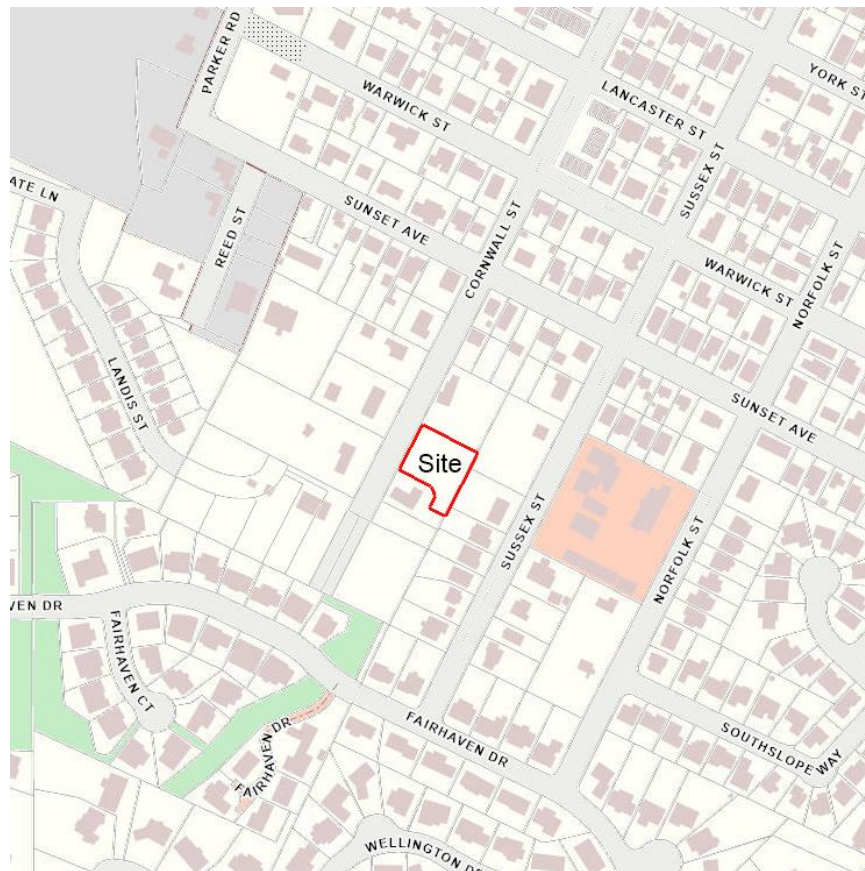


Expedited Land Division Narrative

Tax Lot 21E36BA07600, Cornwall Street, West Linn

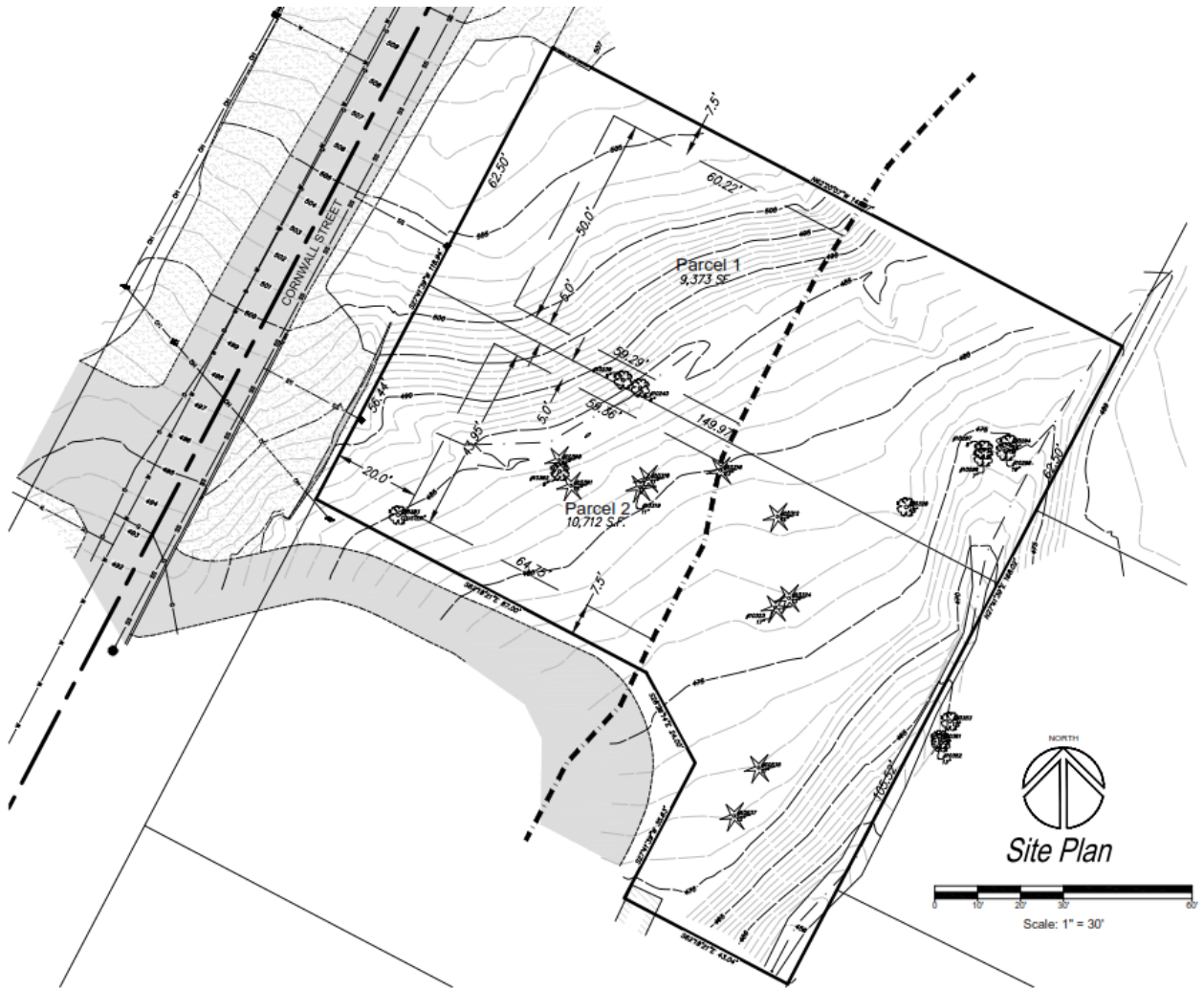
Icon Construction & Development, LLC

Proposal: This application requests approval of a middle housing Expedited Land Division (ELD) for an existing lot described as Tax Lot 21E36BA07600. The property is vacant and has no site address, but is located between 4099 and 4195 Cornwall Street in West Linn. This site is located on the east side of Cornwall Street south of Sunset Avenue.

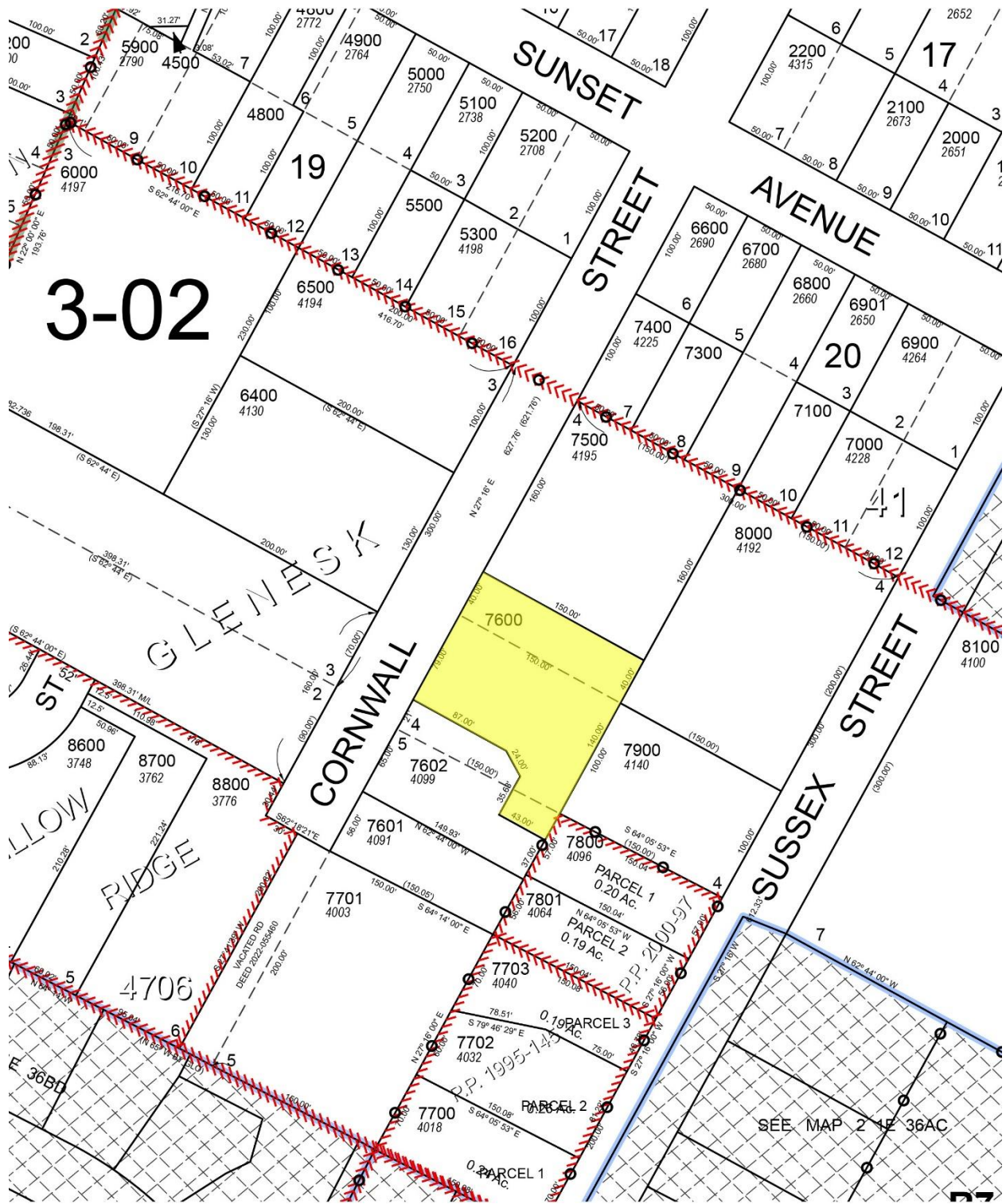


Vicinity Map

The proposed site plan is depicted on the map on the following page as well as on the Tentative Plan submitted with this application.



Site Plan



3-02

Crop from Assessor's Map
22E30CB

Existing Conditions

The subject property is shown outlined in yellow on the aerial photograph below. The subject property is vacant. The property slopes downhill from Cornwall Street to the southeast at an average grade of approximately 24 percent. There is an existing creek located along the rear property line of the site. Protection of the water resource will require the maintenance of a 65' buffer from the creek, as shown on the Tentative Plan.



Aerial Photograph of Existing Conditions

(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 duplex units, one of which will be located on each parcel. Duplex units are middle housing pursuant to the definitions in ORS 197.758(1). The subject lots are zoned R-10 and this zone allows for the development of middle housing under standards adopted by the City of West Linn.

ORS 197.360(1)(a)(C)(i) requires that ELD proposals *“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;*
- (iii) Estuarine resources;*
- (iv) Coastal shorelands; and*
- (v) Beaches and dunes.*

Comment: The subject property does not contain any resource lands described under subsections (ii) through (v), but it does contain a Water Resource Area that is included in subsection (i). The Water Resource Area consists of a small creek at the rear of the property and a 65’ buffer area as measured from the creek bank. This area is identified on the Tentative Plan. No development will occur within the Water Resource Area.

(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, as shown on the attached Tentative Plan. 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 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 applicable dimensional standards for the R-10 zone are found in CDC 13.070 and are shown in the table below:

STANDARD	REQUIREMENT	ADDITIONAL NOTES	COMMENT
<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 lot widths at the front lot line are: Parcel 1- 62.5', Parcel 2-56.44'.
<i>Average Minimum lot width</i>	<i>50 ft.</i>	<i>Does not apply to Townhouses or Cottage Clusters.</i>	Does not apply to detached duplexes.
<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>	Not applicable to the proposed project as it does not include a Cottage Cluster.
<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 5' setback is proposed on the common lot line. The perimeter side yards will maintain the required 7.5' setback.
<i>Street Side Yard</i>	<i>15 ft</i>		Not applicable as there are no street side yards abutting the site.
<i>Rear Yard</i>	<i>20 ft</i>		The minimum rear yards proposed will not 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>	Homes to be built will comply with the maximum 35' height standard. Compliance with height standards will be reviewed with the building permit application.
<i>Maximum Lot Coverage</i>	<i>35%</i>	<p><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></p> <ul style="list-style-type: none"> • <i>This does not include detached garages, carports, or accessory structures.</i> • <i>A developer may deduct up to 200 sf for an attached garage or carport.</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.
<i>Minimum Accessway Width to a lot which does not abut a street or a flag lot</i>	<i>15 ft</i>		Not applicable. Both parcels have direct frontage onto Cornwall St.
<i>Maximum Floor Area Ratio</i>	<i>0.45</i>	<i>Max FAR does not apply to cottage clusters.</i>	Not applicable to duplexes.
<i>Duplex, Triplex, and Quadplex</i>	<i>0.60</i>	<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>	Compliance with floor area ratio standards will be reviewed at the time of building permit application.

(b) Separate utilities for each dwelling unit;

Comment: Each unit of the townhouses will have separate utilities, as shown on the Utility Plan above.

(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 the street right-of-way fronting the lots. No Public Utility Easements other than the standard PUE along the street right-of-way are proposed.

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

Comment: Both of the lots front directly onto Cornwall Street. A new 6'-wide sidewalk will be installed along the frontage, as required by City standards.

(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 one vehicle plus an attached garage providing an additional parking space.

(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: Each lot 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.

ORS 92.031(4) In reviewing an application for a middle housing land division, a city or county:

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

Comment: The property's frontage on Norfolk Street does not currently meet City of West Linn street standards. Because adjacent properties also have frontages that do not meet City standards, it makes sense for the improvements to be done by the City as a part of a larger improvement project at a later date. The applicant proposes to provide a fee-in-lieu of constructing these improvements per City standards.

Grading and Utility Plans per CDC 85.170(C)-(E)

A Preliminary Utility Plan, prepared by Theta, LLC, is included with this application. This drawing shows all sewer, water and storm services required to serve the proposed lots. No site grading is proposed at this time. Future grading for the foundations for the homes to be built on the lots will be submitted with the building permit applications prior to the commencement of home construction.

Chapter 32: WATER RESOURCE AREA PROTECTION

As shown on the Tentative Plan and Existing Conditions Map, there is a creek located along the rear property line of the subject property. Table 32-2 requires a 65' setback from the edge of a water resource. This setback is shown on the Tentative Plan. No development within the 65' protected buffer is proposed.

32.060 APPROVAL CRITERIA (STANDARD PROCESS)

No application for development on property containing a WRA shall be approved unless the approval authority finds that the proposed development is consistent with the following approval criteria, or can satisfy the criteria by conditions of approval:

A. WRA protection/minimizing impacts.

1. Development shall be conducted in a manner that will avoid or, if avoidance is not possible, minimize adverse impact on WRAs.

Comment: No development within the 65' setback is proposed so the avoidance requirement is met.

2. Mitigation and re-vegetation of disturbed WRAs shall be completed per CDC 32.090 and 32.100, respectively.

Comment: Since no development within the buffer is proposed, no mitigation is required.

B. Storm water and storm water facilities.

1. Proposed developments shall be designed to maintain the existing WRAs and utilize them as the primary method of storm water conveyance through the project site unless:

Comment: The creek will be maintained in its natural condition. On-site basins with overflow to the creek are proposed as the means of handling storm water on the proposed parcels. This is consistent with the above provisions.

No public stormwater improvements or facilities are proposed, so the balance of this section does not apply.

D. WRA width. Except for the exemptions in CDC 32.040, applications that are using the alternate review process of CDC 32.070, or as authorized by the approval authority consistent with the provisions of this chapter, all development is prohibited in the WRA as established in Table 32-2 below:

Comment: The slopes of the first 30' from the bank of the creek adjacent to the proposed developed area of the lots are in the 15 to 23% range. A buffer of 65' is proposed, consistent with Table 32-2. This buffer will not be developed, so the balance of this chapter does not apply.

**FIRE CODE / LAND USE / BUILDING REVIEW
APPLICATION**



North Operating Center
11945 SW 70th Avenue
Tigard, OR 97223
Phone: 503-649-8577

South Operating Center
8445 SW Elligsen Rd
Wilsonville, OR 97070
Phone: 503-649-8577

REV 6-30-20

Project Information

Applicant Name: Icon Construction & Development, LLC
Address: 1969 Willamette Falls Drive, Suite 260
Phone: 503-657-0406
Email: darren@iconconstruction.net
Site Address: No site address – north of 4099 Cornwall St.
City: West Linn
Map & Tax Lot #: 21E36BA TL 7600
Business Name: Icon Construction & Development, LLC
Land Use/Building Jurisdiction: West Linn
Land Use/ Building Permit # ELD-24-01

Choose from: Beaverton, Tigard, Newberg, Tualatin, North Plains, West Linn, Wilsonville, Sherwood, Rivergrove, Durham, King City, Washington County, Clackamas County, Multnomah County, Yamhill County

Project Description

The project is a two-lot middle housing Expedited Land Division (partition). The property is vacant. Two homes will be built on the property.

Permit/Review Type (check one):

- XLand Use / Building Review - Service Provider Permit
- Emergency Radio Responder Coverage Install/Test
- LPG Tank (Greater than 2,000 gallons)
- Flammable or Combustible Liquid Tank Installation (Greater than 1,000 gallons)
 - * Exception: Underground Storage Tanks (UST) are deferred to DEQ for regulation.
- Explosives Blasting (Blasting plan is required)
- Exterior Toxic, Pyrophoric or Corrosive Gas Installation (in excess of 810 cu.ft.)
- Tents or Temporary Membrane Structures (in excess of 10,000 square feet)
- Temporary Haunted House or similar
- OLCC Cannabis Extraction License Review
- Ceremonial Fire or Bonfire (For gathering, ceremony or other assembly)

For Fire Marshal's Office Use Only

TVFR Permit # 2024-0045
Permit Type: SPP West Linn
Submittal Date: 4-1-24
Assigned To: DFM Arn
Due Date: NA
Fees Due: Ø
Fees Paid: Ø

Approval/Inspection Conditions
(For Fire Marshal's Office Use Only)

This section is for application approval only

[Signature] 4-8-24
Fire Marshal or Designee Date

Conditions: See fire service plan.

See Attached Conditions: Yes No

Site Inspection Required: Yes No

This section used when site inspection is required

Inspection Comments:

Final TVFR Approval Signature & Emp ID Date

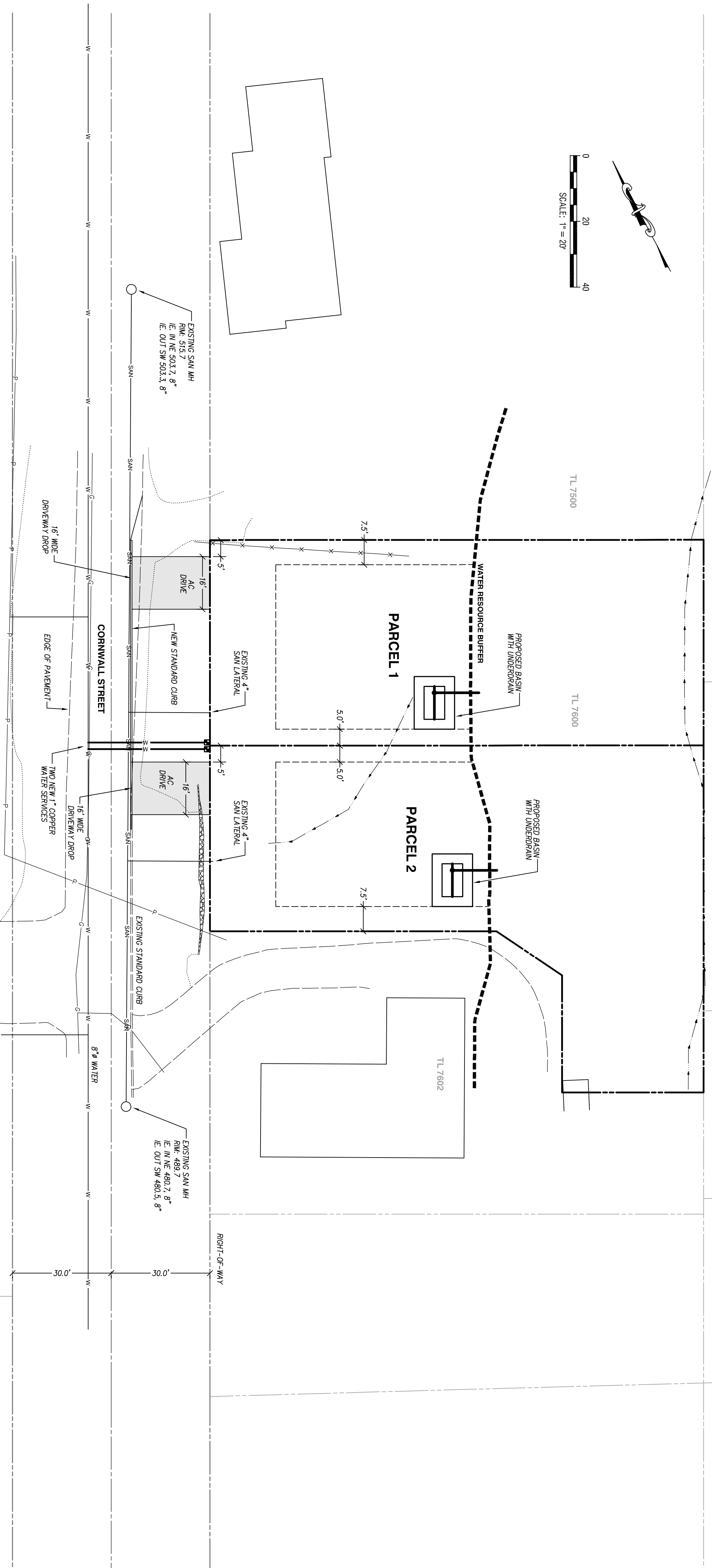
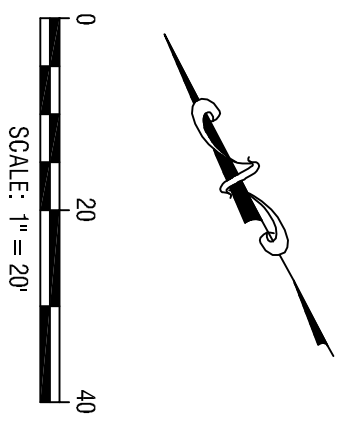


APPROVAL OF PLANS IS NOT AN APPROVAL OF OMISSIONS OR OVERSIGHTS

Jason A. Spaulding
District Fire Marshal II

TVF&R Permit# 2024-0045

FD Notes:
FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS & ACCESSORY STRUCTURES: Where the most remote portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1)



DESIGNED:	BDG	
DRAWN:	BJS	
SCALE:	1" = 20'	
DATE:	February, 2024	
FILE:	Cornwall 129P2 Prelim1	
DATE		NO.
REVISION		

Thotalia
ENGINEERING - SURVEYING - PLANNING
PO Box 1345
Lake Oswego, Oregon 97035
503.481-8822
email: thotalia@comcast.net

Ion Construction & Development, LLC
1969 Willamette Falls Drive, Suite 280
West Linn, Oregon 97068
Phone: (503) 657-0406

ELD TENTATIVE PLAN
TL 7600 Cornwall Street

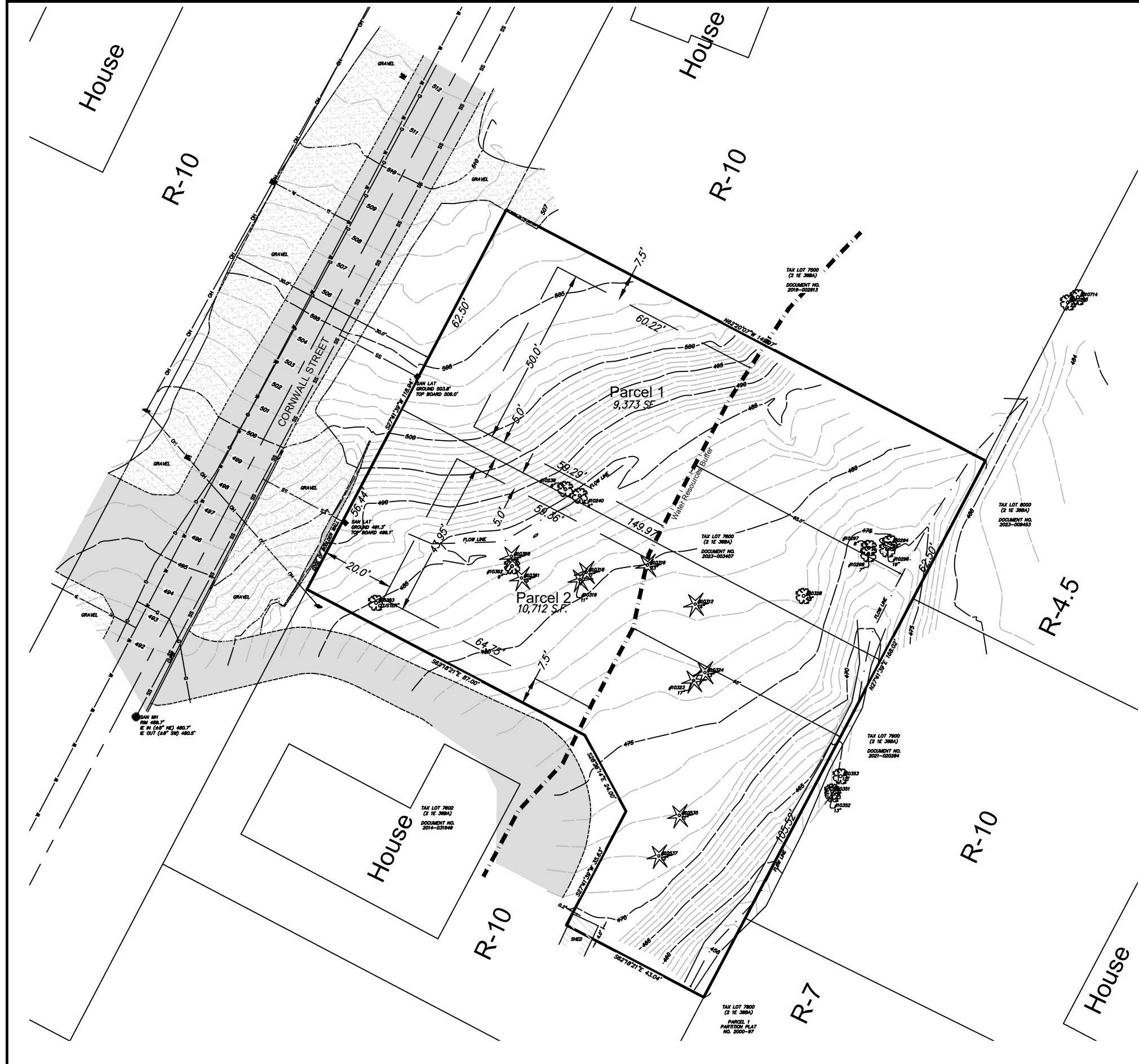


PRELIMINARY UTILITY PLAN

EXPIRES: 06/30/2025
SIGNATURE DATE: 03/01/2024

SHEET:

1/1



Vicinity Map

Owner/Applicant:
 Icon Construction & Development, LLC
 1969 Willamette Falls Dr., Suite 260
 West Linn, OR 97068
 PH: (503) 657-0406

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

Legal: 21E36BA07600

Water: City of West Linn

Sewer: City of West Linn

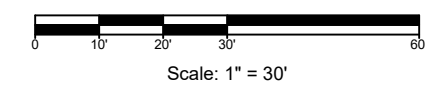
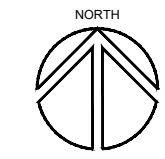
Contours: Centerline Concepts, Inc.

Site Area: 20,085 square feet

Zoning: R-10

Surveyor:
 Centerline Concepts, Inc.
 19376 Molalla Ave Suite 120
 Oregon City, OR 97045
 PH: (503) 650-0188

Water Resource Area:
 Total Existing Parcel -
 9,689 SF outside WRA, 10,396 SF In WRA
 Parcel 1 -
 4,969 SF outside WRA, 4,404 SF In WRA
 Parcel 2 -
 4,720 SF outside WRA, 5,992 SF In WRA



DESIGNED:	R.E.G.			
DRAWN:	R.E.G.			
SCALE:	1" = 30'			
DATE:	2-26-2024			
FILE:	24-ICN-100	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 Dr., Suite 260
 West Linn, OR 97068
 PH: (503) 657-0406

TL 7600 Cornwall Street
ELD Tentative Plan

SHEET:
 1/1