



PRE-APPLICATION CONFERENCE SUMMARY NOTES October 30, 2025

FILE: PA-25-24

PROJECT PROPOSAL: Proposed annexation, comprehensive plan map and zoning map amendments, and development of a memory care facility at 1045 Rosemont Road

APPLICANTS PRESENT: Ovi Ragalie, Kelly Ragalie, Dominic Regalie (Owners); Zack Pelz, Darko Simic, Michael Slater (AKS Engineering)

STAFF PRESENT: Darren Wyss, Principal Planner; Lynn Schroder, CD Management Analyst

PUBLIC PRESENT: John McCabe

These pre-application summary notes are provided to help the applicant identify relevant code sections, key issues, and to summarize the application process and associated fees. They are based on preliminary information and may not reflect all considerations. For additional guidance on the process, approval criteria, submittal requirements, or any questions or clarifications, please contact the assigned planner. Summary notes are valid for 18 months from the date of the meeting.

SITE INFORMATION:

Site Address: 1045 Rosemont Road
Tax Lot No.: 21E23CD12600
Site Area: 38,565 sq. ft. (0.89 acres)
Neighborhood: Hidden Springs
Comp. Plan: Low Density Residential
Zoning: FU-10 (Clackamas County Zoning)
Zoning Overlays: Water Resource Area Protection

PROJECT DESCRIPTION:

The applicant proposes a potential voluntary annexation application, zone change and comprehensive plan map amendment to medium-high density residential, and subsequent development of the property for a small scale (approximately 60-bed) memory care facility. The property is inside the Metro Urban Growth Boundary (UGB) and is currently designated for future Low Density Urban Residential use (LDR) on the city's Comprehensive Plan Map.

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:

Annexation

- [West Linn Municipal Code Chapter 2.915 to 2.940](#)
- [West Linn CDC Chapter 81](#)
 - Responses to code
 - Clackamas County Certification
 - Property ownership
 - Registered voters
 - Legal description and map
 - Petition form

- Legal Description
- Map (Assessor Map)
 - New boundary
 - Point of beginning
 - Bearings/distances in legal description
 - DLC or PLSS corners used in legal description
 - Deed number
- [Metro Code Section 3.09](#)
- [Tri-City Annexation Packet \(Clackamas County WES\)](#)

Comprehensive Plan Map/Zoning Map Amendments

- [West Linn CDC Chapter 105](#)
 - Conformance with Comp Plan policies
 - Proof of change or mistake
 - Public need
 - Transportation Planning Rule analysis
- [Chapter 99: Procedures for Decision Making: Quasi-Judicial](#)

Development Application for Memory Care Facility

- [West Linn CDC Chapter 16, Residential, R-2.1](#)
 - Senior Citizen/Handicapped Housing – Permitted under prescribed conditions
 - Requires community space, congregate dining facilities, laundry
 - Max number of units 50% above maximum residential density for property
 - Nursing Home – Conditional Use Permit
- [West Linn CDC Chapter 32, Water Resource Area Protection](#)
 - Submittal requirements – 32.050
 - Alternative review process – 32.070/080
 - Mitigation – 32.090
 - Re-vegetation – 32.100
 - DSL concurrence required for wetland delineation
- [West Linn CDC Chapter 46, Parking](#)
 - No minimum requirements, but all spaces must meet design standards
- [West Linn CDC Chapter 48, Access, Egress & Circulation](#)
- [West Linn CDC Chapter 54, Landscaping](#)
- [West Linn CDC Chapter 55, Design Review](#)
 - Submittal requirements – 55.070
 - Approval criteria – 55.100
 - Right-of-way dedication to match adjacent properties
 - TVF&R Service Provider Permit required
- [Chapter 99: Procedures for Decision Making: Quasi-Judicial](#)
 - Planning Commission public hearing
 - Neighborhood Meeting required

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 do not preclude the future identification of additional issues or considerations:

1. Staff recommends the applicant complete the annexation first and follow-up under a separate action to propose amendments to the comprehensive plan map and zoning map or zoning text amendments

2. A 60-unit memory care facility is unlikely approvable under current code. A zone change to R-2.1 would yield around 24-units in a Senior Citizen/Handicapped Housing use.
3. Recommend consulting with TVF&R prior to final design to assume fire access needs are met.

RESPONSE TO APPLICANT QUESTIONS:

1. How long are land use approvals and permits valid?
 - **Staff Response: Three years for Design Review, but “substantial construction” can vest the project.**
2. What is timeframe for a comp plan/zoning map amendment decision?
 - **Staff Response: The City will have 120 days to make a final decision once the application is complete.**
3. Can we consolidate the annexation, map amendments, and design review applications?
 - **Staff Response: It is recommended to annex first, then apply for map amendments and if approved, then submit for design review.**
4. Does the proposal qualify for an exemption from design review as a residential home or residential facility?
 - **Staff Response: No, those are two specific use types as defined by the state and a memory care facility does not meet that definition.**
5. Please confirm the 65-foot wetland buffer applies. Can hardship provisions be utilized?
 - **Staff Response: Yes, the wetland buffer is 65 feet. The applicant would need to show the buffer deprives the reasonable use of land to qualify for hardship. The alternative review process is the better option.**
6. What, if any, tree retention/preservation requirements are applicable?
 - **Staff Response: CDC 55.100.B(1 & 2).**
7. Confirm the existing access meeting access requirements.
 - **Staff Response: Yes, the existing access meets access spacing requirements of 100-feet.**
8. Will a transportation impact analysis be required?
 - **Staff Response: Yes, as part of design review.**
9. Explain expectations for satisfying CDC 46.150(G).
 - **Staff Response: Will be required to install conduit for potential future EV charging stations in 40% of the parking spaces.**
10. Please address any topographic or site constraints we may not have identified.
 - **Staff Response: It appears there was fill brought onto the property a few years ago and the City will need evidence the fill was not placed in part of the onsite wetland.**

ENGINEERING:

The Engineering department comments are attached. 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.

TREE REMOVAL REGULATIONS:

Tree removal is regulated by [City Ordinance](#) and the [Community Development Code](#). Any proposed tree removal must be included in the development application.

PROCESS:

Annexation is a City Council decision. A public hearing is required. The applicant must present their proposal at the hearing. Once the application is complete, staff will review the application, schedule a public hearing date, and send notice. Staff will prepare a report with a recommendation available 10 days before the public hearing.

Comprehensive Plan Map and Zoning Map amendments require a quasi-judicial public hearing before the Planning Commission for a recommendation, then a quasi-judicial public hearing before the City Council for the decision. Once the application is declared complete, staff will review the application, schedule the public hearings, send 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. There is a 21-day appeal period after the decision.

A Class II Design Review 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. 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 after the appeal period ends.

NEIGHBORHOOD MEETING:

Before submitting a comprehensive plan/zoning map amendment and a Class II Design Review application, the applicant must meet with the Hidden Springs Neighborhood Association at a neighborhood meeting to discuss the proposed development. The purpose of this meeting is to identify and address potential issues or conflicts before the application is filed.

The applicant must initiate the neighborhood meeting by sending a certified letter to the neighborhood association president and two officers, formally requesting a date and location for the required meeting.

After the meeting is scheduled, the applicant must send a letter by regular mail to property owners within 500 feet of the project site inviting them to attend the meeting for more information. A sign must also be posted on the project site.

The full requirements for the neighborhood meeting are outlined in [CDC Section 99.038](#). To obtain Hidden Springs Neighborhood Association contact information, email Darren Wyss at dwyss@westlinnoregon.gov

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. Application materials identified in the [Development Review Checklist](#);

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 annexation application = \$8,000
- Deposit for a comp plan/zoning map amendment = \$4,500
- Deposit for a Class II Design Review = \$4,500
- Fee for a Water Resource Area Permit = \$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.

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.

ANNEXATION PROCESS

1. Pre-app Conference required

1. Petitioner attends pre-application conference.

2. Applicant Submittal

1. Petitioner submits the following:

- a. Responses to approval criteria of:

- i. Community Development Code (CDC) CDC 81.040 and 81.050; and 81.055 and 105.050
 - ii. West Linn Municipal Code 2.915 to 2.930.
 - iii. Metro Code 3.09.040 and 3.09.045 (Expedited Decisions)

- b. Completed and signed petition form & Development Review form

- c. 11x17 ¼ section assessor maps with the subject parcel/lot(s) noted per Oregon Department of Revenue (DOR) specifications.

- d. Legal description of the property to be annexed. *(According to Oregon Department of Revenue (DOR), the point-of-beginning of the legal description must be clear. The point-of-beginning is best described by bearing and distance from a section corner, a donation land claim (DLC) corner, or another well monumented corner. Bearings and distances must be given for each course around the boundary description. Most deed references are inadequate as point-of beginning or point-of-call for a boundary change description. If a deed reference is used as a point-of-call, include a copy of the deed. However, a description that consists solely of the landowner's deed or deeds is seldom adequate. Tax lot numbers cannot be used for the legal description.)*

- e. Completed "Annexation Petition" form. Also, "Certification of Property Ownership" form and "Certification of Legal Description and Map" form signed and stamped by Clackamas County Tax and Assessment Department.

- f. The annexation application shall also include specific reference to annexing the property into the Tri-City Service District and withdrawal from the Clackamas County Enhanced Law Enforcement District. Contact Clackamas County Water Environment Services (Erik Carr, Development Review Specialist, Clackamas County - Water Environment Services (503-742-4571) ECarr@co.clackamas.or.us) to complete their application to annex to the Tri-City Service District with appropriate fees.

g. The City of West Linn fee for an annexation is \$8,000 plus \$1,000 for every acre (excluding any applicable election costs, County, Metro, Tri-City, DOR, etc. fees which are the responsibility of the applicant).

3. Department of Revenue (DOR)/Cadastral Map Division Preliminary Review

City staff will submit materials (c-f above) to DOR including completed form “Notice from Taxing Districts”. DOR will provide a preliminary review and give feedback on adequacy of legal description and map.

“Notice from Taxing Districts” is to declare the intent to annex to the Tri City Service District and withdraw from the Clackamas County Enhanced Law Enforcement District.

4. Determination of Completeness

DOR review will take a couple of weeks and City staff will do the completeness review at the same time.

Annexations are a two-step process with the first step considered a land use action and the second legislative. The City will follow the standard 120-day process.

5. After Petition Submittal is complete/Schedule City Council Hearing

City staff will schedule the hearing to assign zoning and decide on approval of the annexation petition.

7. Public Hearing Procedures (Two Step Process)

Step 1 involves a public hearing where City Council considers the application (as a “Land Use Decision”) based on the annexation criteria in CDC Chapter 81, 105 and Metro criteria above.

Step 2 involves a public hearing where City Council considers the application as a “Policy Decision”. Notice of the Step 2 public hearing shall be published in accordance with State law and the Metro Code.

Once the hearing is opened, the Council may approve a resolution placing the annexation request on a ballot for an advisory vote, and then continue the hearing until after the results from the ballot measure are available. If the advisory vote is waived, or after the advisory vote results are available, the Council resumes the hearing and considers the application based on the approval criteria of West Linn Municipal Code 2.915 to 2.930 (2.930(2) (a-d)). The City Council may deny an annexation acting in its legislative capacity even after it has approved the annexation application through the Step 1 process. A decision to deny an annexation in Step 2 shall be specifically stated in the record and noted as a legislative act separate and apart from the land use decision in Step 1.

Within 45 days following the public hearing(s), unless a continuance is announced, the City Council will render a decision that the application is approved or denied.

8. Advisory Vote

If Council calls for an advisory vote, the applicant must pay for the election costs. Contact Clackamas County Elections Office for costs. Staff should work with City Administration to inquire about the filing deadlines for upcoming elections.

9. Notice to Utilities (and ODOT)

10. Department of Revenue (DOR) Oregon Cadastral Division

11. DLCD FORM 2

12. Metro

13. County Clerk and County Assessor

14. Secretary of State (SOS)

City staff complete these tasks on behalf of the petitioner.

15. Tri-City Service District Annexation and Withdrawal from Clackamas County Enhanced Law Enforcement District

Note: this is a separate, but parallel, annexation process that can be initiated at any time after the City has approved the annexation at Step 2. Annexation to the Tri City Service District and withdrawal from the Clackamas County Enhanced Law Enforcement District requires that the City has passed an ordinance to that effect.

The applicant must apply to annex to the Tri-City Service District. Contact Erik Carr, Development Review Specialist, Clackamas County - Water Environment Services (503-742-4571) ECarr@co.clackamas.or.us

The Tri-City Annexation fee must be paid. (Check payable to “Clackamas County Elections”) (See the annexation packet above for fees based on lot size.)

The Commissioners have to approve the annexation to the Tri-City Service District. Tri-City staff should prepare a report that makes findings in response to the applicant’s responses to Tri-City criteria (see handout). COWL planning staff should confirm that with Tri-City and their notice requirements.

This separate process takes two months or so.

Withdrawal from the Clackamas County Enhanced Law Enforcement District is a concurrent process through the County and also involves contact with the County Assessor’s Office. Withdrawal from the Clackamas County Enhanced Law Enforcement District requires that the City has passed an ordinance to that effect.

16. Land Use applications accepted

Once the annexation has been filed by Metro with the Secretary of State, and the SOS filing has been recorded and acknowledged, the City can accept land use applications. Land use applications may be received prior to annexation the Tri-City Service District.

DRAFT

To the Council of the City of West Linn, Oregon

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the referenced location and give consent to, annexation of said property to the City of West Linn. We understand that the City will review this request in accordance with ORS Chapter 222, and applicable regional and local policies prior to approving or denying the request for annexation.

Signature	Printed Name	I am a			Address	Property Description				Date
		PO	RV	OV		Township/ Section	Map	Tax Lot	Precinct	

PO Property Owner
RV Registered Voter
OV Property Owner & Registered Voter

A legal description of the property must be submitted with this petition

CITY OF WEST LINN

CERTIFICATION OF PROPERTY OWNERSHIP

I hereby certify that the attached petition for annexation of the territory described herein to the City of West Linn contains the names of the owners* of a majority of the land area of the territory to be annexed, as shown on the last available complete assessment roll.

NAME_____

TITLE_____

DEPARTMENT_____

CLACKAMAS COUNTY ASSESSOR'S OFFICE

DATE_____

* "Owner" means the owner of the title to real property or the contract purchaser of real property.

* * * * *

CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition for annexation of territory described herein to the City of West Linn contains the names of at least a majority of the electors registered in the territory to be annexed.

NAME_____

TITLE_____

DEPARTMENT_____

CLACKAMAS COUNTY ASSESSOR'S OFFICE

DATE_____

CITY OF WEST LINN

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map _____) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME _____

TITLE _____

DEPARTMENT _____

CLACKAMAS COUNTY ASSESSOR'S OFFICE

DATE _____