



CITY OF
West Linn

**STAFF REPORT
PLANNING MANAGER DECISION**

DATE: March 16, 2022

FILE NO.: MIS-21-15

REQUEST: Request for two-year extension of 2018 approval (MIP-18-01) for a two-lot partition at 1236 14th Street.

PLANNER: Chris Myers, Associate Planner

Planning Manager DSW

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GENERAL INFORMATION

**APPLICANT/
OWNER:**

Jesse Gambetti
1236 14th Street
West Linn, OR 97068

SITE LOCATION:

1236 14th Street

SITE SIZE:

Square feet 65,454

**LEGAL
DESCRIPTION:**

Assessor's Map 31E02BC04001

**COMP PLAN
DESIGNATION:**

Low-Density Residential

ZONING:

R-10, Single-Family Residential Detached

**APPROVAL
CRITERIA:**

Community Development Code (CDC) Chapter 85: Land Division, General Provisions and Chapter 99: Procedures for Decision Making: Quasi-Judicial.

120-DAY RULE:

The application for the extension became complete on December 6, 2021. The 120-day period therefore ends on May 4, 2022.

PUBLIC NOTICE:

Notice was mailed to property owners within 500 feet of the subject property and to Willamette Neighborhood Association on February 2, 2022. The notice was also posted on the City's website on February 2, 2022. Therefore, public notice requirements of CDC Chapter 99 have been met.

EXECUTIVE SUMMARY

The application is a request for a two-year extension to a previously approved Minor Partition (MIP-18-01) located at 1236 14th Street. The applicant is requesting the extension in order to complete their proposed project. The applicant has not requested any modifications to the original partition application. Staff has not changed the conditions of approval from MIP-18-01.

Public comments:

No public comments were received by the close of the comment period February 22, 2022 at 4:00pm).

DECISION

The Planning Manager (designee) approves this application (MISC-21-15), 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. **Site Plan.** With the exception of modifications required by these conditions, the final plat shall conform to the submitted Preliminary Partition Plat, (Sheet P07).
2. **Engineering Standards.** All public improvements and facilities including street improvements, utilities, grading, on-site storm water design, street lighting, street trees, easements, and easement locations are subject to the Public Works Director's review, modification, and approval per the City adopted Public Works standards. The applicant shall provide an updated utility and public improvements plan for review and approval by the Public Works Director that addresses the required changes identified in the attached Staff Findings. All improvements must be designed, constructed, and completed prior to final plat approval. The Director of Public Works may allow a waiver of improvements as allowed by Code.
3. **14th Street Improvements.** The applicant shall design and construct local constrained street cross section improvements in the 14th Street ROW consistent with Public Works standards adjacent to the property with off-site transitions. Improvements shall be installed prior to final plat approval (Staff Findings 25-31).
4. **Parcel 2 Buildable Area.** The applicant shall submit an updated site plan showing the triangular 2,400 square foot buildable area outside of the existing 60 foot public utility easement on the western boundary of the subject property. The updated site plan shall also show the Water Resource Area Boundary and the revised Habitat Conservation Area Boundary and be submitted prior to final plat approval (Staff Finding 2).

5. **Public Utility Easements.** The applicant shall show the existing 60-foot public utility easement on the final plat and dedicate on the face of the plat an eight-foot public utility easement along the subject property's 14th Street frontage (Staff Finding 36).
6. **Water Resource Area Revegetation.** The applicant shall revegetate the Water Resource Area disturbed by the installation of the sanitary sewer lateral (Staff Findings 11 and 15) before final building certificate of occupancy.

The provisions of the Community Development Code Chapter 99 have been met.

Chris Myers

Chris Myers, Associate Planner

March 16, 2022

Date

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of the mailing date listed below. The cost of an appeal is \$400. The appeal must be filed by an individual who has established standing by submitting comments prior to the date identified in the public notice. Appeals will be heard by City Council. Approval will lapse 2 years from effective approval date if the final plat is not recorded.

Mailed this 16th day of March 2022.

Therefore, the 14-day appeal period ends at 5 p.m., on March 30, 2022.

ADDENDUM
APPROVAL CRITERIA AND FINDINGS
MISC-21-15

This decision adopts the findings for approval contained within the applicant's submittal, with the following exceptions and additions:

Chapter 85: General Provisions

85.090 EXPIRATION OR EXTENSION OF APPROVAL

The final plat map shall be submitted to the Planning Director and recorded with the County within three years from the date of approval of the tentative plan, or as approved under CDC 99.325. If the final plat is not recorded by that time, the approval expires.

Staff Finding 1: The applicant received final approval for the two-lot partition effective January 2, 2019. (Please see Exhibit PD-1). Therefore, the three-year approval period expires on January 2, 2022. The applicant has requested a two-year extension, prior to expiration of the MIP-18-01), as allowed per CDC Chapter 99.325. See Staff Findings 2-5.

99.325 EXTENSIONS OF APPROVAL

A. An extension may be granted by the original decision-making body by an additional two years from the effective date of approval pertaining to applications listed in CDC 99.060(A), (B), (C), (D) or (E), as applicable, upon finding that:

Staff Finding 2: The West Linn Planning Manager was the original approval authority for MIP-18-01 per CDC 99.060.A.1(d). Therefore, the West Linn Planning Manager is granted authority to render a decision for the extension approval.

The criteria are met.

- 1. The applicant has demonstrated that the application is in conformance with applicable CDC provisions and relevant approval criteria enacted since the application was initially approved; and*

Staff Finding 3: The Planning Manager Decision approving the two-lot partition for future development (MIP-18-01) demonstrates that all applicable code criteria have been satisfied, subject to conditions of approval. The approved project for two-lots with single-family homes remains in compliance with permitted uses and dimensional requirements of the R-10 zone. No change to the approved plans is required. Subject to the Conditions of Approval, the criteria are met.

- 2. There are no demonstrated material misrepresentations, errors, omissions, or changes in facts that directly impact the project, including, but not limited to, existing conditions, traffic, street alignment and drainage; or*

Staff Finding 4: Staff has not found any material misrepresentation, errors, omissions, or any changes of facts in the review if this application.

The criteria are met.

3. The applicant has modified the approved plans to conform with current approval criteria and remedied any inconsistency with subsection (A)(2) of this section, in conformance with any applicable limits on modifications to approvals established by the CDC.

Staff Finding 5: The original minor partition application (MIP-18-01) was found to be in conformance with the provisions of CDC Chapters 11, 28, 32, 48, 85, 92, and 99 subject to conditions of approval, and was subsequently approved. Staff finds that the application continues to be in conformance with the applicable CDC provisions. Staff does not find any evidence of a demonstrated material misrepresentation, errors, omissions or changes to the original application. No modifications to the original partition are proposed.

The criteria are met.

E. Extension procedures.

1. The application for extension of approval with modifications to the original approval may be submitted only after a pre-application meeting under CDC [99.030\(B\)](#). If no modifications are made to the original approval, a pre-application conference is not required.

Staff Finding 6: No modifications to the original application have been proposed. The applicant is requesting additional time to complete previously approved conditions of approval. No pre-application meeting was required.

The criteria are met.

PD-1 APPLICANT SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT Chris Myers	PROJECT NO(S). MISC-21-15	PRE-APPLICATION NO.
NON-REFUNDABLE FEE(S) \$1,400	REFUNDABLE DEPOSIT(S)	TOTAL \$1,400

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input 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 checked="" 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: 1236 14TH STREET WEST LINN, OR 97068	Assessor's Map No.: 3-1-02BC
	Tax Lot(s): 4001
	Total Land Area: ±1.5 ac

Brief Description of Proposal: **A TWO YEAR EXTENSION TO RECORD THE FINAL PLAT FOR MIP-18-01**

Applicant Name: PAT O'BRIEN <small>(please print)</small>	Phone: 503-241-2875
Address: 8037 SW 17TH AVENUE	Email: PAT@OBRIEN-CO.COM
City State Zip: PORTLAND, OR 97219	

Owner Name (required): JESSE GAMBETTI <small>(please print)</small>	Phone:
Address: 1236 14TH STREET	Email:
City State Zip: WEST LINN, OR 97068	

Consultant Name: CURT FISHER <small>(please print)</small>	Phone: 503-400-6028
Address: 3700 RIVER ROAD, SUITE 1	Email: FISHERC@AKS-ENG.COM
City State Zip: KEIZER, OR 97303	

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 decision may be reversed on appeal. The permit approval will not be effective until the appeal period has expired.
4. The City accepts electronic (.pdf) land use applications and project submissions from applicants. Applicants should submit this form and supporting documents through the [Submit a Land Use Application](https://westlinnoregon.gov/planning/submit-land-use-application) web page:
<https://westlinnoregon.gov/planning/submit-land-use-application>

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.

	12/14/21 Date		12/7/21 Date
Applicant's signature		Owner's signature (required)	



December 2021

Chris Myers
City of West Linn Planning Department
22500 Salamo Road
West Linn, OR 97068



RE: MIP-18-01 Final Plat Extension

Chris,

This letter functions as a formal request to extend the deadline to record the Final Plat for partition MIP-18-01. The request complies with the applicable criteria under CDC 99.325 as follows:

99.325 EXTENSIONS OF APPROVAL

A. An extension may be granted by the original decision-making body by an additional two years from the effective date of approval pertaining to applications listed in CDC 99.060(A), (B), (C), (D) or (E), as applicable, upon finding that:

Response: The extension request involves a minor partition approval originally approved by the planning director under CDC 99.060(A).

1. The applicant has demonstrated that the application is in conformance with applicable CDC provisions and relevant approval criteria enacted since the application was initially approved; and

Response: The Applicant is not aware of any new partition approval criteria enacted since the application was initially approved. This criterion is met.

2. There are no demonstrated material misrepresentations, errors, omissions, or changes in facts that directly impact the project, including, but not limited to, existing conditions, traffic, street alignment and drainage; or

Response: There are no demonstrated material misrepresentations, errors, omissions, or changes in facts that directly impact the project. This criterion is met.

3. The applicant has modified the approved plans to conform with current approval criteria and remedied any inconsistency with subsection (A)(2) of this section, in conformance with any applicable limits on modifications to approvals established by the CDC.

Response: City Staff recently made the Applicant aware of the following site plan revisions required prior to recording the plat:

- A conceptual building footprint for Parcel 2
- A revised site plan showing the Water Resource Area Boundary
- A revised site plan showing the Habitat Conservation Area Boundary

These revisions are shown in Exhibit B.

Additionally, Condition 5 requires the existing 60-foot public utility easement to be shown on the plat and an 8-foot utility easement dedicated along the 14th Street frontage. These

items are included on the plat shown in Exhibit C. However, the 60-foot-wide utility easement will be on the City Council's agenda to be vacated on January 10, 2022.

This criterion is met.

If you have any questions, or need anything else, please let me know.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC



Curt Fisher, Land Use Planner
3700 River Road N, Suite 1
Keizer, OR 97303
(503) 400-6028 | fisherc@aks-eng.com

Exhibits

Exhibit A: Development Review Application

Exhibit B: Parcel 2 Future Home Exhibit

Exhibit C: MIP-18-01 Draft Partition Plat

Exhibit A: Development Review Application

DEVELOPMENT REVIEW APPLICATION

For Office Use Only

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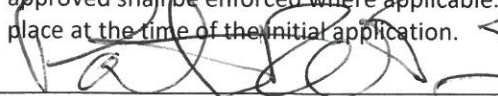

	12/14/21		12/7/21
Applicant's signature	Date	Owner's signature (required)	Date

Exhibit B: Parcel 2 Future Home Exhibit



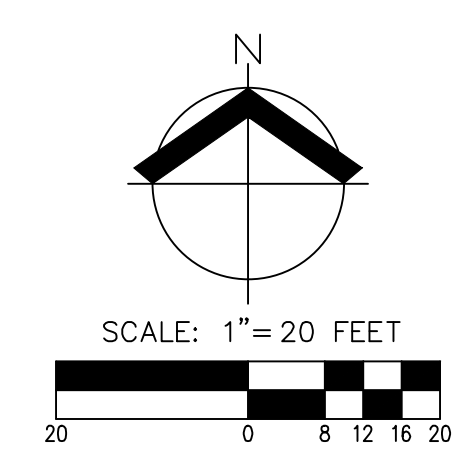
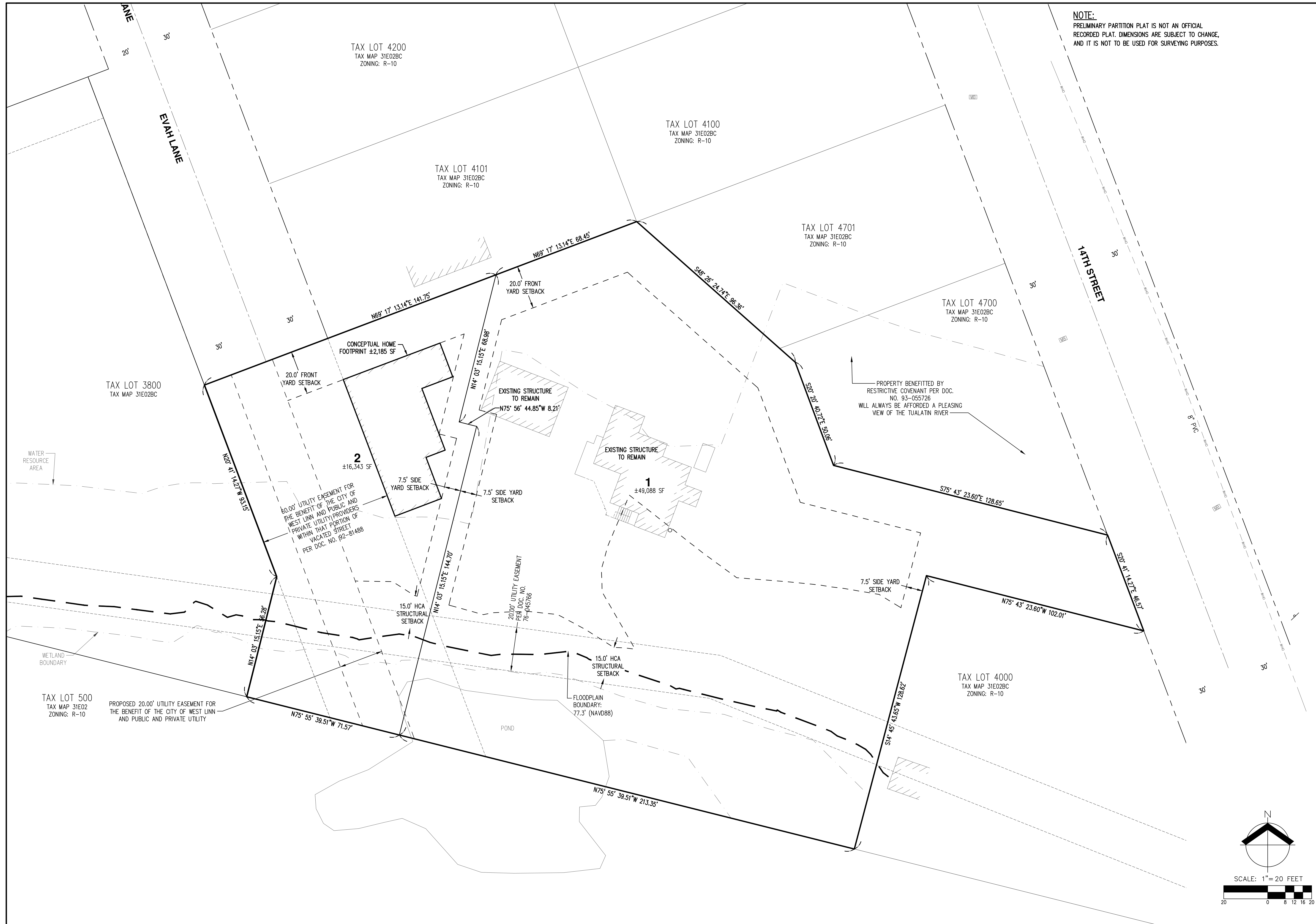
AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD. STE 100
 TUALATIN, OR 97062
 P: 503.563.6151
 F: 503.563.6152
 aks-eng.com

ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

EVAH LANE PARTITION

WEST LINN OREGON
 CLACKAMAS COUNTY TAX MAP 3 1E 02BC
 TAX LOT 3800

NOTE:
 PRELIMINARY PARTITION PLAT IS NOT AN OFFICIAL
 RECORDED PLAT. DIMENSIONS ARE SUBJECT TO CHANGE,
 AND IT IS NOT TO BE USED FOR SURVEYING PURPOSES.



DESIGNED BY: _____
 DRAWN BY: GSH
 CHECKED BY: JMM
 SCALE: AS NOTED
 DATE: 08/06/2021

 RENEWAL DATE: 12/31/2022
 REVISIONS:

JOB NUMBER
5579
 SHEET

Exhibit C: MIP-18-01 Draft Partition Plat

PLAT NOTES & RESTRICTIONS

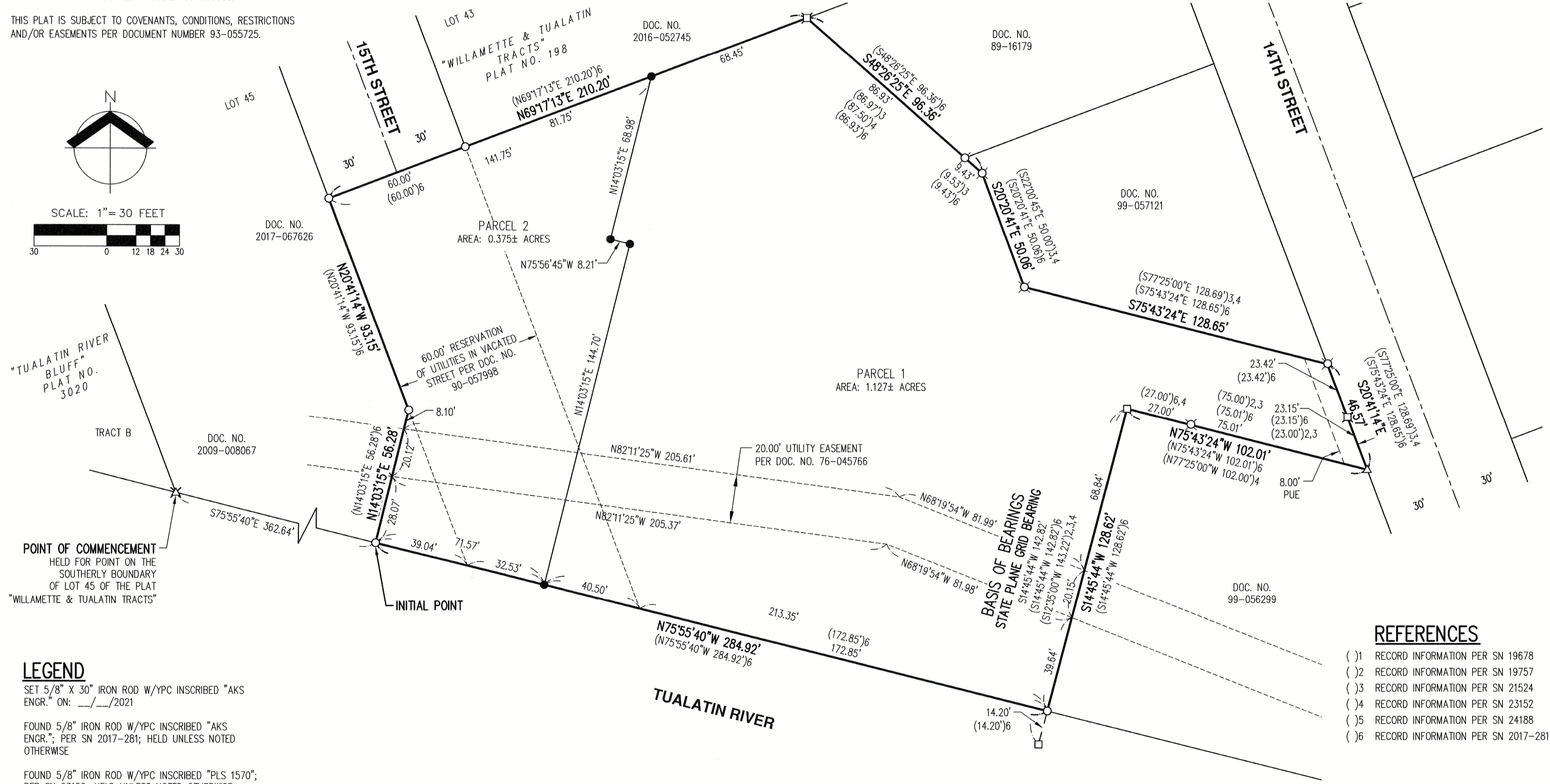
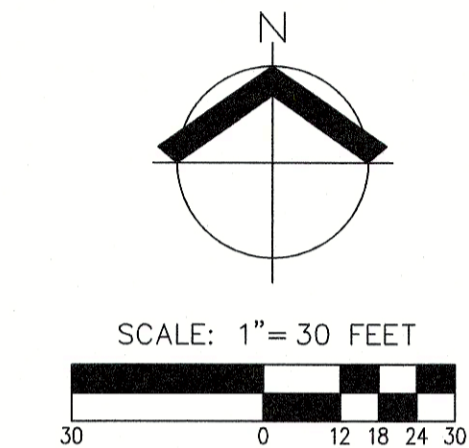
1. THE PLAT IS SUBJECT TO CITY OF WEST LINN CASE FILE NO. MIP-18-01/WAP-18-01/WRG-18-01.
2. THIS PLAT IS SUBJECT TO AN EXISTING 20.00 FOOT WIDE UTILITY EASEMENT, CONVEYED TO THE CITY OF WEST LINN, PER DOCUMENT NUMBER 76-045766.
3. THIS PLAT IS SUBJECT TO AN EXISTING RESTRICTED COVENANT EASEMENT, CONVEYED TO SHARON L. MITCHELL, PER DOCUMENT NUMBER 93-055725.
4. THIS PLAT IS SUBJECT TO A RESERVATION OF UTILITIES IN VACATED STREET AREA AS SET FORTH IN ORDINANCE NO. 1284 AND RECORDED AS DOCUMENT NUMBER 90-057998.
5. THIS PLAT IS SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS PER DOCUMENT NUMBER 93-055725.

PARTITION PLAT

BEING A PORTION OF LOTS 41, 44 AND 45 OF "WILLAMETTE & TUALATIN TRACTS" (PLAT NO. 198), TOGETHER WITH A PORTION OF VACATED 15TH STREET, LOCATED IN THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON
AUGUST 12, 2021

PREPARED FOR

O'BRIEN & COMPANY
P.O. BOX 4008
WILSONVILLE, OR 97070



LEGEND

- SET 5/8" X 30" IRON ROD W/YPC INSCRIBED "AKS ENGR." ON: ___/___/2021
- FOUND 5/8" IRON ROD W/YPC INSCRIBED "AKS ENGR."; PER SN 2017-281; HELD UNLESS NOTED OTHERWISE
- FOUND 5/8" IRON ROD W/YPC INSCRIBED "PLS 1570"; PER SN 23152; HELD UNLESS NOTED OTHERWISE
- ⊗ FOUND 5/8" IRON ROD W/YPC INSCRIBED "PLS 1570"; PER SN 21524; HELD UNLESS NOTED OTHERWISE
- ⊠ FOUND 5/8" IRON ROD W/YPC INSCRIBED "PLS 1570"; PER SN 19678; HELD UNLESS NOTED OTHERWISE
- △ FOUND 5/8" IRON ROD W/OPC INSCRIBED "PLS 1570"; PER SN 19757; HELD UNLESS NOTED OTHERWISE
- ⊠ FOUND 5/8" IRON ROD W/OPC INSCRIBED "PLS 1570"; PER SN 19757; HELD UNLESS NOTED OTHERWISE

DOC. NO.	DOCUMENT NUMBER PER CLACKAMAS COUNTY DEED RECORDS
IP	IRON PIPE
IR	IRON ROD
W/OPC	WITH AN ORANGE PLASTIC CAP
W/YPC	WITH A YELLOW PLASTIC CAP
SN	SURVEY NUMBER PER CLACKAMAS COUNTY SURVEY RECORDS
PUE	PUBLIC UTILITY EASEMENT

BASIS OF BEARINGS/HORIZONTAL DATUM:

BASIS OF BEARINGS: STATE PLANE GRID BEARING.
HORIZONTAL DATUM: A LOCAL DATUM PLANE DERIVED FROM STATE PLANE OREGON NORTH 3601 NAD83(2011) EPOCH: 2010.0000 BY MULTIPLYING BY A PROJECT MEAN GROUND COMBINED SCALE FACTOR OF 1.0001031600 AT A CENTRAL PROJECT POINT WITH INTERNATIONAL FOOT STATE PLANE GRID COORDINATES OF N 617706.488, E 7647841.518 AND A MERIDIAN CONVERGENCE ANGLE OF -1'31.44". STATE PLANE COORDINATES WERE DERIVED FROM THE TRIMBLE VRS NOW NETWORK. DISTANCES SHOWN ARE INTERNATIONAL FOOT GROUND VALUES.

09-27-2021
REGISTERED PROFESSIONAL LAND SURVEYOR
ROBERT D. RETTIG
60124LS
RENEWS: 12/31/22

JOB NAME:	14TH ST PLAT
JOB NUMBER:	5579
DRAWN BY:	MEB
CHECKED BY:	RDR
DRAWING NO.:	5579PLAT

AKS ENGINEERING AND FORESTRY, LLC
12965 SW HERMAN RD
SUITE 100
TUALATIN, OR 97062
PHONE: 503.563.6151
FAX: 503.563.6152

AKS

ENGINEERING · PLANNING · SURVEYING
FORESTRY · LANDSCAPE ARCHITECTURE

REFERENCES

- ()1 RECORD INFORMATION PER SN 19678
- ()2 RECORD INFORMATION PER SN 19757
- ()3 RECORD INFORMATION PER SN 21524
- ()4 RECORD INFORMATION PER SN 23152
- ()5 RECORD INFORMATION PER SN 24188
- ()6 RECORD INFORMATION PER SN 2017-281

PARTITION PLAT

BEING A PORTION OF LOTS 41, 44 AND 45 OF "WILLAMETTE & TUALATIN TRACTS" (PLAT NO. 198), TOGETHER WITH A PORTION OF VACATED 15TH STREET, LOCATED IN THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON
AUGUST 12, 2021

PREPARED FOR

O'BRIEN & COMPANY
P.O. BOX 4008
WILSONVILLE, OR 97070

APPROVALS

APPROVED THIS _____ DAY OF _____, 2021
CITY OF WEST LINN.

BY: _____
CITY OF WEST LINN PLANNING DIRECTOR

APPROVED THIS _____ DAY OF _____, 20____
CITY OF WEST LINN.

BY: _____
CITY OF WEST LINN CITY ENGINEER

APPROVED THIS _____ DAY OF _____, 20____

CLACKAMAS COUNTY SURVEYOR

ALL TAXES, FEES, ASSESSMENTS, AND OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID THROUGH _____, 20____.

APPROVED THIS _____ DAY OF _____, 20____.

CLACKAMAS COUNTY ASSESSOR AND TAX COLLECTOR

BY: _____
DEPUTY

STATE OF OREGON)
COUNTY OF CLACKAMAS) ss

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD ON THE _____ DAY OF _____, 20____.

AT _____ O'CLOCK _____ M

AS PARTITION PLAT NO. _____
DOCUMENT NO. _____

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY: _____
DEPUTY

DECLARATION

KNOWN ALL PERSONS BY THESE PRESENTS: THAT JESSE H. GAMBETTI AND MIRANDA L. GAMBETTI, ARE THE OWNER OF THE LAND SHOWN ON THE ANNEXED MAP AND PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE REPLATTED INTO PARCELS, AS SHOWN ON SAID MAP, ALL STREETS OF THE WIDTHS THEREON SET FORTH AND IMPOSES RESTRICTIONS AS SHOWN OR NOTED ALL IN ACCORDANCE WITH ORS 92. THE DECLARANT MAKES NO CLAIM TO ANY LANDS BEYOND THAT DESCRIBED IN THE SURVEYOR'S CERTIFICATE.

JESSE H. GAMBETTI

DATE

MIRANDA L. GAMBET

DATE

ACKNOWLEDGMENT

STATE OF OREGON)
COUNTY OF _____) ss

THIS IS TO CERTIFY THAT ON _____, 20____, BEFORE ME, A NOTARY PUBLIC IN THE STATE OF OREGON, APPEARED JESSE H. GAMBETTI WHO BEING DULY SWORN DID SAY THAT HE IS THE PERSON NAMED ON THE FOREGOING INSTRUMENT AND SAID INSTRUMENT WAS EXECUTED FREELY AND VOLUNTARILY.

NOTARY SIGNATURE

NOTARY PUBLIC - OREGON (PRINT NAME)

COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

STATE OF OREGON)
COUNTY OF _____) ss

THIS IS TO CERTIFY THAT ON _____, 20____, BEFORE ME, A NOTARY PUBLIC IN THE STATE OF OREGON, APPEARED MIRANDA L. GAMBETTI WHO BEING DULY SWORN DID SAY THAT SHE IS THE PERSON NAMED ON THE FOREGOING INSTRUMENT AND SAID INSTRUMENT WAS EXECUTED FREELY AND VOLUNTARILY.

NOTARY SIGNATURE

NOTARY PUBLIC - OREGON (PRINT NAME)

COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

CITY OF WEST LINN PLANNING AND DEVELOPMENT FILE NO. MIP-18-01/WAP-18-01/WRG-18-01

SURVEYOR'S CERTIFICATE

I, ROBERT D. RETTIG A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THAT LAND REPRESENTED ON THE ATTACHED PARTITION PLAT MAP.

BEING A REPLAT OF A PORTION OF LOTS 41, 44 AND 45 OF THE PLAT OF "WILLAMETTE & TUALATIN TRACTS" (PLAT NO. 198), TOGETHER WITH A PORTION OF VACATED 15TH STREET, LOCATED IN THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF TRACT B OF THE PLAT "TUALATIN RIVER BLUFF", PLAT NO. 3020, CLACKAMAS COUNTY PLAT RECORDS, ALSO BEING ON THE SOUTHERLY LINE OF THE PLAT "WILLAMETTE & TUALATIN TRACTS", PLAT NO. 198, CLACKAMAS COUNTY PLAT RECORDS; THENCE ALONG SAID SOUTHERLY LINE SOUTH 75°55'40" EAST, 362.64 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP, INSCRIBED "AKS ENGR.", ALSO BEING THE INITIAL POINT; THENCE LEAVING SAID SOUTHERLY LINE NORTH 14°03'15" EAST 56.28 FEET TO THE SOUTHERLY EXTENSION OF THE WESTERLY RIGHT-OF-WAY LINE OF 15TH STREET (30.00 FEET FROM CENTERLINE); THENCE ALONG SAID SOUTHERLY EXTENSION NORTH 20°41'14" WEST 93.15 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF DOCUMENT NUMBER 2016-052745, CLACKAMAS COUNTY OFFICIAL RECORDS; THENCE ALONG SAID WESTERLY EXTENSION AND SAID SOUTH LINE NORTH 69°17'13" EAST 210.20 FEET TO THE SOUTHWESTERLY LINE OF DOCUMENT NUMBER 89-16179; THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 48°26'25" EAST 96.36 FEET TO AN ANGLE POINT IN THE SOUTHWESTERLY LINE OF DOCUMENT NUMBER 99-057121, CLACKAMAS COUNTY OFFICIAL RECORDS; THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 20°20'41" EAST 50.06 FEET TO THE SOUTHERLY LINE OF SAID DEED; THENCE ALONG SAID SOUTHERLY LINE SOUTH 75°43'24" EAST 128.65 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 14TH STREET (30.00 FEET FROM CENTERLINE); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 20°41'14" EAST 46.57 FEET TO THE NORTHERLY LINE OF DOCUMENT NUMBER 99-056299, CLACKAMAS COUNTY OFFICIAL RECORDS; THENCE ALONG SAID NORTHERLY LINE NORTH 75°43'24" WEST 102.01 FEET TO THE WESTERLY LINE OF SAID DEED; THENCE ALONG SAID WESTERLY LINE SOUTH 14°45'44" WEST 128.62 FEET TO THE SOUTHERLY LINE OF THE PLAT "WILLAMETTE & TUALATIN TRACTS"; THENCE ALONG SAID SOUTHERLY LINE NORTH 75°55'40" WEST 284.92 FEET TO THE INITIAL POINT.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 1.502 ACRES, MORE OR LESS.

NARRATIVE

THE PURPOSE OF THIS RE-PLAT WAS TO PARTITION PORTIONS OF LOTS 41, 44 AND 45 OF THE PLAT "WILLAMETTE & TUALATIN TRACTS" (PLAT NUMBER 198), RECORDS OF CLACKAMAS COUNTY, TOGETHER WITH A PORTION OF VACATED 15TH STREET, PER CITY OF WEST LINN PLANNING AND DEVELOPMENT FILE NO. MIP-18-01/WAP-18-01/WRG-18-01.

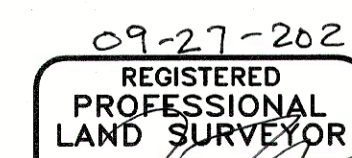
THE OUTER BOUNDARY OF THIS PARTITION PLAT WAS ESTABLISHED BY HOLDING FOUND MONUMENTS, AND RECORD BEARINGS AND DISTANCES, PER TRACT 2 OF A PROPERTY LINE ADJUSTMENT RECORDED AS SURVEY NUMBER 2017-281, RECORDS OF CLACKAMAS COUNTY. PARTITION LINES WERE SET AT THE DIRECTION OF THE CLIENT.

CONSENT AFFIDAVIT

A PARTITION PLAT CONSENT AFFIDAVIT BY MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., A TRUST DEED BENEFICIARY, HAS BEEN RECORDED AS DOCUMENT NUMBER _____, CLACKAMAS COUNTY DEED RECORDS.

CONSENT AFFIDAVIT

A PARTITION PLAT CONSENT AFFIDAVIT BY FIRST TECHNOLOGY FEDERAL CREDIT UNION, A TRUST DEED BENEFICIARY, HAS BEEN RECORDED AS DOCUMENT NUMBER _____, CLACKAMAS COUNTY DEED RECORDS.



JOB NAME:	14TH ST PLAT
JOB NUMBER:	5579
DRAWN BY:	MEB
CHECKED BY:	RDR
DRAWING NO.:	5579PPLAT

AKS ENGINEERING AND FORESTRY, LLC
12965 SW HERMAN RD
SUITE 100
TUALATIN, OR 97062
PHONE: 503.563.6151
FAX: 503.563.6152



ENGINEERING · PLANNING · SURVEYING
FORESTRY · LANDSCAPE ARCHITECTURE

PD-2 COMPLETENESS LETTER



CITY OF
West Linn

January 4, 2022

Patrick O'Brien
8037 SW 17th Avenue
Portland, OR. 97219

SUBJECT: MISC-21-15 Application for an extension of a 2-Lot Minor Partition between Evah Lane and 14th Street

Mr. O'Brien,

You submitted this application on December 6, 2022. The Planning Department has reviewed the submitted materials and has deemed the application to be **complete**. The city has 120 days to exhaust all local review; that period ends May 4, 2022.

Please be aware that determination of a complete application does not guarantee a recommendation of approval from staff for your proposal as submitted – it signals that staff believes you have provided the necessary information for the Planning Director to render a decision on your proposal.

A 14-day public notice will be prepared and mailed. This notice will identify the earliest potential decision date by the Planning Director.

Please contact me at 503-742-6062, or by email at cmyers@westlinnoregon.gov if you have any questions or comments.

Sincerely,

Chris Myers

Chris Myers
Associate Planner

PD-3 AFFADAVIT AND NOTICE PACKET



**AFFIDAVIT OF NOTICE
TYPE A
PLANNING MANAGER DECISION**

We, the undersigned, certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

PROJECT

File No.: **MISC-21-15** Applicant's Name: **Pat O'Brien**
Development Name: **Two-year extension of a Minor Partition File MIP-18-01 located at 1236 14th Street**
Scheduled Decision Date: **Planning Manager Decision no earlier than 2/22/22**

APPLICATION

The application was posted on the website at least 20 days before the decision. All documents or evidence relied upon by the applicant, and applicable criteria are available for review at least 20 days before the decision at City Hall, per Section 99.040 of the Community Development Code.

2/2/22	<i>Lynn Schroder</i>
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MAILED NOTICE

Notice of Upcoming Planning Manager Decision was mailed at least 20 days before the decision, per Section 99.080 of the CDC to:

Pat O'Brien, applicant representative	2/2/22	<i>Lynn Schroder</i>
Jesse Gambetti, property owner	2/2/22	<i>Lynn Schroder</i>
Property owners within 500ft of the site	2/2/22	<i>Lynn Schroder</i>
Willamette Neighborhood Associations	2/2/22	<i>Lynn Schroder</i>

WEBSITE

Notice was posted on the City's website at least 20 days before the decision.

2/2/22	<i>Lynn Schroder</i>
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SIGN

A sign was posted on the property at least 10 days before the decision, per Section 99.080 of the CDC.

2/10/22	<i>Chris Myers</i>
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FINAL DECISION

Notice of Final Decision was mailed to the applicant, all parties with standing, and posted on the City's website, per Section 99.040 of the CDC.

3/15/22	<i>Chris Myers</i>
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**CITY OF WEST LINN
NOTICE OF UPCOMING PLANNING MANAGER DECISION
FILE NO. MISC-21-15**

The West Linn Planning Manager is considering a request for a two-year extension of a Minor Partition File MIP-18-01/WAP-18-01/WRG-18-01 located at 1236 14th Street.

You have been notified of this proposal because County records indicate that you own property within 500 feet of the property (Clackamas County Assessor's Map 31E02BC Taxlot 04001, or as otherwise required by CDC Chapter 99.080).

The Planning Manager will decide the application based on criteria in Chapter 99 of the Community Development Code (CDC). The approval criteria from the CDC are available for review on the City website <http://www.westlinnoregon.gov/cdc> or at City Hall and the City Library.

The application is posted on the City's website, <https://westlinnoregon.gov/planning/1236-14th-street-extension-2-lot-minor-partition>. Alternatively, the application, all documents or evidence relied upon by the applicant and applicable criteria are available for inspection at City Hall at no cost. Copies may be obtained at reasonable cost.

A public hearing will not be held for this decision. **Anyone wishing to submit comments for consideration shall submit all material before 4:00 p.m. on February 22, 2022 to cmyers@westlinnoregon.gov or mail them to City Hall. All comments must be received by the deadline.**

It is important to submit all testimony in response to this notice. All comments submitted for consideration of this appeal should relate specifically to the applicable criteria. Failure to raise an issue in a hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes appeal to the Oregon Land Use Board of Appeals based on that issue.

The final decision will be posted on the website and available at City Hall. Persons with party status may appeal the decision by submitting an appeal application to the Planning Department within 14 days of mailing the notice of the final decision pursuant to CDC [99.240](#).

Contact Chris Myers, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503) 742-6062 for additional information.

MISC-21-15 - Notified Properties within 500 feet of 1236 14th Street

