



DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT <i>Peter Spir</i>	PROJECT NO(S). <i>AP-16-02</i>	
NON-REFUNDABLE FEE(S) <i>400-</i>	REFUNDABLE DEPOSIT(S)	TOTAL <i>400-</i>

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input checked="" type="checkbox"/> Appeal and Review (AP) * | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Lot Line Adjustment (LLA) */** | <input type="checkbox"/> Time Extension * |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) */** | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

Site Location/Address: 18000 Upper Midhill Drive	Assessor's Map No.: 2S1E14CA
	Tax Lot(s): 200
	Total Land Area: 6.1 acres

Brief Description of Proposal:
 Appeal of the Planning Commission's denial of an application for a 34-lot subdivision in the R-4.5 zone and related application for Water Resource Area permit, city files SUB-15-03/WAP-16-03

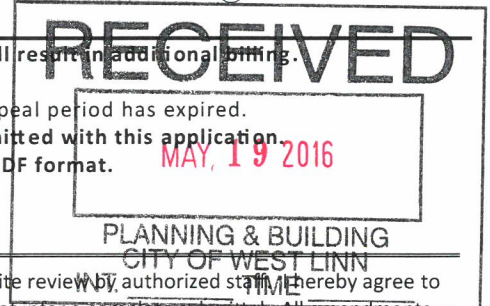
Applicant Name: (please print) Upper Midhill Estates, LLC attn: Ryan Zygar	Phone: 360-798-4838
Address: 931 SW King Avenue	Email: ryan@zygar.com
City State Zip: Portland, OR 97205	

Owner Name (required): (please print) 18000 Midhill Drive, LLC c/o David Chiddix	Phone:
Address: 1235 N Dutton Ave #E	Email:
City State Zip: Santa Rosa, CA 95401	

Consultant Name: (please print) David Noren, Attorney	Phone: 503-640-2661
Address: 330 NE Lincoln St., Suite 200	Email: david@norenlaw.com
City State Zip: Hillsboro, OR 97124	

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application. One (1) complete set of digital application materials must also be submitted on CD in PDF format. If large sets of plans are required in application please submit only two sets.**

* No CD required / ** Only one hard-copy set needed



The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

DocuSigned by: CF0E0D6012F0487... Applicant's signature	5/18/2016 Date	DocuSigned by: EAD27D8C72DC41D... Owner's signature (required)	5/18/2016 Date
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DAVID C. NOREN
Attorney at Law
P.O. Box 586, Hillsboro, Oregon 97123-0586
330 NE Lincoln Street, Suite 200, Hillsboro, Oregon 97124
Telephone: (503) 640-2661 Fax: (503) 648-0760
e-mail: david@norenlaw.com

May 19, 2016

Hand Delivered

Planning Director John Boyd
City of West Linn
22500 Salamo Road
West Linn, OR 97068

Re: Appeal of Decision on Upper Midhill Drive SUB-15-03/WPA 16-03

Dear Director Boyd:

Enclosed please find the original and three copies of the Notice of Appeal and Development Review Application for petitioner Upper Midhill Estates LLC, appealing the planning commission decision dated May 5, 2016. Also enclosed is my check for the \$400.00 appeal fee.

Please provide me and all parties to the hearing with notice of the City Council's hearing on the appeal.

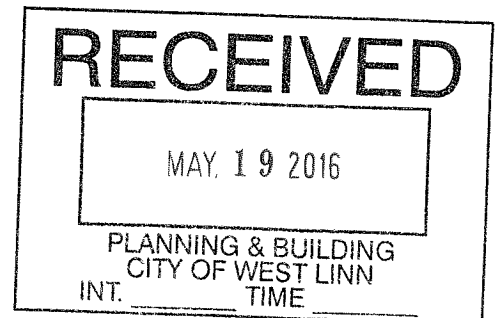
Thank you.

Very truly yours,



David C. Noren

cc Assistant City Attorney Thornton



**NOTICE OF APPEAL
OF DECISION OF PLANNING COMMISSION
CITY OF WEST LINN
SUB-15-03, WAP-16-03**

Petitioner Upper Midhill Estates, LLC, the applicant in this matter, provides this Notice of Appeal addressing the requirements of City of West Linn Community Development Code (CDC) Section 99.250, "Application for Appeal." The provisions of each subsection of CDC 99.250 are italicized below, with petitioner's responses following. Petitioner is also providing a completed and signed Development Review Application form. Petitioner appeals the planning commission's denial on a tie vote of petitioner's application for a 34-lot subdivision and related water area permit. A copy of the decision is attached. The planning commission specifically found that the application complied with all applicable criteria except CDC 85.200 and 85.200.B.5.

99.250 APPLICATION FOR APPEAL

A. The notice of appeal shall contain:

1. A reference to the application sought to be appealed;

Petitioner and applicant Upper Midhill Estates LLC appeals the planning commission denial of its applications for a 34-lot subdivision and water area permit, SUB-15-03/WAP-16-03.

2. A statement explaining how the petitioner qualifies as a party of standing, as provided by CDC 99.140;

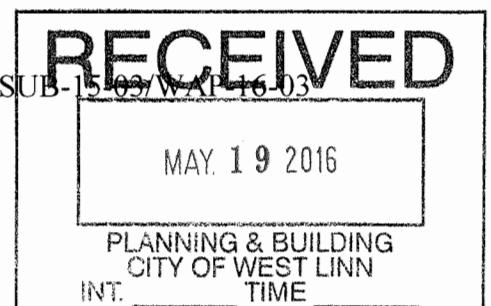
Petitioner Upper Midhill Estates LLC is the applicant and appeared in the proceeding before the planning commission through its representative Ryan Zygar, its consultant Andrew Tull of 3J Consulting, and attorney David Noren.

and

3. A statement clearly and distinctly identifying the grounds for which the decision should be reversed or modified.

a. The planning commission improperly construed the law when it determined that the application had not complied with CDC 85.200.B.5, which provides in part that "[d]ouble

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DAVID@NORENLAW.COM



frontage lots and parcels shall be avoided except ... to overcome specific disadvantages of topography and orientation.”

The planning commission found that three of six planning commissioners who voted on the application determined that the applicant had not proved compliance with CDC 85.200(B)(5) regarding double frontage lots. The applicant’s slope analysis plan, which appears at p. 275 of the planning commission packet and is attached hereto, clearly shows the location of the existing dedicated streets (Hillside Drive and Upper Midhill Drive) that adjoin or enter the site. Hillside Drive, on the west side of the site, is already dedicated along the rear of six lots approved by the City of Lake Oswego that have front-of-lot frontage and access on Woodhurst Place in Lake Oswego. The applicant’s site plan, shown on page 278 of the planning commission packet and also attached, shows how this subdivision will provide internal street connections between Upper Midhill Drive and Hillside Drive; the same six lots in Lake Oswego will continue to have the same double frontage, on Woodhurst Place and on Hillside.

No lots created by this subdivision will have double frontage. The findings assert that the existing frontage of those lots created by Lake Oswego along Hillside Drive at their rear is only frontage on a dedicated but unimproved street, so it is the creation of this subdivision with the improvement of the dedicated street that is ultimately creating the double frontage lots. This is an error of law in construing CDC 85.200.B.5, which only applies to lots and blocks created by the subdivision. It is not an applicable criterion for this application. The context for the requirement to avoid double frontage lots includes the following requirement in CDC 85.200.A.1, “Streets”: “All streets bordering the development site are to be developed by the developer, with typically half-street improvements or to City standards prescribed by the City Engineer.” In this case, the site plan and application propose to improve Hillside Drive as required by the City Engineer. Due to the orientation of the site and the existing streets, the double frontage lots created by the City of Lake Oswego cannot be avoided if the site is to be developed at all, so even if CDC 85.200.B.5 were an applicable criterion, this application falls within the exception “to overcome specific disadvantages of topography and orientation.”

CDC 92.010.C also requires that rights of way adjoining a subdivision be improved:

“C. Local and minor collector streets within the rights-of-way abutting a subdivision shall be graded for the full right-of-way width and approved to the City’s permanent improvement standards and specifications. The City Engineer shall review the need for street improvements and shall specify whether full street or partial street improvements shall be required. The City Engineer shall also specify the extent of storm drainage improvements required. The City Engineer shall be guided by the purpose of the City’s systems development charge program in determining the extent of improvements which are the responsibility of the subdivider.”

The site plan and conditions of approval in the staff report establish that Hillside Drive will be improved to standards approved by the City Engineer. The only way this property could be developed consistent with these code provisions, without improving Hillside Drive, would be if the Council initiated and approved a vacation of Hillside Drive along the double frontage lots. However, the City Council has already addressed vacation of Hillside Drive along these lots and decided to retain Hillside Drive to provide access to the site, notwithstanding the double-frontage lots approved by Lake Oswego..

As explained in the April 19 letter to the planning commission from the applicant's consultant Andrew Tull, the City Council in 1999 approved the continued use of Hillside Drive (then known as "Scenic Drive") as eventual access to this site when it adopted Ordinance 1430 (VAC ORD 99-114675), vacating a portion of Scenic Drive along the north and northwest boundaries of the site but leaving it in place adjoining the existing double-frontage lots created by the City of Lake Oswego. A copy of Ordinance 1430 is attached.

For these reasons, the planning commission decision should be reversed and the application should be approved with conditions.

b. The planning commission improperly construed the law and made a decision not supported by the evidence when it found without discussion or analysis that the application had not complied with CDC 85.200 regarding availability of adequate public facilities.

CDC 85.200 is the introductory one-sentence paragraph Section CDC 85.200, "Approval Criteria." Those approval criteria are then set forth in some 20 pages of very specific standards for: streets within and adjacent to the subdivision; streets outside the subdivision based on the determination of the City Manager or City Engineer; blocks and lots; pedestrian and bicycle trails; transit facilities; grading; sewer; and supplemental provisions such as street trees, heritage trees, lighting and a minimum density requirement of 70% (the minimum density is 34 lots for this property, as proposed by applicant).

Apparently the three planning commissioners who opposed approval of the application focused only on the first introductory sentence of CDC 85.200:

"No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by condition of approval."

It appears that these commissioners felt that testimony from neighbors expressing concern about the impacts of traffic (and perhaps storm water runoff) were sufficient evidence that adequate public facilities were not available to provide service to the site. However, this misconstrues the

meaning and applicability of the phrase “adequate public service.” That phrase is specifically defined in CDC 02.030 as follows:

“Adequate public facilities. Public facilities that must be adequate for an application for new construction, remodeling, or replacement of an existing structure to be approved are transportation, water, sewer, and storm sewer facilities. To be adequate, on-site and adjacent facilities must meet City standards, and off-site facilities must have sufficient capacity to (1) meet all existing demands, (2) satisfy the projected demands from projects with existing land use approvals, plus the additional demand created by the application, and (3) remain compliant with all applicable standards.

“For purposes of evaluating discretionary permits in situations where the level-of-service or volume-to-capacity performance standard for an affected City or State roadway is currently failing or projected to fail to meet the standard, and an improvement project is not programmed, the approval criteria shall be that the development avoids further degradation of the affected transportation facility. Mitigation must be provided to bring the facility performance standard to existing conditions at the time of occupancy.”

This section makes clear that adequacy of public facilities is not a vague notion but is specifically defined as facilities that “meet City standards” and have “sufficient capacity to meet existing [and]... projected demands.” There was no evidence that streets, water, sewer or other facilities failed to comply with City standards or lacked “sufficient capacity.” The only evidence in the record is that all facilities, both on-site and off-site, do meet City standards for capacity, based upon review by the planning director, city engineer, ODOT, and other staff, with the single exception of the intersection of Arbor Drive at Willamette Drive (Highway 43). That intersection is already failing, and the addition of traffic from this development will not further degrade the intersection to a lower facility performance standard. The applicant has agreed to conditions of approval requiring contribution to off-site improvements in amounts determined by the city engineer, as required by CDC 85.200.A.22 and as consistent with the definition of “adequate public facilities” in CDC 02.030.

CDC 85.200 requires that public facilities meet city standards and have sufficient capacity. It does not allow the city to deny an application based on unspecified notions that public facilities are not adequate. Here, the only evidence, from the applicant and the staff report, is that public facilities do meet city standards and that capacity is sufficient. There is no evidence that the facilities do not meet city standards. The planning commission therefore improperly construed applicable law and made a decision not supported by substantial evidence when it concluded that CDC 85.200 had not been met.

For these reasons, the planning commission decision should be reversed and the application approved with conditions.

c. The planning commission committed procedural error when its decision failed to make adequate findings, as required by CDC 99.110.C, regarding whether or not the application meets the approval criterion of CDC 85.200.

The planning commission's findings with respect to CDC 85.200 merely state that the applicant had not complied with that criterion but provide no explanation of how or why it reached that conclusion. CDC 99.110.C provides:

“C. In all cases, the decision shall include a statement in a form which includes findings as to whether or not the application meets the approval criteria of the applicable Community Development Code sections.”

Findings require more than a simple conclusion that an approval standard is not met. There must be some analysis of the evidence and of the requirement itself. The planning commission's failure to make such a finding regarding public facilities prejudices petitioner's substantial right to a decision that disposes of all the applicable criteria with adequate findings.

For these reasons, the planning commission decision should be modified to provide adequate and specific findings concerning compliance with CDC 85.200. The Council should find that the application meets this criterion.

d. The planning commission misconstrued the law, made a decision not supported by the evidence, and committed procedural error when its decision failed to address whether the standards of CDC 85.200 could be satisfied by conditions of approval.

As noted above, the planning commission findings simply conclude that the applicant had not met the requirements of CDC 85.200. There is no discussion or finding of any particular approval criterion among the twenty pages of criteria that was not met. Nor was there any discussion whether public facilities that might be inadequate could be made so by the imposition of additional conditions of approval. By failing to address such matters in its findings, as required by CDC 99.110.C, the planning commission made a procedural error that prejudiced petitioner's substantial rights to a decision that includes findings on all applicable criteria.

For these reasons, the planning commission decision should be modified to address any additional conditions needed to establish compliance with CDC 85.200. As set forth below, the Council is asked to reopen the record to consider such additional conditions proposed by the applicant in its letter to the planning commission dated May 4, a copy of which is attached.

The appeal shall identify:

a. Applicable approval criteria that were misapplied,

As set forth above, the planning commission findings state that three of six planning commissioners who voted on the application concluded that the applicant had not proved compliance with CDC 85.200(B)(5) regarding double frontage lots, because “it is the creation of this subdivision with the improvement of the street that is ultimately creating the double frontage lots in Lake Oswego with this application.” The findings also indicate, without further explanation, that the same commissioners also determined that CDC 85.200 was not met.

or

b. Procedural irregularity,

The planning commission committed procedural error when its decision failed to make adequate findings, as required by CDC 99.110.C, regarding whether or not the application meets the approval criteria of CDC 85.200.

The planning commission committed procedural error when it failed to make adequate findings as to whether the standards of CDC 85.200 “can be satisfied by conditions of approval.”

and

c. If petitioner is requesting that the Council re-open the record to allow submission of additional written testimony and evidence as part of the appeal, petitioner must show that:

i. The Planning Commission committed a procedural error, through no fault of the petitioner, that prejudiced the petitioner’s substantial rights, and that reopening the record before the Council is the only means of correcting the error,

Petitioner does request that the Council re-open the record, in response to the procedural error set forth above concerning conditions of approval, to consider whether additional conditions of approval can satisfy the standards of CDC 85.200. Specifically, petitioner asks the Council to consider the letter of May 4, 2016, which was submitted to the planning commission after the close of the record but before the commission has deliberated on findings addressing CDC 85.200. The letter includes proposed additional conditions of approval that are acceptable to applicant that further address off-site public services including street and sidewalk improvements.

or

ii. A factual error occurred before the Planning Commission, through no fault of the petitioner, which is relevant to an approval criterion and material to the decision.

The planning commission findings demonstrate a factual error by the three planning commissioners who opposed approval of the application concerning whether the existing dedicated street had already created double frontage lots approved by the City of Lake Oswego. Petitioner requests the Council to reopen the record to consider Ordinance 1430 and additional information concerning how the city has determined in the past that it may allow creation of double frontage lots to overcome specific disadvantages of topography and orientation. Specifically, petitioner asks the Council to consider the letter from its consultant Andrew Tull dated May 4, 2016, which was submitted to the planning commission after the close of the record but before the commission has deliberated on findings addressing CDC 85.200. A copy of the letter is attached hereto.

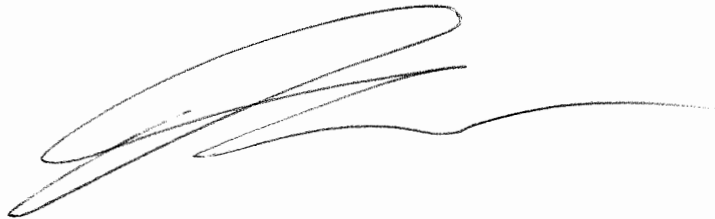
B. The appeal application shall be accompanied by the required fee.

A check for \$400.00 is submitted with this Notice of Appeal.

C. The hearing on the appeal shall be limited to the provisions of CDC 99.280.

Petitioner expects to submit additional written and oral argument concerning the issues raised in this Notice of Appeal, as provided by CDC 99.280.B.2.

DATED: May 19, 2016



David C. Noren, OSB # 852959

Attorney for Petitioner Upper Midhill Estates LLC

PLANNING COMMISSION DECISION

WEST LINN PLANNING COMMISSION

FINAL DECISION AND ORDER

SUB-15-03, WAP-16-03

**IN THE MATTER OF A 34-LOT SUBDIVISION AND WATER RESOURCE AREA
PERMIT AT 18000 UPPER MIDHILL DRIVE**

I. Overview

Upper Midhill LLC (Applicant) filed its application on October 21, 2015, and it was deemed complete on February 23, 2016. The approval criteria for the application are found in Community Development Code (CDC) Chapters 85, 32, and 14. The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The Planning Commission (Commission) held the public hearing on April 20, 2016. The hearing commenced with a staff report presented by Peter Spir, Associate Planner. Andrew Tull presented for the applicant. The Commission heard public testimony from 15 individuals and accepted letters and photographs as exhibits.

After deliberations, a motion was made by Commissioner Myers to approve the application with nine conditions of approval. In addition to the eight conditions of approval proposed in the April 20, 2016, staff report, Commissioner Myers added a condition to require the developer to “verify that tree #3439 is on the applicant’s property prior to removal.” Commissioner Knight seconded the motion. Then Commissioner Farrell made a motion to amend the initial motion to include an additional condition of approval requiring the applicant to make improvements on Midhill Drive and Arbor Drive to bring those streets up to City standards. This motion to amend was seconded by Commissioner Matthews. After discussion, the motion to amend failed and the initial motion by Commissioners Myers and Knight was put to a vote with Commissioners Matthew, Farrell and Walvatne opposed and Commissioners Myers, Babbitt and Knight voting in favor. The motion failed to pass with a tie vote and the application was denied.

Some of the community concerns raised at the public hearing include:

1. The projected 389 trips per day generated by this application will worsen the level of service on area streets including Upper Midhill Drive, Hillside Drive Arbor Drive and Willamette Drive.
2. Arbor Drive at Willamette Drive is already a dangerous intersection and will be made more dangerous by the additional trips.
3. There were concerns about the wetlands being filled.
4. The incompatibility of the site’s R-4.5 zone with surrounding lower residential density was questioned.
5. Potential storm water and drainage problems were mentioned.

6. There was concern regarding the loss of trees (particularly tree #3439).
7. The creation of double frontage lots in Lake Oswego was stated to be problematic.
8. Neighborhood disruption caused by construction of the subdivision and subsequent home building (noise, vibration, glare, street damage, etc.) was a concern.
9. There is a potential for glare from the new street lights.
10. There were concerns about neighborhood safety associated with increased traffic generated by 34 homes and heavy truck traffic during the construction phase.

II. The Record

The record was finalized at the April 21, 2016, hearing. The record includes the entire file from SUB-15-03, WAP-16-03.

III. Findings of Fact

- 1) The Overview set forth above is true and correct.
- 2) The applicant is the Upper Midhill LLC.
- 3) The Commission finds that it has received all information necessary to make a decision based on the Staff Report; public comments; and the evidence in the whole record, including any exhibits received at the hearings.

IV. Findings

The Commission adopts the April 20, 2016, Staff Report for SUB 15-03, WAP 16-03, with attachments, including specifically the Addendum dated March 25, 2016, and the Applicant's Submittals, including without limitation the narratives, as its findings, which are incorporated by this reference, except for CDC 85.200 regarding adequate public facilities will be available to provide public service and 85.200(B)(5) regarding double frontage, which for the reasons stated below essentially results in a denial of this application.

DOUBLE FRONTAGE

"Double frontage lots and parcels. Double frontage lots and parcels have frontage on a street at the front and rear property lines. Double frontage lots and parcels shall be avoided except where they are essential to provide separation of residential development from arterial streets or adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. A planting screen or impact mitigation easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use."

Three members of the Commission found that the application and staff report demonstrated this criterion was met. The staff report concluded that there are no double frontage lots in West Linn. Staff and the applicant noted that the Hillside Drive right of way that is being improved as part of this development was dedicated with the original Robinwood Plat. Hillside Drive is on the West Linn side of the Lake Oswego-

West Linn border. After the Robinwood Plat, a development in Lake Oswego occurred with the back of the lots abutting Hillside Drive, but that development did not improve Hillside Drive. Instead the Lake Oswego development put Woodhurst Place in at the front of the lots for access.

Now the applicant is proposing to improve Hillside Drive and utilize it as the access for a number of lots. The applicant stated that its application does not create any double frontage lots because the right of way was previously dedicated. In addition, the applicant noted that the double frontage lots are not located in West Linn. The lots are located in Lake Oswego; therefore, the subdivision does not create double frontage lots in West Linn, and the criterion is met. Finally, it was noted that the applicant was required to use this right of way to construct the connection between Hillside Drive and Upper Midhill Drive.

The remaining three members of the Commission that participated disagreed, and determined that 85.200 and 85.200(B)(5) were not met. First, Hillside Drive, although dedicated, has not been improved; therefore, it is the creation of this subdivision with the improvement of the street that is ultimately creating the double frontage lots in Lake Oswego with this application. Second, it was discussed that the City has to be aware of how its developments impact surrounding communities. In this instance, the improvement of the street will result in lots that have rights of way on two sides of the Lake Oswego properties that take access off of Woodhurst Place. West Linn's Code requirements do not only apply within the subdivision, within the City, but the Code should apply across the City's boundary to consider the impact on neighboring communities.

For reasons stated above, a majority of the Planning Commission was unable to find that this criterion is met. In land use matters, the applicant carries the burden to demonstrate that each criterion is met. Therefore, a split on the Commission shows that the applicant did not carry its burden, resulting in a defacto denial based on this criterion.

V. Order

The Commission concludes that the vote to approve the application for SUB-15-03, WAP-16-03 resulted in a three to three vote. The motion to approve did not pass; therefore, the tie vote is equivalent to a denial of the application. The denial of this application is based on the Record, Findings of Fact and Findings above.



MICHAEL BABBITT, CHAIR
WEST LINN PLANNING COMMISSION

5-5-16

DATE

This decision may be appealed to the City Council pursuant to the provisions of Chapter 99 of the Community Development Code and any other applicable rules and statutes. This decision will become effective 14 days from the date of mailing of this final decision as identified below. Those parties with standing (i.e., those individuals who submitted letters into the record, or provided oral or written testimony during the course of the hearing(s), or signed in on an attendance sheet or testimony form at a hearing(s), may appeal this decision to the West Linn City Council within 14 days of the mailing of this decision pursuant to the provisions of Chapter 99 of the Community Development Code. Such appeals would require a fee of \$400 and a completed appeal application form together with the specific grounds for appeal to the Planning Director prior to the appeal-filing deadline.

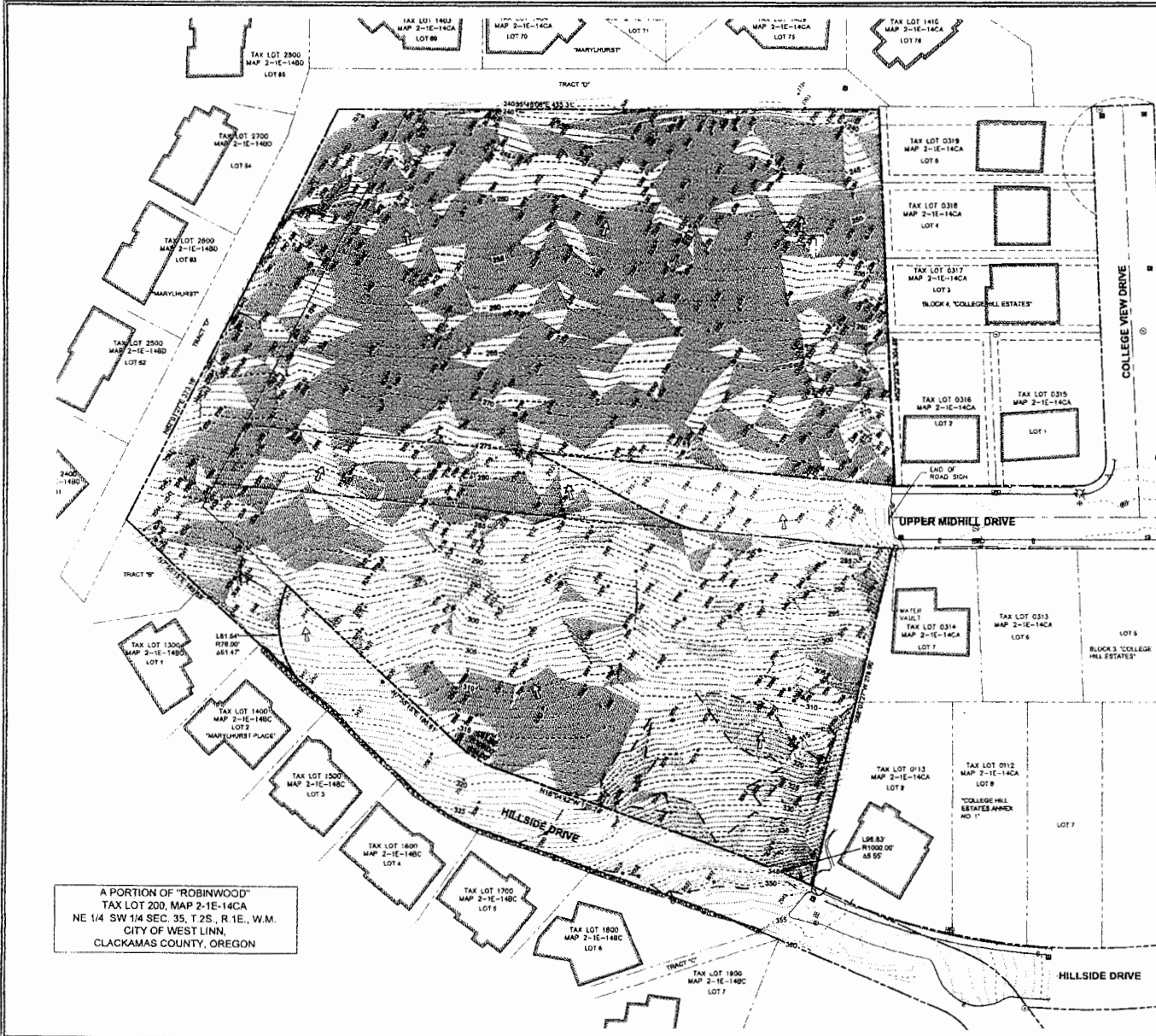
Mailed this 5th day of May, 2016.

Therefore, this decision becomes effective at 5 p.m., May 19, 2016.

NOT FOR CONSTRUCTION

4/20/16 PC Meeting
275

30000 UPPER MIDHILL DRIVE, WEST LINN, OREGON 97136



A PORTION OF "ROBINWOOD"
 TAX LOT 200, MAP 2-1E-14CA
 NE 1/4 SW 1/4 SEC. 35, T.2S., R.1E., W.M.
 CITY OF WEST LINN,
 CLACKAMAS COUNTY, OREGON



Scale 1 inch = 40 feet

- LEGEND**
- PROJECT BOUNDARY LINE
 - RIGHT OF WAY LINE
 - PROPOSED PROPERTY LINE
 - ROADWAY CENTER LINE
 - ADJACENT PROPERTY BOUNDARY
 - BASEMENT LINE
 - GROUND SLOPE DIRECTION
 - EXISTING TREE & TAG NUMBER (SEE C110 - C114) FOR FURTHER INFORMATION
 - 250' EXISTING MAJOR CONTOUR (5FT)
 - EXISTING MINOR CONTOUR (1FT)

SLOPE STATISTICS

MINIMUM SLOPE	MAXIMUM SLOPE	AREA (SF)	COLOR
0%	15%	128,584	[Color swatch]
15%	25%	115,788	[Color swatch]
25%	35%	17,818	[Color swatch]
35%	35% OR GREATER	3,898	[Color swatch]

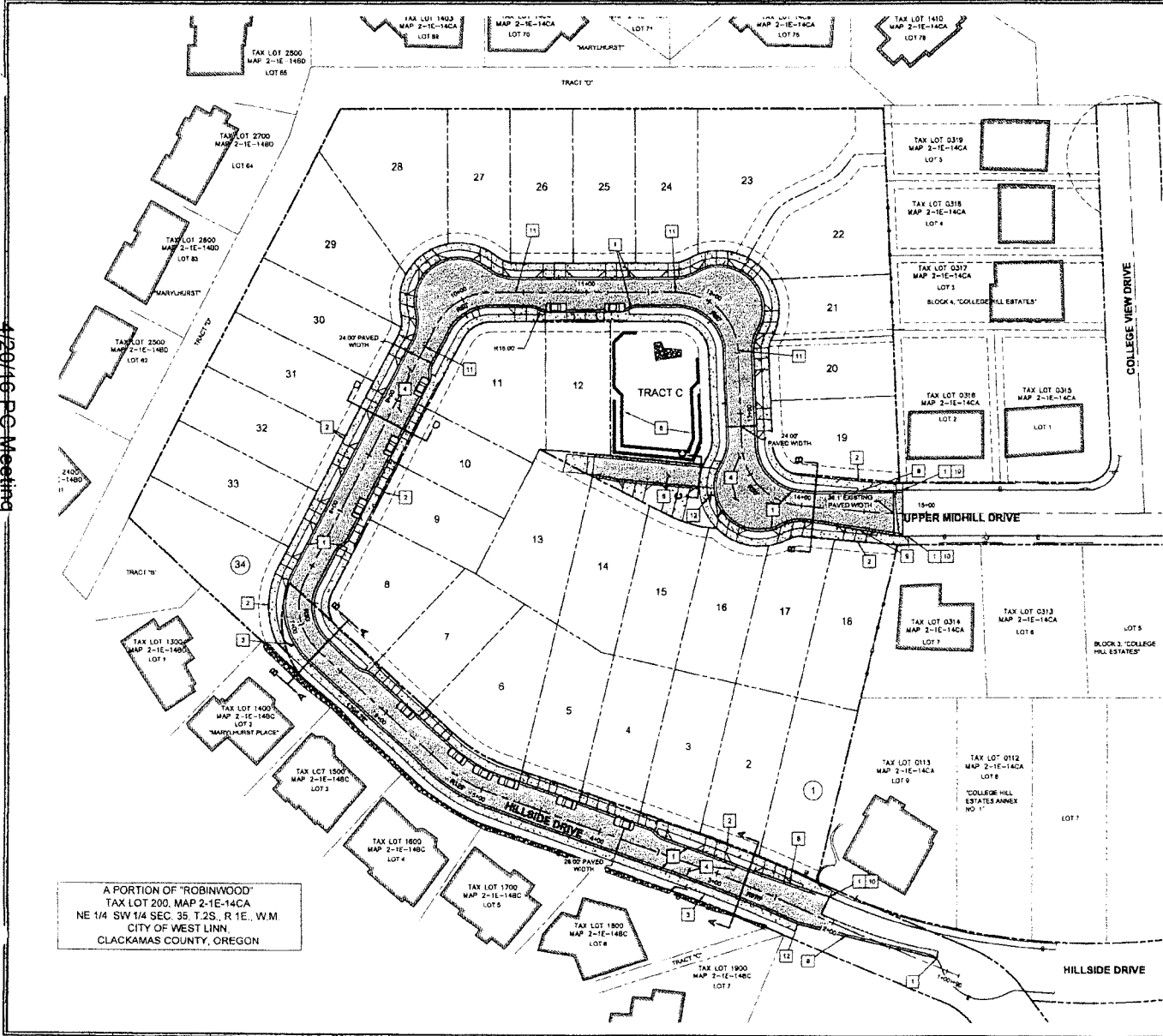
DESIGN REVIEW
 DATE
 BY
 REVISION SUMMARY

SLOPE ANALYSIS PLAN
CHÊNE BLANC ESTATES
LAND USE DOCUMENTS
 1800 UPPER MIDHILL DRIVE, LLC
 WEST LINN, OR

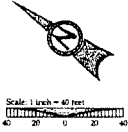


3J CONSULTING, INC.
 3J JOB # 1504
 LAND USE # 170
 TAX LOT # 1815CA 020
 DESIGNED BY JFE, CON, KP
 CHECKED BY JFE
 SHEET TITLE
SLOPE ANALYSIS
 SHEET NUMBER
C130





A PORTION OF "ROBINWOOD"
 TAX LOT 200, MAP 2-1E-14CA
 NE 1/4 SW 1/4 SEC. 35 T.2S., R.1E., W.M.
 CITY OF WEST LINN,
 CLACKAMAS COUNTY, OREGON

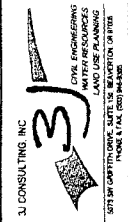


- LEGEND**
- PROJECT BOUNDARY LINE
 - RIGHT OF WAY LINE
 - PROPOSED PROPERTY LINE
 - ROADWAY CENTER LINE
 - ADJACENT PROPERTY BOUNDARY
 - EASEMENT LINE
 - EXISTING CONCRETE
 - EXISTING CURB
 - EXISTING FENCE LINE
 - PROPOSED CURB FACE
 - PROPOSED CURB BACK
 - PROPOSED LIP OF CUTTER
 - PROPOSED LOT LINE
 - PROPOSED EASEMENT LINE
 - PROPOSED RIGHT OF WAY
 - PROPOSED ASPHALT
 - PROPOSED CONCRETE
 - EXISTING ROCK WALL
 - PROPOSED RETAINING WALL
 - PROPOSED STREET SECTION - SEE SHEET C201
 - PROPOSED ON-STREET PARKING

- SITE NOTES**
1. CONSTRUCT STANDARD CURB & GUTTER PER CITY OF WEST LINN STANDARD DETAIL WL-561 (TYPICAL CURBS)
 2. CONSTRUCT 8 FT WIDE DETACHED SIDEWALK PER CITY OF WEST LINN STANDARD DETAIL WL-508 (CONCRETE SIDEWALK CROSS SECTION)
 3. CONSTRUCT 6 FT CURB TIGHT SIDEWALK PER CITY OF WEST LINN STANDARD DETAIL WL-508 (CONCRETE SIDEWALK CROSS SECTION)
 4. INSTALL ASPHALT SECTION. SEE TYPICAL SECTIONS A-A AND B-B ON SHEET C201
 5. INSTALL ACCESS DRIVE. SEE TYPICAL SECTION C-C ON SHEET C201
 6. INSTALL RETAINING WALL
 7. NOT USED
 8. ROADWAY TAPER PER AASHTO STANDARDS TO MEET EXISTING ROAD WIDTHS ON UPPER MICHILL DRIVE. STA. 1+12 TO 2+28
 9. ROADWAY TAPER PER AASHTO STANDARDS TO MEET EXISTING ROAD WIDTHS ON HILLSIDE DRIVE. STA. 1+1 TO 1+45.1
 10. TRANSITION SIDEWALK TO CURB TIGHT. MATCH EXISTING CURB TIGHT SIDEWALK AS SHOWN
 11. PROVIDE CORNERING 'EYE BROW' PER CLACKAMAS COUNTY ROADWAY STANDARD DRAWING C400
 12. INSTALL STREET SIGN "UPPER MICHILL DRIVE" AND "HILLSIDE DRIVE"

DESIGN REVIEW	DATE
REVISION SUMMARY	BY

PRELIMINARY SITE PLAN
CHENE BLANC ESTATES
 LAND USE DOCUMENTS
 1800 UPPER MICHILL DRIVE, LLC
 WEST LINN, OR

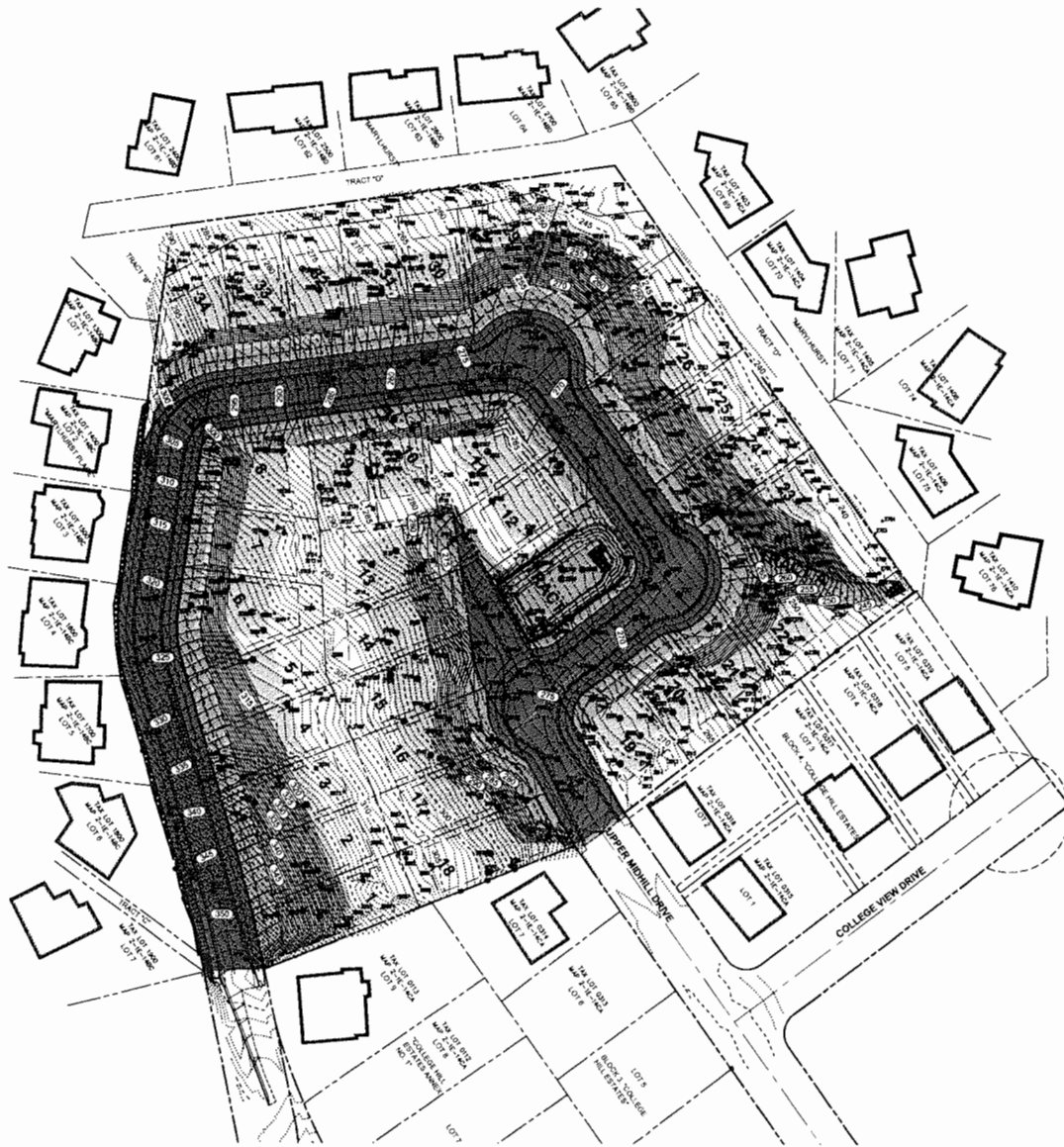


31 JOB #	11596
LAND USE #	1170
TAX LOT #	18516A-1825
DESIGNED BY	JTE/CWK/KP
CHECKED BY	JTE
SHEET TITLE	SITE PLAN
SHEET NUMBER	C210



SITE PLANS FROM THE RECORD

P:\15346-UPPER MIDHILL ESTATES\REVISIONS\03\03\11\TREE REMOVAL REVISED\TREE REMOVAL - REVISIONS.DWG



LEGEND

- PROJECT BOUNDARY LINE
- RIGHT OF WAY LINE
- - - PROPOSED PROPERTY LINE
- ROADWAY CENTER LINE
- - - ADJACENT PROPERTY BOUNDARY
- - - EXISTING MAJOR CONTOUR
- - - EXISTING MINOR CONTOUR
- - - (T) PROPOSED MAJOR CONTOUR
- - - (T) PROPOSED MINOR CONTOUR
- ▨ R.O.W. IMPROVEMENT AREA
- ▨ SITE GRADING AREA
- ▨ ANTICIPATED BUILDING IMPACT AREA
- TREE TO BE REMOVED

3J CONSULTING, INC



CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING

3075 SW GRIFFIN DRIVE, SUITE 100, BEAVERTON, OR 97008
PHONE & FAX (503) 645-6305

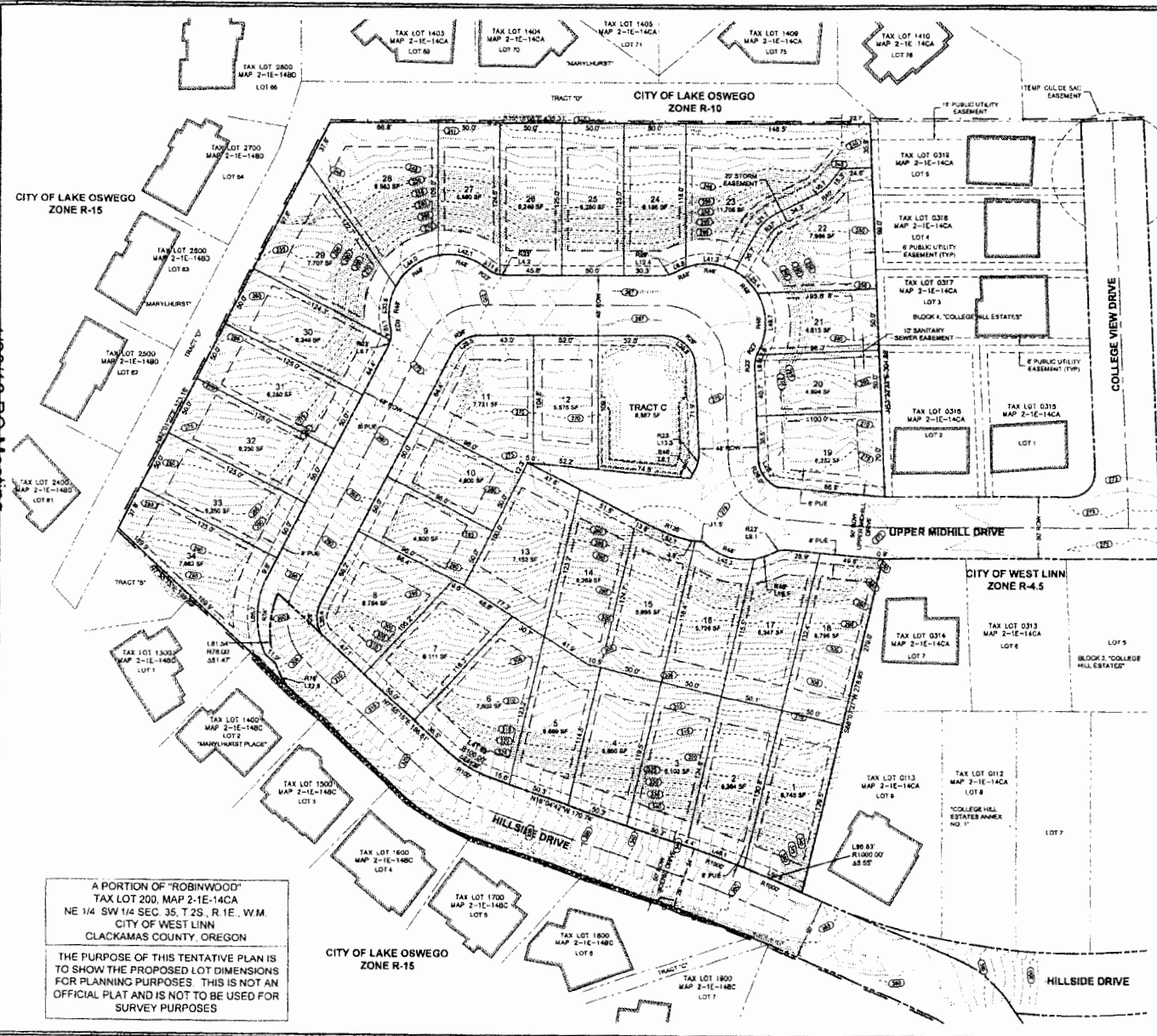
DRAWING BY: JCP
 PREPARED FOR: MORGAN HOLEN ASSOCIATES
 PLAN ISSUE DATE: SEPTEMBER 24, 2015
 PLAN ISSUE PURPOSE: EXHIBIT USE



UPPER MIDHILL ESTATES
WEST LINN, OR

TREE PRESERVATION
EXHIBIT

NOT FOR CONSTRUCTION
4/20/16 Meeting
276



Scale 1 inch = 30 feet
0 30 60 90 120

LEGEND

- PROJECT BOUNDARY LINE
- RIGHT OF WAY LINE
- PROPOSED PROPERTY LINE
- ROADWAY CENTER LINE
- ADJACENT PROPERTY BOUNDARY
- EASEMENT LINE
- PROPOSED LOT LINE
- PROPOSED EASEMENT LINE
- PROPOSED RIGHT OF WAY
- PROPOSED SETBACK LINE
- CITY BOUNDARY LINE
- 1 FOOT CONTOUR
- 5 FOOT CONTOUR

SITE STATISTICS

SITE ADDRESS	1800 UPPER MIDHILL DRIVE, WEST Linn, OREGON
TAX LOT	25 1E-14CA 0020
JURISDICTION	CITY OF WEST LINN
GROSS SITE AREA	785,862 +/- SF (18.10 AC)
PROPERTY ZONING	R-4.5
FLOOD HAZARD MAP NUMBER	4100SC0910D
	ZONE X (UNSHADED)

SUBMISSION STATISTICS

RIGHT OF WAY DEDICATION	34,637 SF (10.80 AC)
MINIMUM ALLOWABLE EFFECTIVE LOT SIZE	4,900 SF
MINIMUM LOT DENSITY	8.67 LOTS / ACRE
MAXIMUM LOT DENSITY	9.81 LOTS / ACRE
PROPOSED LOT DENSITY	8.67 LOTS / ACRE
MAXIMUM BUILDING HEIGHT	35 FEET

SETBACKS

SETBACK LOCATION	STANDARD
FRONT	10'
SIDE	5'
REAR	5'
STREET SIDE	15'

SURVEYOR'S NOTE

1. VERTICAL DATUM: NAVD83 (USLEAS) GPS POSITIONING (ING) TO THE ORIGIN WITH REAL TIME CORRECTIONS REFERENCED TO DATUM IN WAUKEGON, OREGON. THIS DATUM REALIZATION WAS VERIFIED THROUGH DIRECT OBSERVATION TO WGS CONTROL POINT Q223 HAVING A POINT IDENTIFICATION OF 801101. THIS POINT IS DESIGNATED AS A STABLEST SITE, 100 M ABOVE NEAR THE INTERSECTION OF STATE HIGHWAY 200 AND LAKE DRIVE. THE ELEVATION OF THIS POINT IS PUBLISHED AS 31.14' AND WAS ESTABLISHED BY NGS THROUGH DIFFERENTIAL LEVELING AND ADJUSTED BY THE NATIONAL GEODESIC SURVEY IN JUNE 1991 AND HAS A VERTICAL UNCERTAIN OF FIRST CLASS.

2. BASES OF BEARINGS: CENTERLINE OF UPPER MIDHILL DRIVE AS PER THE PLAT OF COLLEGE HILL ESTATES.

PROJECT TEAM

OWNER / APPLICANT
UPPER MIDHILL ESTATES, LLC
C/O RYAN ZIGARY
591 SW KING AVENUE
PORTLAND, OR 97205
PHONE: (503) 288-4838
EMAIL: ryan@upm.com

PLANNING CONSULTANT
3J CONSULTING, INC.
3025 SW OREGON AVENUE, SUITE 150
BEAVERTON, OR 97005
CONTACT: ANDREW TELL
PHONE: 503-648-5662
EMAIL: andrew.tell@3jconsulting.com

LAND SURVEYOR
COMPASS SURVEYING
4307 SE WILSONVILLE HWY, SUITE 750
MILWAUKEE, OR 97222
CONTACT: JOHN SEVENSCHNEIDER, PLS
PHONE: 503-653-9000
EMAIL: john@compass-engineering.com

GEOTECHNICAL CONSULTANT
GEOPACIFIC ENGINEERING, INC.
1405 SW 7TH AVENUE
PORTLAND, OR 97204
CONTACT: AN INSPIRE
PHONE: 503-258-1445
EMAIL: andrew@geopacific.com

CIVIL ENGINEER
3J CONSULTING, INC.
3025 SW OREGON DRIVE, SUITE 150
BEAVERTON, OR 97005
CONTACTS:
JESSE EMBURSON, P.E.
PHONE: (503) 646-5363 (202)
EMAIL: jesse.emburson@3jconsulting.com
MARCUS MAURPHY, P.E.
PHONE: (503) 646-5353 (118)
EMAIL: marcus.murphy@3jconsulting.com

07/17/2016
BY: DAT
DESIGN REVIEW
BY: BRYAN ZIGARY

TENTATIVE PLAN
CHÉNE BLANC ESTATES
LAND USE DOCUMENTS
1800 UPPER MIDHILL DRIVE, LLC
WEST LINN, OR



3J CONSULTING, INC.
CIVIL ENGINEERING
WATER RESOURCES
LAND USE PLANNING
1800 UPPER MIDHILL DRIVE, LLC
WEST LINN, OR 97136

3J JOB ID # 11506
LAND USE # 1180
TAX LOT # 1 25 1E-14CA-0020
DESIGNED BY J. FE, CFM, KP
CHECKED BY J. FE

SHEET TITLE
TENT. PLAN
SHEET NUMBER
C200



A PORTION OF "ROBINWOOD"
TAX LOT 200, MAP 2-1E-14CA
NE 1/4 SW 1/4 SEC. 35, T.2S, R.1E, W.M.
CITY OF WEST LINN
CLACKAMAS COUNTY, OREGON

THE PURPOSE OF THIS TENTATIVE PLAN IS TO SHOW THE PROPOSED LOT DIMENSIONS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES.

CITY OF LAKE OSWEGO
ZONE R-15

CITY OF WEST LINN
ZONE R-4.5

HILLSIDE DRIVE

COLLEGE VIEW DRIVE

UPPER MIDHILL DRIVE

HILLSIDE DRIVE

CITY OF LAKE OSWEGO
ZONE R-15

DATE: 11/14/15 BY: BRYAN ZIGARY (503) 288-4838
11/15/16 UPPER MIDHILL ESTATES

Letter of May 4, 2016

SUBJECT OF REQUEST TO RE-OPEN RECORD



May 4, 2016

Michael Babbitt, Chair
West Linn Planning Commission
22500 Salamo Road
West Linn, OR 97068

**Chene Blanc Subdivision
SUB-15-03/WAP-16-03
West Linn, Oregon**

Dear Chair Babbitt,

This letter has been prepared in order to specifically request that the Commission consider reopening the public record for the project to consider additional written and verbal testimony from the Applicant. During the April 20th hearing, a motion was made to approve the proposed subdivision. Deliberation on the motion resulted in a tie vote. We understood that the basis for the tie vote for approval of the subdivision application were related to two primary issues. We understood these to be the adequacy of public facilities within the area (85.200) and the City's Double Fronted Lot Standards (85.200.B.5).

In light of the tie vote, no decision has yet been formally rendered on the applications and the Commission has several options for proceeding with the proposed subdivision. Because the hearing concluded without a decision, a decision ultimately needs to be issued and findings in support of the Commission's decision also need to be provided. Because notice has been provided to those all parties with standing that the Commission's deliberations will be continued, the Commission may:

- Continue deliberations with a closed record, or
- Reopen the record to allow for additional testimony, then close the record and continue deliberations.

The Applicant wishes to address the Commission on the issues related to adequate public facilities and double fronted lots. The Applicant has prepared a series of additional findings and exhibits which are important for the Commission to consider. It is our belief that the additional information contained within this letter will be critical in allowing the Commission to conclude that the proposed subdivision meets the City's approval criteria and that the record should be reopened to allow for the introduction of this material.

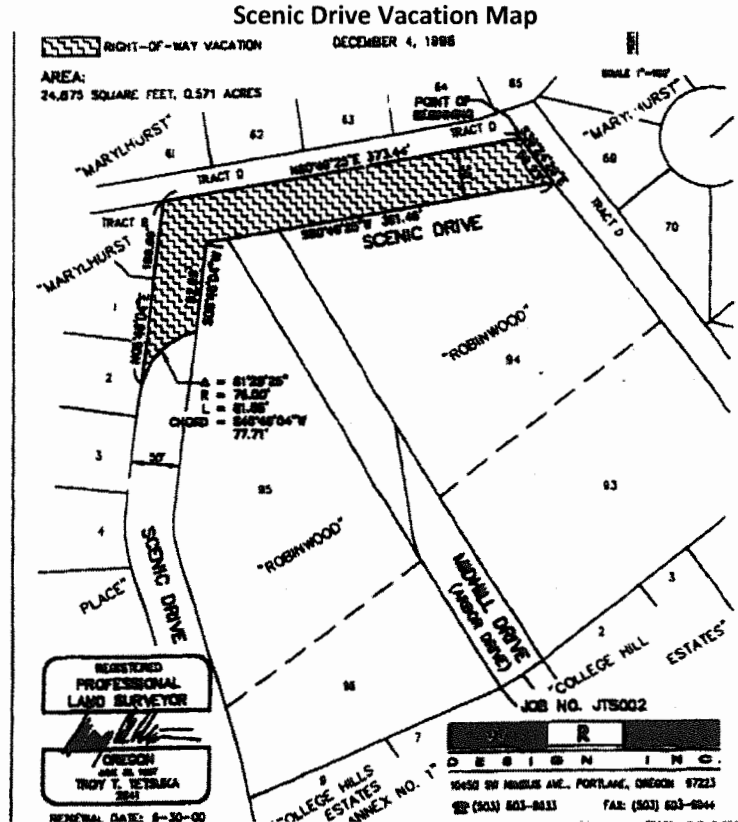
A summary of the information that we wish to submit into the record has been provided below:

Double Fronted Lots

The Commission expressed concern in approving the proposed application due to the lot configuration which would be created on the adjoining property to the west through the proposed improvements to Hillside Drive. The lots that would share two frontages are located within the City of Lake Oswego between Woodhurst Place and Hillside Drive.

We believe that it is important to understand the context within which these adjoining lots were created and to understand the City's previous actions related to the current configuration of Hillside Drive. The Marylhurst Place Subdivision Plat was approved by the City of Lake Oswego in 1995. It is our understanding that the Marylhurst Place Subdivision was approved with lots adjacent to Hillside Drive in order to prevent any potential for future connectivity between the City of West Linn and Lake Oswego.

Hillside Drive (shown on the map below as Scenic Drive) was initially created and platted in 1923 as part of the original Robinwood Subdivision Plat. In 1999, the City of West Linn's City Council approved a request to vacate a portion of Scenic Drive in order to allow for the development of the site with the Hidden Grove Townhomes, an application which was approved by the City in 2001. The Hidden Grove Townhome Application proposed to retain a portion of Hillside Drive in its existing configuration because the road layout then, as now, is appropriate to overcome specific disadvantages of topography and orientation. A map of the vacation area is shown below:



The map clearly shows that the Hillside vacation left a portion of the existing Hillside right-of-way in place, in anticipation of development of the subject property after the Marylhurst Place lots were created. Within the vacation ordinance, the City Council clearly found this configuration to be acceptable. The commission also found that the owners of the adjoining lots along Woodhurst had not objected to the street's vacation and reconfiguration. The Council unanimously approved the Vacation Ordinance.



The City's code regarding double fronted lots reads as follows:

5. Double frontage lots and parcels. Double frontage lots and parcels have frontage on a street at the front and rear property lines. Double frontage lots and parcels shall be avoided except where they are essential to provide separation of residential development from arterial streets or adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. A planting screen or impact mitigation easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

The City's staff report reviewed the application against these criteria and concluded as follows:

"There are double frontage lots in the City of Lake Oswego between Woodhurst Place and Hillside Drive that are adjacent to this subdivision. They are not part of this application."

The Applicant agrees with this finding but would add that the configuration for the lots in question and the configuration for Scenic Drive, have been contemplated at length by the City and have been determined to be acceptable within their current configuration.

As the existing sections of Hillside are platted public roadways under the jurisdiction of the City of West Linn, any Applicant seeking to subdivide or develop the land adjacent to these rights-of-ways is required to provide frontage improvements. Section 85.200.A of the City's Community Development Code states within paragraph three that:

"Internal streets are the responsibility of the developer. All streets bordering the development site are to be developed by the developer with, typically, half-street improvements or to City standards prescribed by the City Engineer."

The Applicant's proposal to improve an existing street along the project's border is consistent with the City's Approval Criteria for subdivision.

Adequacy of Public Facilities

The issue of adequate public facilities within the site's vicinity was raised by the project's neighbors and also discussed by members of the Planning Commission. The code specifies that approval criteria for street improvements generally apply only to streets within or abutting the subdivision. CDC 85.200.A.1. ("Internal streets are the responsibility of the developer. All streets bordering the development site are to be developed by the developer with, typically, half-street improvements or to City standards prescribed by the City Engineer.") CDC 200 A.4. ("The decision-making body shall consider the City Engineer's recommendations on the desired right-of-way width, pavement width and street geometry of the various street types within the subdivision...." CDC 85.200.A.10 ("Additional right-of-way for existing streets. Wherever existing street rights-of-way adjacent to or within a tract are of inadequate widths based upon the standards of this chapter, additional right-of-way shall be provided at the time of subdivision or partition."))

With respect to improvements for off-site streets that do not abut the development, CDC 85.200.A.22 delegates the determination of proportional off-site improvements “to the City Manager or the Manager’s designee based on the transportation analysis to mitigate off-site impacts of the subdivision. However, while site improvements are typically limited to a subdivision’s internal and abutting streets, and off-site improvements are limited to the City Manager’s determination of mitigation of proportional impacts, the Applicant recognizes that redevelopment and/or City initiated improvements to the local roadways surrounding the project are likely to take many years to complete.

In the interest of providing benefit to the neighborhood and ensuring that the circulation system surrounding the site is safe and efficient for both existing and future residents, the Applicant has proposed to complete the following off-site improvements in addition to those identified by the City Manager based on review of the transportation study

Along Arbor Drive:

Sidewalks do not exist along Arbor Drive between Upper Midhill and Highway 43. The Applicant would accept a condition of approval requiring the construction of a sidewalk along the northern side of Arbor Drive. It should be noted that much of the area required for sidewalk construction is located within the right-of-way but would require the removal of significant stands of existing mature vegetation which is being used for screening purposes. A map of this area is shown below:

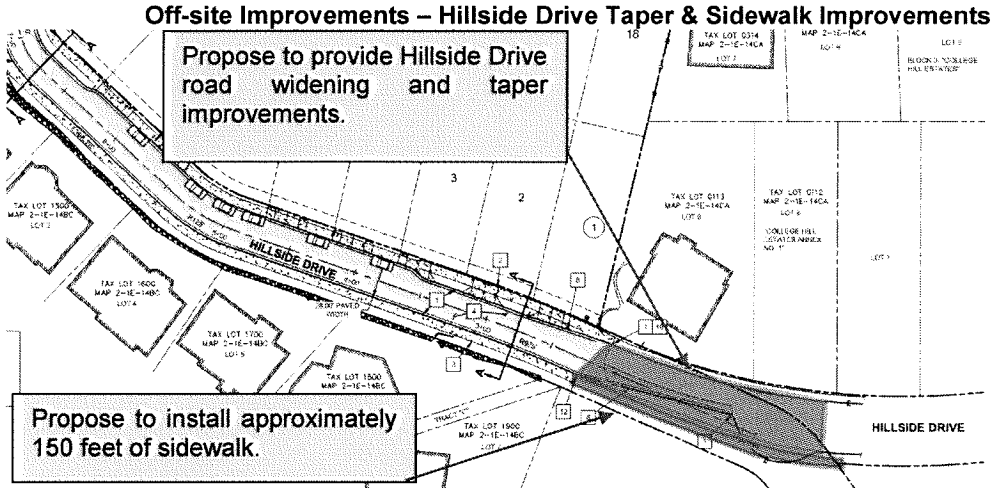
Off-site Improvements – Upper Midhill Drive | Arbor Drive Sidewalk (Source: Google Earth)



Along Hillside Drive:

The Applicant had initially proposed limited improvements along Hillside drive to connect a narrow portion of an existing street to the newly improved portions of Hillside. The Applicant now proposes

to extend the pavement from the site by approximately 150 feet further south along Hillside in order to provide a more standard paved width. Two maps showing these improvements are shown below:



Along Upper Midhill:

Between Arbor drive and the site's extension of Upper Midhill the roadway is quite wide however there are some gaps between sidewalks, particularly at the southern end as the road approaches Arbor. If the Applicant is conditioned to provide sidewalks along Arbor Drive, a connection between the end of the sidewalk along the eastern side of Upper Midhill should also be provided to connect

to the end of the new sidewalk along Arbor. The portion of the sidewalk to be improved is shown wrapping around the corner on the exhibit showing the improvements to Arbor.

Bus Stop

Several comments were made during the public hearing which referenced the student population area and the safety of the areas bus routes. In recognition of these concerns, the Applicant would be willing to accept a condition of approval requiring the installation of a Bus Stop Shelter at a location which is acceptable to the City's Engineer and the West Linn/Wilsonville School District.

The Applicant's proposed off-site improvements are significant in that nearly than 1000 linear feet of off-site improvements could be completed. The proposed off-site sidewalk improvements, while contributing to pedestrian safety within the neighborhood, may be regarded to be extremely disruptive within the neighborhood as reconstruction of several existing driveways would be required as would the removal of several significant stands of existing vegetation. The dedication of additional right-of-way to complete these improvements does not appear to be necessary.

If the commission wished to incorporate these improvements as conditions of approval, the Applicant would request that the design of the improvements be subject to the review of the City Engineer and that the value of these improvements be eligible for System Development Charge Credits.

Conclusion

The Applicant appreciates the Commission's consideration of this request for reopening of the record for the Chene Blanc Subdivision and appreciates the Commission's thorough review of the issues presented in the Application. The applicant requests the opportunity to speak to the commission tonight regarding this request to reopen the record and to answer any questions about the request. The applicant recognizes that if the record is reopened, there would be another hearing date set with notice to surrounding neighbors so that they could respond to any new evidence that the commission accepts. The applicant would agree to again extend the time for final decision to accommodate that additional hearing.

Most Sincerely,



Andrew Tull
Principal Planner
3J Consulting, Inc.

Attached: Vacation Ordinance 99-114675
Map Showing Other Double Fronted Lots within the City of West Linn

Copy: Ms. Megan Thornton, Assistant City Attorney
Mr. John Boyd, City of West Linn
Mr. Peter Spir, City of West Linn
Mr. Ryan Zygar, Tieton Homes, LLC
Mr. David Noren, Attorney
Mr. Aaron Murphy, PE, 3J Consulting, Inc.



15P
75
10
75

AFTER RECORDING, RETURN TO:
PATRICIA A. RICH
ADMINISTRATIVE STAFF ASSISTANT
CITY OF WEST LINN
22500 SALAMO ROAD
WEST LINN, OR 97068

ORDINANCE 1430
WEST LINN, OREGON

AN ORDINANCE VACATING A PORTION OF SCENIC DRIVE WITHIN THE CITY OF WEST LINN, OREGON.

WHEREAS, on November 23, 1998, the West Linn City Council initiated the vacation of a portion of Scenic Drive, West Linn, Oregon, as more particularly described in the attached Exhibit A, pursuant to ORS 271.130; and

WHEREAS, the City Council called for a public hearing on the proposed vacation of Scenic Drive to be held on January 25, 1999; and

WHEREAS, after publication and posting of notice in accordance with the requirements of ORS 271.110, the City Council opened a public hearing on the vacation of Scenic Drive on January 25, 1999 and continued the public hearing on February 8, 1999 and deliberated on the matter on February 22, 1999; and

WHEREAS, the City Council had made the findings in the attached Exhibit B, which the City Council expressly adopts and incorporates into this ordinance; and

WHEREAS, the City Council has concluded, based on the findings, that all requirements of ORS 271.130, including the notice requirements of ORS 271.110, for the vacation of the portion of Scenic Drive have been met, and expressly determines that the majority of the property owners affected by the street vacation have not objected to the proposal and that the proposed street vacation will not substantially affect the market value of abutting properties; NOW, THEREFORE;

THE CITY OF WEST LINN ORDAINS AS FOLLOWS:


Section 1: The portion of Scenic Drive, a public street, described in the attached Exhibit A, in the City of West Linn, Clackamas County, Oregon, is hereby vacated subject to the following condition:

This ordinance shall not become effective until, and the actions required by ORS 271.140 and 271.150 shall not be taken until, a land use application is approved through final appeal that substantially relies upon the street vacation areas as approved. Minor modifications to the street alignments in the land use application shall be deemed to satisfy this condition of approval. If land use approval had not

been obtained by December 31, 2002, this ordinance shall be void unless prior to that date it is extended by motion of the City Council. The motion of the City Council shall extend the December 31, 2002 date to a new date certain. Amendment of this ordinance shall not be necessary to accomplish this change of date.

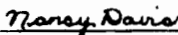
Section 2: The findings supporting the vacation of Scenic Drive, attached hereto as Exhibit B, are hereby adopted by the City Council.

PASSED AND APPROVED this 15th day of March, 1999.



Mayor

ATTEST:



Witness

jmc/csm/96030/scenic/vac.or1(3/99)

01

EXHIBIT A Page 1

Scenic Drive

STREET VACATION
PORTION OF SCENIC DRIVE, PLAT OF "ROBINWOOD"
JOB. NO.: JTS002
DECEMBER 4, 1998

LEGAL DESCRIPTION:

A STRIP OF LAND 50 FEET IN WIDTH BEING A PORTION OF SCENIC DRIVE, PLAT OF "ROBINWOOD", CLACKAMAS COUNTY SURVEY RECORDS, LOCATED IN THE GABRIEL WALLING DLC NO. 63 AND IN THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON, SAID STRIP OF LAND DESCRIBED SPECIFICALLY AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY NORTHEAST CORNER OF SAID PLAT OF "ROBINWOOD", SAID POINT ALSO BEING THE RE-ENTRANT CORNER TO TRACT "D", PLAT OF "MARYLHURST", SAID COUNTY SURVEY RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID PLAT OF "ROBINWOOD" AND THE WESTERLY LINE OF SAID TRACT "D" SOUTH $38^{\circ}24'28''$ EAST, 66.23 FEET TO THE NORTHEAST CORNER OF LOT 94 OF SAID PLAT OF "ROBINWOOD"; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 94 AND LOT 95 OF SAID PLAT SOUTH $80^{\circ}49'25''$ WEST, 361.48 FEET TO THE NORTHWEST CORNER OF SAID LOT 95; THENCE ALONG THE WESTERLY LINE OF SAID LOT 95 SOUTH $06^{\circ}48'04''$ WEST, 82.88 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; THENCE LEAVING SAID WESTERLY LINE ALONG THE ARC OF A 78.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF $61^{\circ}28'25''$ (THE LONG CHORD BEARS SOUTH $48^{\circ}48'04''$ WEST, 77.71 FEET) A DISTANCE OF 81.88 FEET TO A POINT ON THE WESTERLY LINE OF SAID PLAT OF "ROBINWOOD" AND THE EASTERLY LINE OF LOT 2, PLAT OF "MARYLHURST PLACE", SAID COUNTY SURVEY RECORDS; THENCE ALONG SAID WESTERLY LINE, SAID EASTERLY LINE OF LOT 2 AND THE EASTERLY LINES OF LOT 1 AND TRACT "B" OF SAID PLAT OF "MARYLHURST PLACE" NORTH $06^{\circ}48'04''$ EAST, 189.89 FEET TO THE NORTHERLY LINE OF SAID PLAT OF "ROBINWOOD" AND THE SOUTHERLY LINE OF SAID TRACT "D"; THENCE ALONG SAID NORTHERLY AND SOUTHERLY LINE NORTH $80^{\circ}49'25''$ EAST, 373.44 FEET TO THE POINT OF BEGINNING.

CONTAINS 24,876 SQUARE FEET OR 0.571 ACRES, MORE OR LESS.




EXHIBIT A Page 2 Scenic Drive

EXHIBIT MAP

FOR A STREET VACATION
 A PORTION OF SCENIC DRIVE, PLAT OF "ROBINWOOD"
 LOCATED IN THE GABRIEL WALLING DLC NO. 83
 AND IN THE SW 1/4 OF SECTION 14,
 IN T 2 S, R 1 E, WILLAMETTE MERIDIAN
 CITY OF WEST Linn
 CLACKAMAS COUNTY, OREGON
 DECEMBER 4, 1998

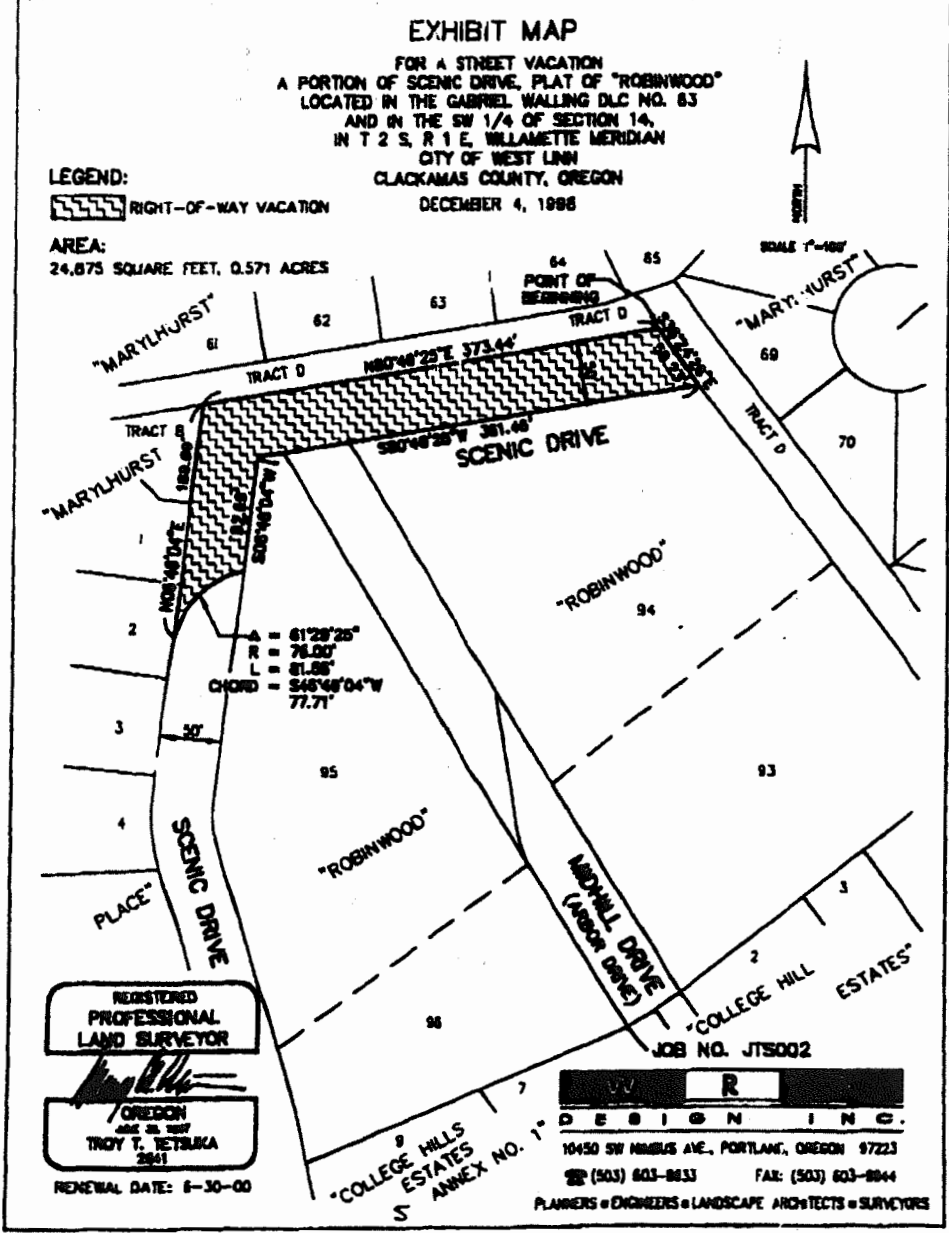
LEGEND:

 RIGHT-OF-WAY VACATION

AREA:

24,875 SQUARE FEET, 0.571 ACRES

SCALE 1"=100'



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Troy T. Tetsuka
 OREGON
 AND IN 1997
 TROY T. TETSUKA
 2861

RENEWAL DATE: 6-30-00

W R
DESIGNING INC.

10450 SW Nimbus Ave., PORTLAND, OREGON 97223
 ☎ (503) 603-8833 FAX: (503) 603-8844

PLANNERS • ENGINEERS • LANDSCAPE ARCHITECTS • SURVEYORS

EXHIBIT B

BEFORE THE CITY COUNCIL OF WEST LINN, OREGON

In the matter of a City Council initiated)	Findings of Fact and Conclusions of
vacation of Upper Midhill Drive and)	Law
Scenic Drive, both City of West Linn,)	
Oregon streets, pursuant to ORS 271.130)	City of West Linn File Nos. MISC
)	98-50 (Upper Midhill Drive) and
)	MISC 98-54 (Scenic Drive)

I. PROCEDURAL STATUS

A. Request to Initiate Street Vacations.

The City Council received a request from the J.T. Smith Companies on October 12, 1998 to initiate street vacations pursuant to ORS 271.130 of unimproved portions of Scenic Drive and Upper Midhill Drive. The City Council considered the request on its November 23, 1998 consent agenda (Agenda Bill 98-11-09 and Agenda Bill 98-11-10). The agenda bills stated that the City Council would set a public hearing date of January 25, 1999 for the street vacations. Counselor John Jackley moved to approve the consent agenda and Counselor Burch seconded the motion which carried by a vote of 4-0.

B. Public Hearings on the Street Vacations.

The West Linn City Council opened the public hearing on the street vacations on January 25, 1999 and continued it until February 8, 1999. No person objected to the continuance. ORS 271.130(2) allows intersecting street vacations to be considered in one proceeding. The City Council considered both street vacations in one proceeding. No person objected to this procedure.

The City Council opened the public hearing on the street vacations on February 8, 1999. Mayor Thorn announced that each speaker would be limited to five (5) minutes. The Mayor also announced that the public hearing on the street vacations would be combined but that the City Council would take separate votes.

The Mayor described the procedure for the public hearing. The Mayor announced that the City Council would begin with a discussion of its jurisdiction, impartiality of the City Council members and any site visits by City Council members. The staff would provide a report to City Council. Those persons supporting the street vacations would be allowed to testify, followed by those persons opposing the street vacations and concluding with neutral testimony. The Mayor announced that rebuttal would be allowed for those in support.

Mayor Thorn and Counselors Neff and McFarland announced that they had visited the site. No person questioned the Mayor or either counselor on the site visits nor requested an opportunity to rebut any information gained during the site visits. No party challenged the impartiality of the counselors nor the jurisdiction of the City Council to consider the street vacations.

Gordon Howard presented the staff report to the City Council. On the wall before the City Council were colored tax lot maps for each of the street vacations. Mr. Howard described the applicable approval criteria contained in ORS 271.130 as follows:

"(1) The city governing body may initiate vacation proceedings authorized by ORS 271.080 and make such vacation without a petition or consent of property owners. Notice shall be given as provided by ORS 271.110, but such vacations shall not be made before the date set for hearing, nor if the owners of the majority of the area affected, computed on the basis provided in ORS 271.080, object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide."

Mr. Howard explained that the staff found that the street vacation proceedings were properly initiated because they were authorized by 271.080, that the city had given proper notice as required by ORS 271.110, that the owners of the majority of the area affected computed on the basis provided in ORS 271.080 had not objected in writing to the street vacations, that the consent of some but not all of the owners of the abutting property had been obtained and that the market value of the abutting properties for which consent had not been obtained would not be substantially affected by the street vacations.

The City Council heard testimony by those supporting the street vacations and those opposed to the street vacations. At the conclusion of testimony, based on an objection from an opponent, and upon the proponent's waiver of right to rebuttal, the City Council voted to close the public hearing and to continue the street vacations to the February 22, 1999 City Council meeting for deliberation only and a tentative decision.

The City Council considered the street vacations at its February 22, 1999 meeting. Mayor Thorn announced that the public hearings were closed and the City Council was in deliberation. Mr. Howard presented a staff memorandum summarizing six issues but containing no new evidence. No person objected to the inclusion of the February 19, 1999 staff memorandum into the record. Mr. Howard recommended approval of both street vacations.

Counselor Burch disclosed an ex parte contact. He said that Ms. Bell, Ms. Hennessey and others had attempted to show him a sketch of how the City of Lake Oswego interpreted street vacations. The City Council finds that this document was not included in the record before it.

Counselor Burch moved to approve the vacation of a portion of the unimproved right-of-way of Upper Midhill Drive with a condition of approval providing that the street vacation ordinance would not become effective prior to land use approval using the street vacation area through final appeal. Counselor Neff seconded the motion. The motion passed 5-0. ...

Counselor Burch moved to approve the vacation of a portion of the unimproved right-of-way of Scenic Drive with the same condition of approval. Counselor McFarland seconded the motion. The motion passed 5-0. The City Council directed that staff prepare findings for its consideration and adoption at its meeting on March 15, 1999.

C. Content of the Record.

The City Council finds that the record consists of all documents in the Planning Department's street vacation file concerning the initiation of the street vacations, beginning with the applicant's request on October 12, 1998 and the City Council's initiation of the street vacations on November 23, 1998. The record also consists of all documents in the Planning Department street vacation file regarding the public hearings on the street vacations on February 8, 1999 and February 22, 1999, including all documents submitted to and not rejected by the City Council at the public hearing on February 8, 1999 and including the staff memorandum dated February 19, 1999.

II. APPLICABLE APPROVAL CRITERIA

The applicable approval criteria are found in ORS 271.130. These findings describe why the City Council believes that each of the applicable approval criteria for each of the street vacations is satisfied.

A. The City Council Finds That it Properly Initiated the Street Vacations.

ORS 271.130(1) authorizes the City Council to initiate street vacations authorized by ORS 271.080. The City Council finds for the reasons set forth below that these street vacations were authorized by ORS 271.080(2).

B. The City Council Finds That it Caused Notice of the Public Hearings to Be Given as Provided by ORS 271.110.

ORS 271.110 requires that notice of the street vacation hearings be given by publication in the city's official newspaper once each week for two consecutive weeks prior to the hearing. ORS 271.110(2) requires that within five (5) days after the first date of publication of the notice, the city is required to post at or near each end of the proposed street vacation a copy of the notice containing certain information. Further, the first day of publication is required to be not less than fourteen (14) days before the hearing, or no later than January 11, 1999.

The record includes a January 27, 1999 memorandum from Dan Drentlaw, West Linn Planning Director, to the West Linn City Council. The memorandum summarizes the notices of the street vacation hearing.

The City Council finds that the city provided published notice of the street vacation hearing as required by ORS 271.110. The notice of the public hearing on January 25, 1999 was published in the West Linn Tidings on January 7, 1999 and January 14, 1999. The record includes an affidavit of publication by Community Newspapers, Inc., publisher of the West Linn Tidings and signed by Kathy Snyder attesting that publication of a notice of public hearing for January 25, 1999 for the hearing was published on January 7, 1999 and January 14, 1999. The first date of publication was at least fourteen (14) days prior to the first hearing date of January 25, 1999. No person objected to the City Council's continuation of the public hearing from January 25, 1999 until February 8, 1999.

The City Council also finds that the published notices contained the information required by ORS 271.110(1). The statute requires that the notice "describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered."

The published notices describe the ground covered by the City Council initiated street vacations, the date the City Council initiated street vacations and that "oral and written testimony may be submitted to the City Council at the January 25, 1999 hearing. Any objections or remonstrances may be submitted in writing to the City Council . . ." The City Council finds that no person objected to the content or timing of the published notices.

The City Council also finds that proper posting of notice of the hearing was made. ORS 271.110(2) requires within five (5) days after the first date of publication (January 12, 1999), the city was required to post at or near each end of the proposed street vacations a copy of the notice. The City Council finds that the record contains an affidavit of posting by Gordon Howard on January 8, 1999 of four (4) notices. Mr. Howard's affidavit states that he posted the notices at each end of the Scenic Drive street vacation area and at each end of the Upper Midhill Drive street vacation area. The City Council also finds that the record contains a copy of the notice of street vacation hearing for Upper Midhill Drive and Scenic Drive. Further, the City Council finds that posted notices contain the information required by ORS 271.110(2). The statute requires that the notice contain a particular title. In this case, the notices were entitled "Notice of Street Vacation Hearing". The City Council finds that this title satisfies ORS 271.110(2). The City Council finds that no person objected to the content of the posted notices, to their location or to their timing of posting.

C. The owners of a majority of the area affected did not object in writing to the street vacations.

1. Upper Midhill Drive.

ORS 271.080(2) describes the affected area calculation as follows:

"The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted."

The record includes a map depicting the area of Upper Midhill Drive proposed to be vacated, the affected area calculated pursuant to ORS 271.080(2) and a legal description of the area proposed to be vacated. The City Council finds for the reasons described below that less than fifty (50) percent of the affected area property owners have remonstrated in writing against the street vacation of Upper Midhill Drive.

The City Council has proposed to vacate Upper Midhill Drive to its northern terminus where it intersects with Scenic Drive. The affected area is extended 200 feet on either side of the portion of Upper Midhill Drive proposed to be vacated. The City Council finds this includes property in the Marylhurst Subdivision and Tax Lots 14CA-200W and 14CA-200E.

The affected area also includes 200 feet on either side of the street for 400 feet along the street's southerly course beyond the part proposed to be vacated. This area includes tax lots 14CA-200W and 14CA-200E and lots in the College Hill Estates Subdivision.

The affected to the north of the terminus of Upper Midhill includes only "the land embraced in an extension of the street for a distance for 400 feet" beyond the terminus. This affected area includes land within an open space tract owned by the Marylhurst Subdivision Homeowner's Association and lots within the Marylhurst Subdivision.

Based on this description above, the City Council finds that it has not received written remonstrances from the owners of more than fifty (50) percent of the affected area. Therefore, the City Council finds that the affected area requirement for the Upper Midhill Drive street vacation is satisfied.

The City Council finds that it has correctly interpreted the affected area requirement in ORS 271.080(2) with respect to the area north of the terminus of Upper Midhill Drive. The City Council finds that ORS 271.080(2) is ambiguous and can be read several ways. However, the City Council finds that the better reading of this portion of ORS 271.080(2) is that when a street is proposed to be vacated to its termini (including a terminus), the affected area includes only the extension of the street for 400 feet beyond the terminus. The City Council finds that the statute is properly read in this way because the statute separately describes how to calculate the affected area when a street is proposed to be vacated to its termini and when it is not to be proposed to be vacated to its termini. In the event of a proposed vacation not to the termini of the street, the 400 foot extension along the street's course is called for in the statute and includes the 200-foot lateral distance along the 400 foot extension. The City Council finds that the phrase "shall also be counted" is properly read to mean that when a street is vacated to its termini or terminus, because the course of the street cannot be followed, then the street area is extended for the affected area calculation but without the 200 foot lateral distance. The City Council notes that the evidence before it shows that the City of Portland follows this interpretation. Finally, the City Council finds that the land beyond the terminus of Upper Midhill Drive has access to streets in the City of Lake Oswego and that access is unaffected by this street vacation.

The City Council finds that the unvacated portion of Scenic Drive to the west of Upper Midhill Drive is not a "parallel" street of Upper Midhill Drive. Nevertheless, the City Council finds that the affected area controlled by opponents to the street vacations is approximately 100,000 square feet. Because the Hidden Grove project property owners control approximately 180,000 square feet of the affected area, the City Council finds that it has not received written remonstrances for more than fifty (50) percent of the owners of the affected area.

Further, the City Council finds that the written remonstrances it has received from owners of property within the affected area are inadequate. The City Council finds that ORS 271.130(1) requires that the owners of a majority of the area affected object in writing to the street vacation. The City Council believes that evidence of ownership, such as a tax statement or the latest county tax assessment roll, or a remonstrance of an owner notarized before an officer authorized to take acknowledgment of deeds, is required. In this case, the City Council has before it several types of written remonstrances. The first type is petitions addressed to Mayor Jill Thorn and members of the City Council from residents of the College Hill Estates Subdivision. While the petition states that the signers are "real property owners", the petition signatures contain no acknowledgment, no evidence of ownership, or any other objective basis on which the City Council could definitively conclude that the signers are owners of property in the affected area.

The record also includes letters from residents in Lake Oswego. The letters state that the signers are "owners" of particular tax lots. As with the petitions, the letters are not acknowledged and contain no objective evidence that the persons signing them are owners. The City Council finds that the burden of proof in ORS 271.130(1) is upon objectors to the street vacation. Because substantial evidence in the record demonstrates to the City Council that a majority of owners of the affected area have not objected in writing, the City Council finds that this criterion for Upper Midhill Drive is satisfied.

2. Scenic Drive.

The record contains a map showing the area of Scenic Drive proposed to be vacated and its affected area. Scenic Drive is proposed to be vacated to its eastern terminus. The Council calculates the affected area beyond the terminus in the same manner and for the same reasons that it calculated the affected area beyond the terminus of Upper Midhill Drive. The affected area north of Scenic Drive extends to Brookhurst Drive, a parallel street. The affected area west of Scenic Drive extends to Woodhurst Court, a parallel street. For the reasons explained in the February 19, 1999 staff report in the record, the City Council finds that less than a majority of the owners of the affected area for Scenic Drive have objected in writing to the street vacation.

The City Council rejects the opponents' argument that Brookhurst Drive and Woodhurst Court are not parallel streets to the Scenic Drive vacation. ORS 271.080(2) provides that the lateral distance of the affected area shall extend for 200 feet but not beyond a parallel street. Brookhurst Drive is parallel to the north of Scenic Drive. Woodhurst Place is parallel to the west of Scenic Drive. Both streets provide access to the residential lots within the affected area. Both streets run generally along the Scenic Drive right-of-way and do not intersect with it. The City Council does not believe that mathematical precision is required to find that a parallel street cuts off the 200-foot lateral distance and, in this case, both Brookhurst Drive and Woodhurst Place are improved streets which are parallel to Scenic Drive. The Council interprets the parallel street limitation in ORS 271.080(2) to mean that the Legislature intended that the area affected is to include land to which access may be affected by the proposed street vacation. In construing the statute in this case, the area affected is only extended to the north and west to the next street that provides access to the lots. All land to the north and west that abuts Brookhurst Drive and Woodhurst Court has access to those streets, and the land beyond those streets also has access that will be unaffected by this street vacation.

D. The Market Value of Abutting Property Will Not Be Substantially Affected by the Street Vacations.

1. Upper Midhill Drive.

The only abutting properties to the vacation of Upper Midhill Drive are tax lots 14CA-200W and 14CA-200E. The City Council finds that these abutting property owners have not objected to the street vacation. For this reason, the City Council finds that this criterion for the vacation of Upper Midhill Drive is satisfied.

2. Scenic Drive

Scenic Drive contains four (4) abutting properties. The first abutting property is Tract "D" in the Marylhurst Subdivision. No residential lots in the Marylhurst Subdivision abut Scenic Drive. The record contains evidence that Condition of Approval 5 on the recorded plat for Marylhurst Subdivision requires Tract "D" to be maintained as open space. Further, Condition of Approval 17 on the plat for Marylhurst Subdivision provides that Tract "D" is owned by the Marylhurst Subdivision Homeowner's Association. The City Council finds that Tract "D" has no market value since it must be maintained as private open space. The City Council makes this finding based on the fact that the conditions of approval of the Marylhurst Subdivision require Tract "D" to be maintained as open space and to be owned by the Homeowner's Association. Therefore, it is unlikely and highly speculative that Tract "D" can be conveyed for any use other than open space and, consequently, the City Council finds that it has no market value.

The City Council finds that the burden of proof is on an abutting property owner to demonstrate substantial affect on market value. In this case, the City Council finds that the Homeowner's Association, the owner of Tract "D", has not alleged that the market value would be affected. No other person or entity owns tract "D", so the City Council finds that there is no evidence of a substantial affect on its market value. Additionally, the City Council believes that in the case of substantial affect on market value, the evidence must be related to the loss of access. The City Council relies on a January 13, 1999 memorandum from James M. Coleman of the City Attorney's office.

The other three (3) abutting properties are lots 1, 2 and 3 in the Marylhurst Place Subdivision. These lots are owned by Mr. Art Piculell. Mr. Piculell is the subdivider of the Marylhurst Place Subdivision. The record contains evidence that the Marylhurst Place Subdivision was approved by the City of Lake Oswego in 1995. As part of that subdivision application, Mr. Piculell caused to be submitted a February 11, 1995 memorandum to the City of Lake Oswego. The memorandum states at page 5 that Scenic Drive should be vacated and new roads designed to serve this area. The City Council finds that this is substantial evidence showing that the owner of lots 1, 2 and 3 of the Marylhurst Place Subdivision believes the vacation of Scenic Drive will not have a substantial affect on the market value of those lots.

Finally, the City Council finds that the record contains a letter dated February 8, 1999 from Mark Crandall. Mr. Crandall states that in his professional opinion, the proposed Scenic Drive street vacation will not substantially damage the property owners abutting the portion of the street proposed to be vacated. The City Council finds that this is substantial evidence to support its findings that the value of the properties abutting Scenic Drive will not be substantially affected.

For the reasons described above, the City Council finds that the consent of owners of abutting properties is not required because the vacation of Scenic Drive will not substantially affect the market value of the abutting property.

B. The Public Interest Will Not Be Prejudiced.

The City Council finds that ORS 271.120 is not applicable to a City Council initiated street vacation. However, the City Council finds that if this statute were applicable, the public interest will not be prejudiced by the vacation of Upper Midhill Drive and Scenic Drive. The City Council finds that both streets were platted in 1923. The platting did not take into account the topography of the area, but rather followed lot lines. Since that time, political boundaries have changed, the opportunity for extension of these streets to the north, west and east has been foreclosed, by development approved by the City of Lake Oswego, and the streets are no longer needed for a public street purpose, at least in their present configuration. The City Council finds that with an appropriate condition of approval as described below, it is appropriate to vacate a portion of these unimproved rights-of-way.

The City Council finds that the following Condition of Approval will address the opponents' concern that the streets might be vacated for no reason if the Hidden Grove land use application is not approved. Notwithstanding the fact that the City Council finds that the land use application has no bearing on the applicable approval criteria for the street vacations, the City Council desires to impose this condition of approval. The condition of approval shall substantially provide as follows:

"The Upper Midhill Drive and Scenic Drive street vacation ordinances adopted by the West Linn City Council shall not become effective until, and the actions required by ORS 271.140 and 271.150 shall not be taken until, a land use application is approved through final appeal that substantially relies upon the street vacation areas as approved. Minor modifications to the street alignments in the land use application shall be deemed to satisfy this condition of approval."

III. CONCLUSION

For the reasons contained herein and based on the substantial evidence before it, the West Linn City Council hereby approves the vacations of the described portions of Upper Midhill Drive and Scenic Drive subject to the condition of approval above.

Dated: March 15, 1999.

JILL THORN, Mayor

jml/asm/98030/streets/vacillgs.42(1/3/99)

CERTIFICATION OF PUBLIC RECORD
OF THE CITY OF WEST LINN, OREGON

I, Nancy L. Davis, hereby certify that I am the duly appointed, qualified,
and acting Custodian of Records of the City of West Linn, Oregon; and

I further certify that the attached photocopy of Ordinance No. 1430, an
ordinance vacating a portion of Scenic Drive within the City of West Linn,
Oregon, passed and approved the 15th day of March 1999 is a true and correct
copy of said ordinance, consisting of 14 pages.

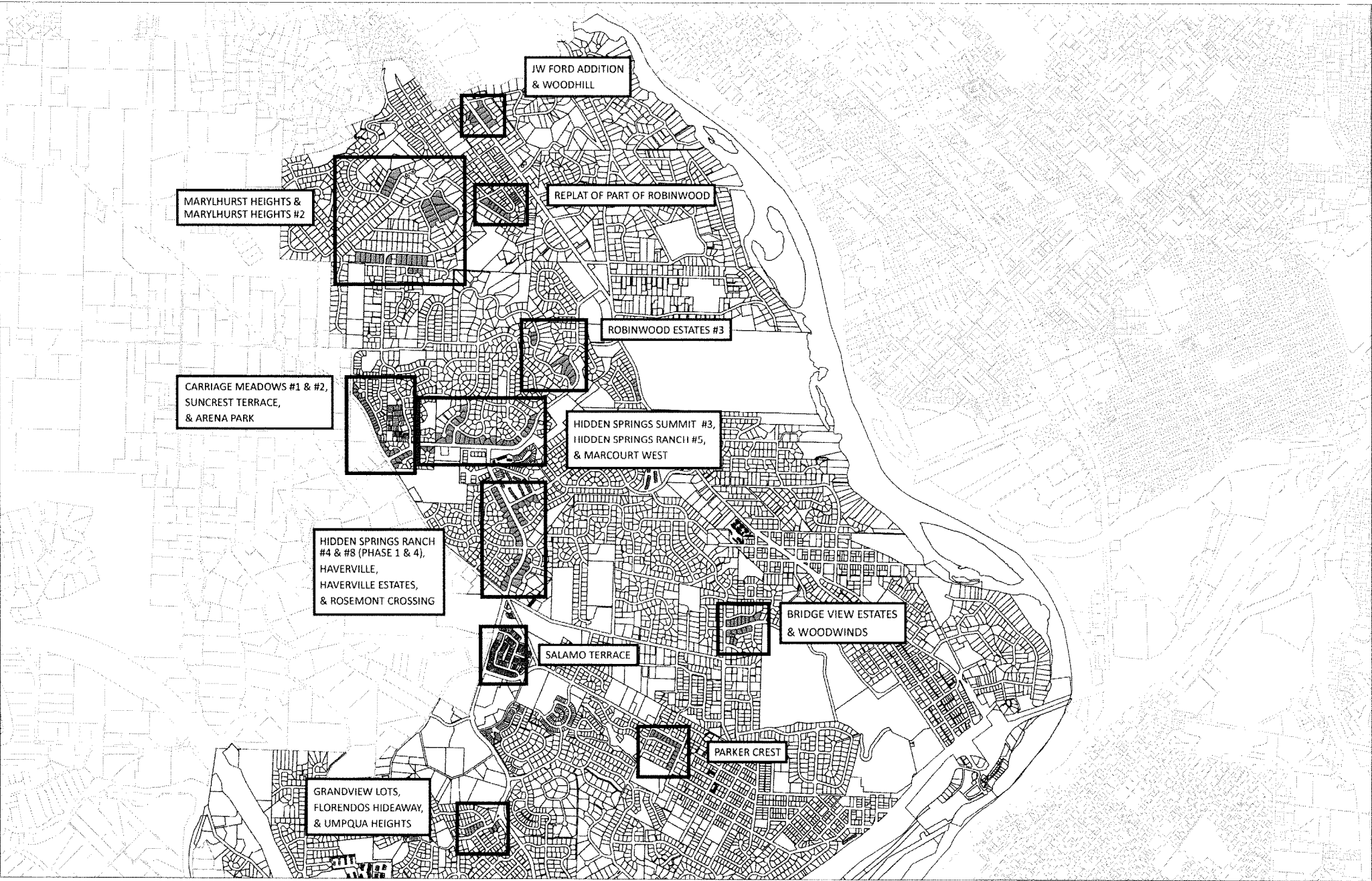
Witness my hand and the Seal of the City of West Linn, Oregon, this 14th
day of December, 1999.

Nancy L. Davis

Nancy L. Davis, Custodian of Records

15

STATE OF OREGON 99-114675
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 104483 \$135.00
DATE AND TIME: 12/14/99 11:25 AM
JOHN KAUFFMAN, COUNTY CLERK



JW FORD ADDITION
& WOODHILL

MARYLHURST HEIGHTS &
MARYLHURST HEIGHTS #2

REPLAT OF PART OF ROBINWOOD

ROBINWOOD ESTATES #3

CARRIAGE MEADOWS #1 & #2,
SUNCREST TERRACE,
& ARENA PARK

HIDDEN SPRINGS SUMMIT #3,
HIDDEN SPRINGS RANCH #5,
& MARCOURT WEST

HIDDEN SPRINGS RANCH
#4 & #8 (PHASE 1 & 4),
HAVERVILLE,
HAVERVILLE ESTATES,
& ROSEMONT CROSSING

SALAMO TERRACE

BRIDGE VIEW ESTATES
& WOODWINDS

PARKER CREST

GRANDVIEW LOTS,
FLORENDOS HIDEAWAY,
& UMPQUA HEIGHTS