

CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
February 15, 2024

SUBJECT: Proposed Lot Line Adjustment and Partition at
FILE: PA-24-02
APPLICANTS PRESENT: Paul Tibbot, Engineer; Corey Egner, Property Owner
STAFF PRESENT: John Floyd, Senior Planner
jfloyd@westlinnoregon.gov / 503-742-6058

PUBLIC PRESENT:

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: 1555 SW 16th Street
Legal Description:
Tax Lot No.: 21E35DD01100/ 21E35DD01200
Site Area: 1.5 Acres +/-
Neighborhood: Willamette
Comp. Plan: Low Density
Zoning: R-7
Zoning Overlays: N/A

PROJECT DESCRIPTION:

The applicant is proposing a lot line adjustment and a three lot partition on one of the adjusted lots. Access would occur through an existing 20' wide accessway Easement on an adjoining property.

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 12: Single-Family Residential Detached and Attached, R-7](#)
- [Chapter 48: Access, Egress and Circulation](#)
- [Chapter 75: Variances](#) (if applicable)
- [Chapter 85: General Provisions](#) for Land Division
 - Lot Line Adjustments governed by [85.210](#)
- [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:

1. The proposed lot line adjustment must be approved and recorded prior to the application for a partition.

2. Development on this site is limited by conditions of approval applied during a 2005 zone change (MISC-05-49 / [Ordinance 1532](#)). Modification or removal of these conditions can only be performed by the City Council through a modification of the adopting ordinance.
 - o Condition 1 limits development of the property to only single-family development. This condition is no longer enforceable as a result of HB2001 (Housing Choices Bill) which requires cities to permit middle-housing wherever a single-family home is allowed.
 - o Conditions 2 and 3 apply maximum limits to the amount of living space permitted in new dwellings. At least two of the residences are limited to no more than 2,000 SF of living space, and none may exceed 3,000 SF of living space.
 - o Condition 4 requires installation of a stop sign and construction of a pathway along 6th Street, subject to the approval of the City engineer.
3. Use of the private ingress/egress easement for two additional lots may require one or more variances by the Planning Commission for deviations from [CDC 48.030 \(Minimum vehicular requirements for residential uses\)](#).
 - o A 14-20 ft. wide paved surface is required, with at least 20 feet of horizontal clearance. A visual inspection of the existing accessway on 2.15.24 suggests it does not meet these minimums.
 - o Three lots currently access from the private driveway. Increasing the number of lots to five would require the accessway be rebuilt to private street standards.
 - o A turnaround to TVF&R standards is required when the drive is more than 150 feet long.
 - o No more than three variances may be requested.
4. A traffic impact analysis will **not** be required, but a Geotechnical Report **will** be required.
5. All adjoining streets are classified as local streets and must be dedicated to a width of , graded, and approved per the requirements of the West Linn Public works Design Standards. Fee-in-lieu-of-improvements can be considered under [CDC 92.020 \(Improvements in Partitions\)](#).

RESPONSE TO APPLICANT QUESTIONS:

None.

PUBLIC COMMENT:

None.

ENGINEERING:

The Engineering Department comments had the following comments:

- Demo permit with an erosion control plan will be needed for proposed demo of existing building.
- Storm overflows may not be necessary depending on infiltration performance.
- Given the unknowns regarding development of this property and surrounding properties, the department would not be supportive of a street vacation at this time for all or a portion of the SW 5th Street right of way along the eastern boundary of the project site.

For further details, contact Clark Ide at 503-722-3437 or CIde@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 **Lot Line Adjustment** is a Planning Director's decision. No public hearing or notice are required.

A **Partition** is a Planning Director Decision. No public hearing is required. Once the application is declared complete, staff will review the application, send a 20-day public comment notice, and post a notice sign on the property. When the public comment period closes, the Planning Director will prepare a decision. A final decision can take 6-8 months. There is a 14-day appeal period after the decision. If the decision is not appealed, the applicant may proceed with the development.

A **Variance** and/or 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 6-8 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 Willamette 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 with a return receipt requested 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 Senior Planner John Floyd to request the Willamette 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. Preliminary Geotechnical Report;
5. Preliminary Stormwater Report
6. Plan Sets;
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>

- Fee for a Lot Line Adjustment = \$1,200
- Fee for a Minor Land Partition = \$4,400
- Deposit for a Subdivision = \$2,000
- Fee for a Class 2 Variance = \$3,450*

* After the initial charge for the first variance, subsequent variances will be charged one-half the fee when processed as one application

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-APPLICATION CONFERENCE

Thursday, February 15, 2023

Willamette Room
City Hall
22500 Salamo Rd
West Linn

11:00 am: Proposed Lot Line Adjustment and Minor Partition
Applicant: Patrick Krause
Property Address: 1555 6th Ave
Neighborhood Assn: Willamette Neighborhood Association
Planner: John Floyd

Project #: PA-23-02





DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT John Floyd	PROJECT NO(S). PA-23-02	PRE-APPLICATION NO.
NON-REFUNDABLE FEE(S) \$1,200	REFUNDABLE DEPOSIT(S)	TOTAL \$1,200

Type of Review (Please check all that apply): **X Pre-application Conference Request**

- | | | |
|---|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Final Plat (FP) Related File# | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal (AP) | <input type="checkbox"/> Flood Management Area (FMA) | <input type="checkbox"/> Temporary Uses (MISC) |
| <input type="checkbox"/> CDC Amendment (CDC) | <input type="checkbox"/> Historic Review (HDR) | <input type="checkbox"/> Time Extension (EXT) |
| <input type="checkbox"/> Code Interpretation (MISC) | <input checked="" type="checkbox"/> Lot Line Adjustment (LLA) | <input type="checkbox"/> Right of Way Vacation (VAC) |
| <input type="checkbox"/> Conditional Use (CUP) | <input checked="" type="checkbox"/> Minor Partition (MIP) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Modification of Approval (MOD) | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Tree Easement Vacation (MISC) | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Expediated Land Division (ELD) | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Extension of Approval (EXT) | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change (ZC) |

Pre-Application, Home Occupation, Sidewalk Use, Addressing, and Sign applications require different forms, available on the website.

Site Location/Address: 1555 SW 6th St. West Linn, OR 97068	Assessor's Map No.: 21E35DD
	Tax Lot(s): 01100, 01200
	Total Land Area: 1.47 ac.

Brief Description of Proposal:
Adjust property line and partition lot 01100 into (3) lots. The existing house will remain and be now be on tax lot 01200. The three new lots of lot 01100 will be under different ownership than lot 01200.

Applicant Name*: Patrick Krause, Park Place Properties LLC	Phone: 503-807-4430
Address: 22770 Salamo Rd.	Email: pk@patrickkrause.com
City State Zip: West Linn, OR 97068	

Owner Name (required): Steven Wong / Ralph Tahran	Phone:
Address: 4260 Galewood St. Ste B	Email:
City State Zip: Lake Oswego, OR 97035	

Consultant Name: Paul Tibbot PE, Tibbot Engineering	Phone: 503-345-2921
Address: 12725 SW Millikan Way, Ste 300	Email: paul@tibboteng.com
City State Zip: Beaverton, OR 97005	

1. Application fees are non-refundable (excluding deposit). Applications with deposits will be billed monthly for time and materials above the initial deposit. ***The applicant is financially responsible for all permit costs.**
2. The owner/applicant or their representative should attend all public hearings related to the propose land use.
3. A decision may be reversed on appeal. The decision will become effective once the appeal period has expired.
4. Submit this form, application narrative, and all supporting documents as a single PDF through the **Submit a Land Use Application** web page: <https://westlinnoregon.gov/planning/submit-land-use-application>

The undersigned property owner authorizes the application and grants city staff the **right of entry** onto the property to review the application. Applications with deposits will be billed monthly for time and materials incurred above the initial deposit. The applicant agrees to pay additional billable charges.

DocuSigned by:

 BC777B447CAC453...
 Applicant's signature

1/11/2024 | 12:57:13 PST

Date

DocuSigned by:

 38C45ED8E449439...

 Owner's signature (required)

1/11/2024 | 1:09:42 PST

1/11/2024 | 1:14:50 PST

Date

December 4th, 2023

To: West Linn Planning Department

Re: 1555 SW 6th St.,

West Linn, OR 97068

Project Narrative

The proposed development at this address is to create (3) sellable lots from (2) existing parcels (tax lots 01100 and 01200). This will be done by:

- Completing a lot line adjustment to create (2) roughly equal sized lots
- Completing a minor partition to divide tax lot 01100 lot into (3) lots
- Demo existing structure on west half of lot, but preserve existing house and garage on east half.
- The (3) new lots (tax lot 01100) will be under different ownership than tax lot 01200.

Stormwater will be managed on each individual lot, and overflow will be routed through a shared piped system and utility easement, and outlet into the public storm system in SW 6th St.

Sanitary sewer service will be routed through a piped gravity system to each lot, and emptying into the existing sanitary mains in SW 5th Ave.

Water will service each site through individual service lines and meters. Two existing meters will be used, and (2) new meters are proposed. The meters will tap into existing water mains in SW 5th Ave.

All utilities will be routed through 10' wide utility easements. Access to each lot will be through SW 5th St. and SW 5th Ave, and through an existing driveway and 20' access easement on the north side of the property. Parking will be on site in future driveways. No buildings are proposed at this time.

Feel free to contact me with any questions.

Thank You,

Paul Tibbot, PE
Owner
Tibbot Engineering

Tibbot Engineering LLC
12725 SW Millikan Way, Ste. 300
Beaverton, OR 97005
503-345-2921

NOTES

1. STORMWATER TO BE MANAGED ON INDIVIDUAL LOTS PER JURISDICTION REQUIREMENTS. OVERFLOW TO OUTLET INTO PUBLIC STORM SYSTEM.

SITE INFO

1. TAX LOTS 01100, 01200
2. ADDRESS: 1555 SW 5TH ST. WEST LINN, OR 97068
3. AREA: 1.47± ACRES
4. ZONING: R-7 (RESIDENTIAL)
5. NEIGHBORHOOD ASSOCIATION: WILLAMETTE

LEGEND

- SUBJECT PARCEL
 - PROPOSED LOTS
 - RIGHT-OF-WAY
 - PROPOSED EASEMENTS
 - ADJUSTED PROPERTY LINE
 - PROPERTY LINE TO BE ADJUSTED
- * = TO BE ADJUSTED

VICINITY MAP



DEVELOPER:
 PARK PLACE PROPERTIES LLC
 22770 SALAMON RD
 WEST LINN, OR 97068
 (503) 807-4430
 PK@PATTRICKRAUSE.COM

PROJECT INFO:
 SITE NAME:
WEST LINN DEVELOPMENT
 1555 SW 6TH ST.
 WEST LINN, OR 97068
 CLACKAMAS COUNTY

PLANS PREPARED BY:
TIBBOT ENGINEERING LLC.
 12725 SE MILLIKAN WAY, STE 300
 BEAVERTON, OR 97005
 503-345-2921

STAMP:
**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

PROJECT NO:
23-0035

ISSUED FOR
REVIEW

SUBMITTALS			
REV	DATE	DESCRIPTION	BY
A	12/4/23	DEV. REVIEW	

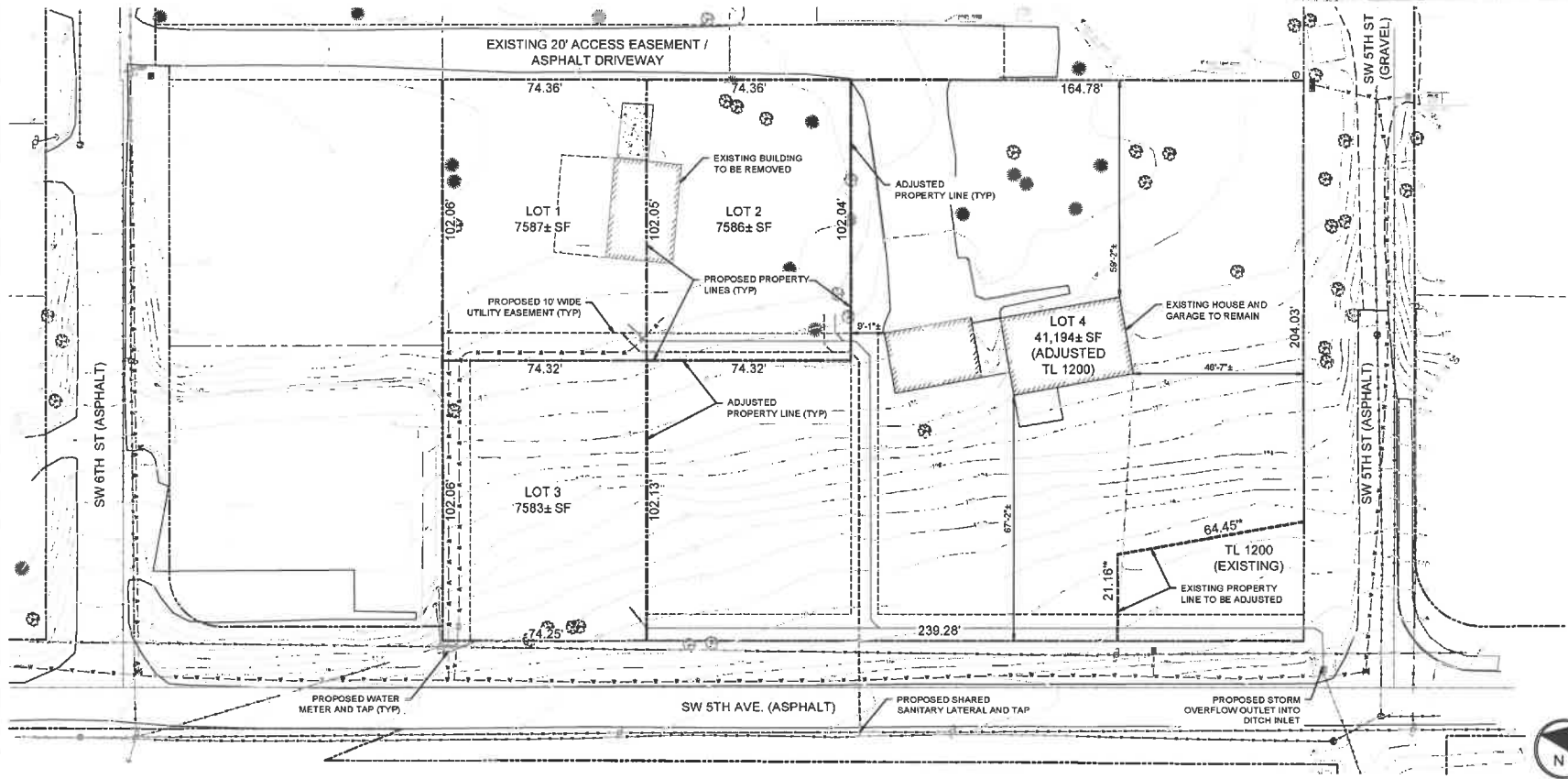
DRAWN BY:
 CHECKED BY:

CURRENT ISSUE DATE:
12/4/23

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SHEET TITLE:
PROPOSED SITE PLAN

SHEET NUMBER: REV.
 - A



22x34' SCALE: 1"=40'
 11x17' SCALE: 1"=80'

PROPOSED SITE PLAN 1