



CITY OF West Linn

Memorandum

Date: October 9, 2019

To: West Linn Planning Commission

From: Jennifer Arnold, Associate Planner

Subject: Planning Commission Request for Information for SUB-18-04 (12-lot Subdivision at 22870 Weatherhill Road)

On September 18, 2019 the West Linn Planning Commission re-opened the public hearing, received new information from the applicant and continued the public hearing to October 16, 2019. The record was left open for members of the public and the Public Works Department to review the new information and to submit any comments subject to the following deadlines:

- ✓ Public comments and/or Public Works comments by **September 25, 2019**
- ✓ Public comments and/or Public Works comments by **October 2, 2019**
- ✓ Applicant rebuttal and final comments by **October 9, 2019**

On October 9, 2019 Staff received the final rebuttal and comments from the applicant (see attachment).

Attachments:

- Applicant's Final Comments

EMERIO *Design*

CIVIL ENGINEERS & PLANNERS

DATE: 10-9-2019

**PROPERTY OWNER/
DEVELOPER:**

22870 Weatherhill, LLC
%Partnership Administrator: Rod Friesen
12810 SW Morningstar Dr.
Tigard, OR 97223
Ph.: (971) 235-3314
E-mail: rod.friesen@frontier.com

**CIVIL ENGINEER,
PLANNING &
SURVEYOR:**

Emerio Design, LLC
Attn: Steve Miller
6445 SW Fallbrook Pl., Suite 100
Beaverton, OR 97008
(541) 318-7487
E-mail: stevem@emeriodesign.com

REQUEST: Approval of 12-Lot Subdivision in the R-7 zone.

SITE

LOCATION: 22870 Weatherhill Rd.

ZONING: Single-Family Residential Detached (R-7), City of West Linn, Oregon

SITE SIZE: 2.56 Acres

LEGAL DESCRIPTION: Tax Map 2S1E35B, Tax Lot 405

Re: Application for 12-Lot Residential Subdivision City File No. SUB-18-04 – Applicant's Rebuttal to written comments

Dear Chair, Walvatne and Members of the West Linn Planning Commission:

During the September 18, 2019 continued West Linn Planning Commission hearing, the Planning commission re-opened the public hearing, received written and oral testimony from the applicant and then continued the public hearing to October 16, 2019. Aside from the applicant's testimony at the continued hearing, no members of the public provided written or oral testimony on the application. As part of the continued hearing process, the Planning Commission left the

written record open for members of the public and the City's Public Works Department to review the new information and to submit any comments subject to the following deadlines:

- Public comments and/or City Public Works comments by September 25, 2019
- Public comments and/or City Public Works comments by October 2, 2019
- Applicant rebuttal and final comments by October 9, 2019

By the close of the first comment period (September 25, 2019), City Staff received five (5) written comments from members of the public. Of the five (5) letters received by City Staff, only one (1) couple (i.e. Rob and Kristy Musalo) attended the first Planning Commission hearing, but they did not provide oral testimony at the hearing. City Staff received one (1) additional letter during the second public comment period ending on October 2nd. None of the six (6) commenters attended the continued hearing held on September 18, 2019. This is significant because all of their concerns expressed in their written testimony were addressed in detail during these important public meetings.

Before addressing the issues raised in the six (6) letters received by Staff, the applicant would like to first denounce the letter provided by Victoria Steele Keller. First, Mrs. Keller notes that she moved to West Linn 14 years ago to avoid living in subdivisions similar to the one being proposed by the applicant, yet that is exactly what she did. Mrs. Keller lives in the Weatherhill Subdivision (i.e. 2101 Satter St.), which was final platted July 9, 2015, on a 7,056 square foot lot (See Exhibits A – Weatherhill Plat and B – Assessor Map). If lot sizes less than 10,000 square feet have a negative effect on property values as noted by Mrs. Keller in her written testimony, then one must ask themselves why would Mrs. Keller move into a brand-new subdivision with an average lot size of 7,674 square feet. The reason is because there is no information to substantiate her claim or else she would have referenced it in her letter.

Second, Mrs. Keller states that she is a "Real Estate Appraiser"; however, when performing a background check on Mrs. Keller, it was discovered that she is actually the owner of a home staging business – Furnish Home Staging (See Exhibit C – Mrs. Keller's LinkedIn page).

In Oregon, the [Appraiser Certification and Licensure Board \(ACLB\)](#) supervises appraiser licensing and enforcement. In Oregon the three levels of real estate appraiser are:

- The **Licensed Residential Appraiser** - which has restrictions on the value and complexity of homes that can be appraised. Consequently, it can be difficult to find work at this level.
- The **Certified Residential Appraiser** - which should be the goal for all home appraisers. This certification allows appraisals of all complex and noncomplex residential real estate up to four units (e.g. single family, duplex, triplex, and four-plex), and up to any value.
- The **Certified General Appraiser** - which allows appraisal of all types of real estate (e.g. commercial, retail, office, industrial, apartments, farms, etc.). An appraiser with this certification level usually specializes in one or two areas of real estate.

To become a Certified Residential Appraiser in Oregon one must have a Bachelor's Degree, must pass 200 hours of qualifying appraiser-specific education with exams, accumulate 2,500 hours of experience over a minimum of two years as a Registered Appraiser Assistant, and pass a four-hour comprehensive exam.

Given the substantial amount of time, energy, and commitment it takes to become a Certified Residential Appraiser in Oregon, it's reasonable to believe that a person would acknowledge this achievement on their LinkedIn page since its sole purpose is to "link" up professionals in their respective fields. However, the only professional experience, licenses, and/or certifications Mrs. Keller notes on her LinkedIn page is home staging – Furnish Home Staging (2011 – present/8 years) and Home Staging Certification.

Providing false and/or misleading information to support her testimony is not only disrespectful of the Planning Commission, but it undermines the entire public process, which relies on truths and facts. For these reasons, the applicant respectfully requests that the Planning Commission disregard the written testimony provided by Mrs. Keller and that it be stricken from the public record.

The remaining five (5) letters all make similar references regarding the condition of Weatherhill Rd., the width of Satter St./De Vries St. in the Weatherhill and Weatherhill Estates Subdivisions, street connections to Weatherhill Rd., and general assumptions regarding future developments in the surrounding area that are not relevant to the applicable approval criteria for the applicant's proposal.

In response to the written comments referencing the condition of Weatherhill Rd., the applicant has already provided extensive professional testimony to the Planning Commission, both written and oral, addressing the proposed subdivisions impacts to Weatherhill Road. As discussed in detail at the public hearings, the applicant will be making a 13-foot right-of-way dedication along the sites Weatherhill Rd. frontage, which will include widening of the roadway to allow for additional paving and sidewalks along the site's frontage. In addition, at the last Planning Commission hearing (9/18/2019), the applicant submitted a letter into the record from Timothy J. Hazen, VP of Operations for the Tanner Springs Assisted Living Facility, noting that the applicant has been in contact with him regarding improvements to Weatherhill Road along their property frontage. Mr. Hazen notes the following: "We are willing to participate in working together on a solution for the Weatherhill Road section that abuts Tanner Spring and the future subdivision being done by Weatherhill Subdivision, LLC (i.e. the applicant). This is significant because it will allow the applicant to make an off-site improvement to Weatherhill Rd. at a "pinch-point" in order to improve sight distance and add pavement to widen the useable roadway surface to a minimum of 18-feet. In addition to these improvements, the City has planned a final lift of asphalt along Weatherhill Road for later this construction season.

In addition to the professional oral and written testimony already provided by the applicant, the Planning Commission requested that the City's transportation engineer, DKS Associates, review the applicant's traffic study for the 12-lot subdivision. As a result of this request DKS submitted a memorandum dated October 2, 2019 into the record addressing the Planning Commission's request. The DKS memorandum states the following: *Based on our review of these materials, the analysis provided, and improvements proposed by the applicant are appropriate for this site and proposed use. The proposed development and improvements would improve the current safety on Weatherhill Road and traffic operations (roadway capacity) would not be significantly degraded and would continue to meet West Linn Standards.* The applicant concurs with the DKS memorandum.

For the following reasons, the Planning Commission should reject each of the opponents' arguments and should approve the Application:

- Applicant will mitigate the traffic impacts associated with the Project consistent with the requirements of the West Linn Community Development Code ("CDC").
- The City may only apply "clear and objective" standards, conditions, and procedures to the Subdivision application because it proposes "needed housing" on "buildable land."
- The R-7 zoning has already been approved by the City Council with the annexation of the property into the City limits by Ordinance No. 1681.
- Potential future development in the surrounding area has no bearing on the applicant's proposal and is not an applicable review criterion.
- A street connection to Weatherhill Rd. through the proposed subdivision is not warranted by code, nor is it viable due topography.

Conclusion:

For all of the foregoing reasons, the Planning Commission should deny the contentions raised by the opponents. Instead, based upon the evidence and arguments presented by Applicant, and the recommendation of City staff, the Planning Commission should approve the Application, subject to the conditions proposed by City staff.

Respectfully,



Steve Miller - Senior Planner/Project Manager
Emerio Design, LLC
6445 SW Fallbrook Place, Suite 100
Beaverton, OR 97008

Attachments:

Exhibit A – Weatherhill Subdivision Plat
Exhibit B – Clackamas County Assessor Map
Exhibit C – Victoria Steele Keller's LinkedIn Page

Exhibit "A"

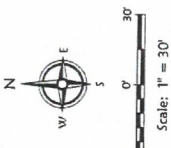
Book 145, Page 016
 Plat 4424

WEATHERHILL

A REPLAY OF PORTIONS OF LOTS 23 AND 24, "BLAND ACRES" (PLAT NO. 304)
 LOCATED IN THE NW 1/4 OF SECTION 35, T.28, R.1E., W.11.
 CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

CITY OF WEST LINN FILE NO. SUB 13-04
 APRIL 22, 2015 SCALE: 1" = 30'

SHEET 1 OF 2



REFERENCE SURVEYS

- P1 "BLAND ACRES" PLAT NO. 304
- P2 "ROCK VIEW ESTATES PHASE 2", PLAT NO. 3499
- R1 S.M. 15723
- R2 S.M. 22224
- R3 S.M. 21029
- R4 S.M. 21029
- R5 S.M. 13037
- R6 S.M. 13037
- R7 S.M. 13037
- R8 S.M. 2011-106

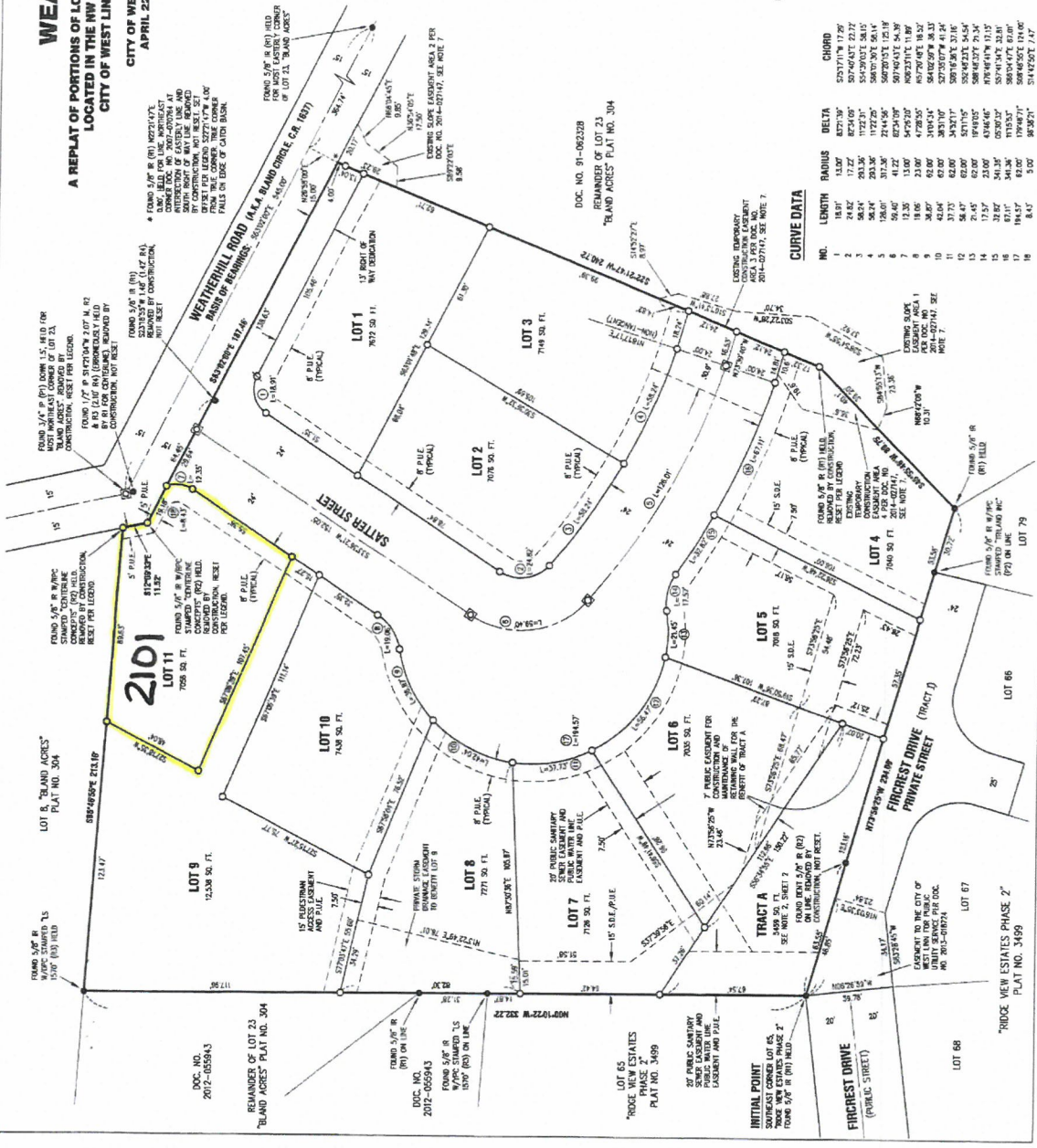
LEGEND:

- O 5/8" DIAMETER BY 30" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS LAND SURVEYORS" SET ON 04/22/2015
- Ø 1-1/8" BRASS DISK STAMPED "COMPASS LL" SET ON 04/22/2015
- ⊗ 5/8" BRASS DISK STAMPED "COMPASS LL" SET ON 04/22/2015
- ⊙ 5/8" BRASS DISK STAMPED "COMPASS LL" SET ON 04/22/2015
- FOUND MONUMENT AS NOTED
- R IRON ROD
- P IRON PILE
- W/PC WITH A YELLOW PLASTIC CAP
- W/PC WITH AN ORANGE PLASTIC CAP
- W/PC WITH A RED PLASTIC CAP
- P EVIDENCE PLAT DIMENSION, SEE REFERENCE SURVEYS
- R DIMENSION RECORD DIMENSION, SEE REFERENCE SURVEYS
- DOC. NO. DOCUMENT NUMBER, CLACKAMAS COUNTY RECORDS
- P.U.L. PUBLIC UTILITY EXAMINATION, SEE NOTE A, SHEET 2
- S.B.L. PUBLIC UTILITY EXAMINATION, SEE NOTE A, SHEET 2

NOTE: THE LOT NUMBERS ARE FROM CURRENT ASSESSOR'S MAPS AND ARE SHOWN FOR REFERENCE ONLY.

PROFESSIONAL
 LAND SURVEYOR
 JEREMY A. MOORE
 JEREMY A. MOORE
 LICENSE NO. 12585

Survey prepared by:
 Compass Land Surveyors
 4107 International Way, Suite 708
 West Linn, Oregon 97146
 Phone: 503.655.9835
 7188 Plough
 DPMRS: 12/21/2016



CURVE DATA

NO.	LENGTH	RADIUS	DELTA
1	11.37'	8271.30'	8271.30'
2	24.82'	11227.31'	11227.31'
3	58.24'	26136.36'	17222.50'
4	58.24'	26136.36'	17222.50'
5	31.25'	22145.95'	22145.95'
6	58.24'	26136.36'	17222.50'
7	12.35'	13100.00'	5429.50'
8	18.06'	23100.00'	4729.55'
9	36.07'	46200.00'	3183.34'
10	36.07'	46200.00'	3183.34'
11	37.73'	62100.00'	5711.75'
12	58.47'	62100.00'	18782.05'
13	71.45'	22100.00'	4316.40'
14	32.37'	54136.36'	17222.50'
15	32.37'	54136.36'	17222.50'
16	18.57'	18437.50'	18437.50'
17	18.57'	18437.50'	18437.50'
18	8.47'	5100.00'	9639.71'

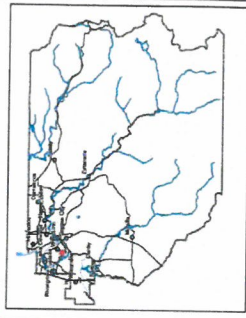
Exhibit "B"

21 E 35BA
WEST LINN
N.E. 1/4 N.W. 1/4 SEC. 35 T. 2S. R. 1E. W.M.
CLACKAMAS COUNTY
1" = 100'

DLC
WILLIAM BLAND No. 55

Canceled Table
311
312
400
401
411

- Property Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- Tax Code Line
- Map Index
- Water Lines
- Land Use Zoning
- Poles
- Water
- Corner
- Section Corner
- Wellbore Line
- Govt. Lot Line
- D.C. Line
- Meander Line
- R.S.S. Section Line
- Historic Corridor 47
- Historic Corridor 20



THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

21 E 35BA
WEST LINN



APR 2018



Victoria Steele Keller

Owner, Furnish Home Staging
West Linn, Oregon · 119 connections

Join to Connect

- Furnish Home Staging**
- Oregon State University**

About

Home Staging has become recognized as one of the most important aspect of home sales. At Furnish Home Staging, our goal is to get your listing sold faster and for the most money.

We stage everything from million dollar custom homes to condos in the Pearl to small and mid-sized single family residences. I believe that even the lower to mid-range homes need the same advantages as the high end homes and I want all listings to shine and I love helping homes sell quickly.

Activity



The power of Staging!
Shared by Victoria Steele Keller

People also viewed



Joan O'Haver
Interior Designer/spaceplanner at Advantage Design Partners



Ana Morales
Independent Business Owner at Unlimited Interior Designs by Ana



Janette Schoelz Falorio
Senior Project Director at Ryan Young Interiors



Samantha Schachtel
Real Estate Staging & Mindfulness Expert, Co Author of Recalculating The GPS for The Soul & Kajabi Business Coach



Ryan Dressel
Owner, Stage Right Design, Inc.



Gina Sgambellone
Territory Manager at ARTERIORS Home & Palecek Design Proudly serving Southern California & Hawaii



Dean Sims
Director at Dean Sims and Associates



Natalie Mathews
Director of Sales- West at Pet Ventures Inc dba Pet 'n Shape



Shaun Sorensen
Territory Manager at Klausner Furniture

Exhibit "C" (214)

Nobel Prize in Chemistry Goes to a Woman for the Fifth Time in History

Liked by Victoria Steele Keller



as raised to t
janitor with
e respect as
CEO."

The true measure of a leader is how they treat their employees, not their equals.

Liked by Victoria Steele Keller

[Join now to see all activity](#)

Experience



Home Staging

Furnish Home Staging

2011 – Present · 8 years

Portland, Oregon and Surrounding Areas

Vacant Home Staging, Apartment and Condominium Model Staging.

Education



Oregon State University

Bachelor's degree · Political Science and Government

1986 – 1991

Activities and Societies: Gamma Phi Beta

Political Science



Rob Marks

Previously - Owner, General Manager at Household Furniture and Appliances - Looking for new opportunities.

Learn the skills Victoria has



Maria Giudice: Design Leadership in Business



Architectural Documentation in Rhino



SketchUp Pro: Kitchen Design

[See all courses](#)

Victoria's public profile badge

Include this LinkedIn profile on other websites



Victoria Steele Keller

Owner: Furnish Home Staging



Home Staging at Furnish Home Staging



Oregon State University

Exhibit "C" (3/4)



People ▾ Victoria

Steele Keller

Join now

Sign in



Oregon State University

Bachelor of Science (BS) · Political Science and Government

1986 – 1991

Activities and Societies: Gamma Phi Beta, Social Chairman

View profile

LinkedIn

View profile badges

Licenses & Certifications



Home Staging Certification

Nationally Recognized Staging Certification Program

Projects

Home Staging

Jan 2012 – Present

[See project](#)

Languages

English

Some Spanish

Exhibit "C" (4/4)

Organizations

Real Estate Staging Association

Member

May 2013 – Present

Interior Design Society

Member

Groups

 **Real Estate Staging Association-National**

 **STAGING & DESIGN NETWORK**

View Victoria Steele Keller's full profile to

- ✓ See who you know in common
- ✓ Get introduced
- ✓ Contact Victoria Steele Keller directly

[Join to view full profile](#)