

June 10, 2020

**Michael C. Robinson**

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**VIA E-MAIL**

Ms. Jennifer Arnold, Associate Planner  
City of West Linn Planning Department  
West Linn City Hall  
22500 Salamo Road  
West Linn, OR 97068

RE: Application by Upper Midhill Estates, LLC for Two-Year Extension of the Chene Blanc Subdivision Located at 18000 Upper Midhill Drive; City of West Linn File No. AP-17-01; Response to May 29, 2020 Email from Jennifer Arnold Regarding Changes to Tentative Subdivision Plan

Dear Ms. Arnold:

This law firm represents Upper Midhill Estates, LLC, the Applicant. This letter responds to your email dated May 29, 2020 to Steve Miller of Emerio Design. Your email explained that the Applicant has changed some areas on the proposed local street Upper Midhill Drive to increase its width to 28 feet. You asked the Applicant to address West Linn Community Development Code (“CDC”) 99.325.A.2 and 3. Your email was not a formal incompleteness determination under ORS 227.178(3) but instead was a courtesy to the Applicant to allow it to address the issue prior to the expiration of the completeness review period on June 12, 2020.

**Exhibit 1** shows the increased street widths requested by, proposed to and approved by the City of West Linn City Engineer (the “City Engineer”). The exhibit shows that the street width has been increased to 28 feet in five places adjacent to Lots 11 and 19, near Lot 1 and Tract C. The increased street width occurs within the existing right-of-way width so that the right-of-way is not increased and the abutting lots’ and the tract’s dimensions are not decreased. The street widths were increased in these five locations by removing the planter strip and providing additional on-street parking spaces.

CDC 99.325.A.1-3 contains the approval criteria for a two-year extension of the limited land use decision. CDC 99.325.A.2 and 3 concern changes to the approved plans. The Applicant’s May 13, 2020 Application addressed these criteria at Application Narrative Page 2 by stating that the Applicant had made no changes to the approved plans. This letter modifies those responses as shown below. The responses in the Application remain the same except as expressly modified in this letter.

- 1. CDC 99.325.A.2. RESPONSE:** The Applicant has changed the street widths in five locations at the request of the City Engineer. Although the Applicant has changed the street improvements in five locations, the changes do not “directly impact...traffic... [or] the street alignment and drainage...” because the change provides additional on-street parking which is a benefit to the new subdivision and the surrounding dwellings. The removal of the landscaping strip in these five areas does not directly impact traffic or drainage. Therefore, the Planning Commission can find that this standard is either not applicable or is satisfied.
- 2. CDC 99.325.A.3. RESPONSE:** The changes shown in **Exhibit 1** are not a result of requirements to comply with current approval criteria. Because the changes shown in **Exhibit 1** are not a requirement of changes to the CDC, a pre-application meeting and neighborhood meeting are not required.
- 3. CDC 85.080.A. RESPONSE:** The changes shown in **Exhibit 1** are necessary to meet accepted engineering practices due to site conditions. The changes are not a substantial deviation from the approved tentative subdivision plan.
- 4. CDC 89.050.A.5. RESPONSE:** The approved tentative subdivision plan remains in substantial conformity with provisions of the approved tentative plan.

Please confirm that the additional evidence contained in this letter will allow you to deem the application complete.

Very truly yours,

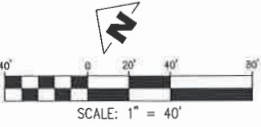


Michael C. Robinson

MCR/jmhi  
Enclosure

cc: Mr. Tim Ralston (via email) (w/enclosure)  
Mr. Lucas Ralston (via email) (w/enclosure)  
Mr. Eric Evans P.E. (via email) (w/enclosure)  
Mr. Pete DeWitz (via email) (w/enclosure)  
Mr. Steve Miller (via email) (w/enclosure)  
Mr. Tim Ramis (via email) (w/enclosure)

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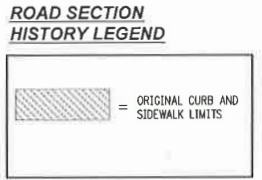


**GENERAL NOTES:**

- (XX) SEE SHEET 23, 24, 25, AND CLACKAMAS COUNTY DETAIL C400 FOR ALTERNATIVE HORIZONTAL CURVE DETAILS.
- A. SEE SHEET 3 FOR TYPICAL STREET SECTIONS "R-R" THROUGH "Z-Z".

**CONSTRUCTION NOTES:**

- (1) INSTALL STANDARD 8" MONUMENT BOX PER C.O.W.L. DWG WL-513A



CENTERLINE CURVE DATA					
CURVE No.	RADIUS	Δ	LENGTH	PC STA	PT STA
C1	547.94'	27°36'03"	263.96'	6+92.96	9+56.92
C2	975.00'	5°33'33"	94.60'	10+00.19	10+94.80
C3	125.00'	23°59'57"	52.36'	12+65.54	13+17.89
C4	50.00'	73°51'18"	64.45'	14+49.39	15+13.84
C5	50.00'	62°42'25"	54.72'	17+44.66	17+99.38
C6	50.00'	87°48'30"	76.63'	19+46.93	20+23.56
C7	50.00'	82°22'38"	71.89'	21+00.82	21+72.71

CHENE BLANC SUBDIVISION  
 34 LOT SUBDIVISION  
 TAX MAP 251E14CA  
 TAX LOT 200  
 WEST LINN, OREGON

**ROAD SECTION HISTORY EXHIBIT**

NO.	DATE	DESCRIPTION
1	05/2018	1ST SUBMITTAL
2	09/2018	2ND SUBMITTAL
3	09/2019	NO FACILITY REVISION
4	10/2019	SURVEY MONUMENT REVISION

**EMERIO**  
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 www.emeriodesign.com



SHEET  
**1**  
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**1**

FILE:P:\353-001 Chene Blanc Subdivision [org] [exhibit] [2020-06-01] Road Width Exhibit, Layout: ROAD SECTION HISTORY Exhibit, Plot Date: 6/2/2020 9:26 AM, by: Tyler Kern