the property and width of right of way
  - Location of creeks and/or wetlands (a wetland delineation is highly recommended)
  - Property Dimensions, existing buildings, and building setbacks
  - Slope map (if slope is 25% or more)
  - Location of existing utilities (water, sewer, etc.)
  - Conceptual layout, design, proposed buildings, building elevations, and setbacks
  - Location of all easements (access, utility, etc.)
  - Vehicle and bicycle parking layout (including calculation of required number of spaces, based on use and square footage of building), if applicable
  - Location of existing and proposed access and driveways. Include the proposed circulation system for vehicles, pedestrians, and bicycles, if applicable.
  - Proposed stormwater detention system with topographic contours

I certify that I am the owner or authorized agent of the owner:

APPLICANT:

DATE: 9-11-23

The undersigned property owner authorizes the requested conference and grants city staff the right of entry onto the property to review the application.

PROPERTY OWNER:

DATE: 9-11-23

## Memorandum

DATE: October 11, 2023  
TO: City of West Linn  
FROM: Danelle Isenhart, AICP  
RE: 2-parcel partition (townhomes- middle housing) at 1407 and 1417 Willamette Falls Drive – Pre-Application Meeting Request

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The applicant is proposing a 2-parcel partition (townhome/middle housing) to divide the existing single-family dwelling and apartment into separate townhome lots at 1407 and 1417 Willamette Falls Drive. The site is further identified as Tax Lot 70001 of Tax Map 31E 02BC. The units are currently condos (Gallogly Heights Condominium). The owner will de-classify the condos on the site prior to the land use application.

The property currently has street frontage on Willamette Falls Drive. The site is in the R-4.5 zone in West Linn. The site is 16,445 sq. ft. in area. The minimum lot size for a townhouse lot is 1,500 sq. ft. Each parcel is proposed to be greater than 1,500 sq. ft. in area.

The wall section between the units (from the building permit) is included. This wall was built to meet fire rating standards as the building was built as a condo. We assume the wall meets current fire rating standards.

Sanitary sewer is provided at the rear of the site. Each unit currently has an individual lateral. These laterals will be located to determine if easements need to change for the partition. The site is served by the water main in Willamette Falls Drive. Each unit currently has a separate water meter.

There are several easements currently on the site for utilities, tree preservation, and access. We assume that these easements will likely need to be vacated and re-recorded on the plat.

There are trees on the site. No new development is proposed, therefore, no trees will be removed or affected by the proposed partition.

### Questions:

1. Will there be dedication or improvements required along the site's Willamette Falls Drive right-of-way?
2. Are there any stormwater requirements for this proposed partition with the existing development to remain?
3. Please explain the middle housing partition applications and process.
4. What other reports will be required for the middle housing partition application (i.e., storm report, arborist report, etc.)?

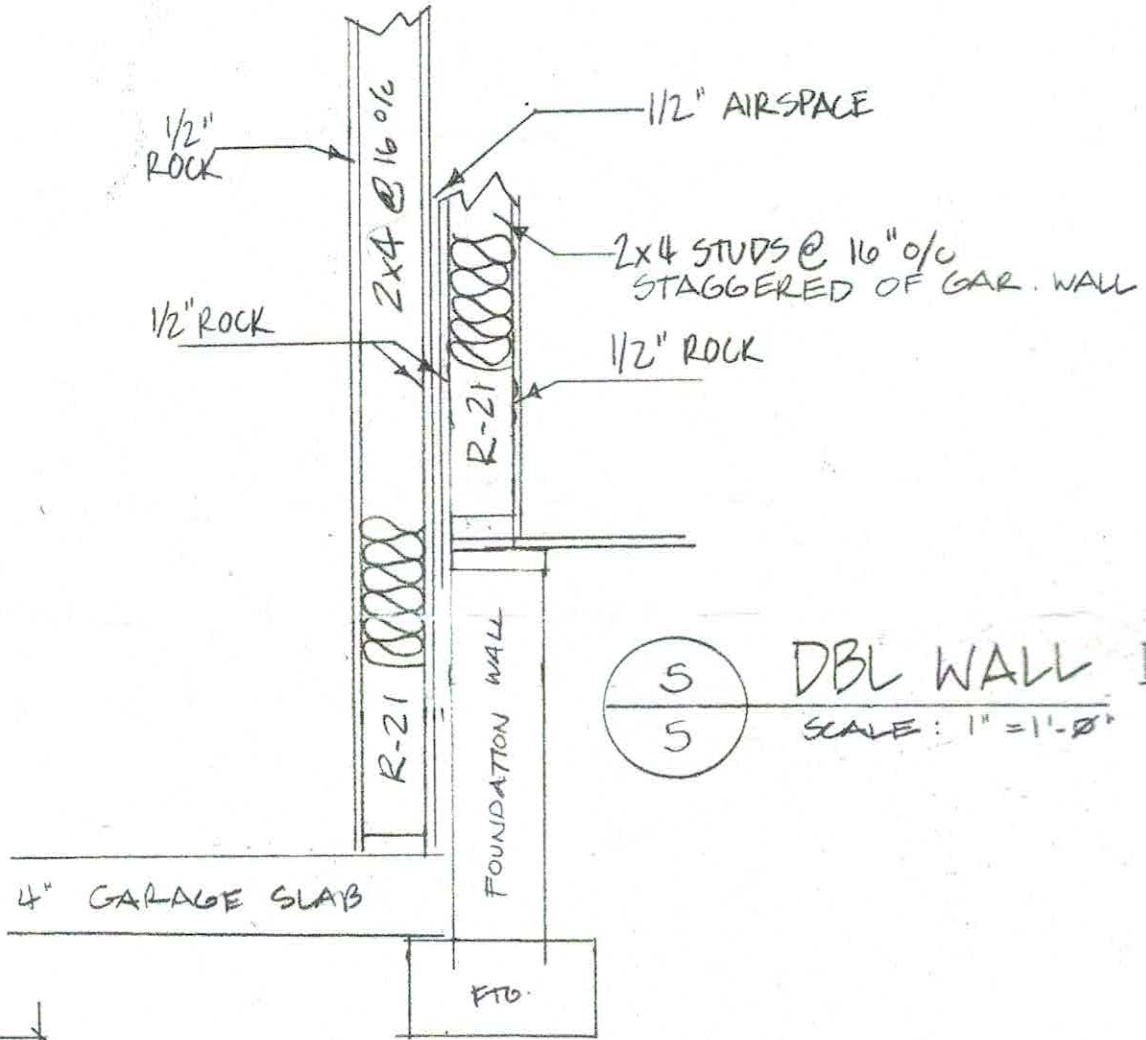
5. Please verify that the existing fire wall is adequate for the proposed townhome / middle housing partition.
6. Please verify what needs to be done with the existing easements on the site through this process.



CDX PLYND.

GUTTER

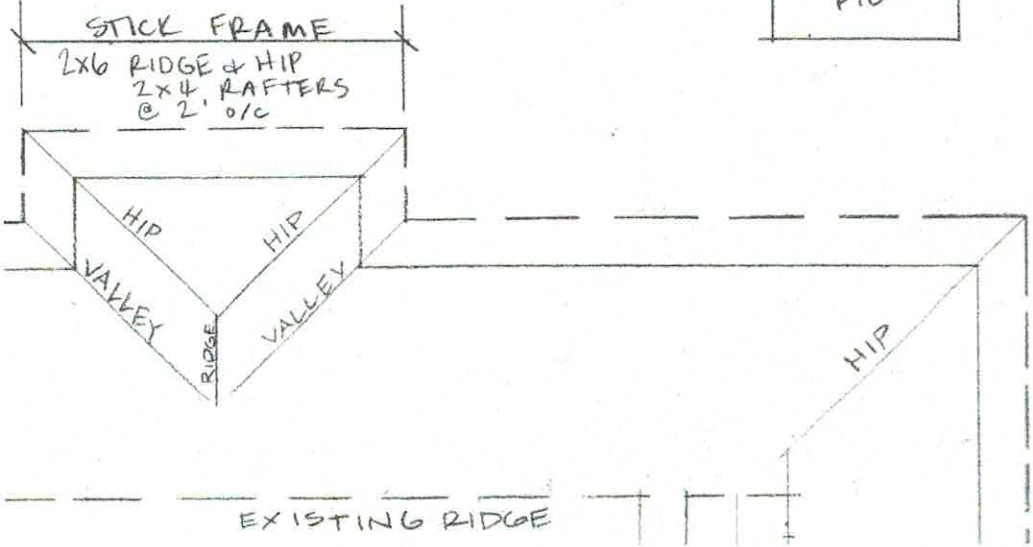
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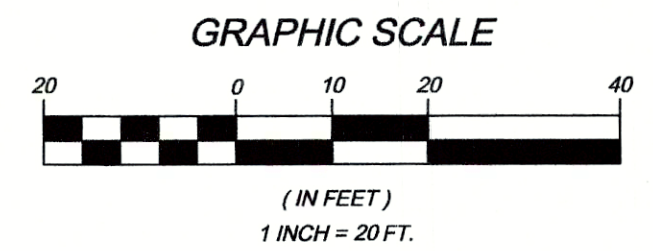
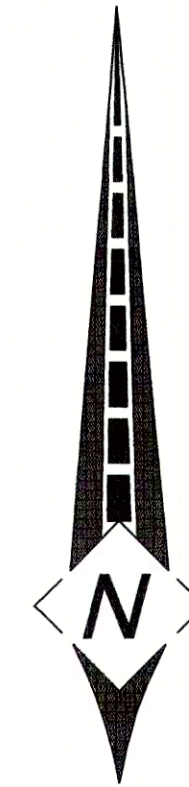
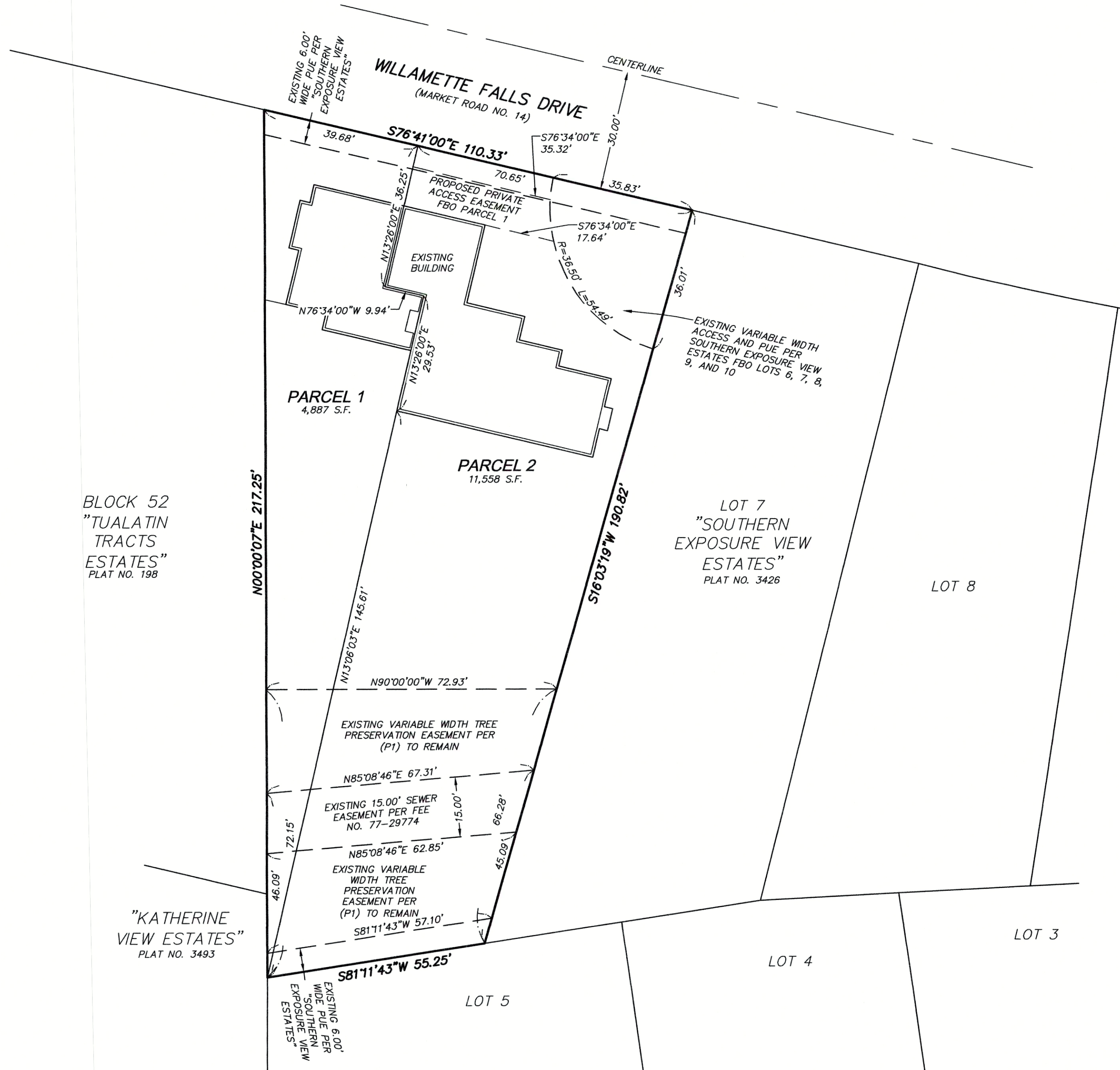
DBL WALL DETAIL

SCALE: 1" = 1'-0"



# PRELIMINARY PLAN MAP

REPLAT OF THE CONDOMINIUM OF "GALLOGLY HEIGHTS CONDOMINIUM"  
LOCATED IN THE  
N.W. 1/4 OF SECTION 02, T.3S., R.1E., W.M.  
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON  
OCTOBER 5, 2023 SCALE 1"=20'



SIGNED ON: 10 OCT 23

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*TGB*  
OREGON  
JULY 13, 2004  
TOBY G. BOLDEN  
60377LS

RENEWS: DECEMBER 31, 2023

  
**CENTERLINE CONCEPTS**  
LAND SURVEYING, INC.  
19376 MOLALLA AVE., SUITE 120  
OREGON CITY, OREGON 97045  
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