



CITY OF  
**West Linn**

**PLANNING MANAGER DECISION**

DATE: September 21, 2023

FILE NO.: ELD-23-03

REQUEST: Approval of an SB458 Expedited Land Division for a two-parcel middle housing land division resulting in a detached duplex with the one dwelling on each parcel at Lot 6, Willow Ridge, Landis Street.

PLANNER: Chris Myers, Associate Planner

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Planning Manager DSW

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## GENERAL INFORMATION

**APPLICANT/  
OWNER:**

Icon Construction & Development, LLC  
1969 Willamette Falls Drive., Suite 260  
West Linn, OR. 97068

**SITE LOCATION:**

Lot 6, Willow Ridge Subdivision, Cornwall Street

**SITE SIZE:**

22,566 square feet

**LEGAL**

**DESCRIPTION:**

Clackamas County Assessor Map 21E36BA Tax Lot 8800

**COMP PLAN**

**DESIGNATION:**

Low-Density Residential

**ZONING:**

R-10, Single-Family Residential Detached  
(10,000 sq. ft. min. lot size)

**APPROVAL  
CRITERIA:**

Oregon Revised Statute 92.031

**120-DAY RULE:**

The application became complete on July 24, 2023. The 63-day period for an expedited land division ends September 25, 2023.

**PUBLIC NOTICE:**

Notice was mailed to property owners within 100 feet of the subject property, public facility and services providers, and the Sunset Neighborhood Associations on July 26, 2023, as required by Oregon Revised Statute 197.365. The notice was also posted on the City's website on July 25, 2023. Therefore, public notice requirements have been met.

## EXECUTIVE SUMMARY

The Lot 6 of the Willow Ridge Subdivision is a 22,566 square foot property and a legal lot of record. The property is zoned R-10, Residential and the applicant will construct a detached duplex as permitted by West Linn Community Development Code Chapter 11.030.1(a), which was adopted as part of the City's HB2001 code amendment package (Ordinance 1736). The applicant has proposed to divide the property under SB458 rules adopted by the Oregon Legislature in 2021 and codified in Oregon Revised Statute 92.031. Each resulting parcel will contain one dwelling unit of the detached duplex.

### Proposed Parcel Sizes

Parcel 1 – 12,171 sq. ft.

Parcel 2 – 10,393 sq. ft.

The property is not located within the Willamette River Greenway (WRG), nor any FEMA flood hazard area or water resource area (WRA). There is existing water adjacent to the property in Landis Street. An existing sewer line exists adjacent to the south side of the subject property. The nearest existing stormwater drainage line is also located adjacent on the south side of the property in a utility easement.

The property has approximately 95 feet of frontage on a private access/emergency access drive connected to Landis Street, which has a functional classification of Local Street. Each of the two parcels will take access from the private drive to Landis Street, which is fully developed with street improvements.

### Public comments:

The City received 25 public comments prior to the closing of the public comment period. The full text of the comments can be found in Exhibit PD-2. Below staff has summarized the comments and provided responses.

#### *Dan and Jacque Eaton Email 8.3.23*

*Expressed concern for the increased traffic from adding an additional dwelling. Further concerns relate to the developer building a trail from Cornwall Street to Fairhaven Street. And a concern that heavy trucks traveling to and from the Willow Ridge Subdivision have cracked Landis Street.*

### **Staff Response:**

**The applicant proposes to develop a middle housing type (detached duplex) as permitted by the West Linn Community Development Code (see Staff Finding 1) and the land division process for middle housing types as found in SB458 (ORS 92.031).**

**The Oregon Legislature approved HB2001 in 2019, requiring the City of West Linn to allow a duplex on the subject property (see Staff Finding 1). The applicant proposes a detached**

**duplex (middle housing) on the subject property. The Oregon Legislature subsequently approved SB458 in 2021, requiring cities and counties to allow the division of a lot or parcel that contains middle housing, thus permitting each unit of a duplex to be located on its own lot or parcel. The applicant proposes to divide the property under SB458 rules.**

**Landis Street is approximately 28 feet wide curb to curb and has a functional classification of a Local Street. One additional dwelling unit, beyond what was approved as part of the Willow Ridge Subdivision (SUB-20-01), will generate roughly 11 new vehicle trips a day. Landis Street has sufficient capacity to accommodate the additional trips generated by one additional dwelling unit.**

**No trail is planned that will connect Cornwall Street to Fairhaven Drive.**

**Potential damage to a City street from construction vehicles is not a part of the approval criteria set forth in HB2001 or SB458 and should be reported to the City's Public Works Department.**

*Jane O'Malley Email 8.4.23*

*Expressed concern for the increased traffic on Landis Street from adding an additional dwelling beyond what was approved in the subdivision. Further concerns relate to that nature of the neighborhood changing to a mixed owner/renter community and the possibility that these homes will devalue properties in the neighborhood.*

**Staff Response:**

**The applicant proposes to develop a middle housing type (detached duplex) as permitted by the West Linn Community Development Code (see Staff Finding 1) and the land division process for middle housing types as found in SB458 (ORS 92.031).**

**The Oregon Legislature approved HB2001 in 2019, requiring the City of West Linn to allow a duplex on the subject property (see Staff Finding 1). The applicant proposes a detached duplex (middle housing) on the subject property. The Oregon Legislature subsequently approved SB458 in 2021, requiring cities and counties to allow the division of a lot or parcel that contains middle housing, thus permitting each unit of a duplex to be located on its own lot or parcel. The applicant proposes to divide the property under SB458 rules.**

**Landis Street is approximately 28 feet wide curb to curb and has a functional classification of a Local Street. One additional dwelling unit, beyond what was approved as part of the Willow Ridge Subdivision (SUB-20-01), will generate roughly 11 new vehicle trips a day. Landis Street has sufficient capacity to accommodate the additional trips generated by one additional dwelling unit.**

**The future value of neighborhood homes was not addressed by the State of Oregon as part of HB2001 or SB458 and therefore is not a part of the approval criteria for this application.**

Chelsea & Chris Diaz, Cory & Kim Stenzel, Dan & Jacque Eaton, Dianne Johnson, Antonio Fernandez & Janette Duffy, Darin Stegemoller, David Corey, Dayatra Tresvant, Joe & Rebel Steirer, Kelly Priest, Maryann Mendel, Wen Jiang, Jeff & Lois Gardner, Kemberly & Shem Oqadhoh, Nancy Weinstein, Lee Weinstein, Glenn Winther, Lana Winther all signed and emailed a letter of opposition to the application for an Expedited Land Division (ELD) on Lot 6 of the Willow Ridge Subdivision.

*Argument Against 1 – The application failed to meet the minimum lot standards, specifically the average lot width.*

*Argument Against 2 – Geological and Hydrological Risks. Specifically the potential for a landslide due to a water table outcropping on the Willow Ridge slope at approximately 460 feet above sea level. This issue was not addressed in the ELD application. Further concern states that there may be a ground disturbance from construction or increased ground water percolation above an elevation of 460 feet above sea level and this will affect the perched water zone and may result in either increased flow from existing springs or the formation of new springs. These changes may pose increased flooding risk.*

*Argument Against 3 – Traffic Injury Risks. Homes along Landis Street are not equipped with large enough yards to constrain children therefore they must play in the street as they have no other option. Further safety issues are caused by the blind roadway curve in Landis Street. The ELD application will increase traffic on Landis Street and thus increase the safety risks to the children that live along Landis.*

*Argument Against 4 – Public Safety Risk. Allowing additional homes to be built there is concern that emergency services will have a hard time accessing the homes on Landis Street and Willow Ridge subdivision. One further issue is the potential for this development to expand exponentially and hinder emergency services from being able to access these homes quickly and efficiently and thus not being able to render aid in a timely and efficient manner.*

**Staff Response:**

**The applicant proposes to develop a middle housing type (detached duplex) as permitted by the West Linn Community Development Code (see Staff Finding 1) and the land division process for middle housing types as found in SB458 (ORS 92.031).**

**The Oregon Legislature approved HB2001 in 2019, requiring the City of West Linn to allow a duplex on the subject property (see Staff Finding 1). The applicant proposes a detached duplex (middle housing) on the subject property. The Oregon Legislature subsequently approved SB458 in 2021, requiring cities and counties to allow the division of a lot or parcel that contains middle housing, thus permitting each unit of a duplex to be located on its own lot or parcel. The applicant proposes to divide the property under SB458 rules.**

**SB458 prohibits a jurisdiction from applying development codes other than ORS 92.031, including the City's dimensional requirements such as average lot width. Therefore, average lot width is not an applicable criteria to this SB458 land division.**

**Potential geologic hazards were addressed in the original subdivision approval and are not a part of the approval criteria set forth in HB2001 or SB458. Each individual lot will require obtaining a building permit, which includes submitting a geotechnical report to the West Linn Building Official to verify the stability of the lot to support the structure.**

**Landis Street is approximately 28 feet wide curb to curb and has a functional classification of a Local Street. One additional dwelling unit, beyond what was approved as part of the Willow Ridge Subdivision (SUB-20-01), will generate approximately 11 vehicle trips per day. Landis Street has sufficient capacity to accommodate the additional trips generated by one additional dwelling unit.**

**The size of the front or rear yards for homes on Landis Street is not a part of the approval criteria for an Expedited Land Division under HB2001 and SB458.**

**As part of the Expedited Land Division process, each developer is required to get a Tualatin Valley Fire & Rescue (TVF&R) provider permit. The provider permit is an approval by TVF&R of the proposed project. This application has received a provider permit dated July 24, 2023, signed by Deputy Fire Marshall Jason Arn, with no conditions of approval. The TVF&R provider permit can be found in Exhibit PD-1.**

*Joy & Chong Lee Email 8.7.23*

*Expressed the same concerns as other neighbors by signing the neighborhood letter but added additional comments. First the Lee's expressed concern that the Willow Ridge development is diverting underground water and there is concern this will cause excessive water runoff.*

*Next concern expressed is the increase in traffic on Landis Street. Many families do not have accessible backyards and thus children must play in their front yards. Many delivery trucks use Landis Street and there is the assumption that this number will double when the new houses are built.*

*The last concern expressed is for the alignment of Landis Street. The Lee's feel that the current alignment isn't the best for the neighborhood. It is too circuitous and would be better if residents had a more direct route to get to town or the highway.*

**Staff Response:**

**The applicant proposes to develop a middle housing type (detached duplex) as permitted by the West Linn Community Development Code (see Staff Finding 1) and the land division process for middle housing types as found in SB458 (ORS 92.031).**

**The Oregon Legislature approved HB2001 in 2019, requiring the City of West Linn to allow a duplex on the subject property (see Staff Finding 1). The applicant proposes a detached duplex (middle housing) on the subject property. The Oregon Legislature subsequently approved SB458 in 2021, requiring cities and counties to allow the division of a lot or parcel that contains middle housing, thus permitting each unit of a duplex to be located on its own lot or parcel. The applicant proposes to divide the property under SB458 rules.**

**As part of HB2001 and SB458 certain dimensional requirements are no longer a part of the approval criteria. Average lot width is one of the dimensional requirements that is no longer a part of the approval criteria.**

**Potential geologic hazards were addressed in the original subdivision approval and are not a part of the approval criteria set forth in HB2001 or SB458. Each individual lot will require obtaining a building permit, which includes submitting a geotechnical report to the West Linn Building Official to verify the stability of the lot to support the structure.**

**All impervious surfaces, including Landis Street, driveways, and homes, are required to collect, treat, and detain stormwater runoff to pre-development conditions. All improvements associated with the Willow Ridge subdivision have been designed and constructed to meet these standards. As homes are build on each individual lot, stormwater is again engineered and reviewed to ensure all water is collected, treated, and detained to meet pre-development conditions.**

**Landis Street is approximately 28 feet wide curb to curb and has a functional classification of a Local Street. One additional single-family home will generate approximately 11 new vehicle trips a day. Landis Street has sufficient capacity to accommodate the additional trips generated by one additional single-family home. The current alignment of Landis Street was part of the Willow Ridge Subdivision (SUB-20-01) and was approved without a public connection to Cornwall Street. Possible realignment of Landis Street is not a part of the approval criteria set forth in HB2001 or SB458.**

## **DECISION**

The Planning Manager (designee) approves this application (ELD-23-03) for an expedited land division under the rules of SB458 based on: 1) the applicant proposes to construct middle housing on the property; 2) the findings submitted by the applicant, which are incorporated by this reference; 3) supplementary staff findings included in the Addendum; and 4) the addition of conditions of approval below. With these findings, the applicable approval criteria of ORS 92.031 are met. The conditions are as follows:

1. **Preliminary Plat.** With the exception of modifications required by these conditions, the final plat shall conform to the Preliminary Plat dated 6/14/2023 (Exhibit PD-1).
2. **Compliance with Oregon Residential Specialty Code.** The applicant shall submit building plans and obtain approval of compliance with the Oregon Residential Specialty Code from West Linn Building staff prior to final plat approval from the City.
3. **Compliance with Siting and Design Standards.** The applicant shall submit building plans and obtain approval of compliance with siting and design standards from West Linn Planning staff prior to final plat approval from the City.
4. **Engineering Standards.** All public improvements and facilities associated with the approved site design, including but not limited to street improvements, driveway approaches, curb cuts, utilities, grading, onsite and offsite stormwater, street lighting, easements, easement locations, and connections for future extension of utilities are subject to conformance with the City Municipal Code and Community Development Code. These must be designed, constructed, and completed prior to final plat approval. Public Works may coordinate with the applicant to complete additional, voluntary, off-site improvements.
5. **Reciprocal Access and Maintenance Agreement.** The applicant shall update the recorded document for the Willow Ridge plat (recorded as document #2023-018698) to include newly created lot prior to final plat recording.
6. **Final Plat Notation.** The applicant shall include on the face of the plat the notation "This middle housing land division approval was given under the provisions of SB458. Further division of the resulting parcels is prohibited".
7. **Final Plat Recording.** The approval of the tentative plat (ELD-23-03) shall be void if the applicant does not record the final partition plat within three years of approval.

The provisions of the Oregon Revised Statute 92.031 have been met.

Chris J. Myers  
Chris Myers, Associate Planner

September 21, 2023  
Date

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date and include a \$300 deposit for costs. An appeal of an expedited land division is decided by a referee that is not an employee or official of the City of West Linn. The appeal must be filed by the applicant or an individual who has established standing by submitting comments prior to the public



comment deadline date. Approval will lapse 3 years from effective approval date if the final plat is not recorded.

Mailed this 21<sup>st</sup> day of September, 2023.

Therefore, the 14-day appeal period ends at 5 p.m., on October 5, 2023.

**ADDENDUM  
APPROVAL CRITERIA AND FINDINGS  
ELD-23-03**

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

*ORS 92.031 Middle housing land division; conditions of approval.*

*(1) As used in this section, “middle housing land division” means a partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197.758 (2) or (3).*

*ORS 197.758(2) Except as provided in subsection (4) of this section, each city with a population of 25,000 or more and each county or city within a metropolitan service district shall allow the development of:*

*(a) All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and*

**Staff Finding 1: The subject property is zoned Residential, R-10 and permits the construction of a single-family detached dwelling. ORS 197.758(2)(a) requires the City of West Linn to allow a duplex, one type of middle housing, in areas zoned for residential use that allows for the development of detached single-family dwellings. The applicant proposes the construction of a detached duplex as permitted by West Linn Community Development Code (CDC) Chapter 11.030.1(a). CDC Chapter 2 defines a duplex as “Two attached or detached dwelling units on a lot or parcel in any configuration”. Therefore, the proposed division of the lot, which allows the development of middle housing, is permitted. The criteria are met.**

*(2) A city or county shall approve a tentative plan for a middle housing land division if the application includes:*

*(a) A proposal for development of middle housing in compliance with the Oregon residential specialty code and land use regulations applicable to the original lot or parcel allowed under ORS 197.758 (5);*

*ORS 197.178(5) Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.*

**Staff Finding 2:** The applicant proposes the construction of a detached duplex, which qualifies as a middle housing type (see Staff Finding 1). The applicant did not submit building plans for the detached duplex with this application. The applicant shall submit building plans and obtain approval of compliance with the Oregon Residential Specialty Code from West Linn Building staff prior to final plat approval by the City per Condition of Approval 2. Subject to the Conditions of Approval, the criteria are met.

**Staff Finding 3:** The applicant proposes the construction of a detached duplex, which qualifies as a middle housing type (see Staff Finding 1). The City regulates siting and design of middle housing, including minimum property line setbacks, sidewall transitions, maximum floor-area-ratio (FAR), maximum lot coverage, and maximum building height. The siting and design regulations are reviewed by West Linn Planning staff during building permit review. Minimum property line setbacks and maximum lot coverage will be applied and calculated based on the subject property boundary and total area. Sidewall transitions and maximum building height will be reviewed based on building plans. The applicant did not submit building plans for the detached duplex with this application. The applicant shall submit building plans and obtain approval of compliance with siting and design standards from West Linn Planning staff prior to final plat approval by the City per Condition of Approval 3. Subject to the Conditions of Approval, the criteria are met.

**Staff Finding 4:** The City has adopted protective measures pursuant to statewide land use planning goals for the Willamette River Greenway (Goals 5 and 15), Water Resource Areas (Goals 5, 6, and 7), and Floodplain Management Areas (Goal 7). The City regulates the protective measures through CDC Chapters 27, 28, and 32. The subject property is not located within the Willamette River Greenway, nor a Water Resource Area or Floodplain Management Area. Parcel 2 of the proposed development has a Habitat Conservation Area (HCA) overlay on the southeast corner. The construction of the detached duplex on parcel 2 will not encroach upon the moderate HCA overlay. The criteria are met.

*(b) Separate utilities for each dwelling unit;*

**Staff Finding 5:** The applicant proposes the construction of a detached duplex with separate utility connections for each dwelling unit. Utilities shall be installed in compliance with West Linn Municipal Code requirements per Condition of Approval 4. Subject to the Conditions of Approval, the criteria are met.

*(c) Proposed easements necessary for each dwelling unit on the plan for:*

*(A) Locating, accessing, replacing and servicing all utilities;*

**Staff Finding 6:** The applicant proposes the construction of a detached duplex on the subject property, including the division of the lot as allowed by SB458. No new utility easements are required. The criteria are met.

*(B) Pedestrian access from each dwelling unit to a private or public road;*

**Staff Finding 7:** The applicant proposes the construction of a detached duplex on the subject property, including the division of the parcel as allowed by SB458. All dwellings will have

pedestrian access to Landis Street, a public street, via dedicated driveways for each lot. The criteria are met.

*(C) Any common use areas or shared building elements;*

**Staff Finding 8: The applicant does not propose any common use areas or shared building elements; therefore, no easements are required. The criteria are met.**

*(D) Any dedicated driveways or parking; and*

**Staff Finding 9: The subject property takes access via a private shared drive connected to Landis Street. The applicant shall update the recorded reciprocal access and maintenance agreement for the shared drive to include the newly created lot/parcel per Condition of Approval 5. Subject to the Conditions of Approval, the criteria is met.**

*(E) Any dedicated common area;*

**Staff Finding 10: The applicant does not propose any dedicated common use area, therefore no easements are required. The criteria are met.**

*(d) Exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts used as common areas; and*

**Staff Finding 11: The applicant proposes the construction of a detached duplex as permitted by West Linn Community Development Code (CDC) Chapter 11.030.1(a). CDC Chapter 2 defines a duplex as “Two attached or detached dwelling units on a lot or parcel in any configuration.” The division of the lot under SB458 rules will result in one dwelling unit on each resulting parcel. No common areas are proposed. The criteria are met.**

*(e) Evidence demonstrating how buildings or structures on a resulting lot or parcel will comply with applicable building codes provisions relating to new property lines and, notwithstanding the creation of new lots or parcels, how structures or buildings located on the newly created lots or parcels will comply with the Oregon residential specialty code.*

**Staff Finding 12: The applicant proposes the construction of a detached duplex, which qualifies as a middle housing type. The applicant did not submit building plans for the detached duplex with this application. The applicant shall submit building plans and obtain approval of compliance with the Oregon Residential Specialty Code, including provisions related to new property lines, from West Linn Building staff prior to final plat approval by the City per Condition of Approval 2. Subject to the Conditions of Approval, the criteria are met.**

*(3) A city or county may add conditions to the approval of a tentative plan for a middle housing land division to:*

*(a) Prohibit the further division of the resulting lots or parcels.*

**Staff Finding 13:** The applicant proposes the construction of a detached duplex on the subject property, including the division of the lot as allowed by SB458. The applicant shall include on the face of the plat a notation prohibiting the further division of the resulting parcels under the provisions of SB458 per Condition of Approval 6. Subject to the Conditions of Approval, the criteria are met.

*(b) Require that a notation appear on the final plat indicating that the approval was given under this section.*

**Staff Finding 14:** The applicant proposes the construction of a detached duplex on the subject property, including the division of the lot as allowed by SB458. The applicant shall include on the face of the plat a notation indicating the approval was given under the provisions of SB458 per Condition of Approval 6. Subject to the Conditions of Approval, the criteria are met.

*(4) In reviewing an application for a middle housing land division, a city or county:  
(a) Shall apply the procedures under ORS 197.360 to 197.380.*

**Staff Finding 15:** Please see Staff Findings 24 to 51. The criteria are met.

*(b) May require street frontage improvements where a resulting lot or parcel abuts the street consistent with land use regulations implementing ORS 197.758.*

**Staff Finding 16:** Landis Street is classified as a Local Street. Street improvements were required as ***Condition of Approval 2 Engineering Standards*** as part of SUB-20-01. The street improvements match the standards for a Local Street as set forth in the West Linn Transportation System Plan ***Exhibit 9, Local Street Cross Section***. No additional street improvements are required as part of this application. The criteria are met.

*(c) May not subject an application to approval criteria except as provided in this section, including that a lot or parcel require driveways, vehicle access, parking or minimum or maximum street frontage.*

**Staff Finding 17:** The City has not applied any approval criteria except as provided in this section. The applicant has proposed utilizing a driveway for each of the two proposed parcels. The criteria are met.

*(d) May not subject the application to procedures, ordinances or regulations adopted under ORS 92.044 or 92.046 that are inconsistent with this section or ORS 197.360 to 197.380.*

**Staff Finding 18:** The City has not applied any approval criteria that are inconsistent with this section or ORS 197.360 to 197.380. The criteria are met.

*(e) May allow the submission of an application for a middle housing land division at the same time as the submission of an application for building permits for the middle housing.*

**Staff Finding 19:** The applicant shall submit building plans and obtain approval of compliance with the Oregon Residential Specialty Code, including provisions related to new property lines, from West Linn Building staff prior to final plat approval by the City per Conditions of Approval 2 and 3. Subject to the Conditions of Approval, the criteria are met.

*(f) May require the dedication of right of way if the original parcel did not previously provide a dedication.*

**Staff Finding 20:** The existing Landis Street ROW measures approximately 50 feet in width. The proposed project does not require a right-of-way dedication. The criteria do not apply.

*(5) The type of middle housing developed on the original parcel is not altered by a middle housing land division.*

**Staff Finding 21:** The applicant proposes the construction of a detached duplex on the subject property, including the division of the lot as allowed by SB458. The type of middle housing, detached duplex, will not be altered by the land division. The criteria are met.

*(6) Notwithstanding ORS 197.312 (5), a city or county is not required to allow an accessory dwelling unit on a lot or parcel resulting from a middle housing land division.*

**Staff Finding 22:** The applicant does not propose an accessory dwelling unit on any parcel resulting from the land division. The criteria are met.

*(7) The tentative approval of a middle housing land division is void if and only if a final subdivision or partition plat is not approved within three years of the tentative approval. Nothing in this section or ORS 197.360 to 197.380 prohibits a city or county from requiring a final plat before issuing building permits.*

**Staff Finding 23:** The approval of the tentative plat (ELD-23-03) shall be void if the applicant does not record the final partition plat within three years of approval per Condition of Approval 7. Subject to the Conditions of Approval, the criteria are met.

197.360 "Expedited land division" defined; applicability.

*(1) As used in this section:*

*(a) "Expedited land division" means a division of land under ORS 92.010 to 92.192, 92.205 to 92.245 or 92.830 to 92.845 by a local government that:*

**Staff Finding 24:** The applicant proposes a middle housing development (see Staff Finding 1), which is eligible for an expedited land division under ORS 92.031, Middle Housing Land Division. The criteria are met.

*(A) Includes only land that is zoned for residential uses and is within an urban growth boundary.*

*(B) Is solely for the purposes of residential use, including recreational or open space uses accessory to residential use.*

**Staff Finding 25: The subject property is zoned Residential, R-10 and within the Portland Metropolitan Area Urban Growth Boundary. The applicant proposes development of a detached duplex, which is a residential use. No open space or recreational uses are proposed. The criteria are met.**

*(C) Does not provide for dwellings or accessory buildings to be located on land that is specifically mapped and designated in the comprehensive plan and land use regulations for full or partial protection of natural features under the statewide planning goals that protect:*

- (i) Open spaces, scenic and historic areas and natural resources;*
- (ii) The Willamette River Greenway;*

**Staff Finding 26: The subject property is not located within the Willamette River Greenway. No development is proposed in a Water Resource Area. The criteria are met.**

- (iii) Estuarine resources;*
- (iv) Coastal shorelands; and*
- (v) Beaches and dunes.*

**Staff Finding 27: The subject property does not contain any estuarine resources, coastal shorelands, or beaches and dunes. The criteria are met.**

*(D) Satisfies minimum street or other right-of-way connectivity standards established by acknowledged land use regulations or, if such standards are not contained in the applicable regulations, as required by statewide planning goals or rules.*

**Staff Finding 28: Existing development patterns meet street connectivity standards in the vicinity of the subject property. The 2016 West Linn Transportation System Plan (TSP) does not include any connectivity projects adjacent to the subject property. The pedestrian plan within the TSP does not show any projects adjacent to the subject property. The criteria are met.**

*(E) Will result in development that either:*

- (i) Creates enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or*
- (ii) Will be sold or rented to households with incomes below 120 percent of the median family income for the county in which the project is built.*

**Staff Finding 29: The subject property is approximately 22,566 sq. ft. and zoned Residential, R-10, which requires a minimum lot size of 10,000 sq. ft. Maximum density under a traditional CDC Chapter 85 land division would allow two dwelling units.**

**The applicant proposes a detached duplex middle housing development (see Staff Finding 1), which is eligible for an expedited land division under ORS 92.031, Middle Housing Land Division. The middle housing development will result in two dwelling units, which is 100 percent of the maximum density currently permitted on the subject property. The criteria are met.**

*(b) "Expedited land division" includes land divisions that create three or fewer parcels under ORS 92.010 to 92.192 and meet the criteria set forth in paragraph (a) of this subsection.*

**Staff Finding 30: The applicant proposes an expedited land division that creates two parcels as permitted under ORS 92.031. The proposal meets the criteria set forth in paragraph (a), see Staff Findings 24 to 29. The criteria are met.**

*(2) An expedited land division as described in this section is not a land use decision or a limited land use decision under ORS 197.015 or a permit under ORS 215.402 or 227.160.*

**Staff Finding 31: The City and applicant acknowledge an expedited land division is not a land use decision or limited land use decision under ORS 197.015 or a permit under ORS 215.402 or ORS 227.160. The criteria are met.**

*(3) The provisions of ORS 197.360 to 197.380 apply to all elements of a local government comprehensive plan and land use regulations applicable to a land division, including any planned unit development standards and any procedures designed to regulate:*

*(a) The physical characteristics of permitted uses;*

*(b) The dimensions of the lots or parcels to be created; or*

*(c) Transportation, sewer, water, drainage and other facilities or services necessary for the proposed development, including but not limited to right-of-way standards, facility dimensions and on-site and off-site improvements.*

**Staff Finding 32: The applicant proposes middle housing on the subject property through the construction of a detached duplex, including the division of the lot as allowed by SB458. The City has applied the approval criteria of ORS 92.031, including the physical characteristics of the development (see Staff Finding 3), the dimensions of the parcels to be created (see Staff Findings 6, 7, 9, and 29), and required facilities and services necessary for the proposed development (see Staff Findings 5, 6, 7, 9, 16, and 20). The criteria are met.**

*(4) An application for an expedited land division submitted to a local government shall describe the manner in which the proposed division complies with each of the provisions of subsection (1) of this section.*

**Staff Finding 33: See Staff Findings 24 to 32. The criteria are met.**

*197.365 Application; notice to neighbors; comment period.*

*Unless the applicant requests to use the procedure set forth in a comprehensive plan and land use regulations, a local government shall use the following procedure for an expedited land division, as described in ORS 197.360, or a middle housing land division under ORS 92.031:*

*(1)(a) If the application for a land division is incomplete, the local government shall notify the applicant of exactly what information is missing within 21 days of receipt of the application and allow the applicant to submit the missing information. For purposes of computation of time under this section, the application shall be deemed complete on the date the applicant submits the requested information or refuses in writing to submit it.*

**Staff Finding 34:** The applicant did not request to use the procedures outlined in the West Linn Community Development Code, therefore the City processed the application as an expedited land division. The application was submitted on June 14, 2023 and deemed incomplete by the City on June 29, 2023. The applicant submitted the revised submittal package on July 24, 2023 and the City deemed the application complete on July 24, 2023. The criteria are met.

*(b) If the application was complete when first submitted or the applicant submits the requested additional information within 180 days of the date the application was first submitted, approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.*

**Staff Finding 35:** The application was submitted on June 14, 2023 and deemed incomplete by the City on June 29, 2023. The applicant submitted the revised submittal package on July 24, 2023 and the City deemed the application complete on July 24, 2023. Approval of the application is based on the standards and criteria found in ORS 92.031 that were applicable on June 14, 2023. The criteria are met.

*(2) The local government shall provide written notice of the receipt of the completed application for a land division to any state agency, local government or special district responsible for providing public facilities or services to the development and to owners of property within 100 feet of the entire contiguous site for which the application is made. The notification list shall be compiled from the most recent property tax assessment roll. For purposes of appeal to the referee under ORS 197.375, this requirement shall be deemed met when the local government can provide an affidavit or other certification that such notice was given. Notice shall also be provided to any neighborhood or community planning organization recognized by the governing body and whose boundaries include the site.*

**Staff Finding 36:** The City provided written notice of the receipt of a completed application to all state agencies, local governments, and special districts responsible for providing public facilities or services on July 26, 2023. The City provided written notice to property owners within 100 feet of the entire contiguous site, compiled from the most recent property owner information available, on July 26, 2023. The City provided written notice to the Sunset Neighborhood Association on July 26, 2023. The affidavit of public notice is found in Exhibit PD-5. The criteria are met.

*(3) The notice required under subsection (2) of this section shall:*

*(a) State:*

*(A) The deadline for submitting written comments;*

*(B) That issues that may provide the basis for an appeal to the referee must be raised in writing prior to the expiration of the comment period; and*

*(C) That issues must be raised with sufficient specificity to enable the local government to respond to the issue.*

*(b) Set forth, by commonly used citation, the applicable criteria for the decision.*

*(c) Set forth the street address or other easily understood geographical reference to the subject property.*

*(d) State the place, date and time that comments are due.*



*(e) State a time and place where copies of all evidence submitted by the applicant will be available for review.*

*(f) Include the name and telephone number of a local government contact person.*

*(g) Briefly summarize the local decision-making process for the land division decision being made.*

**Staff Finding 37: The City provided written notice in compliance with subsection (3). A copy of the notice is found in Exhibit PD-5. The criteria are met.**

*(4) After notice under subsections (2) and (3) of this section, the local government shall:*

*(a) Provide a 14-day period for submission of written comments prior to the decision.*

**Staff Finding 38: The City provided written notice under subsections (2) and (3) on July 26, 2023, with a deadline for submission of written comments on August 10, 2023. This provided a 14-day period. A copy of the notice is found in Exhibit PD-5. The criteria are met.**

*(b) Make a decision to approve or deny the application within 63 days of receiving a completed application, based on whether it satisfies the substantive requirements of the applicable land use regulations. An approval may include conditions to ensure that the application meets the applicable land use regulations. For applications subject to this section, the local government:*

**Staff Finding 39: The application was submitted on June 14, 2023 and deemed incomplete by the City on June 29, 2023. The applicant submitted the revised submittal package on July 24, 2023 and the City deemed the application complete on July 24, 2023. The City approved the application with conditions on September 21, 2023, the 59th day after deeming the application complete. The criteria are met.**

*(A) Shall not hold a hearing on the application; and*

*(B) Shall issue a written determination of compliance or noncompliance with applicable land use regulations that includes a summary statement explaining the determination. The summary statement may be in any form reasonably intended to communicate the local government's basis for the determination.*

**Staff Finding 40: The City did not hold a hearing on the application. The City issued the Planning Manager decision with a summary statement explaining the determination. The criteria are met.**

*(c) Provide notice of the decision to the applicant and to those who received notice under subsection (2) of this section within 63 days of the date of a completed application. The notice of decision shall include:*

*(A) The summary statement described in paragraph (b)(B) of this subsection; and*

*(B) An explanation of appeal rights under ORS 197.375.*

**Staff Finding 41: The City provided notice of the decision to the applicant and those who received notice under subsection (2) on September 21, 2023, the 55th day after deeming the application complete. The notice of decision included the summary statement and an explanation of appeal rights. The criteria are met.**

197.370 Failure of local government to timely act on application.

(1) Except as provided in subsection (2) of this section, if the local government does not make a decision on an expedited land division or a middle housing land division, as defined in ORS 92.031, within 63 days after the application is deemed complete, the applicant may apply in the circuit court for the county in which the application was filed for a writ of mandamus to compel the local government to issue the approval. The writ shall be issued unless the local government shows that the approval would violate a substantive provision of the applicable land use regulations or the requirements of ORS 92.031 or 197.360. A decision of the circuit court under this section may be appealed only to the Court of Appeals.

(2) After seven days' notice to the applicant, the governing body of the local government may, at a regularly scheduled public meeting, take action to extend the 63-day time period to a date certain for one or more applications for an expedited land division or a middle housing land division prior to the expiration of the 63-day period, based on a determination that an unexpected or extraordinary increase in applications makes action within 63 days impracticable. In no case shall an extension be to a date more than 120 days after the application was deemed complete. Upon approval of an extension, the provisions of ORS 92.031 and 197.360 to 197.380, including the mandamus remedy provided by subsection (1) of this section, shall remain applicable to the land division, except that the extended period shall be substituted for the 63-day period wherever applicable.

(3) The decision to approve or not approve an extension under subsection (2) of this section is not a land use decision or limited land use decision.

**Staff Finding 42: The City acted in a timely manner and made the decision within the 63 day time period. The criteria are met.**

197.375 Appeal of local government to referee; Court of Appeals.

(1) An appeal of a decision made under ORS 197.360 and 197.365 or under ORS 92.031 and 197.365 shall be made as follows:

(a) An appeal must be filed with the local government within 14 days of mailing of the notice of the decision under ORS 197.365 (4) and shall be accompanied by a \$300 deposit for costs.

(b) A decision may be appealed by:

(A) The applicant; or

(B) Any person or organization who files written comments in the time period established under ORS 197.365.

(c) An appeal shall be based solely on allegations:

(A) Of violation of the substantive provisions of the applicable land use regulations;

(B) Of unconstitutionality of the decision;

(C) That the application is not eligible for review under ORS 92.031 or 197.360 to 197.380 and should be reviewed as a land use decision or limited land use decision; or

(D) That the parties' substantive rights have been substantially prejudiced by an error in procedure by the local government.

**Staff Finding 43: The applicant acknowledges and understands the appeal rights and process. If appealed, the City will follow the expedited land division appeal process and criteria. The criteria are applicable upon appeal.**

*(2) The local government shall appoint a referee to decide the appeal of a decision made under this section. The referee may not be an employee or official of the local government. However, a local government that has designated a hearings officer under ORS 215.406 or 227.165 may designate the hearings officer as the referee for appeals of a decision made under ORS 197.360 and 197.365.*

**Staff Finding 44: The applicant acknowledges and understands the appeal procedures. If appealed, the City will follow the expedited land division appeal process and criteria, including the appointment of a referee to decide the appeal.**

*(3) Within seven days of being appointed to decide the appeal, the referee shall notify the applicant, the local government, the appellant if other than the applicant, any person or organization entitled to notice under ORS 197.365 (2) that provided written comments to the local government and all providers of public facilities and services entitled to notice under ORS 197.365 (2) and advise them of the manner in which they may participate in the appeal. A person or organization that provided written comments to the local government but did not file an appeal under subsection (1) of this section may participate only with respect to the issues raised in the written comments submitted by that person or organization. The referee may use any procedure for decision-making consistent with the interests of the parties to ensure a fair opportunity to present information and argument. The referee shall provide the local government an opportunity to explain its decision, but is not limited to reviewing the local government decision and may consider information not presented to the local government.*

**Staff Finding 45: If appealed, the referee appointed by the City will follow the expedited land division appeal process and criteria.**

*(4)(a) The referee shall apply the substantive requirements of the applicable land use regulations and ORS 92.031 or 197.360. If the referee determines that the application does not qualify as an expedited land division or a middle housing land division, as defined in ORS 92.031, the referee shall remand the application for consideration as a land use decision or limited land use decision. In all other cases, the referee shall seek to identify means by which the application can satisfy the applicable requirements.*

*(b) For an expedited land use division, the referee may not reduce the density of the land division application.*

*(c) The referee shall make a written decision approving or denying the application or approving it with conditions designed to ensure that the application satisfies the land use regulations, within 42 days of the filing of an appeal. The referee may not remand the application to the local government for any reason other than as set forth in this subsection.*

**Staff Finding 46: If appealed, the referee appointed by the City will follow the expedited land division appeal process and criteria.**

*(5) Unless the governing body of the local government finds exigent circumstances, a referee who fails to issue a written decision within 42 days of the filing of an appeal shall receive no compensation for service as referee in the appeal.*

**Staff Finding 47: If appealed, the referee appointed by the City will follow the expedited land division appeal process and criteria.**

*(6) Notwithstanding any other provision of law, the referee shall order the local government to refund the deposit for costs to an appellant who materially improves his or her position from the decision of the local government. The referee shall assess the cost of the appeal in excess of the deposit for costs, up to a maximum of \$500, including the deposit paid under subsection (1) of this section, against an appellant who does not materially improve his or her position from the decision of the local government. The local government shall pay the portion of the costs of the appeal not assessed against the appellant. The costs of the appeal include the compensation paid the referee and costs incurred by the local government, but not the costs of other parties.*

**Staff Finding 48: If appealed, the referee appointed by the City will follow the expedited land division appeal process and criteria.**

*(7) The Land Use Board of Appeals does not have jurisdiction to consider any decisions, aspects of decisions or actions made under ORS 92.031 or 197.360 to 197.380.*

**Staff Finding 49: The applicant acknowledges and understands the Land Use Board of Appeals does not have jurisdiction over this decision.**

*(8) Any party to a proceeding before a referee under this section may seek judicial review of the referee's decision in the manner provided for review of final orders of the Land Use Board of Appeals under ORS 197.850 and 197.855. The Court of Appeals shall review decisions of the referee in the same manner as provided for review of final orders of the Land Use Board of Appeals in those statutes. However, notwithstanding ORS 197.850 (9) or any other provision of law, the court shall reverse or remand the decision only if the court finds:*

*(a) That the decision does not concern an expedited land division as described in ORS 197.360 or middle housing land division as defined in ORS 92.031 and the appellant raised this issue in proceedings before the referee;*

*(b) That there is a basis to vacate the decision as described in ORS 36.705 (1)(a) to (d), or a basis for modification or correction of an award as described in ORS 36.710; or*

*(c) That the decision is unconstitutional.*

**Staff Finding 50: The applicant acknowledges and understands the right to seek judicial review of the referee's decision.**

*197.380 Application fees.*

*Each city and county shall establish application fees for an expedited land division and a middle housing land division, as defined in ORS 92.031. The fees must be set at a level calculated to recover the estimated full cost of processing an application, including the cost of appeals to the referee under ORS 197.375, based on the estimated average cost of such applications. Within one year of establishing a fee under this section, the city or county shall review and revise the fee, if necessary, to reflect actual experience in processing applications under ORS 92.031 and 197.360 to 197.380.*

**Staff Finding 51: The City has an adopted fee schedule, including for expedited land divisions. The applicant paid the fee at the time of submittal. The criteria are met.**

## **EXHIBIT PD-1 APPLICANT SUBMITTAL**

## DEVELOPMENT REVIEW APPLICATION

RECEIVED

Lynn Schroder, 6/13/2023, 12:53:29 PM

For Office Use Only			
STAFF CONTACT	PROJECT NO(S): <b>ELD-23-03</b>	PRE-APPLICATION NO.	
NON-REFUNDABLE FEE(S) <b>\$2,800</b>	REFUNDABLE DEPOSIT(S)	TOTAL	<b>\$2,800</b>

**Type of Review** (Please check all that apply):

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Annexation (ANX)                         | <input type="checkbox"/> Final Plat (FP)                        | <input type="checkbox"/> Subdivision (SUB)                               |
| <input type="checkbox"/> Appeal (AP)                              | <input type="checkbox"/> Flood Management Area (FMA)            | <input type="checkbox"/> Temporary Uses (MISC)                           |
| <input type="checkbox"/> CDC Amendment (CDC)                      | <input type="checkbox"/> Historic Review (HDR)                  | <input type="checkbox"/> Time Extension (EXT)                            |
| <input type="checkbox"/> Code Interpretation (MISC)               | <input type="checkbox"/> Lot Line Adjustment (LLA)              | <input type="checkbox"/> Right of Way Vacation (VAC)                     |
| <input type="checkbox"/> Conditional Use (CUP)                    | <input type="checkbox"/> Minor Partition (MIP)                  | <input type="checkbox"/> Variance (VAR)                                  |
| <input type="checkbox"/> Design Review (DR)                       | <input type="checkbox"/> Modification of Approval (MOD)         | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Tree Easement Vacation (MISC)            | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP)    |
| <input checked="" type="checkbox"/> Expedited Land Division (ELD) | <input type="checkbox"/> Planned Unit Development (PUD)         | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG)      |
| <input type="checkbox"/> Extension of Approval (EXT)              | <input type="checkbox"/> Street Vacation                        | <input type="checkbox"/> Zone Change (ZC)                                |

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

<b>Site Location/Address:</b>	Assessor's Map No.: <b>21E36BA</b>
Lot 6, Willow Ridge. Located at southerly terminus of Cornwall St. No situs address at this time.	Tax Lot(s): <b>8800</b>
	Total Land Area: <b>22,566 Sq. Ft.</b>

**Brief Description of Proposal:**

Expedited Land Division to divide Lot 6 of Willow Ridge into two parcels for the construction of detached duplex units to implement middle housing policies on this property.

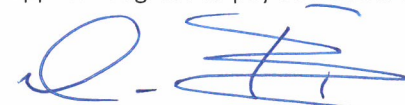
<b>Applicant Name*:</b> Icon Construction & Development, LLC	Phone: 503-657-0406
Address: 1969 Willamette Falls Dr., Suite 260	Email: darren@iconconstruction.net
City State Zip: West Linn, OR 97068	

<b>Owner Name</b> (required): Same as applicant.	Phone:
Address:	Email:
City State Zip:	

<b>Consultant Name:</b> Rick Givens, Planning Consultant	Phone: 503-351-8204
Address: 28615 SW Paris Ave., Suite 110	Email: rickgivens@gmail.com
City State Zip: Wilsonville, OR 97070	

1. Application fees are non-refundable (excluding deposit). Applications with deposits will be billed monthly for time and materials above the initial deposit. **\*The applicant is financially responsible for all permit costs.**
2. The owner/applicant or their representative should attend all public hearings.
3. A decision may be reversed on appeal. The decision will become effective once the appeal period has expired.
4. Submit this form, application narrative, and all supporting documents as a single PDF 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 authorizes the application and grants city staff the **right of entry** onto the property to review the application. Applications with deposits will be billed monthly for time and materials incurred above the initial deposit. The applicant agrees to pay additional billable charges.

  
Applicant's signature

6-12-23  
Date

  
Owner's signature (required)

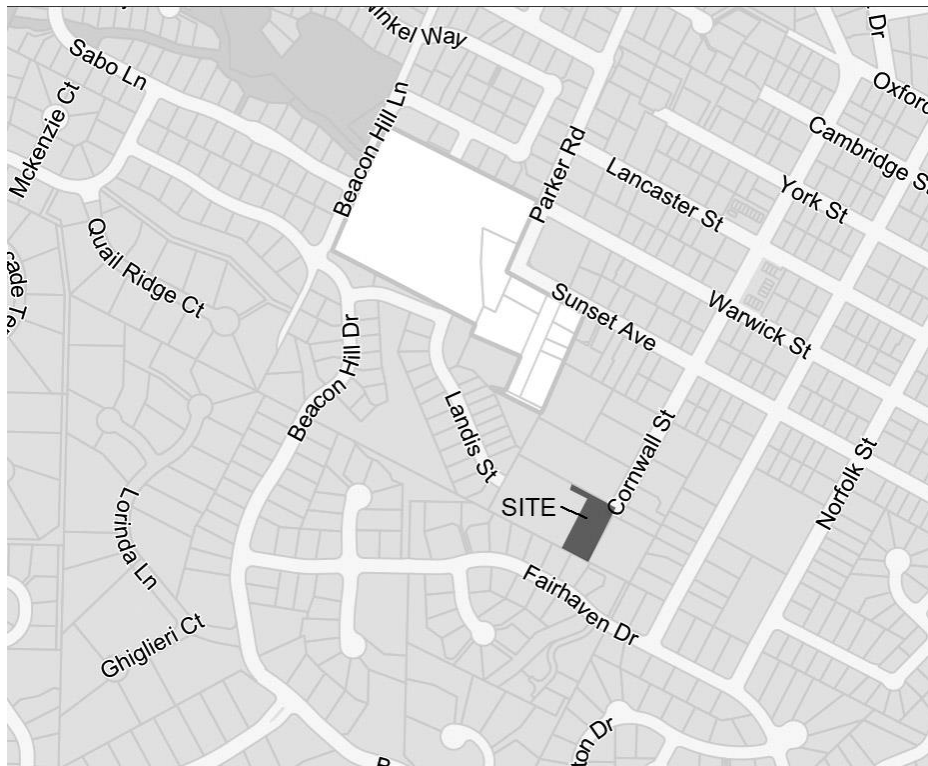
6-12-23  
Date

## Expedited Land Division Narrative

### Lot 6, Willow Ridge Expedited Land Division

#### Icon Construction & Development, LLC

**Proposal:** This application requests approval of a middle housing Expedited Land Division (ELD) for Lot 6 of the recently recorded Willow Ridge subdivision. The property located on Cornwall Street and Landis Street, south of Sunset Avenue in West Linn. The property is vacant and is 22,564 square feet in area. It is zoned R-10. The new Clackamas County Assessor's description of the property is Tax Lot 31E02AB08800.



Vicinity Map

This application requests approval of a middle housing land division, pursuant to the provisions of SB 458, to divide the subject property into two parcels. Each parcel will contain one unit of a detached duplex.

Consistent with the provisions of SB 458, this proposed middle housing land division application will make use of the Expedited Land Division procedures set forth in ORS 197.360. The subject property is accessed via a shared private driveway from Landis Street. The shared private driveway also serves Lot 5 of the Willow Ridge subdivision.



## Compliance with Approval Criteria:

The approval criteria relevant to this application are found in Section 2 of SB 458.

### SECTION 2.

*(1) As used in this section, “middle housing land division” means a partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197.758 (2) or (3).*

Comment: This application involves detached duplexes, one of which will be located on each lot. Duplexes are middle housing pursuant to the definitions in ORS 197.758(1). The proposed partition is located on property that allows for the development of middle housing under standards adopted by the City of West Linn.

*(2) A city or county shall approve a tentative plan for a middle housing land division if the application includes:*

*(a) A proposal for development of middle housing in compliance with the Oregon residential specialty code and land use regulations applicable to the original lot or parcel allowed under ORS 197.758 (5);*

Comment: The proposed parcels will be developed with detached duplex units. Application for building permits will be submitted separately and they will demonstrate compliance with the Oregon residential specialty code.

ORS 197.758(5) states:

*“Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals.”*

Comment: The City of West Linn adopted Ordinance 1736 last year to provide for compliance with state requirements for middle housing. The new standards allow for middle housing in all residential districts, including the R-10 district applicable to the subject property. The only limitations provided in the updated standards are dimensional requirements that do not discourage development of middle housing. The dimensional standards are:

<i>STANDARD</i>	<i>REQUIREMENT</i>	<i>ADDITIONAL NOTES</i>	<i>COMMENT</i>
<i>Minimum lot size</i>	<i>10,000 SF</i>	<i>For a single-family attached or detached unit.</i>	Not applicable to detached duplexes.
<i>Average min. Lot or Parcel size for a Townhouse Project</i>	<i>1,500 SF</i>		Not applicable to detached duplexes.
<i>Minimum lot width at front lot line</i>	<i>35 ft.</i>	<i>Does not apply to Townhouses or Cottage Clusters.</i>	The minimum lot width at the front lot line is 46 feet.
<i>Average Minimum lot width</i>	<i>50 ft.</i>	<i>Does not apply to Townhouses or Cottage Clusters.</i>	Minimum average lot width proposed is 46 feet.
<i>Minimum Yard Dimensions or Minimum building setbacks</i>		<i>Except as specified in CDC 25.070(C)(1) through (4) for the Willamette Historic District.</i>  <i>Front, rear, and side yard setbacks for in a Cottage Cluster Project are 10 ft. There are no additional setbacks for individual structures on individual lots, but minimum distance between structures shall follow applicable building code requirements.</i>	
<i>Front Yard</i>	<i>20 ft</i>	<i>Except for steeply sloped lots where the provisions of CDC 41.010 shall apply.</i>	The proposed minimum front yard setback is 20 feet.
<i>Interior Side Yard</i>	<i>7.5 ft</i>	<i>Townhouse common walls that are attached may have a 0 ft side setback.</i>	This standard is not applicable to duplex units along their common line. A 3' setback is proposed. The other lot lines will maintain the required 7.5' interior side yard standard.
<i>Street Side Yard</i>	<i>15 ft</i>		Not applicable. No street side yards exist in this proposal.
<i>Rear Yard</i>	<i>20 ft</i>		The minimum rear yards proposed exceed 20 feet.
<i>Maximum Building Height</i>	<i>35 ft</i>	<i>Except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.</i>	The subject property is steep through the building envelopes on the proposed parcels. Compliance with height standards will be reviewed with the building permit application.
<i>Maximum Lot Coverage</i>	<i>35%</i>	<i>Maximum lot cover does not apply to Cottage Clusters. However, the maximum building footprint for a Cottage Cluster is less than 900 sf per dwelling unit.</i>	Proposed maximum building envelopes for both parcels are shown on the site plan. The actual lot coverage will be less than the maximum building envelope and will comply with the 35% standard.

		<ul style="list-style-type: none"> <li>• <i>This does not include detached garages, carports, or accessory structures.</i></li> <li>• <i>A developer may deduct up to 200 sf for an attached garage or carport.</i></li> </ul>	
<i>Minimum Accessway Width to a lot which does not abut a street or a flag lot</i>	15 ft		The proposed accessway easement is 25 feet in width.
<i>Maximum Floor Area Ratio</i>	0.45	<i>Max FAR does not apply to cottage clusters.</i>	Not applicable to duplexes.
<i>Duplex, Triplex, and Quadplex</i>	0.60	<i>Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter 66 CDC.</i>	The proposed lots are large and contain only small areas of Type I and II lands. Compliance will be demonstrated at the time of building permit application.

*(b) Separate utilities for each dwelling unit;*

Comment: Each unit of the detached duplex will have separate utilities.

*(c) Proposed easements necessary for each dwelling unit on the plan for:*

*(A) Locating, accessing, replacing and servicing all utilities;*

Comment: Each unit is on a separate lot and all utilities serving the homes are either on the proposed lots or within utility easements that protect the required access.

*(B) Pedestrian access from each dwelling unit to a private or public road;*

Comment: The access easements provide for pedestrian access to Landis and Cornwall Streets

*(C) Any common use areas or shared building elements;*

Comment: Not applicable. There will be no common use areas or shared building elements.

*(D) Any dedicated driveways or parking; and*

Comment: Each parcel will have a driveway providing for parking for a minimum of two vehicles plus an attached garage providing parking for an additional two vehicles.

*(E) Any dedicated common area;*

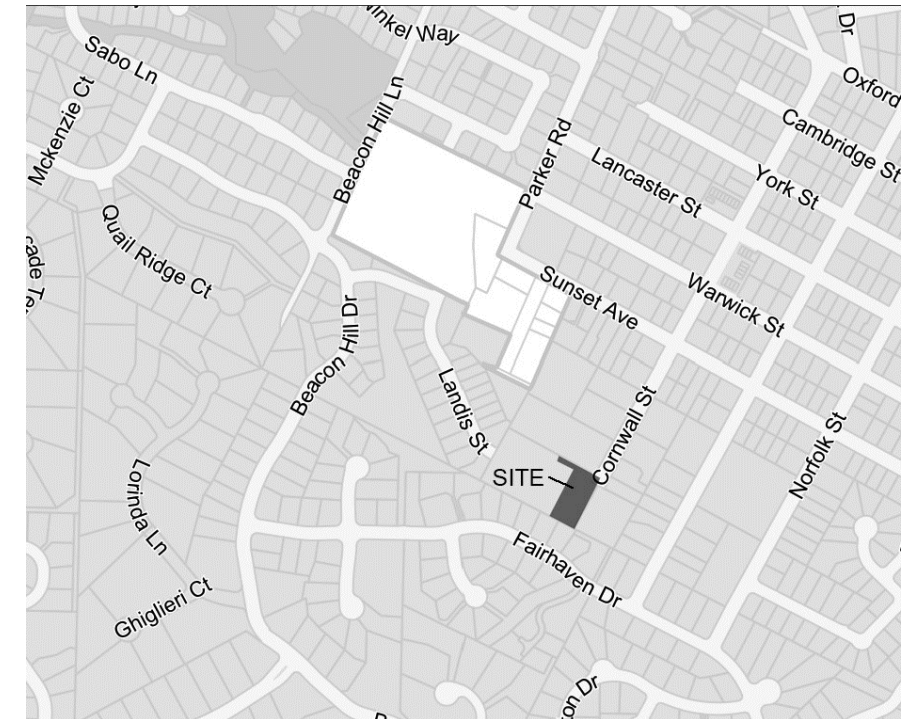
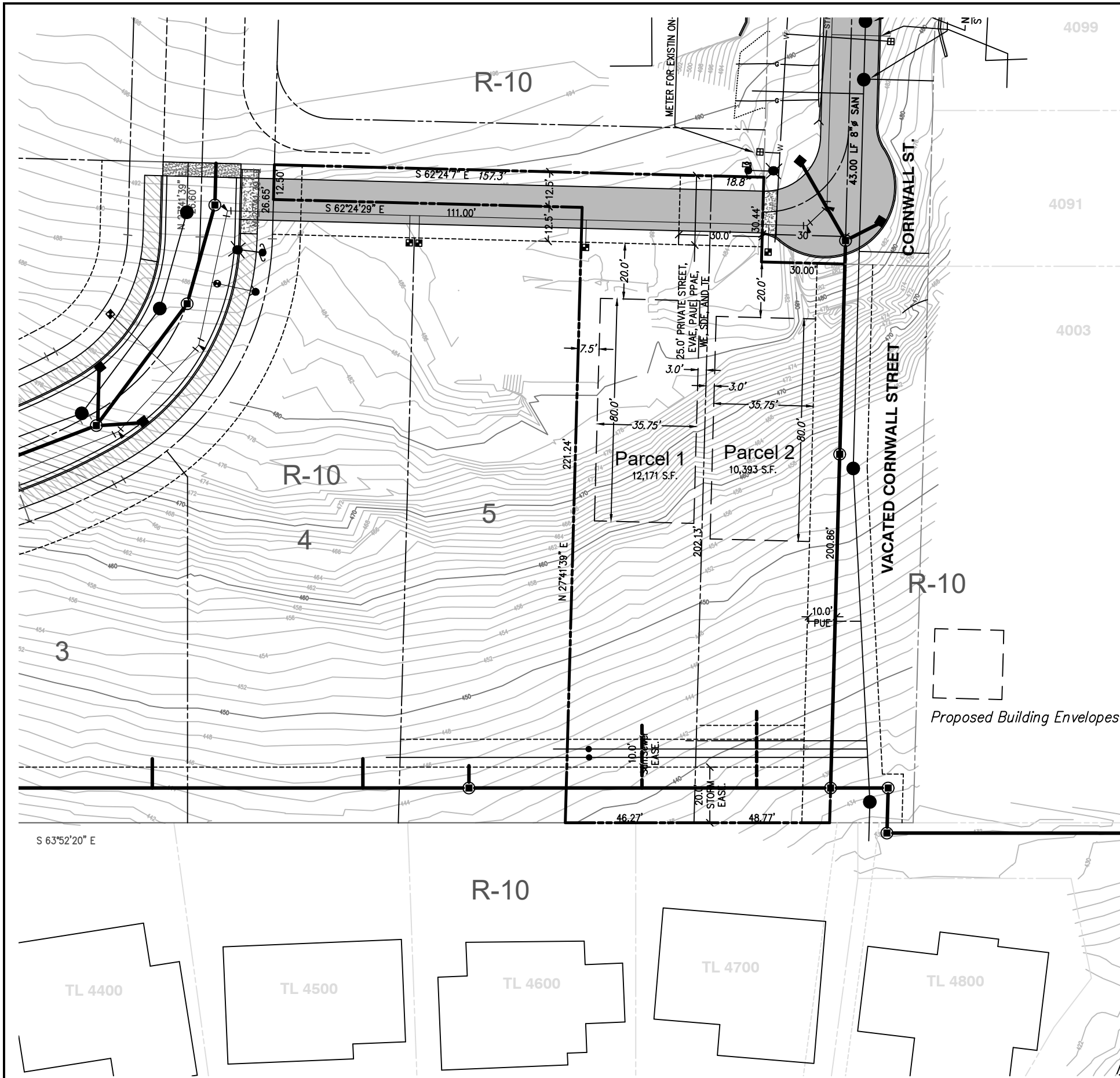
Comment: No dedicated common areas are proposed.

*(d) Exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts used as common areas; and*

Comment: Both parcels will be developed with exactly one dwelling unit.

*(e) Evidence demonstrating how buildings or structures on a resulting lot or parcel will comply with applicable building codes provisions relating to new property lines and, notwithstanding the creation of new lots or parcels, how structures or buildings located on the newly created lots or parcels will comply with the Oregon residential specialty code.*

Comment: The plans and other materials required to demonstrate compliance with this requirement will be provided with the building permit applications.



Vicinity Map

Applicant/Owner:  
 Icon Construction & Development, LLC  
 1980 Willamette Falls Drive, Suite 200  
 West Linn, OR 97068  
 PH: (503) 657-0406

Engineer:  
 Theta Engineering, Inc.  
 PO Box 1345  
 Lake Oswego, OR 97035  
 PH: (503) 481-8822

Legal: 2-1E-36BA TL 8800

Surveyor:  
 Centerline Concepts, Inc.  
 700 Molalla Ave.  
 Oregon City, OR 97045  
 PH: (503) 650-0188

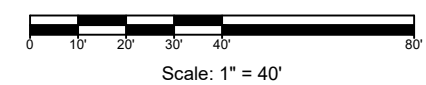
Water: City of West Linn

Sewer: City of West Linn

Contours: Centerline Concepts, Inc.

Zoning: R-10

Site Area: 0.518 Acres



DESIGNED:	R.E.G.			
DRAWN:	R.E.G.			
SCALE:	1" = 40'			
DATE:	06/09/2023			
FILE:	19-ICN-103	DATE	NO.	REVISION

Richard E. Givens, Planning Consultant  
 28615 SW Paris Ave., Unit 110  
 Wilsonville, OR 97070  
 PH: (503) 351-8204

APPLICANT: Icon Construction & Development, LLC  
 1969 Willamette Falls Drive, Suite 260  
 West Linn, OR 97068  
 PH: 503-657-0406

29

**Willow Ridge Lot 6**  
 Tentative Plan - ELD Land Division

SHEET:  
 1/1

## **EXHIBIT PD-2 PUBLIC COMMENTS**

Chris Myers  
Associate Planner – City Hall  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068  
(503) 742-6062  
[cmyers@westlinnoregon.gov](mailto:cmyers@westlinnoregon.gov)

August 8<sup>th</sup>, 2023

Mr. Myers,

I am writing to directly oppose the application for an expedited land division (SB458) of Lot 6 of the Willow Ridge Subdivision by Icon Construction and Development (ICON) for Tax Lot 21E36BA 04200. Since ICON's application was received, by the City of West Linn, for an expedited review without a public hearing, there is insufficient time for the undersigned to construct a comprehensive rebuttal to the application. That said, I wish to impress upon you an issue with their application as well as past public testimony over this subdivision, which is relevant to the current application.

ARGUMENT AGAINST #1: Failure to Meet Minimum Standards

The Average Minimum Lot standard is 50 feet as specified in the City of West Linn Ordinance No. 1736, Section 11.070: DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS. According to ICON's application however, *"the average minimum lot with proposed is 46 feet."*

ARGUMENT AGAINST #2: Geological and Hydrological Risks

On October 7<sup>th</sup>, 2020, Mr. William House provided testimony involving a geological and hydrological risk assessment of the Willow Ridge Development. Mr. House is a retired professional geologist with an academic background that includes an MS Degree in Geology and a BA Degree in Environmental Sciences. He has extensive knowledge and experience in subsurface geology from working as an exploration geologist in the petroleum industry for 34 years. According to Mr. House's testimony, ICON's (original) application "did not recognize the presence of a perched water table outcropping on the Willow Ridge slope at approximately 460 feet above sea level (ASL). Flooding and slope stability risks associated with this geological feature were not addressed by ICON in the Willow Ridge Development application." Additionally, "geological risk from shallow landslides was discussed in the application, but those discussions did not include an analysis of how groundwater flow from the perched water table may affect slope stability, nor do they specifically address slope instability issues related to the excavation of slope-toe materials along the perched water table."

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Thank you for considering the submitted arguments OPPOSING ICON’s application. It is a critical issue that will affect so many West Linn homeowners and their families.

Sincerely,

**Antonio Fernandez & Janette Duffy (Owners)**

3663 Landis St.

West Linn, OR 97068

510-520-3515 & 818-359-9574



Chris Myers  
Associate Planner – City Hall  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068  
(503) 742-6062  
[cmyers@westlinnoregon.gov](mailto:cmyers@westlinnoregon.gov)

August 8<sup>th</sup>, 2023

Mr. Myers,

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ARGUMENT AGAINST #4: Public Safety Risk

By allowing additional homes to be built on the Willow Ridge building site, I am concerned about the ability of emergency services to access homes on the Willow Ridge building site. As it stands now, the development was approved for 6 homes with the turn around for emergency services located at the Northeast end of the Willow Ridge development site, running parallel to the property line, to the end of Landis Street. With the new State of Oregon law (HB2001 & SB458), my concern is that this development will expand exponentially and hinder emergency services from being able to access or leave these home quickly and efficiently to render help or aid in a timely and efficient manner.

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Sincerely,



CHELSEA DIAZ - 3687 LANDIS STREET, WEST LINN, OR 97068 (TANNERS STONEGATE HOA)

Chris Myers  
Associate Planner – City Hall  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068  
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Chris Diaz  
3687 Landis St  
West Linn, OR 97068  
503.680.0249  
r.Chris.Diaz@gmail.com

Chris Myers  
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Sincerely,

Cory and Kim Stenzel  
3637 Landis Street  
West Linn, OR 97068  
503-319-5688  
stenzelz@gmail.com

**From:** Dan & Jacque Eaton <djeaton4849@comcast.net>  
**Sent:** Thursday, August 3, 2023 11:31 AM  
**To:** Myers, Chris  
**Subject:** ICON's Willow Ridge Subdivision lot 6 hearing  
**Attachments:** [IMG\\_5025.jpg](#)

You don't often get email from [djeaton4849@comcast.net](mailto:djeaton4849@comcast.net). [Learn why this is important](#)

**CAUTION:** This email originated from an External source. Do not click links, open attachments, or follow instructions from this sender unless you recognize the sender and know the content is safe. If you are unsure, please contact the Help Desk immediately for further assistance.

Attn: Chris Myers

**Reference to the notice of upcoming planning manager decision File No ELD-23-03:**

**ICON** and it's representatives to our Landis Street community continue to disappoint and somehow escape the intents of their original proposal to the Landis Street group of homeowners.

First, the proposal called for six lots. As your planning group knows there was significant pushback from our community on the increased traffic load on Landis Street. Now the proposal is to increase the traffic load again by 16% with the splitting of Willow Ridge lot #6 into two lots.

Second, there was supposed to be a walking trail that connected the Willow Ridge subdivision to Fairhaven, but that cost was characterized by **ICON** as too costly and they wiggled out of that. (As a side note one would have thought that **ICON** would have known that at the time of the passage of the original permit.) They could have countered with a proposal to build the trail along the fence line at the bottom of Willow Ridge lots 2-6 and tie it into the trail behind Landis Street and on the other end into the existing Fairhaven stub out.

This is speculative on my part, but originally the discussion was how would all of the construction related traffic etc. be going to the Willow Ridge subdivision. I'm guessing now the path of least resistance for the heavy load trucks will be through our Landis Street community, if that is true what precautions is the city taking to preserve the pavement structure of Landis Street from breaking up. After this Spring's heavy truck load activity by the **ICON** contractors the street started to demonstrate numerous cracks especially around the waste water clean outs in the middle of the street.

Quite honestly, I question the transparency of this hearing process, as the attached picture already shows that **ICON** is marketing Willow Ridge as a 7 lot subdivision. How does that happen even before this hearing?

Please confirm via e-mail the receipt of these comments.

Sincerely,

Dan Eaton  
3688 Landis Street

Chris Myers  
Associate Planner – City Hall  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068  
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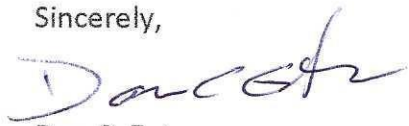
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### ARGUMENT AGAINST #3: Traffic Access, Injury and Risks

Adding another dwelling serviced by access road increases the imminent danger for residents of the Willow Creek subdivision. There will be limited dwelling setback and driveway parking due to the slope of the properties. Residents whose properties can only be accessed from the access road will inevitably be parking on it. An additional dwelling on Lot 6 will increase vehicles parked on the access road that in fact, would block emergency and fire equipment from using the access road to respond to an emergency.

While there is a turnaround at the end of Cornwall Street it appears unlikely that a fire truck would be able to turn around in it. The inability for emergency equipment to enter the subdivision through that access road would add 10 minutes of travel time to reverse course and enter through Parker Road, wrap around Winkle Way onto Sabo, then onto Beacon Hill and finally onto Landis Street.

In an unfortunate event like fire and loss of life, is the city liable for allowing this variance? Is the property owner whose vehicles were parked on the street and blocking emergency access liable in a civil suit? I’m not an attorney but it seems plausible that if emergency access was blocked during such an event there will be legal action.

### ARGUMENT AGAINST #4: PROPERTY VALUATION

Building multi-family or duplex units behind the current adjacent single-family homes will negatively impact the single-family home’s property value. Single family construction with one single family home per lot was originally approved for Willow Ridge Development. Residents within the Barrington Heights and Tanner Creek Estates developments paid a purchase price for a home that has living circumstances and price values associated with one single family home per lot. Multi-family homes or duplex on single family is a condensed living circumstance that will change the living desirability and home values for adjacent homes.

ARGUMENT AGAINST #5: ADDITIONAL IMPACT TO NATURAL HABIT

Building multi-family or duplex units behind the current adjacent single-family homes will be an additional negative impact to the natural habit. Proposed plans have not been provided; however it is expected that there will be additional driveway pavement and increase in the overall building footprint for these duplexes which will result in further reduction of the natural habit in the development. It is worth noting that since ICON has stripped the entire development of it's preexisting habit it has created a problem with the bird population.

For the reasons stated above it is my recommendation that the City issue a stop work order to ICON until these issues are resolved and the City can assure the existing home owners as well as the potential buyers of the ICON development that the homes will be compliant with all plans, permits and codes.

Thank you for considering the submitted arguments against ICON's application. It is an important issue that will affect so many West Linn homeowner's and their families.

Sincerely,

Darin Stegemoller  
3755 Fairhaven Drive  
West Linn, OR 97068

Darin67kc@yahoo.com

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Associate Planner – City Hall  
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On October 7<sup>th</sup>, 2020, Mr. William House provided testimony involving a geological and hydrological risk assessment of the Willow Ridge Development. Mr. House is a retired professional geologist with an academic background that includes an MS Degree in Geology and a BA Degree in Environmental Sciences. He has extensive experience in subsurface geology from working as an exploration geologist in the petroleum industry for 34 years. According to Mr. House's testimony, ICON's (original) application "did not recognize the presence of a perched water table outcropping on the Willow Ridge slope at approximately 460 feet above sea level (ASL). Flooding and slope stability risks associated with this geological feature were not addressed in the Willow Ridge Development application." Additionally, "geological risk from shallow landslides was discussed in the application, but those discussions did not include an analysis of how groundwater flow from the perched water table may affect slope stability, nor do they specifically address slope instability issues related to the excavation of slope-toe materials along the perched water table."

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It is unknown at this time if ICON has done anything to address the serious issues that jeopardize the many families and homes that are affected by the geological and hydrological threats. It is believed that increasing the number of units on the Willow Ridge Development will only serve to increase this risk and exacerbate the degree of destruction should the risk be realized. I am aware of at least one other Homeowner’ Association that has had water run-off issues as a direct result of another ICON development.

#### ARGUMENT AGAINST #3: Traffic Access, Injury and Risks

Adding another dwelling serviced by access road increases the imminent danger for residents of the Willow Ridge subdivision. There will be limited dwelling setback and driveway parking due to the slope of the properties. Residents whose properties can only be accessed from the access road will inevitably be parking on it. An additional dwelling on Lot 6 will increase vehicles parked on the access road that in fact, would block emergency and fire equipment from using the access road to respond to an emergency.

While there is a turnaround at the end of Cornwall Street it appears unlikely that a fire truck would be able to turn around in it. The inability for emergency equipment to enter the subdivision through that access road would add 10 minutes of travel time to reverse course and enter through Parker Road, wrap around Winkle Way onto Sabo, then onto Beacon Hill and finally onto Landis Street.

In an unfortunate event like fire and loss of life, is the city liable for allowing this variance? Is the property owner whose vehicles were parked on the street and blocking emergency access liable in a civil suit? I’m not an attorney but it seems plausible that if emergency access was blocked during such an event there will be legal action.

Beyond the emergency access issue, access to the Willow Ridge Development is currently accomplished via Landis Street. It’s important to note that the homes along Landis are not equipped with yards sufficient for to constrain young children. As a result, it’s been historical precedence for neighborhood children to be left with no other option than to play in the street. Compounding this concern is the blind roadway curve of Landis Street where it connects to Stonegate Lane. Vehicles ingressing/ egressing the street will be forced to navigate the blind

curve and ICON's application to subdivide Lot 6 will nonetheless increase traffic on Landis Street, thereby increasing the relative risk to the children that live in homes along the street.

Thank you for considering the submitted arguments against ICON's application. It is an important issue that will affect so many West Linn homeowner's and their families.

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Building multi-family or duplex units directly behind my property of my single-family home will negatively impact my home's property value. Single family construction with one single family home per lot was originally approved for Willow Ridge Development. Residents within the Barrington Heights and Tanner Creek Estates developments paid a purchase price for a home that has living circumstances and price values associated with one single family home per lot. Multi-family homes or duplex on single family is a condensed living circumstance that will change the living desirability and home values for adjacent homes.

In Closing

This is one more change to the originally approved plan.

- First was removing the heritage Oak trees that were supposed to be left behind the Fairhaven Drive properties.
- Second was increasing the number of lots from 6 to 7.
- Third was backing out of the path construction that was supposed to provide foot access from Fairhaven Drive to Cornwall Street due to the steep grade. The grade hasn't changed and should be no surprise. I assume that stairs like the ones connecting Parker Road and Winkle Way are too expensive for Icon to consider.

Now adding an additional dwelling on lot 6. If this variance is approved, I am sure we'll be doing this again in a couple of months for an additional detached duplex on lot 5 and/or 7. I'm looking to the leadership of the planning committee to stop the continued variations to the original plan and satisfy the neighbors in the area that oppose this variance.

Sincerely,

David and Satoko Corey  
3775 Fairhaven Drive  
West Linn, OR 97068  
801.232.5579  
dcorey00@gmail.com

**From:** day tresvant <lashedoutbeauty@gmail.com>  
**Sent:** Tuesday, August 8, 2023 9:51 PM  
**To:** Myers, Chris  
**Subject:** ICONs Landis Divison/Willow Ridge

You don't often get email from [lashedoutbeauty@gmail.com](mailto:lashedoutbeauty@gmail.com). [Learn why this is important](#)

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Chris Myers  
Associate Planner – City Hall  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068  
(503) 742-6062  
[cmyers@westlinnoregon.gov](mailto:cmyers@westlinnoregon.gov)

August 8<sup>th</sup>, 2023

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Thank you for considering the submitted arguments OPPOSING ICON’s application. It is an important issue that will affect so many West Linn homeowners and their families.

Sincerely,

Dayatra Tresvant

3675 Landis St

West Linn, OR 97068

201-914-8758

[lashedoutbeauty@gmail.com](mailto:lashedoutbeauty@gmail.com)

August 8<sup>th</sup>, 2023

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[cmyers@westlinnoregon.gov](mailto:cmyers@westlinnoregon.gov)

RE: Application for Expedited Land Division (SB458) of Lot 6 of Willow Ridge Subdivision by ICON

Dear Mr. Myers,

**I am writing to directly oppose the application for an expedited land division (SB458) of Lot 6 of the Willow Ridge Subdivision by Icon Construction and Development (ICON) for Tax Lot 21E36BA 04200.** Since ICON's application was received for an expedited review without a public hearing, there is insufficient time for the undersigned to construct a comprehensive rebuttal to the application. That said, I wish to impress upon you an issue with their application as well as past public testimony over this subdivision, which is relevant to the current application.

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Thank you for considering the submitted arguments OPPOSING ICON’s application. It is an important issue that will directly and negatively impact my home, my life, and also that of my Landis Street neighbors.

Sincerely,



Dianne C Johnson  
3692 Landis Street  
West Linn, OR 97068  
503 890 3422  
dianne.johnson@comast.net

**From:** [Jane O'Malley](#)  
**Sent:** Friday, August 4, 2023 5:04 PM  
**To:** [Myers, Chris](#)  
**Subject:** File No. ELD-23-03

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I received a copy of the Notice of Upcoming Planning Manager Decision regarding Lot 6, Willow Ridge Subdivision, Landis Street from a neighbor. My husband and I are rightfully upset that after all of the earlier hearings and negotiations you are looking at changing the plans to benefit ICON and harm the neighborhood.

Landis is a small street. Every additional property significantly increases the traffic on the street. Additionally, there are no duplexes in the area and the introduction of a duplex will, potentially, change the nature of the neighborhood from an owner occupied community to a rental-mix community, which will change the value of the other properties, including ours. I have to seriously ask why you are entertaining this change? This is not a positive change for the neighborhood.

Sincerely,  
Jane O'Malley  
3600 Landis St., West Linn, OR 97068

Chris Myers  
Associate Planner – City Hall  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068  
(503) 742-6062  
[cmyers@westlinnoregon.gov](mailto:cmyers@westlinnoregon.gov)

August 8<sup>th</sup>, 2023

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Thank you for considering the submitted arguments OPPOSING ICON’s application. It is an important issue that will affect so many West Linn homeowners and their families.

Sincerely,



[INSERT NAME, ADDRESS, PHONE NUMBER, & EMAIL]

GLENN WEATHER  
glenth@iol.com

Chris Myers  
Associate Planner – City Hall  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068  
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### **ARGUMENT AGAINST #1: PROPERTY VALUATION**

Building high density multi-family or duplex units behind the current adjacent single-family homes will negatively impact the single-family home's property value. Single family construction with one single family home per lot was originally approved for Willow Ridge Development. Residents within the Barrington Heights and Tanner Creek Estates developments paid a purchase price for a home that has living circumstances and price values associated with one single family home per lot. Multi-family homes or duplex on single family is a condensed living circumstance that will change the living desirability and home values for adjacent homes.

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Sincerely,  
Joe Steirer  
2110 Fairhaven Ct, West Linn, OR 97068  
503-320-2233  
Joe.x.steirer@gmail.com

Chris Myers  
Associate Planner – City Hall  
City of West Linn  
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August 9<sup>th</sup>, 2023

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Sincerely,  
John and Lillian Cupparo  
3520 South Rd  
West Linn  
503.656.9995  
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lcupparo@yahoo.com

Chris Myers  
Associate Planner – City Hall  
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West Linn, OR 97068  
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[cmyers@westlinnoregon.gov](mailto:cmyers@westlinnoregon.gov)

August 8<sup>th</sup>, 2023

Mr. Myers,

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A personal note:

A couple of years ago we had work done to seal the foundation and waterproof all the crawl spaces in our home. In the process of doing so, we discovered that in the past there had been at least a foot of standing water in our foundation crawlspace and that all the crawl spaces on 3 levels were very wet even in dry weather. We spent many thousands of dollars to abate this problem on our home.

As we have watched the preparation work on Willow Ridge progress, we have noticed that much extra work was done to divert underground water. We are very concerned because Willow Ridge is above us and now that most of it is paved, we can imagine that there will be a lot of storm water runoff down toward our house. We sit at the middle of Landis and get water from all directions already.

In addition, I would like to reiterate the problem of traffic on our very narrow street with many new younger families in the neighborhood recently, there are now a lot of very young children who have to play in their front yards since they do not have accessible back yards.

I am not an expert but I know how many delivery trucks already come down Landis daily and I imagine that there will be double the number when the new houses go in, so in addition to the

added traffic from the new residents, there will also be double the delivery trucks, garbage collection, etc.

Unfortunately we were out of town when the orientation of the street was decided at the public meetings between the neighborhoods and the City. I would certainly have argued that it would make much more sense for the residents of Willow Ridge to access their homes by way of the upper entrance rather than below. I understand that the residents of the neighborhood above would have more traffic, but it will be much worse for us because we already have much more traffic than they do. It just doesn't make sense to me that the Willow Ridge folks will have to come down Landis so they can go back up Beacon Hill to get to town or that they will have to come down Landis and go down Beacon hill to get to the highway. It is circuitous and would be much more direct the other way.

We are very disappointed that the City has not considered all of the above issues in more detail.

Thank you for considering the submitted arguments OPPOSING ICON's application. It is an important issue that will affect so many West Linn homeowners and their families.

Sincerely,

Joy and Chong Lee  
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West Linn, OR  
97068  
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Joylee5@icloud.com

Chris Myers  
Associate Planner- City Hall  
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503-853-6594



Chris Myers  
Associate Planner – City Hall  
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[INSERT NAME, ADDRESS, PHONE NUMBER, & EMAIL]

3676 Landis Street  
West Linn, OR 97068

We want to keep our neighbor-  
hood family friendly and SAFE!!!

Chris Myers  
Associate Planner – City Hall  
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**A Day in Salamanca**

Reservation confirmed.  
INCLUDED

✂ MODERATE  
🕒 MORNING/AFTERNOON

[LEARN MORE](#)

The image shows a promotional card for a tour in Salamanca. At the top is a photograph of a street scene in Salamanca, Spain, featuring a large, ornate building with a blue sky and clouds in the background. Below the photo, the title 'A Day in Salamanca' is written in a bold, black font. Underneath the title, it says 'Reservation confirmed.' followed by 'INCLUDED' in a larger, bold font. Below that, there are two icons: a pair of scissors representing 'MODERATE' and a clock representing 'MORNING/AFTERNOON'. At the bottom of the card is a dark purple button with the text 'LEARN MORE' in white, uppercase letters.

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[INSERT NAME, ADDRESS, PHONE NUMBER, & EMAIL]

cee D. Weinstein

3624 Landis St.

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303-819-7034

david.lee.weinstein@gmail.com

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Maryann Mendel  
2625 Beacon Hill Drive  
West Linn. OR 97068

Phone: 714-501-4157

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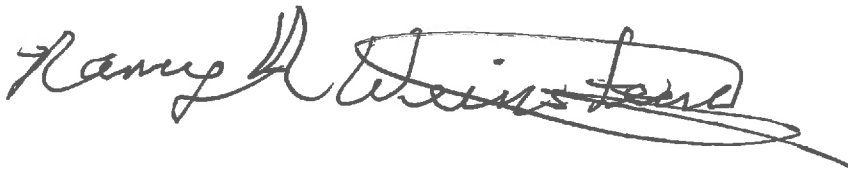
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Nancy A. Weinstein  
3624 Landis St  
West Linn, OR 97068  
303-819-5434  
Nancya Weinstein@yahoo.com

**From:** [Ra Velle Miller](#)  
**Sent:** Wednesday, August 9, 2023 8:13 AM  
**To:** [Myers, Chris](#)  
**Subject:** Re: ICONs Landis Divison/Willow Ridge signed copy

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On October 7<sup>th</sup>, 2020, Mr. William House provided testimony involving a geological and hydrological risk assessment of the Willow Ridge Development. Mr. House is a retired professional geologist with an academic background that includes an MS Degree in Geology and a BA Degree in Environmental Sciences. He has extensive experience in subsurface geology from working as an exploration geologist in the petroleum industry for 34 years. According to Mr. House's testimony, ICON's (original) application "did not recognize the presence of a perched water table outcropping on the Willow Ridge slope at approximately 460 feet above sea level (ASL). Flooding and slope stability risks associated with this geological feature were not addressed in the Willow Ridge Development application." Additionally, "geological risk from shallow landslides was discussed in the application, but those

discussions did not include an analysis of how groundwater flow from the perched water table may affect slope stability, nor do they specifically address slope instability issues related to the excavation of slope-toe materials along the perched water table.”

Also contained within Mr. House’s testimony, he states, “ground disturbance from construction or increased ground water percolation above an elevation of 460 feet ASL will affect the perched water zone and may result in either increased flow from existing springs or the formation of new springs. These changes in groundwater flow may pose increased flooding risk to the properties at the base of the Willow Ridge slope and may also create slope stability issues. A history of flooding on these properties has been previously noted in past public testimony. Both flooding of backyards with surface waters and flooding of crawl spaces with ground water seepage have been noted.”

“The eastern half of the Willow Ridge Development plot is shown on Oregon State Department of Geology and Mineral Industries Shallow Landslide maps as having a moderate to high susceptibility to shallow landslides. Any construction activities resulting in increased soil water content or removal of slope-toe materials will increase this risk. The Willow Ridge property contains geologic and hydrologic conditions not usually encountered with residential construction in this area.”

It is unknown at this time if ICON has done anything to address the serious issues that jeopardize the many families and homes that are affected by the geological and hydrological threats. It is believed that increasing the number of units on the Willow Ridge Development will only serve to increase this risk and exacerbate the degree of destruction should the risk be realized. I am aware of at least one other Homeowner’ Association that has had water run-off issues as a direct result of another ICON development.

### ARGUMENT AGAINST #3: Traffic Injury Risks

Access to the Willow Ridge Development is currently accomplished via Landis Street. It’s important to note that the homes along Landis are not equipped with yards sufficient for to constrain young children. As a result, it’s been historical precedence for neighborhood children to be left with no other option than to play in the street. Compounding this concern is the blind roadway curve of Landis Street where it connects to Stonegate Lane. Vehicles ingressing/ egressing the street will be forced to navigate the blind curve and ICON’s application to subdivide Lot 6 will nonetheless increase traffic on Landis Street, thereby increasing the relative risk to the children that live in homes along the street.

Thank you for considering the submitted arguments OPPOSING ICON’s application. It is an important issue that will affect so many West Linn homeowners and their families.

Sincerely,

## Dayatra Tresvant

3675 Landis St  
West Linn, OR 97068

201-914-8758  
lashedoutbeauty@gmail.com

**From:** Travis Takano <travis\_wp@yahoo.com>  
**Sent:** Wednesday, August 9, 2023 3:00 PM  
**To:** Myers, Chris  
**Subject:** Icon Expedited Land Division (SB458) - Concern

You don't often get email from [travis\\_wp@yahoo.com](mailto:travis_wp@yahoo.com). [Learn why this is important](#)

**CAUTION:** This email originated from an External source. Do not click links, open attachments, or follow instructions from this sender unless you recognize the sender and know the content is safe. If you are unsure, please contact the Help Desk immediately for further assistance.

Hi Chris,

I am writing to you in regards to the expedited land division (SB458) of Lot 6 of the Willow Ridge Subdivision that was filed by Icon Construction and Development (ICON) for Tax Lot 21E36BA 04200. I am on the Tanner's Stonegate HOA board and it seems this new request has ruffled the neighborhood feathers again on the subdivision construction by Icon. It seems Icon did not distribute the letter to everyone on Landis St or other nearby homes which has angered residents that Icon is trying to alter what was agreed on and avoid any opposition.

I am on Landis St. and did not receive the notice, but other neighbors who have received it are passing the information on.

Since the inception of the Willow Ridge subdivision, we and other neighborhoods have opposed the development because of increased traffic, drainage/runoff and safety. Now that the division is being built, my wife and I oppose the land division for the following reasons:

- On the application the land division states the lot minimum width is 50 ft. Icon states the new lots will be only 46 feet wide.
- Increased geological and drainage risks to the homes on lower slopes and also may alter the current natural water drainage to possibly increase towards other homes on Landis.
- Traffic safety - Landis is already narrow and even more narrow when neighbors park on the street. A lot of the children play in the street and increased traffic will greatly increase the risk of an accident.
- There is a blind corner when coming onto Landis from Stonegate Lane and increased traffic will only increase an accident risk.
- If one lot is approved to split, that will set a precedent for Icon to split other lots in hopes of increasing their revenue. That will only increase other negatives
- Home value - This is a single family home neighborhood, and there aren't any other duplex units around. I believe this will have a negative impact to our neighborhood value.

Thanks you for your consideration in this matter, and I hope and trust the City of West Linn Planning Manager will make the best decision that supports the neighborhood and its concerns.

Best regards,  
Travis Takano

Chris Myers  
Associate Planner – City Hall  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068  
(503) 742-6062  
[cmyers@westlinnoregon.gov](mailto:cmyers@westlinnoregon.gov)

August 9<sup>th</sup>, 2023

Mr. Myers,

I am writing to directly oppose the application for an expedited land division (SB458) of Lot 6 of the Willow Ridge Subdivision by Icon Construction and Development (ICON) for Tax Lot 21E36BA 04200. Since ICON's application was received for an expedited review without a public hearing, there is insufficient time for the undersigned to construct a comprehensive rebuttal to the application. That said, I wish to impress upon you an issue with their application as well as past public testimony over this subdivision, which is relevant to the current application.

ARGUMENT AGAINST #1: Failure to Meet Minimum Standards

The Average Minimum Lot standard is 50 feet as specified in the City of West Linn Ordinance No. 1736, Section 11.070: DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS. According to ICON's application however, *"the average minimum lot with proposed is 46 feet."*

ARGUMENT AGAINST #2: Geological and Hydrological Risks

On October 7<sup>th</sup>, 2020, Mr. William House provided testimony involving a geological and hydrological risk assessment of the Willow Ridge Development. Mr. House is a retired professional geologist with an academic background that includes an MS Degree in Geology and a BA Degree in Environmental Sciences. He has extensive experience in subsurface geology from working as an exploration geologist in the petroleum industry for 34 years. According to Mr. House's testimony, ICON's (original) application "did not recognize the presence of a perched water table outcropping on the Willow Ridge slope at approximately 460 feet above sea level (ASL). Flooding and slope stability risks associated with this geological feature were not addressed in the Willow Ridge Development application." Additionally, "geological risk from shallow landslides was discussed in the application, but those discussions did not include an analysis of how groundwater flow from the perched water table may affect slope stability, nor do they specifically address slope instability issues related to the excavation of slope-toe materials along the perched water table."

Also contained within Mr. House's testimony, he states, "ground disturbance from construction or increased ground water percolation above an elevation of 460 feet ASL will affect the perched water zone and may result in either increased flow from existing springs or the formation of new springs. These changes in groundwater flow may pose increased flooding risk to the properties at the base of the Willow Ridge slope and may also create slope stability issues. A history of flooding on these properties has been previously noted in past public testimony. Both flooding of backyards with surface

waters and flooding of crawl spaces with ground water seepage have been noted.”

“The eastern half of the Willow Ridge Development plot is shown on Oregon State Department of Geology and Mineral Industries Shallow Landslide maps as having a moderate to high susceptibility to shallow landslides. Any construction activities resulting in increased soil water content or removal of slope-toe materials will increase this risk. The Willow Ridge property contains geologic and hydrologic conditions not usually encountered with residential construction in this area.”

It is unknown at this time if ICON has done anything to address the serious issues that jeopardize the many families and homes that are affected by the geological and hydrological threats. It is believed that increasing the number of units on the Willow Ridge Development will only serve to increase this risk and exacerbate the degree of destruction should the risk be realized. I am aware of at least one other Homeowner’ Association that has had water run-off issues as a direct result of another ICON development.

### ARGUMENT AGAINST #3: Traffic Access, Injury and Risks

Adding another dwelling serviced by access road increases the imminent danger for residents of the Willow Creek subdivision. There will be limited dwelling setback and driveway parking due to the slope of the properties. Residents whose properties can only be accessed from the access road will inevitably be parking on it. An additional dwelling on Lot 6 will increase vehicles parked on the access road that in fact, would block emergency and fire equipment from using the access road to respond to an emergency.

While there is a turnaround at the end of Cornwall Street it appears unlikely that a fire truck would be able to turn around in it. The inability for emergency equipment to enter the subdivision through that access road would add 10 minutes of travel time to reverse course and enter through Parker Road, wrap around Winkle Way onto Sabo, then onto Beacon Hill and finally onto Landis Street.

In an unfortunate event like fire and loss of life, is the city liable for allowing this variance? Is the property owner whose vehicles were parked on the street and blocking emergency access liable in a civil suit? I’m not an attorney but it seems plausible that if emergency access was blocked during such an event there will be legal action.

### ARGUMENT AGAINST #4: PROPERTY VALUATION

Building multi-family or duplex units behind the current adjacent single-family homes will negatively impact the single-family home’s property value. Single family construction with one single family home per lot was originally approved for Willow Ridge Development. Residents within the Barrington Heights and Tanner Creek Estates developments paid a purchase price for a home that has living circumstances and price values associated with one single family home per lot. Multi-family homes or duplex on single family is a condensed living circumstance that will change the living desirability and home values for adjacent homes.

### ARGUMENT AGAINST #5: ADDITIONAL IMPACT TO NATURAL HABIT

Building multi-family or duplex units behind the current adjacent single-family homes will be an

additional negative impact to the natural habit. Proposed plans have not been provided; however it is expected that there will be additional driveway pavement and increase in the overall building footprint for these duplexes which will result in further reduction of the natural habit in the development. It is worth noting that since ICON has stripped the entire development of it's preexisting habit it has created a problem with the bird population.

For the reasons stated above it is my recommendation that the City issue a stop work order to ICON until these issues are resolved and the City can assure the existing homeowners as well as the potential buyers of the ICON development that the homes will be compliant with all plans, permits and codes.

Thank you for considering the submitted arguments against ICON's application. It is an important issue that will affect so many West Linn homeowner's and their families.

Sincerely,

Wen Jiang  
3725 Fairhaven Drive  
West Linn, OR 97068

[jiangwen0525@gmail.com](mailto:jiangwen0525@gmail.com)



## Myers, Chris

---

**From:** JEFF GARDNER <jeff.gardner@comcast.net>  
**Sent:** Wednesday, August 9, 2023 8:08 AM  
**To:** Myers, Chris; tannersstonegate@gmail.com  
**Subject:** Icon Willow Ridge Development

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Chris Myers  
Associate Planner – City Hall  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068  
(503) 742-6062  
[cmyers@westlinnoregon.gov](mailto:cmyers@westlinnoregon.gov)

August 9, 2023

Dear Mr. Myers,

As a long-time resident and homeowner in the Tanners Stonegate subdivision, I am writing to directly oppose the application for an expedited land division (SB458) of Lot 6 of the Willow Ridge Subdivision by Icon Construction and Development (ICON) for Tax Lot 21E36BA 04200.

Since ICON's application was received for an expedited review *without a public hearing*, there is insufficient time for my wife, Lois, and I submit a comprehensive rebuttal to the application. That said, Lois and I are writing to address issues in their application in relation to past public testimony concerning the Willow Ridge subdivision, which is relevant to Icon's pending application.

### **ARGUMENT AGAINST #1:** *Failure to Meet Minimum Standards*

The Average Minimum Lot standard is 50 feet as specified in the City of West Linn Ordinance No. 1736, Section 11.070: DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS.

According to ICON's application however, "the average minimum lot with proposed is 46 feet."

### **ARGUMENT AGAINST #2:** *Geological and Hydrological Risks*

On October 7, 2020, Mr. William House provided testimony to the City involving a geological and hydrological risk assessment of the Willow Ridge Development. Mr. House is a retired professional geologist with an academic background that includes an MS Degree in Geology and a BA Degree in Environmental Sciences. He has extensive experience in subsurface geology from working as an exploration geologist in the petroleum industry for 34 years. ***According to Mr. House's testimony, ICON's (original) application "did not recognize the presence of a perched water table outcropping on the Willow Ridge slope at approximately 460 feet above sea level (ASL).*** Flooding and slope stability risks associated with this geological feature

were not addressed in the Willow Ridge Development application." Additionally, "geological risk from shallow landslides was discussed in the application, but those discussions did not include an analysis of how groundwater flow from the perched water table may affect slope stability, nor do they specifically address slope instability issues related to the excavation of slope-toe materials along the perched water table." Also contained within Mr. House's testimony, he states, "ground disturbance from construction or increased ground water percolation above an elevation of 460 feet ASL will affect the perched water zone and may result in either increased flow from existing springs or the formation of new springs. These changes in groundwater flow may pose increased flooding risk to the properties at the base of the Willow Ridge slope and may also create slope stability issues. A history of flooding on these properties has been previously noted in past public testimony. Both flooding of backyards with surface waters and flooding of crawl spaces with ground water seepage have been noted." "The eastern half of the Willow Ridge Development plot is shown on Oregon State Department of Geology and Mineral Industries Shallow Landslide maps as having a moderate to high susceptibility to shallow landslides. Any construction activities resulting in increased soil water content or removal of slope-toe materials will increase this risk. The Willow Ridge property contains geologic and hydrologic conditions not usually encountered with residential construction in this area."

It is unknown at this time if ICON has done anything to address the serious issues that jeopardize the many families and homes that are affected by the geological and hydrological threats. It is believed that increasing the number of units on the Willow Ridge Development will only serve to increase this risk and exacerbate the degree of destruction should the risk be realized.

**ARGUMENT AGAINST #3: *Traffic Injury Risks***

Access to the Willow Ridge Development is currently accomplished via Landis Street. It is important to note that the homes along Landis Street have shallow front yards and driveways that aren't sufficient for to constrain young children or household pets. As a result, it's been historical precedence for neighborhood children in homes on Landis Street to be left with no other option than to play in the street. Compounding this concern is the blind roadway curve of Landis Street where it connects to Stonegate Lane. Vehicles traversing the streets are forced to navigate a blind sharp curve. Despite these risk issues, ICON's application to subdivide Lot 6 will result in increased traffic on Landis Street (and particularly heavy trucks and equipment as home construction progresses), thereby increasing the relative risk to pedestrians, children, and household pets that live along Landis.

For the reasons set forth above, Icon's application should be denied. Thank you in advance for your time and courtesies in considering our letter in opposition.

Very truly yours,

/s/ Jeffrey C. Gardner

Jeffrey C. Gardner, JD MBA

2664 Beacon Hill Drive

West Linn, Oregon 97068

[jeff.gardner@comcast.net](mailto:jeff.gardner@comcast.net)

+1.503.201.7421

c: Tanners Stonegate HOA Board

## Myers, Chris

---

**From:** Kimberly Ogadhoh <k.ogadhoh@comcast.net>  
**Sent:** Wednesday, August 9, 2023 8:43 AM  
**To:** Myers, Chris  
**Subject:** Oppose application by ICON

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Chris Myers  
Associate Planner – City Hall  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068  
(503) 742-6062  
cmyers@westlinnoregon.gov  
August 9th, 2023

Mr. Myers,

We are writing to directly oppose the application for an expedited land division (SB458) of Lot 6 of the Willow Ridge Subdivision by Icon Construction and Development (ICON) for Tax Lot 21E36BA 04200.

Since ICON's application was received for an expedited review without a public hearing, there is insufficient time for the undersigned to construct a comprehensive rebuttal to the application. That said, we wish to impress upon you an issue with their application as well as past public testimony over this subdivision, which is relevant to the current application.

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**DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS.**

According to ICON's application however, "the average minimum lot with proposed is 46 feet."

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On October 7th, 2020, Mr. William House provided testimony involving a geological and hydrological risk assessment of the Willow Ridge Development. Mr. House is a retired professional geologist with an academic background that includes an MS Degree in Geology and a BA Degree in Environmental Sciences. He has extensive experience in subsurface geology from working as an

exploration geologist in the petroleum industry for 34 years.

According to Mr. House's testimony, ICON's (original) application "did not recognize the presence of a perched water table outcropping on the Willow Ridge slope at approximately 460 feet above sea level (ASL). Flooding and slope stability risks associated with this geological feature were not addressed in the Willow Ridge Development application." Additionally, "geological risk from shallow landslides was discussed in the application, but those discussions did not include an analysis of how groundwater flow from the perched water table may affect slope stability, nor do they specifically address slope instability issues related to the excavation of slope-toe materials along the perched water table."

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"The eastern half of the Willow Ridge Development plot is shown on Oregon State Department of Geology and Mineral Industries Shallow Landslide maps as having a moderate to high susceptibility to shallow landslides. Any construction activities resulting in increased soil water content or removal of slope-toe materials will increase this risk. The Willow Ridge property contains geologic and hydrologic conditions not usually encountered with residential construction in this area."

It is unknown at this time if ICON has done anything to address the serious issues that jeopardize the many families and homes that are affected by the geological and hydrological threats. It is believed that increasing the number of units on the Willow Ridge Development will only serve to increase this risk and exacerbate the degree of destruction should the risk be realized. I am aware of at least one other Homeowner' Association that has had water run-off issues as a direct result of another ICON development.

#### ARGUMENT AGAINST #3: Traffic Injury Risks

Access to the Willow Ridge Development is currently accomplished via Landis Street. It's important to note that the homes along Landis are not equipped with yards sufficient for to constrain young children. As a result, it's been historical precedence for neighborhood children to be left with no other option than to play in the street. Compounding this concern is the blind roadway curve of Landis Street where it connects to Stonegate Lane. Vehicles ingressing/egressing the street will be forced to navigate the blind curve and ICON's application to subdivide Lot 6 will nonetheless increase traffic on Landis Street, thereby increasing the relative risk to the children that live in homes along the street.

Thank you for considering the submitted arguments against ICON's application. It is an important issue that will affect so many West Linn homeowners and their families.

Sincerely,

Kimberly & Shem Ogadhoh  
2130 Fairhaven Ct, West Linn 97068  
503-442-7239  
k.ogadhoh@comcast.net

## **EXHIBIT PD-3 COMPLETENESS LETTER**



## CITY OF West Linn

July 25, 2023

Darren Gusdorf  
Icon Construction & Development, LLC  
1969 Willamette Falls Dr., Suite 260  
West Linn, OR 97068

Subject: ELD-23-03 - Application for an Expedited Land Division to partition lot 6 of the Willow Ridge Subdivision into two parcels.

Mr. Gusdorf,

You submitted revised application materials on July 24, 2023. The Planning and Engineering Departments determined that the application is now **complete** as of July 24, 2023.

The application proposes a SB458 expedited land division for HB2001 middle housing development. Per SB458, the City is required to process the application under the procedures outlined in Oregon Revised Statute 197.360 to 197.380. The City has 63 days to make a decision to approve or deny the application; that period ends September 25, 2023.

Please be aware that a determination of a complete application does not guarantee an approval 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](mailto:cmyers@westlinnoregon.gov) if you have any questions or comments.

Respectfully,

*Chris Myers*

Chris Myers  
Associate Planner

**EXHIBIT PD-4 AFFIDAVIT AND NOTICE PACKET**

**AFFIDAVIT OF NOTICE  
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.: **ELD-23-03** Applicant's Name: **Icon Construction & Development**  
 Development Name: **Lot 6, Willow Ridge Subdivision, Cornwall Street**  
 Scheduled Decision Date:

**MAILED NOTICE**

Notice of Upcoming Planning Manager Decision was mailed at least 14 days before the decision.

Icon Construction & Development, applicant	7/26/23	<i>Lynn Schroder</i>
Property owners within 100ft of the site perimeter	7/26/23	<i>Lynn Schroder</i>
Sunset Neighborhood Association	7/26/23	<i>Lynn Schroder</i>
WLWL SD	7/26/23	<i>Lynn Schroder</i>
Clackamas County	7/26/23	<i>Lynn Schroder</i>
PGE	7/26/23	<i>Lynn Schroder</i>
TriMet	7/26/23	<i>Lynn Schroder</i>
NW Natural Gas	7/26/23	<i>Lynn Schroder</i>
TVF&R	7/26/23	<i>Lynn Schroder</i>
Stafford-Tualatin CPO	7/26/23	<i>Lynn Schroder</i>

**EMAILED NOTICE**

Notice of Upcoming Planning Manager Decision was emailed at least 14 days before the decision date to:

Neighborhood Association	7/25/23	<i>Lynn Schroder</i>
Icon Construction & Development, applicant	7/25/23	<i>Lynn Schroder</i>
Metro (per request)	7/25/23	<i>Lynn Schroder</i>

**WEBSITE**

Notice was posted on the City's website at least 14 days before the decision.

7/25/23	<i>Lynn Schroder</i>
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**FINAL DECISION**

Notice of Final Decision was mailed to the **applicant and all parties mailed the original notice above** (ORS 197.365), all parties with standing, and posted on the City's website.

9/21/23	<i>Lynn Schroder</i>
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**CITY OF WEST LINN**  
**NOTICE OF UPCOMING PLANNING MANAGER DECISION**  
**FILE NO. ELD-23-03**

The City of West Linn has received a complete application for an expedited land division (SB458) for middle housing at Lot 6, Willow Ridge Subdivision, Landis Street (Tax Lot 31E02AB 08800). The applicant is requesting approval of a land division to divide a property for a proposed detached duplex onto individual parcels.

The Planning Manager will decide after the required 14-day written comment period expires. The decision will be based on the criteria found in Oregon Revised Statute 92.031. An appointed referee will review any appeal of the decision.

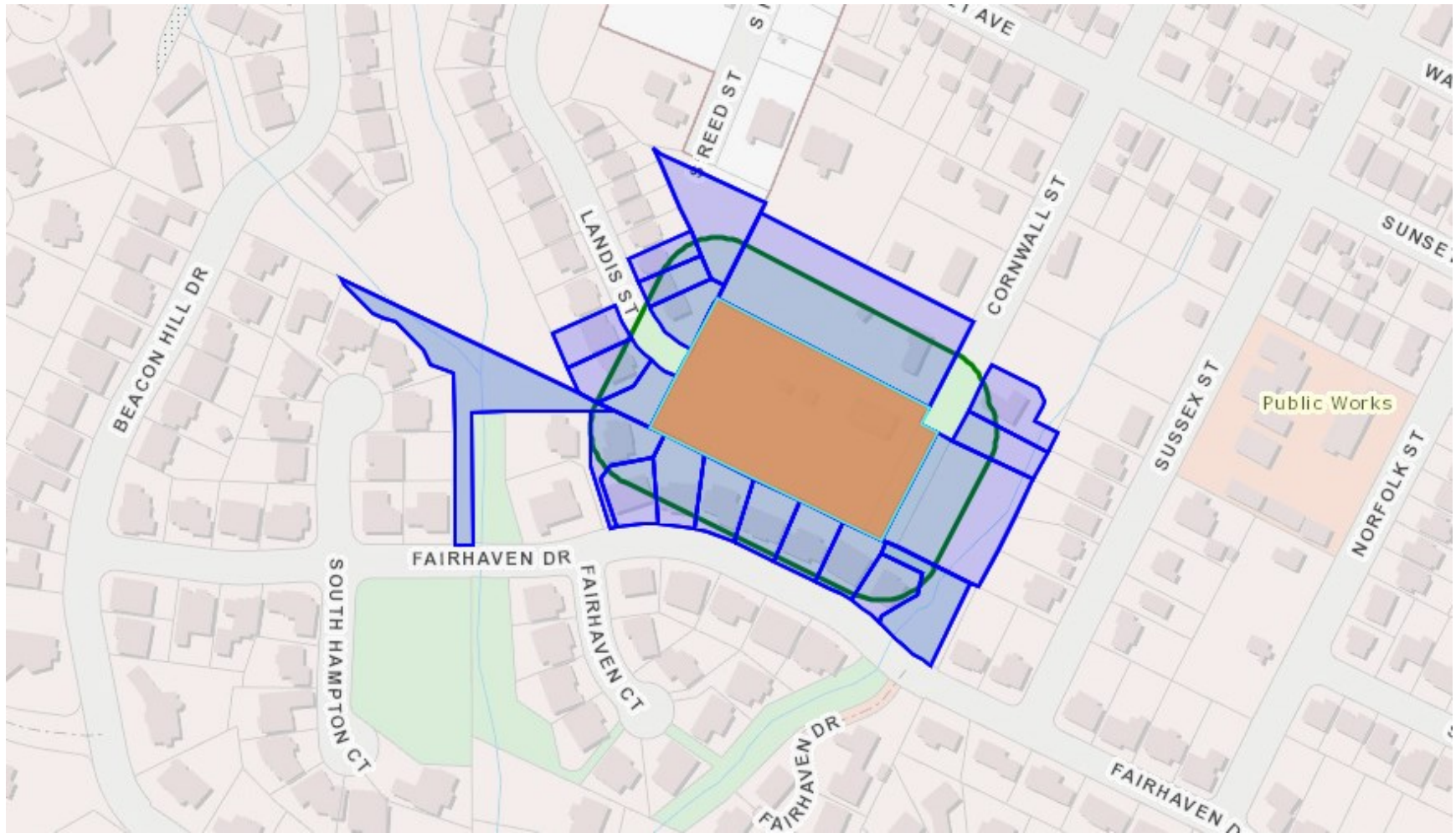
The complete application and all evidence submitted by the applicant are posted on the City's website <https://westlinnoregon.gov/planning/taxlot-8800-cornwall-road-expedited-land-division>. Alternatively, the application and all evidence submitted by the applicant are available for review between 8:00 am and 5:00 pm, Monday through Thursday, at City Hall at no cost. Copies may be obtained at a reasonable cost.

A public hearing will not be held for this decision. **Anyone wishing to submit written comments for consideration must submit all material before the 14-day comment period expires. The deadline to submit written comments is 4:00 pm on August 9, 2023. Written comments can be submitted to [cmyers@westlinnoregon.gov](mailto:cmyers@westlinnoregon.gov) or City Hall, 22500 Salamo Road, West Linn, OR 97068. All comments must be received by the deadline.**

All issues that may provide the basis for an appeal to the referee must be raised in writing prior to the expiration of the comment period outlined above and all issues must be raised with sufficient specificity to enable the Planning Manager to respond to the issue.

For additional information, please contact Chris Myers, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, or 503-742-6062 or [cmyers@westlinnoregon.gov](mailto:cmyers@westlinnoregon.gov).

Notified Properties within 100 feet of Lot 6 on Cornwall Street





**NOTICE OF UPCOMING  
PLANNING MANAGER DECISION**

**PROJECT # ELD-23-03  
MAIL: 7/26/23 TIDINGS: N/A**

**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.