

DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT	PROJECT NO(S): ELD-23-05/MIP-23-06	PRE-APPLICATION NO.: n/a
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S) \$2,800	TOTAL \$2,800

Type of Review (Please check all that apply):

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

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

Site Location/Address: 2797 Lancaster Street	Assessor's Map No.: 21E25CD
	Tax Lot(s): 3400
	Total Land Area: 0.46 ac

Brief Description of Proposal:

SB 458 - Middle housing land division for a detached quadplex (4-lots)

Applicant Name*: TPC Property LLC Address: PO Box 521 City State Zip: West Linn OR 97068	Phone: 425-829-1566 Email: jportlock@theportlockco.com
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Owner Name (required): Same as Applicant Address: City State Zip:	Phone: Email:
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Consultant Name: Emerio Design, LLC - Jennifer Arnold Address: 1500 Valley River Drive, Suite 100 City State Zip: Eugene, OR 97401	Phone: 503-746-8812 Email: jarnold@emeriodesign.com
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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	6/29/23 Date	 Owner's signature (required)	6/26/23 Date
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Lancaster Partition

Middle Housing Land Division SB458

Prepared for:
TPC Property LLC

Prepared by:



1500 Valley River Drive, Suite 100
Eugene, OR 97401
503.746.8812
emeriodesign.com

June 20, 2023

Project Summary

Request:	Application proposing land division for a detached quadplex	
Location and Map Number:	2797 Lancaster Street Clackamas County Assessor's Map No. 21E25CD, Tax Lot 3400	
Applicant/Owner:	TPC Property LLC PO Box 521 West Linn, OR 97068	
Engineer/Planner:	Emerio Design, LLC 1500 Valley River Drive Suite 100 Eugene, OR 97401 503-746-8812 Surveyor: Keelan Smith ksmith@emeriodesign.com	Planner: Jennifer Arnold jarnold@emeriodesign.com

Exhibits:

A – County Assessor's Map

B – Aerial Photograph

C – Zoning Map

I. Project Description

TPC Property LLC, the applicant, is proposing to partition the 0.46-acre parcel identified as Clackamas County Assessor's Map No. 21E25CD, Tax Lot 3400 (Exhibit A); it can also be located by its address, 2797 Lancaster Street. The base zone applied to the property is R-10.

The proposed development conforms to all applicable sections of SB458. This application provides findings of fact that demonstrate conformance with all applicable standards of the previously mentioned governing regulations. Applicable criteria will appear in *italics* followed by the applicant's responses in **bold** typeface.

II. Existing Conditions

The subject property has double frontage on two public streets, Lancaster Street and York Street. Current access to the subject property is provided by an existing driveway via Lancaster Street and a garage in the rear yard is accessed by a driveway off York Street. New driveways are proposed for access for each new dwelling unit.

Elevations on the subject property increase from 582 feet near the southeastern property corner to 588 feet above mean sea level near the northwest corner. The subject property has an existing home to be removed and two large trees along the rear property line. There are no significant natural features located within the boundaries of the subject property.

The subject property is zoned R-10 which allows quadplex residential units as an outright permitted use per CDC 11.030.1.a. This proposal includes a detached quadplex under the provisions of Section 2 of SB458 for a middle housing land division.

III. 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).
- (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);
 - (b) Separate utilities for each dwelling unit;

Response: The subject property is within the R-10 zoning designation and a quadplex is outright permitted use. The applicant proposes a middle housing land division process to create four child lots on the existing parent lot and construct a detached quadplex (one unit per lot). A preliminary street and utility plan is included with this application and shows individual utilities ran to each proposed lot. See sheet 4 demonstrating compliance with standards.

- (c) Proposed easements necessary for each dwelling unit on the plan for:
 - (A) Locating, accessing, replacing and servicing all utilities;
 - (B) Pedestrian access from each dwelling unit to a private or public road;
 - (C) Any common use areas or shared building elements;
 - (D) Any dedicated driveways or parking; and
 - (E) Any dedicated common area;

Response: The subject property does not have any easements, but the applicant proposes a 10-foot public utility easement along the frontage of both parcels. This easement is shown on submitted sheets

4 and 5. Each parcel has direct access to a public street and a driveway for off-street parking. No common areas or shared building elements are proposed with this application.

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

Response: The applicant proposes to construct a detached quadplex with one unit on each proposed lot as shown on the submitted plans.

- (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.

Response: Building setbacks are shown on the submitted site plan demonstrating compliance with those development standards and Oregon residential specialty code. The existing home and accessory structure on the property are proposed to be removed prior to construction of the detached quadplex units. A building permit is required for construction and will confirm compliance with Oregon residential specialty code.

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

Response: The applicant acknowledges and understands that the above conditions of approval may be required with the approval of this application.

- (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.
 - (b) May require street frontage improvements where a resulting lot or parcel abuts the street consistent with land use regulations implementing ORS 197.758.
 - (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.
 - (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.
 - (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.
 - (f) May require the dedication of right of way if the original parcel did not previously provide a dedication.
- (5) The type of middle housing developed on the original parcel is not altered by a middle housing land division.
- (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.
- (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.

SECTION 2a.

Section 2 of this 2021 Act applies only to a middle housing land division permitted on or after July 1, 2022.

Response: The applicant understands the review process and acknowledges that this application is void if the final plat is not approved within three years.

IV. Conclusion

This application narrative, accompanying plan set, and supporting materials demonstrate that all applicable provisions of SB458 are satisfied. The applicant respectfully requests that the Planning Department approve this application.

Exhibit A – Clackamas County Assessor Map

Exhibit B – Aerial Photograph

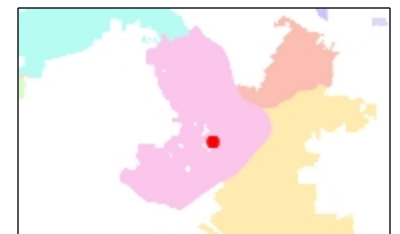


Legend

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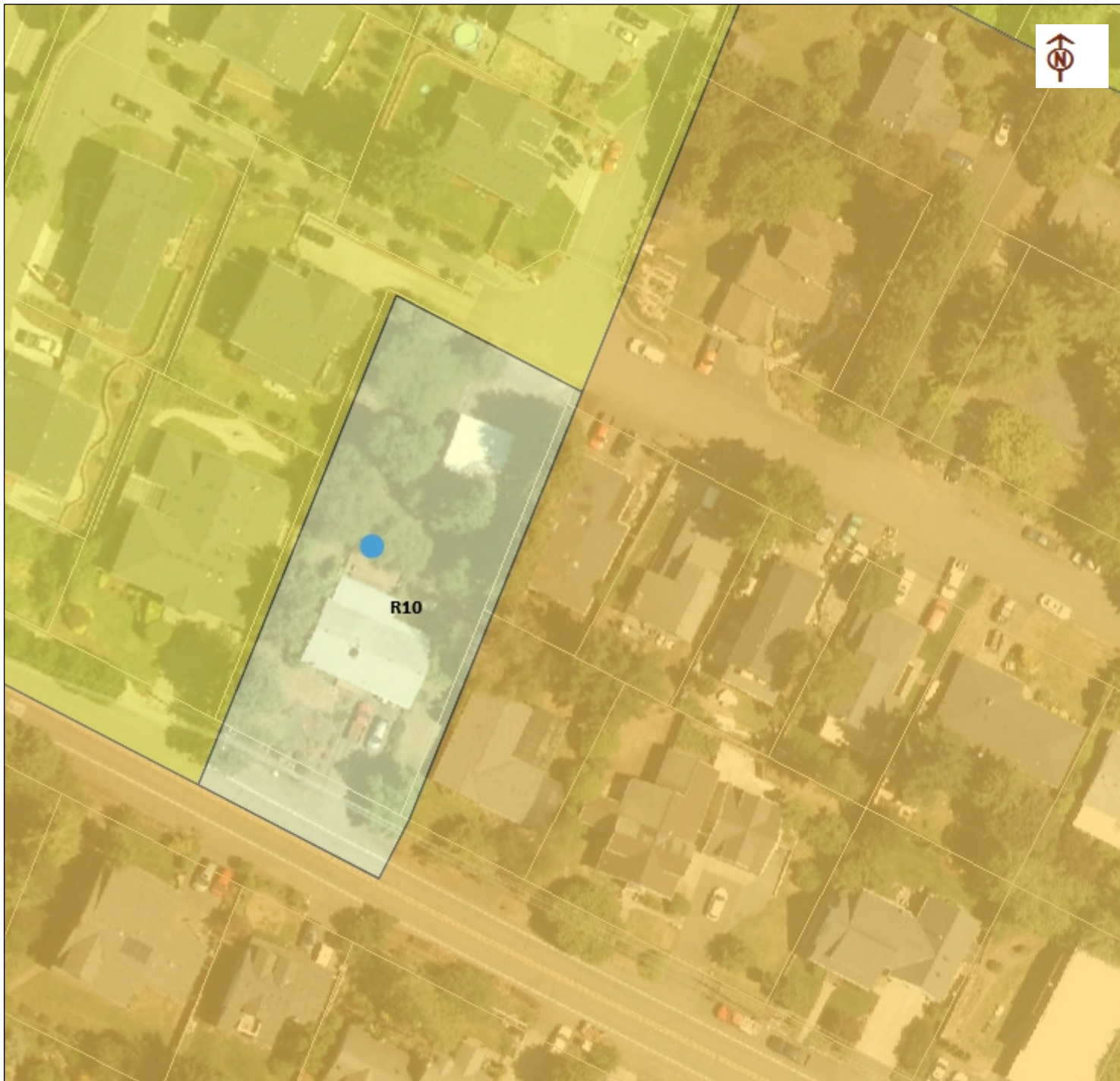
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Notes

This map was automatically generated using Geocortex Essentials.

Exhibit C – West Linn Zoning Map



Legend

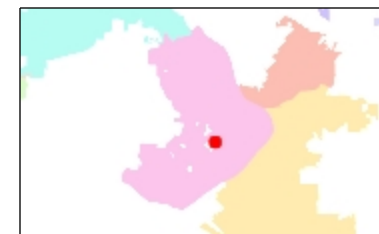
Zoning

- Single and Multi Family R-2.1
- Single and Multi Family R-3
- Single-Family R-4.5
- Single-Family R-5
- Single-Family R-7
- Single-Family R-10
- Single-Family R-15
- Single-Family R-20
- Single-Family R-40
- Mixed Use
- Neighborhood Commercial
- General Commercial
- Office Business Center
- Campus Industrial
- General Industrial

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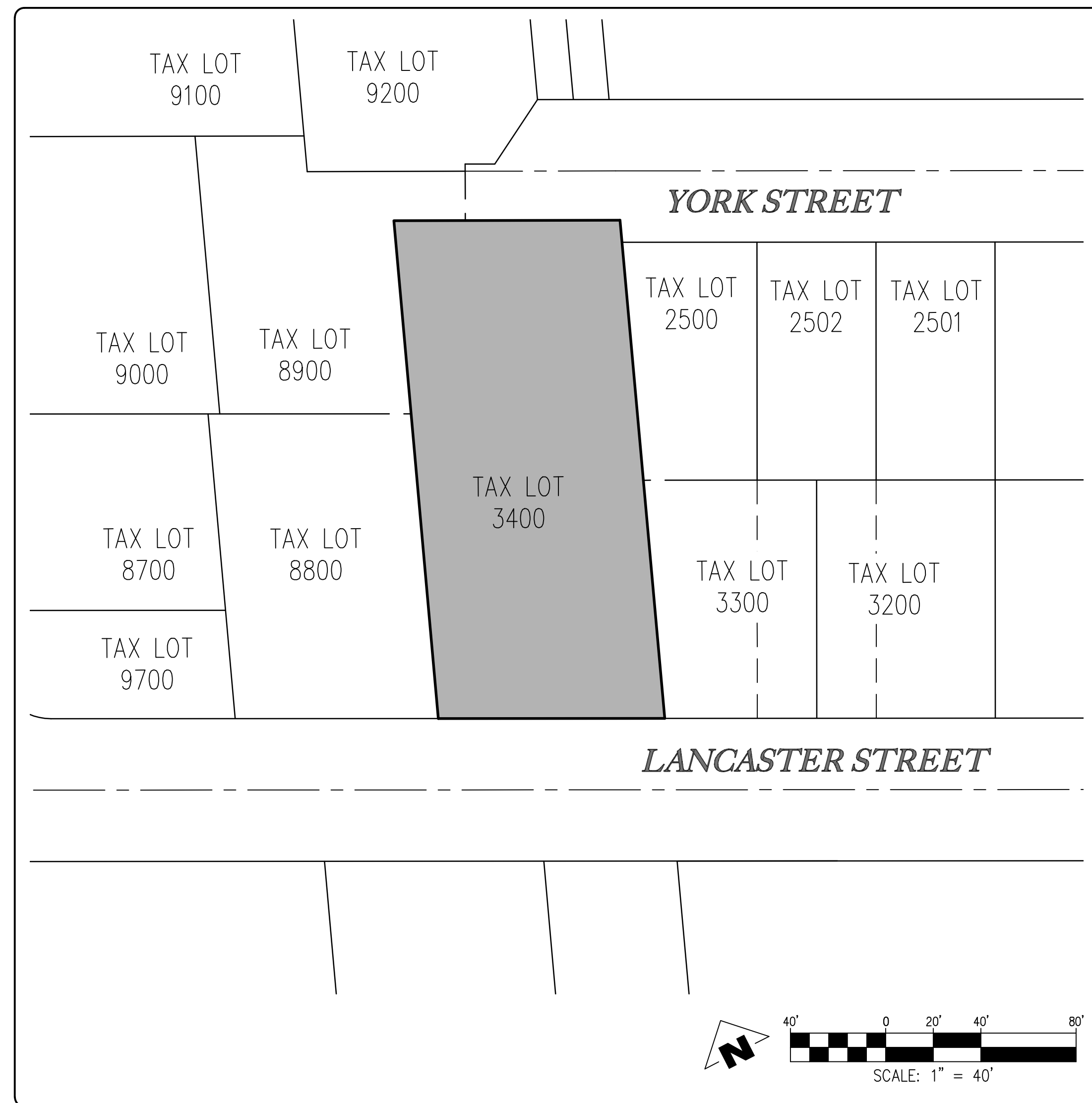
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2797 LANCASTER STREET

TAX MAP 21E25CD
 S.E. 1/4 S.W. 1/4 SECTION 25 T.2S. R.1E. W.M.
 CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

PAPER SCALE NOTE
 THESE PLANS ARE FULL SIZED ON 22"x34" PAPER, IF 11"x17",
 SCALE ACCORDINGLY.



SITE DATA
 SITE AREA: 0.46 AC
 CURRENT ZONING: R-10
 TAXLOT: 3400
 NO OF LOTS: 4

BENCHMARK INFORMATION
 THE VERTICAL DATUM FOR THIS SURVEY IS BASED UPON NGVD29 DATUM, BENCHMARK NO. AJ8196, BEING A BRASS CAP SET IN A MONUMENT BOX IN THE CENTER OF SALAMO ROAD, SOUTH OF HOODVIEW AVENUE. ELEVATION=692.585.

DRAWING INDEX

SHEET NUMBER	SHEET TITLE
01	COVER SHEET
02	EXISTING CONDITIONS MAP
03	PRELIMINARY PLAT
04	PRELIMINARY STREET AND UTILITY PLAN
05	SITE PLAN

ENGINEER'S NOTE TO CONTRACTOR
 THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS.
 THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
 CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.

THIS DESIGN COMPLIES WITH ORS 92.044 (7) IN THAT NO UTILITY INFRASTRUCTURE IS DESIGNED TO BE WITHIN ONE (1) FOOT OF A SURVEY MONUMENT LOCATION SHOWN ON A SUBDIVISION OR PARTITION PLAT. NO DESIGN EXCEPTIONS NOT FINAL FIELD LOCATION CHANGES SHALL BE PERMITTED IF THAT CHANGE WOULD CAUSE ANY UTILITY INFRASTRUCTURE TO BE PLACED WITHIN THE PROHIBITED AREA.

PROJECT CONTACTS

OWNER: TPC PROPERTY LLC PO BOX 521 WEST LINN, OR 97068	SURVEYOR: EMERIO DESIGN, LLC 6445 SW FALLBROOK PLACE, SUITE 100 BEAVERTON, OR 97008 CONTACT: ERIC LYNCH, PLS (503) 746-8812 (P)	CIVIL ENGINEER: EMERIO DESIGN, LLC 1500 VALLEY RIVER DRIVE, SUITE 100 EUGENE, OR 97401 CONTACT: KEELAN SMITH, PE (503) 746-8812 (P)
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NOTICE TO EXCAVATORS:
 ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER.
 (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503)-232-1987).
 POTENTIAL UNDERGROUND FACILITY OWNERS
Dig Safely.
 Call the Oregon One-Call Center
 DIAL 811 or 1-800-332-2344

2797 LANCASTER STREET
 TAXLOT 3400
 WEST LINN
 CLACKAMAS COUNTY, OREGON

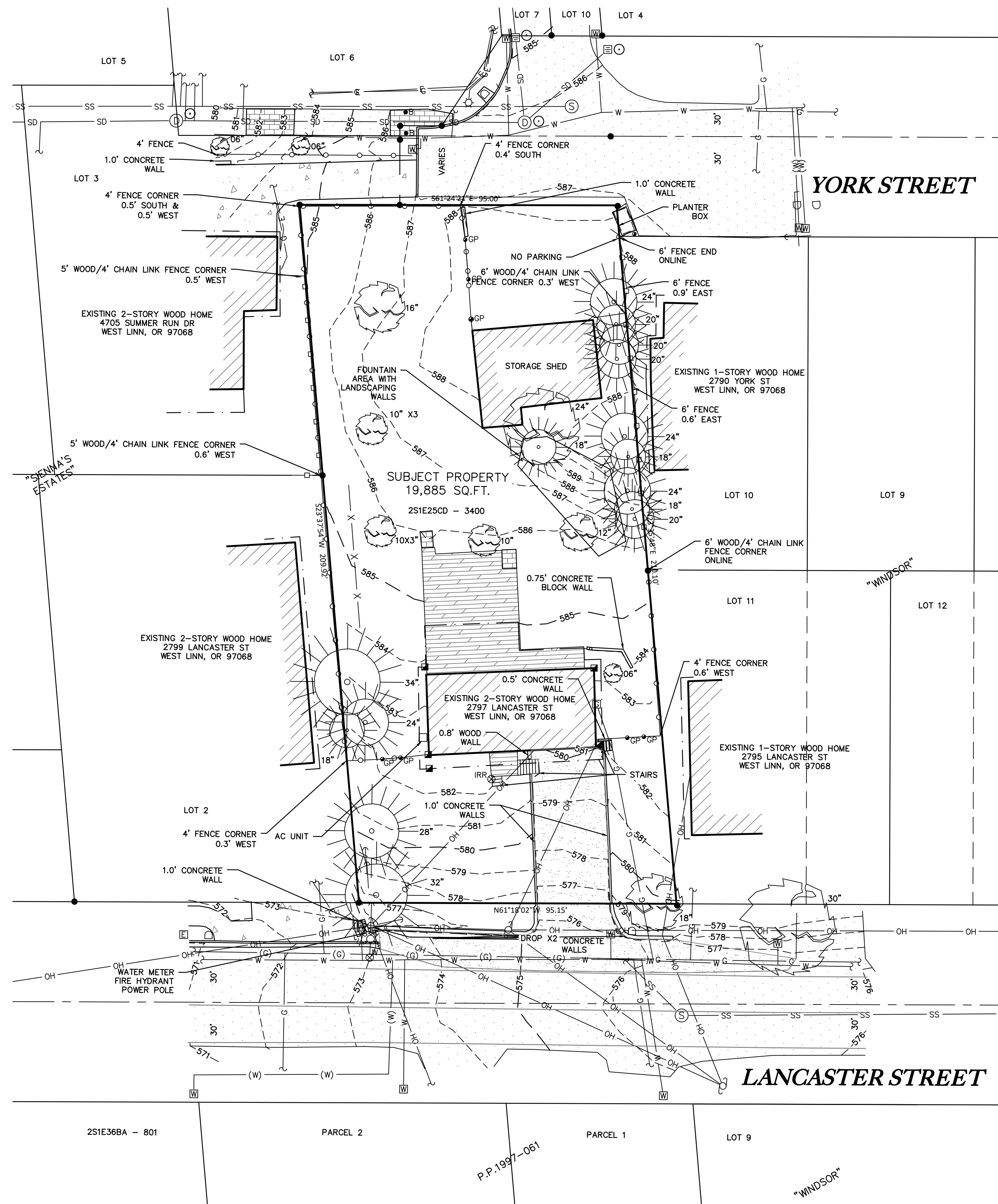
COVER SHEET

NO.	DATE	DESCRIPTION

EMERIO
 ENGINEERING • SURVEYING • DESIGN
 1500 VALLEY RIVER DRIVE, SUITE 100
 EUGENE, OREGON 97401
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 FAX: (503) 639-8592
 www.emeriodesign.com



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LEGEND

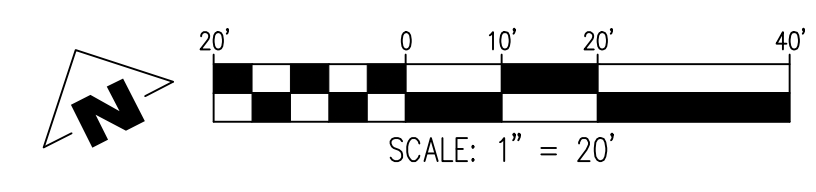
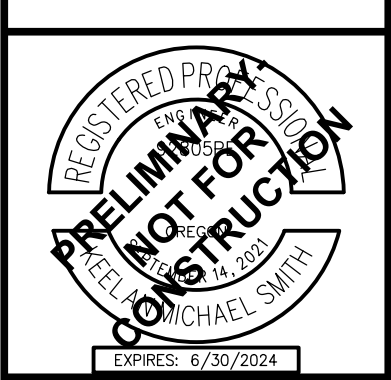
- INDICATES FOUND MONUMENT (PROTECT AT ALL TIMES)
- ⊙ INDICATES FIRE PIT
- ⊙ GP INDICATES GATE POST
- ▣ INDICATES DOWNSPOUT
- INDICATES MAILBOX
- ☀ INDICATES EVERGREEN TREE
- INDICATES CLEANOUT
- ⊙ S INDICATES SANITARY SEWER MANHOLE
- ⊙ L INDICATES STREET LIGHT
- ⊙ E INDICATES ELECTRICAL METER
- ⊙ V INDICATES ELECTRICAL VAULT
- ⊙ C INDICATES COMMUNICATION PEDESTAL
- ⊙ G INDICATES GAS METER
- ⊙ F INDICATES FIRE HYDRANT
- ⊙ W INDICATES WATER METER
- ⊙ W INDICATES WATER VALVE
- IE INDICATES INVERT ELEVATION
- PP INDICATES PARTITION PLAT
- PVC INDICATES PVC PIPE
- SQ.FT. INDICATES SQUARE FEET
- INDICATES ROADWAY CENTERLINE
- INDICATES BUILDING EAVES
- INDICATES WOODEN FENCE LINE
- X—X INDICATES METAL FENCE LINE
- INDICATES CHAIN LINK FENCE LINE
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- - - - - INDICATES 1 FOOT INTERVAL CONTOUR
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- G — G — INDICATES EXISTING GAS
- COM — INDICATES EXISTING COMMUNICATIONS
- E — E — INDICATES EXISTING POWER
- SS — SS — INDICATES EXISTING SANITARY SEWER
- W — W — INDICATES EXISTING WATER MAIN
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- ▣ INDICATES EXISTING ASPHALT
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2797 LANCASTER STREET
 TAXLOT 3400
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 CLACKAMAS COUNTY, OREGON

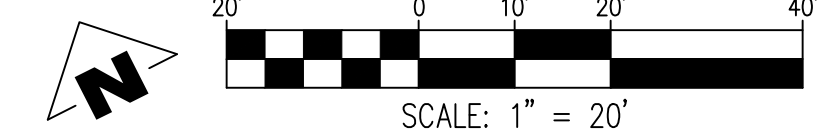
**EXISTING CONDITIONS
 MAP**

NO.	DATE	DESCRIPTION

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 FAX: (603) 639-8592
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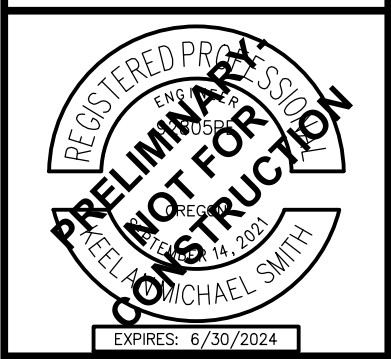


2797 LANCASTER STREET
 TAX LOT 3400
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 CLACKAMAS COUNTY, OREGON

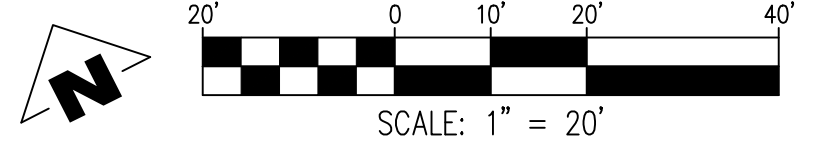
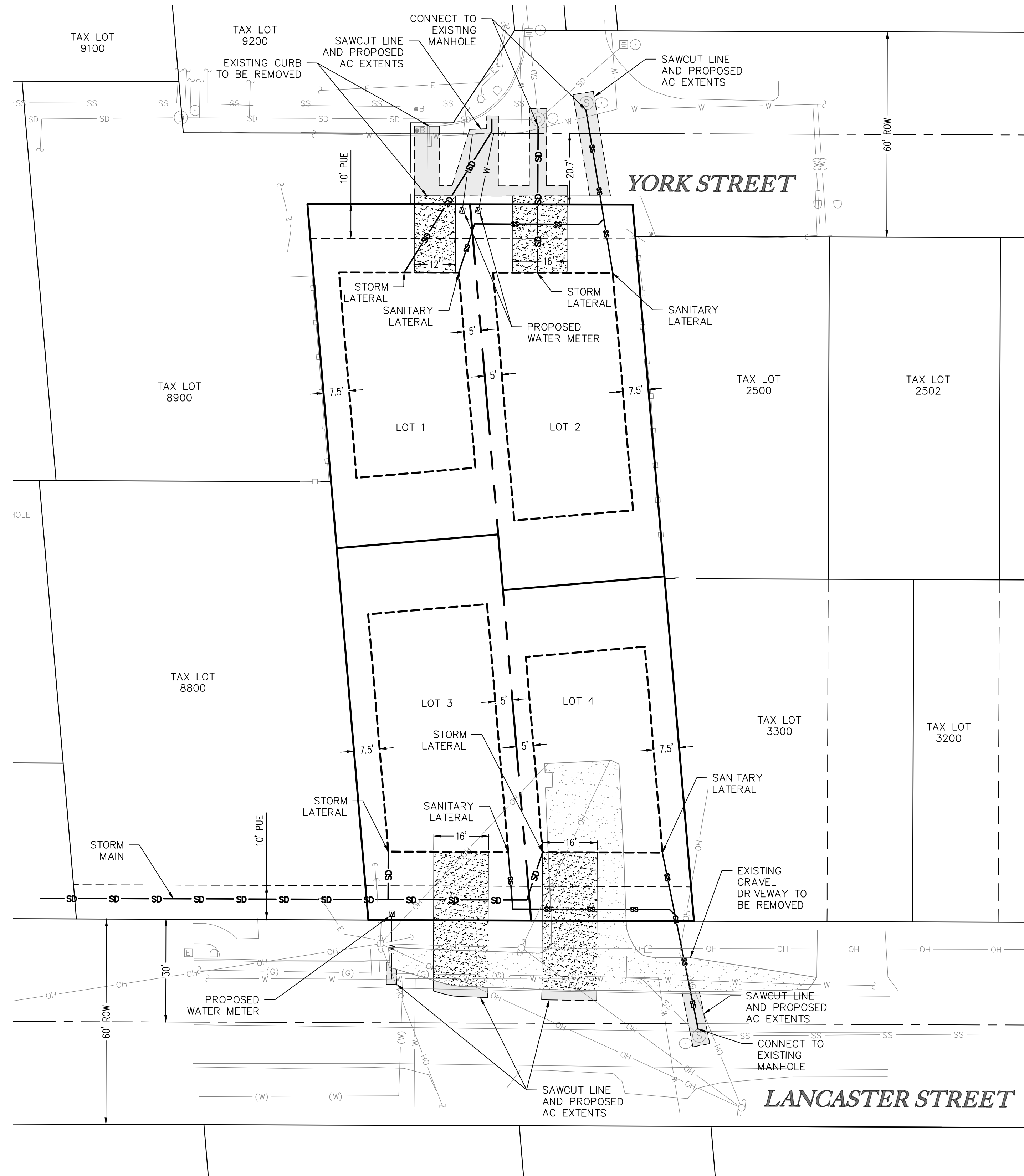
PRELIMINARY PLAT

REVISIONS	
NO.	DATE

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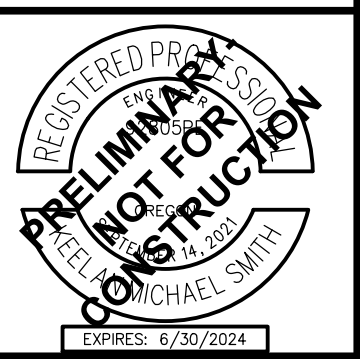


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**PRELIMINARY STREET AND
 UTILITY PLAN**

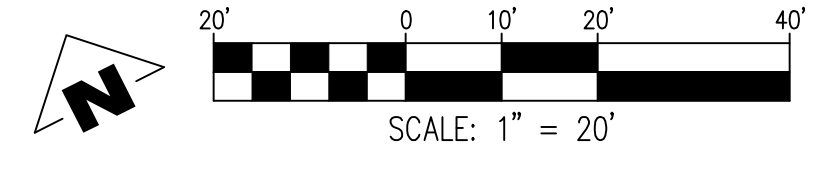
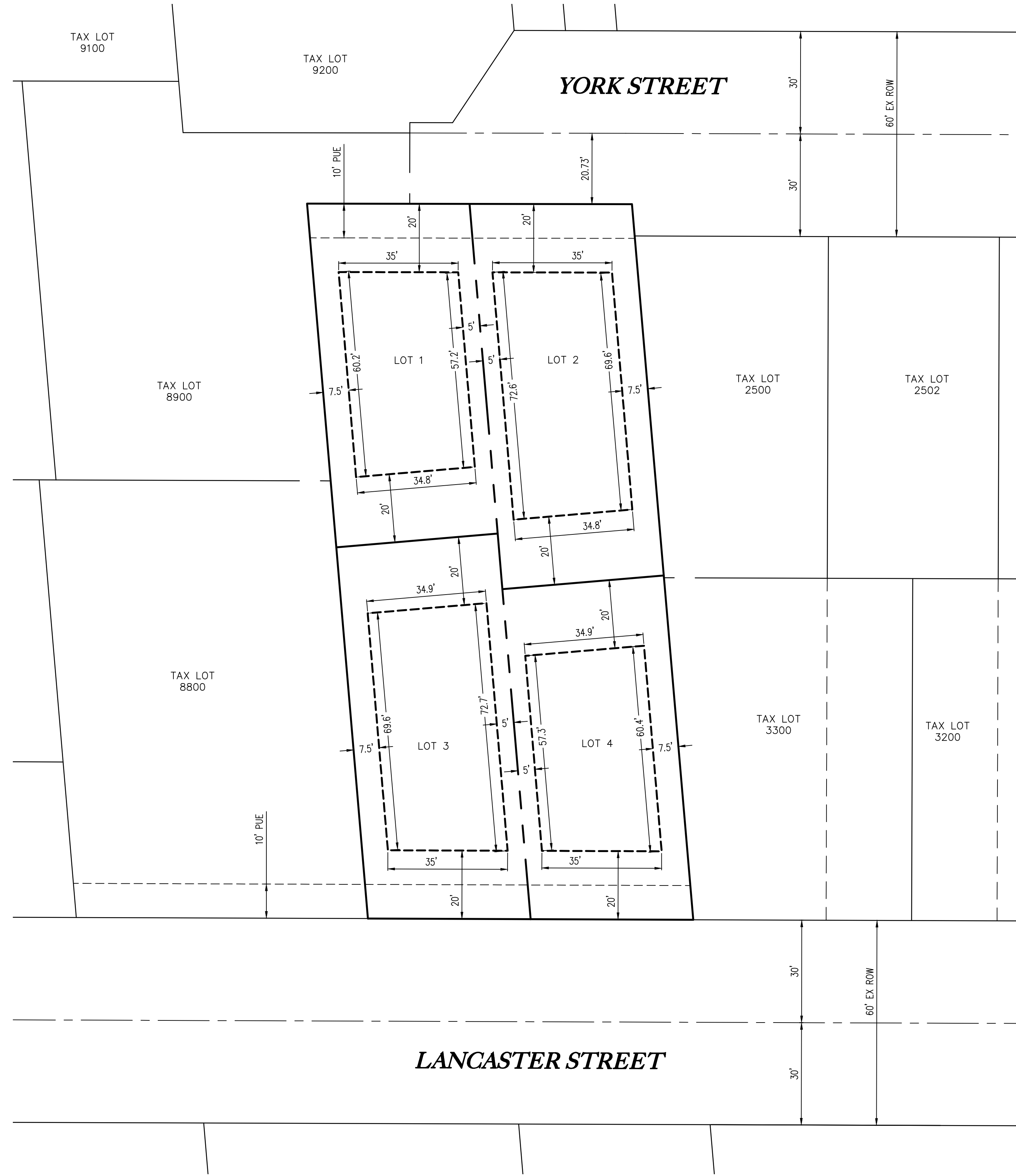
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FILE:P:\1944-003 2797 Lancaster St\1944-003.dwg | Plan | 1944-003.dwg | Layout: 04 PRELIMINARY STREET AND UTILITY PLAN, Plot Date: 6/21/2023 4:13 PM, by: Keaton Smith



2797 LANCASTER STREET
 TAX LOT 3400
 WEST LINN
 CLACKAMAS COUNTY, OREGON

SITE PLAN

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