



CITY OF
West Linn

**STAFF REPORT
FOR THE PLANNING COMMISSION**

FILE NUMBER: MISC-22-14

HEARING DATE: February 1, 2023

REQUEST: Two-Year Extension of a previously approved 15-Lot Subdivision at 23000/23010 Bland Circle (SUB-19-03).

APPROVAL CRITERIA: Community Development Code (CDC) Chapter 99.325: Extensions of Approval

STAFF REPORT PREPARED BY: John Floyd, Associate Planner

Planning Manager DSW

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GENERAL INFORMATION

**APPLICANT/
OWNER:**

Ben Looney
511 Main Street, Suite 101
Oregon City, OR 97045

SITE LOCATION: 23000 and 23010 Bland Circle

SITE SIZE: 152,670 sq. ft. (3.50 Acres)

LEGAL

DESCRIPTION: Assessor's Map 21E 35B, Tax Lots 201, 400, and 404

COMP PLAN

DESIGNATION: Low Density Residential

ZONING: Residential, R-7

APPROVAL

CRITERIA: Community Development Code (CDC):

- Chapter 99.325: Extensions of Approval

120-DAY RULE: The application became complete on December 21, 2022. The 120-day period therefore ends on April 20, 2023.

PUBLIC NOTICE: Notice was mailed to property owners within 500 feet of the subject property, to all Neighborhood Associations, and posted on January 5, 2023. The property was posted with a notice sign on January 17, 2023. The notice was published in the West Linn Tidings on January 18, 2023. Therefore, public notice requirements of CDC Chapter 99 have been met.

EXECUTIVE SUMMARY

The application is for a two-year extension of a previously approved 15-lot subdivision at 23000 and 23010 Bland Circle (SUB-19-03), also known as the Savannah Summit Subdivision. CDC Chapter 85.090 requires the applicant to record a final plat within three years of the date of the approval or obtain an extension. The applicant is currently developing the site under Private Improvement Permit PI-20-02 and cannot meet the deadline of December 31, 2022, and is therefore requesting the extension in order to complete their proposed project. Staff has recommended the same conditions of approval as SUB-19-03.

Public comments:

One comment letter was received from Alice Richmond in support of the (PC-2).

RECOMMENDATION

Staff recommends approval of application MISC-22-14 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 Plat'.
2. **Engineering Standards.** All public improvements and facilities including street improvements, utilities, grading, onsite storm water design, driveway placement and construction, pavement mitigation, street lighting, street trees, easements, and easement locations are subject to the City Engineer's review, modification, and approval per the City adopted Public Works standards. 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. **Sidewalk Construction.** The applicant shall dedicate 7 feet of frontage to the Bland Circle right-of-way and install a curb-tight sidewalk along Bland Circle from Fircrest Drive to the end of the northern edge of Parcel 1. Additionally, the applicant is required to upgrade the existing ADA ramp at the corner of Bland Circle and Fircrest Drive to meet current ADA Standards. All sidewalks adjacent to Eleanor Street shall be separated from the curb with a landscaping strip.
4. **Undergrounding Utilities.** The applicant shall underground all overhead utilities.
5. **Decommissioning Septic Systems and Wells.** The applicant shall properly abandon/decommission/remove existing wells and septic systems and shall supply the City with the approved documentation from their respective regulatory authorities.

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
MISC-22-14**

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

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 1: The West Linn Planning Commission was the original approval authority for SUB-19-03 per CDC 99.060.B.2(f). The Final Notice and Order was mailed on December 17, 2019 and effective on December 31, 2019. Therefore, the approval expired on December 31, 2022. The applicant has filed and received a completeness determination prior to the expiration date (Exhibit PC-3), which is sufficient to preserve the right to an extension until such time as the Planning Commission can render a decision. Therefore, the West Linn Planning Commission 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 2: Only one relevant approval criteria has been enacted since the application was initially approved in 2019. Specifically, CDC-20-01 was adopted in 2020 which resulted in a new local street requirement of 28 feet within and adjacent to new subdivisions. The applicant is currently grading the site in advance of street and utility improvements under PI-20-02, inclusive of a 28-foot pavement width as originally approved by the Planning Commission, and has not proposed any changes to the approved project. 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 3: Staff has not found any material misrepresentation, errors, omissions, or any changes of facts in the review of 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 4: The original application was found to be in conformance with the provisions of CDC Chapters 12, 48, 85, and 92, subject to Conditions of Approval, and was subsequently approved. Staff finds that the application continues to be in conformance with the applicable CDC provisions, including the 2020 adopted requirement for a 28-foot pavement width within and adjacent to new subdivisions. Staff does not find any evidence of a demonstrated material misrepresentation, errors, omissions or changes to the original application. No modifications to the original approval are proposed at this time and no remedies under subsection A(2) 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 5: 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.

2. *The application for extension of approval with modifications to the original approval shall satisfy the neighborhood meeting requirements of CDC [99.038](#) for those cases that require compliance with that section. If no modifications are made to the original approval, no neighborhood meeting is required*

Staff Finding 6: No modifications to the original application have been proposed; therefore, no neighborhood meeting is required. The criteria are met.

3. *Applications for extensions must be submitted along with the appropriate deposit to the Community Development Department.*

Staff Finding 7: The applicant has submitted the appropriate deposit and application materials found in Exhibit PC-1. The criteria are met.

4. *Notice of the decision shall be issued consistent with CDC [99.080](#).*

Staff Finding 8: CDC 99.080 states that extensions of approvals shall have the same notice as the original application. The original approval of SUB-19-03 was a Class A notice due to the Class II Design Review; therefore, a Class A notice has been sent for the extension of the approval. See staff findings 10-16 for compliance with a Class A Notice. The criteria are met.

5. *The decision shall not become effective until resolution of all appeal periods, including an opportunity for City Council call-up pursuant to this chapter.*

Staff Finding 9: The decision will not be in effect until the resolution of all appeal periods. The criteria are met.

99.080 NOTICE

Notice shall be given in the following ways:

A. *Class A Notice*. *Notice of proposed action or a development application pursuant to CDC 99.060 shall be given by the Director in the following manner:*

1. *At least 20 days prior to the scheduled hearing date notice shall be sent by mail to:*
 - a. *The applicant or the applicant's agent, and the property owner of record on the most recent property tax assessment roll where such property is located.*
 - b. *All property owners of record on the most recent property tax assessment roll where such property is located within 500 feet of the site.*
 - c. *Any affected governmental agency which has entered into an intergovernmental agreement with the City which includes provision for such notice; plus, where applicable, the Oregon Department of Transportation, Tri-Met, neighboring local jurisdictions, Clackamas County Department of Transportation and Development, and Metro.*
 - d. *The affected recognized neighborhood association or citizens advisory committee.*
 - e. *For a hearing on appeal or review, all parties and persons with standing described in CDC 99.140 to an appeal or petition for review.*

Staff Finding 10: The application requires a Class A notice per Staff Finding 8. Notice was mailed to property owners within 500 feet of the subject property, to all Neighborhood Associations, and posted on January 5, 2023. The property was posted with a notice sign on January 17, 2023. The notice was published in the West Linn Tidings on January 18, 2023. Therefore, public notice requirements of CDC Chapter 99 have been met.. The criteria are met.

2. *At least 10 days prior to the hearing or meeting date, notice shall be given in a newspaper of general circulation in the City. An affidavit of publication shall be made part of the administrative record.*
 - a. *Decisions pursuant to CDC 99.060(A), Planning Director authority, are exempt from the requirements of this subsection.*

Staff Finding 11: Notice was published in the West Linn Tidings on January 18, 2023. An affidavit of publication can be found in Exhibit PC-6. The criteria are met.

3. *At least 10 days prior to the hearing or meeting date, the Planning Director shall cause a sign to be placed on the property which is the subject of the decision or, if the property does not have frontage on a public street, adjacent to the nearest public street frontage in plain view and shall state, "This property is the subject of a land use decision," with the type of use or request*

indicated. If the application is not located adjacent to a through street, then an additional sign shall be posted on the nearest through street.

Staff Finding 12: A sign was posted on the subject property on January 17, 2023. The criterion is met.

4. At least 10 days but no more than 40 days prior to hearing of a proposed zone change for manufactured home parks, notice shall be given to the respective manufactured home park residents.

Staff Finding 13: The application is not related to a manufactured home park. The criterion does not apply.

5. The Director shall cause an affidavit of mailing of notice and posting of notice to be filed and made part of the administrative record.

Staff Finding 14: The affidavit of mailing of notice has been produced and can be found in Exhibit PC-6. The criterion is met.

6. At the conclusion of the land use action the signs shall be removed.

Staff Finding 15: The land use action sign will be removed after the conclusion of the application for the extension of the approval. The criterion is met.

E. Table of notices. The following notice summary identifies the appropriate type of notice for the various land use applications of CDC 99.060.

<i>Extensions of Approvals</i>	<i>Same notice as original application</i>
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Staff Finding 16: The applicant has applied for an extension of a previous approval (SUB-19-03); therefore, a Type A notice has been utilized as documented in prior staff findings within this report. The criteria are met.

PC-1 APPLICANT SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT JOHN FLOYD	PROJECT No(s). MISC-22-14	PRE-APPLICATION NO. n/a
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT \$3,300	TOTAL \$3,300

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input checked="" 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"/> Code Interpretation | <input type="checkbox"/> Lot Line Adjustment (LLA) | <input checked="" type="checkbox"/> Time Extension |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Modification of Approval | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Tree Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |

Pre-Application, Home Occupation, Sidewalk Use, Addressing, and Sign applications require different forms, available on the City website.

Site Location/Address:

23000 and 23010 Bland Circle, West Linn, OR 97068

Assessor's Map No.: 21E35B

Tax Lot(s): 21E35B - 00404, 00201, 00400

Total Land Area: 3.29 Acres

Brief Description of Proposal:

Extension of Approval for 15 lot subdivision.

Applicant Name:

(please print) **Ben Looney**
Address: **511 Main Street, Suite 101**
City State Zip: **Oregon City, OR 97045**

Phone: **541-404-8825**
Email: **ben@growthcc.com**

Owner Name (required):

(please print) **HMBL Development, LLC**
Address: **511 Main Street, Suite 101**
City State Zip: **Oregon City, OR 97045**

Phone: **541-404-8825**
Email: **ben@growthcc.com**

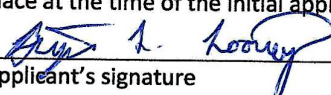
Consultant Name:

(please print)
Address:
City State Zip:

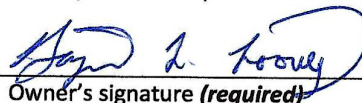
Phone:
Email:

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. Submit this form and supporting documents through the Submit a 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.


Applicant's signature

12/16/22
Date


Owner's signature (required)

12/16/22
Date

Memorandum
Time Extension Request

To: City of West Linn – Planning and Development
Attention: John Floyd

From: HMBL Development, LLC
Ben Looney, Member
Harley Meservey, Member

RE: Time Extension – Subdivision Approval for Savanna Summit (SUB-19-03)

HMBL Development, LLC is requesting a two-year time extension to complete and record the final plat on our subdivision, located at 23000 and 23010 Bland Circle, West Linn, OR 97068. In compliance with this request, we:

1. Our project is in conformance with applicable CDC provisions and relevant approval criteria since the application was initially approved; and
2. There are no demonstrated material misrepresentations, errors, omissions, or changes in facts that directly impact the project.
3. The approved plans are current and conform to current approval criteria.

Sincerely,

 12/16/22

Ben Looney, Member
HMBL Development, LLC
511 Main St, Suite 101
Oregon City, OR 97045
(541) 404-8825

PC-2 PUBLIC COMMENT

John Floyd, associate planner. city of
west LINN.

following up our conversation over the phone on city
misc-22-14 request for 2 yrs attention; I vote in favor
to the request:

Present times economics are difficult, this
developer will help in hiring labors, materials -
purchases, etc. etc. and city benefits income as well
(as property taxes) and a bit of work for staff (I say this -
good too - no staff diffusing. —

it's best to have vacant lots built rather than
uselessly unproductive = 15/14 lots is good altruism! —
it's a good start on 2023 -

Happy new year you'all! —

god bless Alice Richmond

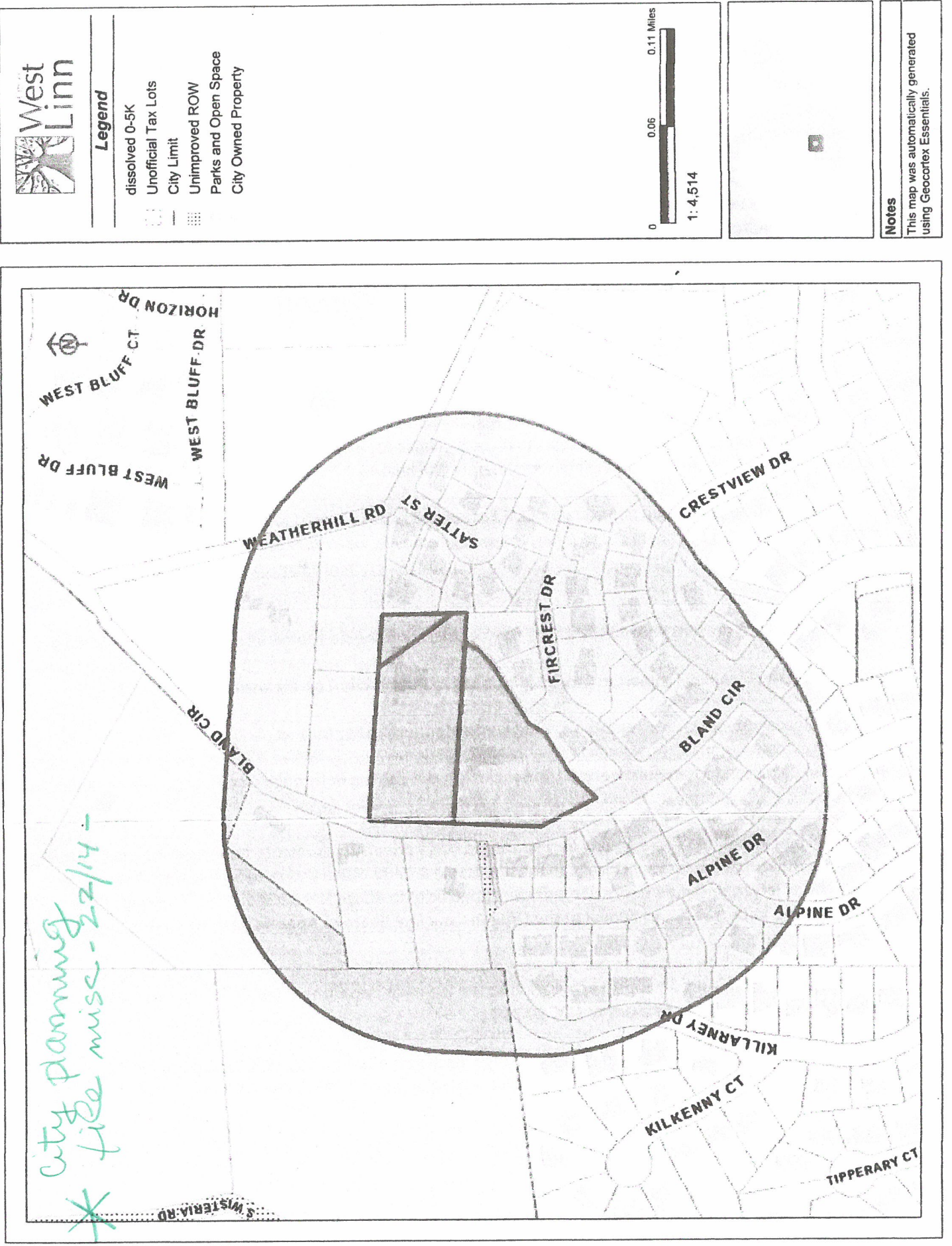
PCNA.

1-7-23 -

over

MISC-22-14 Properties within 500 feet of 23000 & 23010 Bland Circle

City Planning
* file misc - 22/14 -



Notes
This map was automatically generated using Geocortex Essentials.

PC-3 COMPLETENESS LETTER



CITY OF
West Linn

December 21, 2022

Ben Looney
HMBL Development, LLC
511 Main Street, Suite 101
Oregon City, OR 97045

SUBJECT: MISC-22-14 – Request for a two year time extension of a 15-Lot Subdivision at
23000 & 23010 Bland Circle (SUB-19-03)

Dear Mr. Looney,

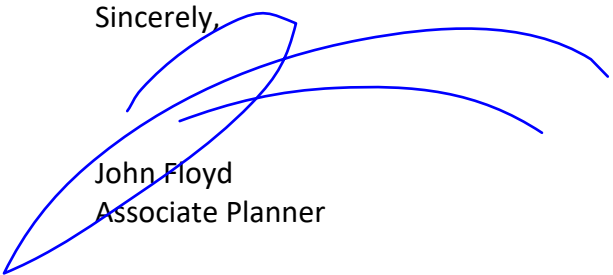
Your application submitted on December 19 2022 has been deemed **complete**. The city has 120 days to exhaust all local review; that period ends April 20, 2023.

Please be aware that a 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 Commission to render a decision on your proposal.

A 20-day public notice will be prepared and mailed. This notice will identify the earliest potential hearing date by the Planning Commission.

Please contact me at 503-742-6058, or by email at jfloyd@westlinnoregon.gov if you have any questions or comments.

Sincerely,



John Floyd
Associate Planner

PC-4 FINAL DECISION AND ORDER (SUB-19-03)

WEST LINN PLANNING COMMISSION

FINAL DECISION AND ORDER

SUB-19-03

IN THE MATTER OF A PROPOSAL TO DEVELOP A 15-LOT SUBDIVISION

I. Overview

At its meeting on December 4, 2019, the West Linn Planning Commission (“Commission”) held the initial evidentiary public hearing to consider the request by Bland Circle, LLC, applicant, to approve a proposal to develop a 15-lot subdivision at 23000/23010 Bland Circle. The approval criteria for land division are found in Chapter 85, of the Community Development Code (CDC). The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The initial evidentiary hearing commenced with a staff report presented by Jennifer Arnold, Associate Planner. Steve Miller, Planning Consultant, Dana Beckwith, Global Transportation Engineering, presented on the applicant’s behalf. Dave Fogle, Neil Dautremon, and Robert Musalo provided oral testimony. Robert Musalo and John Nilsen also submitted written testimony. The primary concerns raised during testimony included:

- Trail maintenance and confusion surrounding the trail due to the appearance that it is private and leads to a backyard.
- Traffic on narrow streets and speeding in neighborhoods
- Intersection safety
- Use of a private access easement

Applicant representatives provide rebuttal and answered questions using statements or reports found in the land use application

The hearing was closed and the Planning Commission deliberated, including a discussion on the Staff proposed condition of approval for construction of a trail. A motion was made by Commissioner King and seconded by Commissioner Farrell to approve the application with five staff proposed conditions of approval which excluded the requirement for a pedestrian trail connection (Staff recommended condition of approval 5). The motion was passed unanimously 6-0.

II. The Record

The record was finalized at the December 4, 2019, hearing. The record includes the entire file from SUB-19-03.

III. Findings of Fact

- 1) The Overview set forth above is true and correct.
- 2) The applicant is Bland Circle, LLC.

- 3) The Commission finds that it has received all information necessary to make a decision based on the Staff Report and attached findings; public comment; and the evidence in the whole record, including any exhibits received at the hearing.

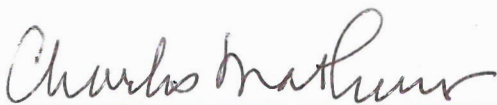
IV. Findings

The Commission adopts the Staff Report for December 4, 2019, with attachments, as its findings, which are incorporated by this reference with the five of the six Staff recommended conditions of approval. The Commission concludes that all of the required approval criteria are met subject to the following conditions of approval:

1. **Site Plan.** With the exception of modifications required by these conditions, the final plat shall conform to the submitted 'Preliminary Plat', (Sheet 6/13).
2. **Engineering Standards.** All public improvements and facilities including street improvements, utilities, grading, onsite storm water design, driveway placement and construction, pavement mitigation, street lighting, street trees, easements, and easement locations are subject to the City Engineer's review, modification, and approval per the City adopted Public Works standards. 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. **Sidewalk Construction.** The applicant shall dedicate 7 feet of frontage to the Bland Circle right-of-way and install a curb-tight sidewalk along Bland Circle from Fircrest Drive to the end of the northern edge of Parcel 1. Additionally, the applicant is required to upgrade the existing ADA ramp at the corner of Bland Circle and Fircrest Drive to meet current ADA Standards. All sidewalks adjacent to Eleanor Street shall be separated from the curb with a landscaping strip.
4. **Undergrounding Utilities.** The applicant shall underground all overhead utilities.
5. **Decommissioning Septic Systems and Wells.** The applicant shall properly abandon/decommission/remove existing wells and septic systems and shall supply the City with the approved documentation from their respective regulatory authorities.

V. Order

The Commission concludes that SUB-19-03 is approved based on the Record, Findings of Fact and Findings above.



CHARLIE MATHEWS, VICE-CHAIR
WEST LINN PLANNING COMMISSION

12/16/19

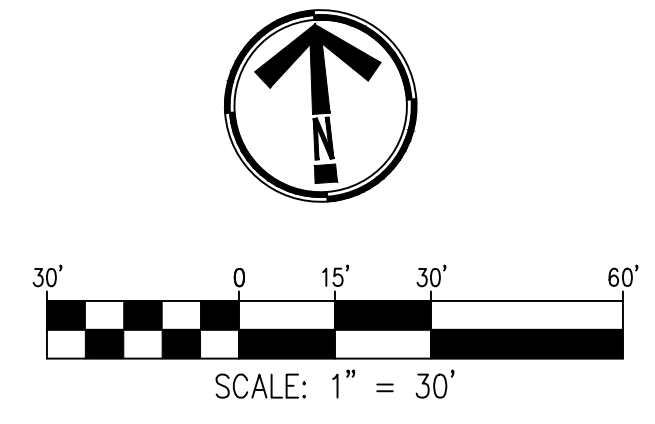
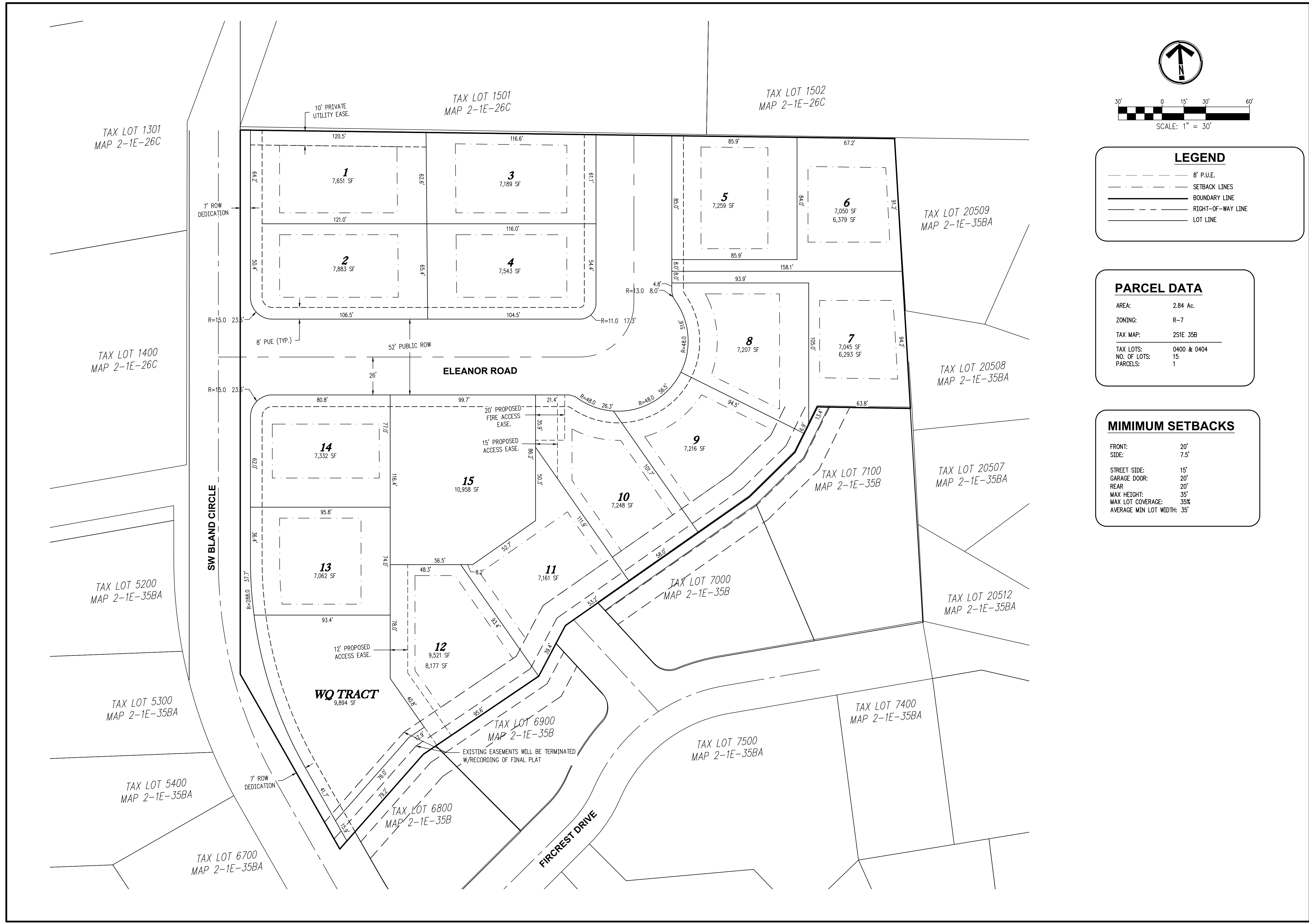
DATE

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.

Mailed this 17 day of December, 2019.

Therefore, this decision becomes effective at 5 p.m., December 31, 2019.

PC-5 APPROVED TENTATIVE PLAT (SUB-19-03)



LEGEND

- 8' P.U.E.
- SETBACK LINES
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- LOT LINE

PARCEL DATA

AREA:	2.84 Ac.
ZONING:	R-7
TAX MAP:	2S1E 35B
TAX LOTS:	0400 & 0404
NO. OF LOTS:	15
PARCELS:	1

MINIMUM SETBACKS

FRONT:	20'
SIDE:	7.5'
STREET SIDE:	15'
GARAGE DOOR:	20'
REAR:	20'
MAX HEIGHT:	35'
MAX LOT COVERAGE:	35%
AVERAGE MIN LOT WIDTH:	35'

23000 23010 SW BLAND CIRCLE
 TAX MAP 21E35B
 TAX LOT 400 & 404
 WEST LINN, OREGON

PRELIMINARY PLAT

REVISIONS

NO.	DATE	DESCRIPTION
0	6/2019	PLANNING 1ST SUBMITTAL

EMERIO
Design

6445 SW FALLBROOK PLACE, SUITE 100
 WEST LINN, OREGON 97141
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com

PC-6 AFFADAVIT AND NOTICE PACKET

**CITY OF WEST LINN PLANNING COMMISSION
PUBLIC HEARING NOTICE
FILE NO. MISC-22-14**

The West Linn Planning Commission will hold a hybrid public hearing on **Wednesday, February 1, 2023** at 6:30 pm in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider MISC-22-14, a request for a two-year extension to a previously approved 15-Lot Subdivision at 23000/23010 Bland Circle (SUB-19-03).

The Planning Commission will make its decision based on applicable criteria in Chapter 99.325 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/23000-23010-bland-circle-request-extension-complete-sub-19-03>. 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. The staff report will be available for inspection at no cost, or copies may be obtained at a reasonable cost, at least ten days before the hearing.

The hearing will be conducted according to CDC Section 99.170 in a hybrid format with some Commissioners, staff, presenters, and members of the public attending remotely via Webex and others attending in-person at City Hall. The public can watch the meeting online at <https://westlinnoregon.gov/meetings> or on Cable Channel 30.

Anyone wishing to present written testimony for consideration should submit all materials before 12:00 pm (noon) on the meeting day to jfloyd@westlinnoregon.gov. Alternatively, hardcopies may be mailed or hand-delivered to the Planning Counter at City Hall prior to 12:00 pm (noon) on the meeting day.

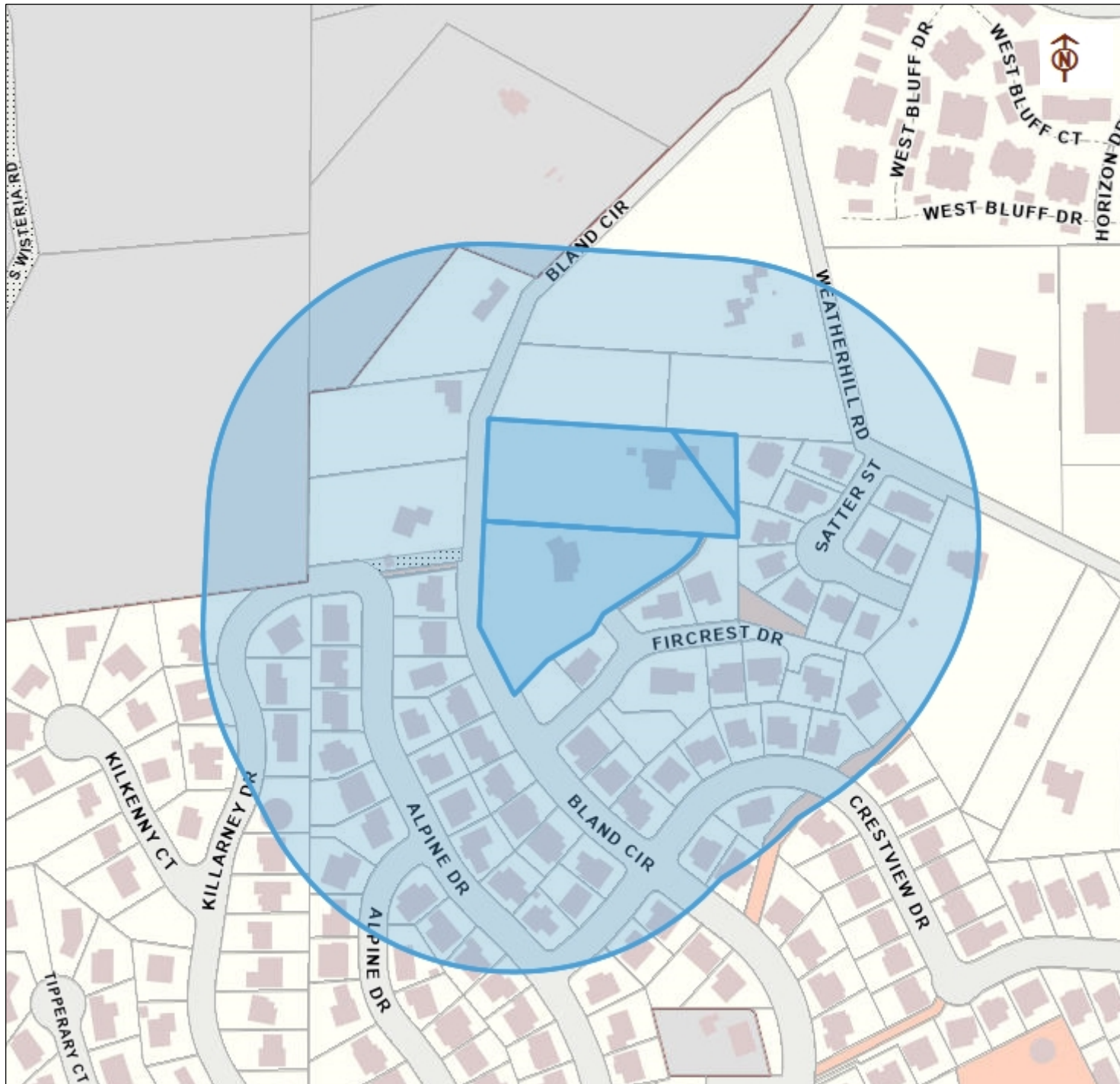
Those who wish to participate remotely should complete the speaker form at <https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup> **before 4:00 pm on the meeting day** to receive an invitation to join the meeting. Virtual participants can log in through a computer, mobile device, or call-in.

It is important to submit all testimony in response to this notice. All comments submitted for consideration of this application 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](#).

For additional information, please contact John Floyd, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, 503-742-6058 or jfloyd@westlinnoregon.gov for additional information.

MISC-22-14 Properties within 500 feet of 23000 & 23010 Bland Circle



Legend

- dissolved 0-5K
- Unofficial Tax Lots
- City Limit
- Unimproved ROW
- Parks and Open Space
- City Owned Property

0 0.06 0.11 Miles



1: 4,514



Notes

This map was automatically generated using Geocortex Essentials.



PROJECT # MISC-22-14
MAIL: 1/5/23 TIDINGS: 1/18/23

CITIZEN CONTACT INFORMATION

To lessen the bulk of agenda packets and land use application notice, and to address the concerns of some City residents about testimony contact information and online application packets containing their names and addresses as a reflection of the mailing notice area, this sheet substitutes for the photocopy of the testimony forms and/or mailing labels. A copy is available upon request.



**AFFIDAVIT OF NOTICE
TYPE A
PLANNING COMMISSION 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-22-14**

Applicant's Name: **Ben Looney**

Development Name: **23000 & 23010 Bland Circle**

Scheduled Decision Date: **Planning Commission Decision no earlier than 2/1/23**

APPLICATION

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

1/5/23	<i>Lynn Schroder</i>
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MAILED NOTICE

Notice of Upcoming Hearing was mailed at least 20 days before the hearing, per Section 99.080 of the CDC to:

Ben Looney, applicant	1/5/23	<i>Lynn Schroder</i>
HMBL Development, owner	1/5/23	<i>Lynn Schroder</i>
Property owners within 500ft of the site perimeter	1/5/23	<i>Lynn Schroder</i>
All Neighborhood Associations	1/5/23	<i>Lynn Schroder</i>

WEBSITE

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

1/5/23	<i>Lynn Schroder</i>
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TIDINGS

Notice was posted in the West Linn Tidings at least 10 days before the hearing, per Section 99.080 of the CDC.

1/18/23	<i>Lynn Schroder</i>
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SIGN

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

1/19/23	<i>John Floyd</i>
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STAFF REPORT

The staff report was posted on the website and provided to the applicant and Planning Commissioners at least 10 days before the hearing, per Section 99.040 of the CDC.

	<i>Lynn Schroder</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.

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