



CITY OF
West Linn
 PLANNING AND DEVELOPMENT

**STAFF REPORT
 PLANNING MANAGER DECISION**

DATE: March 12, 2020

FILE NO.: LLA-19-07

REQUEST: Lot Line Adjustment (LLA) to adjust a property line between 23000 Horizon Drive and 22915 Weatherhill Road

PLANNER: Jennifer Arnold, Associate Planner

Community Development Director

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GENERAL INFORMATION

OWNER:

Parcel 2

Sequoia Heights
Capital Partners, LLC
1101 Fifth Avenue
San Rafael, CA 94901

Parcel 1

Sterling SC Six LLC
2200 Lucas Valley Road
San Rafael, CA 94903

APPLICANT: Tanner Spring Assisted Living
23000 Horizon Drive
West Linn, OR 97068

CONSULTANT: Tim Young, Emerio Design
6130 NE 78th CT
Portland, OR 97218

SITE LOCATION: 23000 Horizon Drive 22915 Weatherhill Road

SITE SIZE CURRENT: 4.51 ac (196,386 sq. ft.) 3.73 ac (162,405 sq. ft.)

SITE SIZE PROPOSED: 3.28 ac (142,773 sq. ft.) 4.96 ac (216,013 sq. ft.)

LEGAL DESCRIPTION: 21E35B00100 21E35B00101

COMP PLAN DESIGNATION: Medium High Density Residential Medium High Density Residential

ZONING: R-3 R-3

APPROVAL CRITERIA: Community Development Code (CDC) Chapter 15: R-3 Single-Family and Multiple-Family Residential, Chapter 85 General Provisions

120-DAY RULE: The application became complete on January 24, 2020. The 120-day period therefore ends on May 15, 2020.

PROJECT BACKGROUND

The applicant has requested a lot line adjustment between two properties; 23000 Horizon Drive and 22915 Weatherhill Road. The applicant proposes to adjust a common lot line between these two properties, but do not propose to create any additional lots with this application.

Public Comments: No public comments were received by Staff.

DECISION

The Planning Manager (designee) approves this application (LLA-19-07), based on: 1) the findings submitted by the applicant, which are incorporated by this reference; 2) supplementary staff findings included in the Addendum below; and, 3) the addition of conditions of approval below. With these findings, the applicable approval criteria are met.

The conditions are as follows:

- 1. The applicant shall file, with the county clerk, conveyances conforming the approved property line adjustment as surveyed in accordance with ORS 92.060(7) and any documents required by the county surveyor (such as an overplat).**
- 2. The final property line adjustment map (or if applicable plat) showing the survey of the adjusted line(s) shall conform to the submittal dated December 6, 2019.**

The provisions of the Community Development Code Chapter 15 and Chapter 85 have been met.


Jennifer Arnold, Associate Planner

March 12, 2020
DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date. Cost is \$400. An appeal to City Council of a decision by the Planning Manager shall be heard on the record. The appeal must be filed by an individual who has established standing by submitting comments prior to the decision date. Approval will lapse 3 years from effective approval date if the final plat is not recorded.

Mailed this 13 day of March 2020.

Therefore, the 14-day appeal period ends at 5 p.m., on March 30, 2020.

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
LLA-19-07**

*CHAPTER 15, SINGLE-FAMILY AND MULTIPLE-FAMILY RESIDENTIAL, R-3
15.030 PERMITTED USES*

The following uses are permitted outright in this zone.

1. *Single-family detached residential units*
(...)

Staff Finding 1: Single-family detached residential unit is a permitted outright use in this zone. There is an existing home on Parcel 1 and the applicant is not proposing any changes at this time. The criteria is met.

15.060 CONDITIONAL USES

The following uses are conditional uses which may be allowed in this zoning district subject to the provisions of Chapter [60](#) CDC, Conditional Use.

- (...)
12. *Senior citizen/handicapped housing facility (...).*
(...)

Staff Finding 2: Parcel 2 has an existing assisted living facility in operation with no proposed changes to this facility with this application. This facility was approved for a conditional use permit in 1995 by Planning Department file number CUP-95-07. The criteria is met.

15.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

Except as may be otherwise provided by the provisions of this code, the following are requirements for uses within this zone:

- A. *The minimum lot size shall be:*
 1. *For a single-family detached unit, 3,000 square feet.*
 2. *For each attached single-family unit, 3,000 square feet.*
 3. *For each multiple-family dwelling unit, 3,000 square feet.*
- B. *The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.*
- C. *Repealed by Ord. 1622.*
- D. *The minimum yard dimensions or minimum building setback area from the lot line shall be:*
 1. *For a front yard, 15 feet (20 feet for a garage); except for steeply sloped lots where the provisions of CDC 41.010 shall apply.*
 2. *For an interior side yard, five feet.*
 3. *For a side yard abutting a street, 15 feet.*

4. *For a rear yard, 15 feet, except that in the case of an apartment structure in this district, an additional yard area may be required between the structure in this district and any adjacent low density residential uses.*

Staff Finding 3: The properties listed in application LLA-19-07 meet the minimum lot size requirements. The property at 23000 Horizon Drive is currently 196,368 square feet (4.51 ac) and after the adjustment the lot size is proposed to be 142,773 square feet (3.28 ac). The property at 22915 Weatherhill Road is currently 162,405 square feet and after the adjustment the property is proposed to be 216,013 square feet (4.96 ac). The existing structures on each property maintain setback requirement compliance after the proposed adjustment, as shown in the applicant's submittal. These criteria are satisfied.

CHAPTER 85, GENERAL PROVISIONS

85.210 PROPERTY LINE ADJUSTMENTS – APPROVAL STANDARDS

A. *The Director shall approve or deny a request for a property line adjustment based on the criteria stated below:*

1. An additional lot or parcel shall not be created by the line adjustment.

Staff Finding 4: The applicant proposal is to adjust the lot line separating the two above listed properties. No additional lots or parcels are proposed to be created. The criteria is met.

2. *The existing property shall not be reduced in size by the adjustments below the minimum lot or parcel size established by the approved zoning for that district. The property line adjustment shall not enlarge, increase or extend the non-conformity of a non-conforming lot or non-conforming structure.*

Staff Finding 5: The applicant proposes adjusting the lot line between the two listed properties. Both properties are in the R3 zone which requires minimum lot size of 3,000 sq ft. for a single family detached home. Both properties exceed the minimum lot size before and after the proposed adjustment. The criteria is not met.

3. *Property line adjustments shall be either:*
 - a. *A straight line (see Figure 1 example);*
 - b. *A line with maximum of two 45- to 90-degree turns (see Figure 2 example); or*
 - c. *A maximum of three turns less than 45 degrees (see Figure 3 example).*

Staff Finding 6: The applicant's proposal adjusts one lot line separating the two properties listed above. Utilizing a property line adjustment with one turn of 90 degrees. The criteria is met.

4. *The property line adjustment shall not create a lot or parcel that violates applicable site development regulations.*

Staff Finding 7: See Staff Finding 5. Both properties exceed the minimum lot standards before and after the proposed adjustment. No additional lots or parcels are proposed to be created. The proposed development does not create this condition therefore the criteria is met.

5. *The property line adjustment will not adversely affect existing easements or existing utilities unless an easement vacation is obtained, replacement easements are established, or any required utility relocations are paid for by the applicant.*

(...)

Staff Finding 8: The applicant's proposal will not adversely affect any existing easements or existing utilities. The criteria is met

PD-1 COMPLETENESS LETTER

PD-2 APPLICANT SUBMITTAL