

**DEVELOPMENT REVIEW APPLICATION**

For Office Use Only

STAFF CONTACT <i>Peter Spir</i>	PROJECT NO(S). <i>MIP-14-07 / LLA-14-03</i>
NON-REFUNDABLE FEE(S) <i>200.00</i>	REFUNDABLE DEPOSIT(S) <i>2,800 - MIP 800 - LLA</i>
TOTAL <i>3800</i>	

Type of Review (Please check all that apply):

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Annexation (ANX)                      | <input type="checkbox"/> Historic Review   | <input type="checkbox"/> Subdivision (SUB)                               |
| <input type="checkbox"/> Appeal and Review (AP) *              | <input type="checkbox"/> Legislative Plan or Change                                  | <input type="checkbox"/> Temporary Uses *                                |
| <input type="checkbox"/> Conditional Use (CUP)                 | <input checked="" type="checkbox"/> Lot Line Adjustment (LLA) */**                   | <input type="checkbox"/> Time Extension *                                |
| <input type="checkbox"/> Design Review (DR)                    | <input checked="" type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR)                                  |
| <input type="checkbox"/> Easement Vacation                     | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures                      | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities    | <input type="checkbox"/> Planned Unit Development (PUD)                              | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP)    |
| <input type="checkbox"/> Final Plat or Plan (FP)               | <input type="checkbox"/> Pre-Application Conference (PA) */**                        | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG)      |
| <input type="checkbox"/> Flood Management Area                 | <input type="checkbox"/> Street Vacation   | <input type="checkbox"/> Zone Change                                     |
| <input type="checkbox"/> Hillside Protection & Erosion Control |  |  |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

Site Location/Address:  <i>1698 8th Avenue, West Linn and TL700 (no address)</i>	Assessor's Map No.: <i>31E 2B3</i>
	Tax Lot(s): <i>700 &amp; 700</i>
	Total Land Area: <i>0.78 Acres</i>

Brief Description of Proposal:  
*Lotline Adjustment & 2-Lot Minor Partition*

Applicant Name: *Gretchen Keys* (please print) Phone: *503-849-4667*  
Address: *1122 Short Street* Email: *gretchen.keys@mac.com*  
City State Zip: *West Linn OR 97068*

Owner Name (required): *Gretchen H. & Sean T. Keys* (please print) Phone: *503-849-4667*  
Address: *Same as applicant* Email: *gretchen.keys@mac.com*  
City State Zip:

Consultant Name: *SFA Design Group (Matt Sprague)* (please print) Phone: *503-641-8311*  
Address: *9020 SW Washington Sq. Dr., #505* Email: *msprague@sfadg.com*  
City State Zip: *Portland OR 97223*

- All application fees are non-refundable (excluding deposit). Any overruns to deposit will result in additional billing.
- The owner/applicant or their representative should be present at all public hearings.
- A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
- Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application. One (1) complete set of digital application materials must also be submitted on CD in PDF format. *UG 29 2014*  
If large sets of plans are required in application please submit only two sets.

\* No CD required / \*\* Only one hard-copy set needed

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

*Gretchen Keys* 7.1.14 Applicant's signature Date  
*[Signature]* 7.1.14 Owner's signature (required) Date

## DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT	PROJECT NO(S).	
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL

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

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|--|--|---|
| <input type="checkbox"/> Annexation (ANX)<br><input type="checkbox"/> Appeal and Review (AP) *<br><input type="checkbox"/> Conditional Use (CUP)<br><input type="checkbox"/> Design Review (DR)<br><input type="checkbox"/> Easement Vacation<br><input type="checkbox"/> Extraterritorial Ext. of Utilities<br><input type="checkbox"/> Final Plat or Plan (FP)<br><input type="checkbox"/> Flood Management Area<br><input type="checkbox"/> Hillside Protection & Erosion Control | <input type="checkbox"/> Historic Review<br><input type="checkbox"/> Legislative Plan or Change<br><input checked="" type="checkbox"/> Lot Line Adjustment (LLA) */**<br><input checked="" type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan)<br><input type="checkbox"/> Non-Conforming Lots, Uses & Structures<br><input type="checkbox"/> Planned Unit Development (PUD)<br><input type="checkbox"/> Pre-Application Conference (PA) */**<br><input type="checkbox"/> Street Vacation | <input type="checkbox"/> Subdivision (SUB)<br><input type="checkbox"/> Temporary Uses *<br><input type="checkbox"/> Time Extension *<br><input type="checkbox"/> Variance (VAR)<br><input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP)<br><input type="checkbox"/> Water Resource Area Protection/Wetland (WAP)<br><input type="checkbox"/> Willamette & Tualatin River Greenway (WRG)<br><input type="checkbox"/> Zone Change |
|--|--|---|

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

<b>Site Location/Address:</b>	Assessor's Map No.: <u>31E 2B13</u>
<u>1698 8th Avenue, West Linn and TL700 (no address)</u>	Tax Lot(s): <u>700 &amp; 700</u>
	Total Land Area: <u>0.78 Acres</u>

**Brief Description of Proposal:**  
Lotline Adjustment & 2-Lot Minor Partition

<b>Applicant Name:</b> <u>Gretchen Keys</u> <small>(please print)</small>	Phone: <u>503-849-4667</u>
Address: <u>1122 Short Street</u>	Email: <u>gretchen.keys@mac.com</u>
City State Zip: <u>West Linn OR 97068</u>	

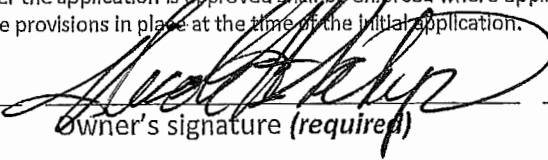
<b>Owner Name</b> (required): <u>NIKOLE SAKYS</u> <small>(please print)</small>	Phone: <u>503.522.3950</u>
Address: <u>1697 19th St</u>	Email: <u>SAKYS@TRISE@YAHOO</u>
City State Zip: <u>WEST LINN, OR. 97068</u>	

<b>Consultant Name:</b> <u>SFA Design Group (Matt Sprague)</u> <small>(please print)</small>	Phone: <u>503-641-8311</u>
Address: <u>9020 SW Washington Sq. Dr., #505</u>	Email: <u>msprague@sradg.com</u>
City State Zip: <u>Portland OR 97223</u>	

1. All application fees are non-refundable (excluding deposit). Any overruns to deposit will result in additional billing.
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application.  
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Applicant's signature	Date	 Owner's signature (required)	Date <u>1/7/14</u>
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**# 1** -----: **Fidelity National Title Company Of Oregon / Clackamas (OR)** -----

Parcel #	: 00749710	Ref Parcel#	: 31E02BB00700		
Owner	: <b>Keys Sean T/Gretchen L</b>	Document #	: 14 010089		
Site	: 1722 8th Ave West Linn 97068	Sale Date	: 03/06/2014		
Mail	: 1122 Short St West Linn Or 97068	Price	:		
Use	: 101 Res,Residential Land,Improved	Market Total	: \$301,377		
Improvement	: 142 Sgl Family,R1-4,1-Story (Basement)	Market Land	: \$140,387		
Legal	: 147 Willamette Tracts Pt Lt 45	Market Imps	: \$160,990		
:	:	13-14 Taxes	: \$4,805.90		
:	:	M-5 Rate	: 18.5815		
:	:	Bldg #	Of		
Map Grid	: 716 G2	Phone #	:		
Bedrooms: 3	Baths: 2.50	Year Built: 1960	BldgSF: 3,604	LotSqFt: 30,441	Acres: .70

**# 2** -----: **Fidelity National Title Company Of Oregon / Clackamas (OR)** -----

Parcel #	: 00749738	Ref Parcel#	: 31E02BB00800		
Owner	: <b>Sakys Nicole H</b>	Document #	: 006-089931		
Site	: 1698 8th Ave West Linn 97068	Sale Date	: 09/28/2006		
Mail	: 1697 19th St West Linn Or 97068	Price	: \$285,000		
Use	: 101 Res,Residential Land,Improved	Market Total	: \$187,227		
Improvement	: 131 Sgl Family,R1-3,1-Story	Market Land	: \$101,177		
Legal	: 147 Willamette Tracts 1-64 Pt Lt	Market Imps	: \$86,050		
:	: 45&PT SEC	13-14 Taxes	: \$2,644.33		
:	:	M-5 Rate	: 18.5815		
:	:	Bldg #	Of		
Map Grid	: 716 G2	Phone #	:		
Bedrooms: 2	Baths: 1.00	Year Built: 1950	BldgSF: 1,539	LotSqFt: 16,849	Acres: .39

**LAND USE REVIEW APPLICATION  
WEST LINN, OREGON**

**8<sup>TH</sup> AVENUE  
Property Line Adjustment  
Tax Lots 700 & 800, T3S R1E 2BB**

**August 28, 2014**

**APPLICANT/OWNER:**

**Gretchen L. & Sean T. Keys  
1122 Short Street  
West Linn, OR 97068  
Ph: (503) 645-6800**

**APPLICANT'S REPRESENTATIVE:**

**SFA Design Group, LLC  
9020 Washington Square Drive, Suite 505  
Portland, OR 97223  
Ph: (503) 641-8311 Fax: (503) 643-7905**



**I. FACT SHEET**

Project Name: 8<sup>th</sup> Avenue PLA  
Proposed Action: **Property Line Adjustment**  
Tax Map: 31E 2BB  
Tax Lots: 700 & 800  
Site Size: .84 Acres (36,620 SF)  
Address: 1698 and 1722 8<sup>th</sup> Avenue, West Linn  
Zoning: R-10 Residential

Applicant/Owner:

Gretchen L. & Sean T. Keys  
1122 Short Street  
West Linn, OR 97068  
Ph: (503) 645-6800  
Contact: Gretchen Keys

Applicant's Representative:

SFA Design Group, LLC  
9020 SW Washington Square Dr, Suite 350  
Portland, OR 97223  
Ph: (503) 641-8311 Fax: (503) 643-7905  
Contact: Matt Sprague  
Email: [msprague@safdg.com](mailto:msprague@safdg.com)

## **INTRODUCTION**

This application involves two properties (addresses 1698 and 1722) with frontage on 8<sup>th</sup> Avenue just west of the 14<sup>th</sup> Avenue intersection. The applicant is requesting:

1. Property Line Adjustment (between tax lot 700 and 800)

The subject site is specifically identified as Tax Lots 700 & 800 of Tax Map 31E 2BB. Based on the Tax Map, and a prior Lot Line Adjustment, the two lots contain approximately .84 acres (36,620 square feet) within the City of West Linn. The property is zoned R-10 Single Family Residential Zone.

With this PLA the two lots will be reconfigured as follows:

	<u>Existing</u>	<u>Proposed</u>
• 700	19,867 square feet	22,867 square feet
• 800	16,753 square feet	13,753 square feet

## **CODE COMPLIANCE**

### ***11.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS***

*Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:*

1. *The minimum lot size shall be 10,000 square feet for a single-family detached unit.*

**RESPONSE:** Each lot exceeds 10,000 SF. The smallest is 13,753 square feet. Therefore, this criterion is met.

2. *The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.*

**RESPONSE:** Both lots have a minimum lot width at the front line exceeding 35 feet. Therefore, this criterion is met.

3. *The average minimum lot width shall be 50 feet.*

**RESPONSE:** The adjusted lots exceed the minimum lot width requirement of 50 feet. This criterion is met.

4. *The lot depth comprising non-Type I and II lands shall be less than two and one-half times the width, and more than an average depth of 90 feet. (See diagram below.)*

**RESPONSE:** Both lots have a depth of less than two and one-half times the width and an average depth of more than 90 feet. Tax lot 700 averages 96 feet in depth. Tax lot 800 averages 208 feet in depth. This criterion is met.

5. *Except as specified in CDC 25.070(C)(1) through (4) for the Willamette Historic District, the minimum yard dimensions or minimum building setback area from the lot line shall be:*

a. *For the front yard, 20 feet; except for steeply sloped lots where the provisions of CDC 41.010 shall apply.*

b. *For an interior side yard, seven and one-half feet.*

c. *For a side yard abutting a street, 15 feet.*

d. *For a rear yard, 20 feet.*

**RESPONSE:** The setbacks for the existing homes, as shown on the plan meet the yard setback requirements for the zone.

Setback Standards	Lot 700	Lot 800
Front 20 feet	No existing house, shed to be removed.	29 feet
Interior Side 7.5 feet		15-24 feet
Side Abutting Street 15 feet	NA	NA
Rear 20 feet		90 feet to back of garage

There is no existing house on Lot 700, and the shed in the rear yard will be removed. Any new structure constructed on tax lot 700 will have to meet the setback requirements listed above. This criterion is or can be met.

6. *The maximum building height shall be 35 feet, except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.*

**RESPONSE:** The existing house on tax lot 800 is less than 35 feet in height. Any new home constructed on tax lot 700 will be required to meet the height requirements of this code. This criterion is or can be met.

7. *The maximum lot coverage shall be 35 percent.*

**RESPONSE:** The existing house on Lot 800 creates lot coverage currently well under 20% and there is only a small outbuilding on tax lot 700. Therefore, this criterion is met.

8. *The minimum width of an accessway to a lot which does not abut a street or a flag lot shall be 15 feet.*

**RESPONSE:** The accessway width to tax lot 700 is 16 feet which is still in excess of 15 feet. This criterion is met.

### **85.210 LOT LINE ADJUSTMENTS – APPROVAL STANDARDS**

*A. The Director shall approve or deny a request for a lot line adjustment based on the criteria stated below:*

*1. An additional lot or buildable lot shall not be created by the lot line adjustment and the existing parcel shall not be reduced in size by the adjustments below the minimum lot size established by the approved zoning for that district.*

**RESPONSE:** There are two existing tax lots (700 & 800) making up the property line adjustment. After recording, there will still only be two tax lots and no additional lot or buildable lot is being created. This criterion is met.

*2. By reducing the lot size, the lot or structure(s) on the lot shall not be in violation of the site development regulations for that district. For example, the lot line adjustment shall not result in an overall loss of density below 70 percent except as allowed by CDC 85.200(J)(7).*

**RESPONSE:** Tax lot 800 is being reduced in size however, as demonstrated above, the lot and structure maintain compliance with the site development regulations of the R-10 zone. This criterion is met.

*3. The lot line adjustment is intended to allow minor lot line deviations, or to consolidate undersized or irregular-shaped lots. It can also be used to change a limited number of property lines up to the point that the County Surveyor would determine a replat of the subdivision is in order. A replat is the complete reconfiguration and realignment of a subdivision's lot lines.*

**RESPONSE:** The proposed lot line adjustment consists of minor lot deviations transferring the north 40-50 feet of the rear yard of Lot 800 to Lot 700. This action moves the rear line of tax lot 800 closer to the house, but still well within the rear yard setback requirements. These minor changes are limited to a point where a replat is not necessary. This criterion is met.

*4. New lot lines shall be generally straight with only a few deviations. Lot lines shall not gerrymander or excessively zigzag along to accommodate tool sheds, accessory structures, other buildings, etc. The figure below serves as a guide to lot line adjustments.*

**RESPONSE:** The new lot lines are generally in the same configuration as were the prior lot lines. The new rear lot line of Lot 800 remains generally straight and parallel to the existing rear line. The lot lines are maintained generally straight and do not gerrymander or zig zag along to accommodate tool sheds, accessory structure, other buildings or any other feature. This criterion is met.

*5. The lot line adjustment will not affect existing public utility easements nor existing utilities unless an easement vacation is obtained and any required utility relocations are paid for by the applicant.*

**RESPONSE:** No existing public utility easements or existing utilities are affected by this lot line adjustment. No easement vacations are requested or utility relocations at this time. This criterion is met.

### **FINAL CONCLUSION**

The applicant has provided plans and findings demonstrating compliance with all applicable sections of the West Linn Development Code for the proposed Property Line Adjustment within the R-10 Zone. Therefore, the applicant respectfully requests approval from the City of West Linn for the requested Property line Adjustment.



LAND USE REVIEW APPLICATION  
WEST LINN, OREGON

**8<sup>TH</sup> AVENUE**

**Two-Lot Minor Partition  
Tax Lot 700, 31E 2BB;**

**August 28, 2014**

**APPLICANT/OWNER:**

**Gretchen L. & Sean T. Keys  
1122 Short Street  
West Linn, OR 97068  
Ph: (503) 645-6800**

**APPLICANT'S REPRESENTATIVE:**

**SFA Design Group, LLC  
9020 Washington Square Drive, Suite 505  
Portland, OR 97223  
Matt Sprague  
Ph: (503) 641-8311 Fax: (503) 643-7905**

**I. FACT SHEET**

Project Name: 8<sup>th</sup> Avenue PLA  
Proposed Action: **2-lot Minor Partition**  
Tax Map: 31E 2BB  
Tax Lots: 700  
Site Size: .52Acres (= 22,867 sf)  
Address: 1722 8<sup>th</sup> Avenue, West Linn  
Zoning: R-10 Residential

Applicant/Owner:

Gretchen L. & Sean T. Keys  
1122 Short Street  
West Linn, OR 97068  
Ph: (503) 645-6800  
Contact: Gretchen Keys

Applicant's Representative:

SFA Design Group, LLC  
9020 SW Washington Square Dr, Suite 350  
Portland, OR 97223  
Ph: (503) 641-8311 Fax: (503) 643-7905  
Contact: Matt Sprague  
Email: [msprague@safdg.com](mailto:msprague@safdg.com)

## INTRODUCTION

The subject site is specifically identified as Tax Lot 700 of Tax Map 31E 2BB. Based on the concurrent Lot Line Adjustment, this property contains approximately .52 acres (= 22,867 square feet) within the City of West Linn. The property is zoned R-10 Single Family Residential Zone.

This application involves two concurrent applications including the following requests:

1. A Lot Line Adjustment involving two properties (addresses 1698, Tax Lot 800 and 1722, Tax Lot 700) with frontage on 8<sup>th</sup> Avenue just west of the 14<sup>th</sup> Avenue intersection; and
2. 2-Lot Minor Partition of Tax Lot 700, as adjusted.

### Minor Partition

With the approval of the property line adjustment, the adjusted area of Tax Lot 700 is 22,867 sf. This partition creates two Parcels as follows:

Parcel 1	10,145;
Parcel 2	10,016; excluding flag access; and
Flag Access	<u>2,706</u>
Total	22,867 square feet

Access to the two parcels is provided by a 16 foot wide shared access easement to be constructed within the flag pole portion of Parcel 2.

Utilities will be extended to the properties by existing and proposed easements. Sanitary sewer will be extended from 8<sup>th</sup> Avenue, through an easement over the west side of tax lot 702. Storm drainage will be constructed within an existing easement between lots 1 & 2 of the Christy Addition to the north.

## **CODE COMPLIANCE**

### ***Chapter 11***

### ***SINGLE-FAMILY RESIDENTIAL DETACHED, R-10***

#### *Sections:*

- 11.010 *PURPOSE*
- 11.020 *PROCEDURES AND APPROVAL PROCESS*
- 11.030 *PERMITTED USES*
- 11.040 *ACCESSORY USES*
- 11.050 *USES AND DEVELOPMENT PERMITTED UNDER PRESCRIBED CONDITIONS*
- 11.060 *CONDITIONAL USES*
- 11.070 *DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS*
- 11.080 *DIMENSIONAL REQUIREMENTS, CONDITIONAL USES*
- 11.090 *OTHER APPLICABLE DEVELOPMENT STANDARDS*

#### ***11.010 PURPOSE***

*The purpose of this zone is to provide for urban development at levels which relate to the site development limitations, proximity to commercial development and to public facilities and public transportation. This zone is intended to implement the Comprehensive Plan policies and locational criteria, and is applicable to areas designated as Low Density Residential on the Comprehensive Plan Map and Type I and Type II lands identified under the Buildable Lands Policy.*

#### ***11.020 PROCEDURES AND APPROVAL PROCESS***

*A. A use permitted outright, CDC 11.030, is a use which requires no approval under the provisions of this code. If a use is not listed as a use permitted outright, it may be held to be a similar unlisted use under the provisions of Chapter 80 CDC.*

*B. A use permitted under prescribed conditions (CDC 11.050) is a use for which approval will be granted provided all conditions are satisfied, and:*

- 1. The Planning Director shall make the decision in the manner provided by CDC 99.060(A)(2), Administrative Procedures, except that no notice shall be required; and*
- 2. The decision may be appealed by the applicant to the Planning Commission as provided by CDC 99.240(A).*

**RESPONSE:** The subject property is zoned R-10. Therefore the standards set forth in this Section are applicable to this Minor Partition.

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

*Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:*

1. *The minimum lot size shall be 10,000 square feet for a single-family detached unit.*

**RESPONSE:** Each lot exceeds 10,000 SF. The smallest (Lot 10) is 10,145 square feet. Therefore, this criterion is met.

2. *The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.*

**RESPONSE:** Both lots are flag configuration, with a shared access pole, which is 17 feet in width. Within the buildable area, excluding the flag access, each lot has a minimum front lot width exceeding 35 feet. (See also Section 85.200.B.7.) Therefore, this criterion is met.

3. *The average minimum lot width shall be 50 feet.*

**RESPONSE:** The adjusted lots exceed the minimum lot width requirement of 50 feet. This criterion is met.

4. *Repealed by Ord. 1622.*

5. *Except as specified in CDC 25.070(C)(1) through (4) for the Willamette Historic District, the minimum yard dimensions or minimum building setback area from the lot line shall be:*

- a. *For the front yard, 20 feet; except for steeply sloped lots where the provisions of CDC 41.010 shall apply.*

- b. *For an interior side yard, seven and one-half feet.*

- c. *For a side yard abutting a street, 15 feet.*

- d. *For a rear yard, 20 feet.*

**RESPONSE:** There is no existing house on this property, just a detached shed and carport in the northeast corner, which most likely be removed. The lots are designed such that the standard R-10 setbacks can be met, as reflected in the following Table. The applicant is not requesting any adjustments to setbacks.



<b>Setback Standards</b>	<b>Parcel 1</b>	<b>Parcel 2</b>
Front 20 feet	20 feet	20 feet Existing outbuilding to be removed
Interior Side 7.5 feet	7.5 feet	7.5 feet
Side Abutting Street 15 feet	NA	NA
Rear 20 feet	20 feet	20 feet

Any new structure constructed on either of the two parcels will have to meet the setback requirements listed above. Therefore these criteria can be met.

*6. The maximum building height shall be 35 feet, except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.*

**RESPONSE:** Any new structure constructed on either of the two parcels will have to meet the height requirements of this code. Therefore this criterion can be met.

*7. The maximum lot coverage shall be 35 percent.*

**RESPONSE:** Any new structure constructed on either of the two parcels will have to meet the lot coverage standard. Therefore, this criterion can be met.

*8. The minimum width of an accessway to a lot which does not abut a street or a flag lot shall be 15 feet.*

**RESPONSE:** The adjusted accessway width to tax lot 700 is 16 feet wide, which will provide a shared paved access for the two parcels. Therefore the access criterion is met.

## ***DIVISION 8. LAND DIVISION***

### ***Chapter 85 GENERAL PROVISIONS***

#### *Sections:*

85.010 *PURPOSE*

85.020 *SCOPE – CONFORMITY REQUIRED*

85.030 *NEGOTIATION OF SALE OF LOTS PROHIBITED UNTIL APPROVAL IS GRANTED*

85.040 *SALE OF LOTS PROHIBITED UNTIL SUBDIVISION PLAT IS RECORDED*

- 85.050 APPROVAL REQUIRED BEFORE CREATING STREET OR ROAD TO PARTITION LAND
- 85.060 INCOMPLETE APPLICATIONS – DECISION-MAKING PERIOD
- 85.070 ADMINISTRATION AND APPROVAL PROCESS
- 85.080 SUBSTANTIAL DEVIATION FROM APPROVED PLAN PROHIBITED
- 85.085 SUBDIVISION/PARTITION AMENDMENT TRIGGER
- 85.090 EXPIRATION OR EXTENSION OF APPROVAL
- 85.100 NON-COMPLIANCE – BOND
- 85.110 STAGED DEVELOPMENT
- 85.120 PARTIAL DEVELOPMENT
- 85.130 LAND DIVISION APPLICATION IN CONJUNCTION WITH OTHER LAND USE APPLICATIONS
- 85.140 PRE-APPLICATION CONFERENCE REQUIRED
- 85.150 APPLICATION – TENTATIVE PLAN
- 85.160 SUBMITTAL REQUIREMENTS FOR TENTATIVE PLAN
- 85.170 SUPPLEMENTAL SUBMITTAL REQUIREMENTS FOR TENTATIVE SUBDIVISION OR PARTITION PLAN
- 85.180 REDIVISION PLAN REQUIREMENT
- 85.190 ADDITIONAL INFORMATION REQUIRED AND WAIVER OF REQUIREMENTS
- 85.200 APPROVAL CRITERIA
- 85.210 LOT LINE ADJUSTMENTS – APPROVAL STANDARDS

**85.040 SALE OF LOTS PROHIBITED UNTIL SUBDIVISION PLAT IS RECORDED**

- A. No person shall sell any lot in any subdivision until the plat has been acknowledged under Chapter 89 CDC, Subdivision and Partition Plats, and recorded with the recording officer of the County.
- B. No person shall sell any lot in any subdivision by reference to, or exhibition, or other use of a plat of such subdivision before the plat for such subdivision has been so recorded.

**RESPONSE:** The applicant understands the prohibition on sale of unrecorded lots.

**85.050 APPROVAL REQUIRED BEFORE CREATING STREET OR ROAD TO PARTITION LAND**

- A. No person shall create a street or road for the purpose of partitioning an area or tract of land without approval by the approval authority under the provisions of CDC 99.060(A) and (B).

*B. No instrument dedicating land to public use shall be accepted for recording unless such instrument bears the approval of the Planning Director or City Engineer, as applicable, under the provisions of CDC 99.060(A) and (B), procedures for decision-making. (Ord. 1382, 1995)*

**RESPONSE:** The applicant understands these provisions, and this application seeks preliminary approval for a proposed 2-Lot partition. The proposed partition, however, does not involve creation of any street or road, or dedication of land for public use. Therefore these criteria are not applicable.

**85.130 LAND DIVISION APPLICATION IN CONJUNCTION WITH OTHER LAND USE APPLICATIONS**

*As provided by CDC 99.070, a land division application filed under this code may be heard concurrently with another application, upon applicant's request.*

**85.140 PRE-APPLICATION CONFERENCE REQUIRED**

*A. An applicant shall participate in a pre-application conference with staff prior to the submission of a complete tentative plan.*

*B. The Planning staff shall explain the applicable plan policies, ordinance provisions, opportunities, and constraints which may be applicable to the site and type of proposed land division.*

*C. The City Engineering staff shall explain the public improvement requirements which may be applicable to the site and type of proposed land division, including potential for the applicant to apply for a waiver of street improvements. (Ord. 1544, 2007)*

**RESPONSE:** A Pre-application Conference was held January 16, 2014. Summary notes from the meeting are included with this application. Therefore this criterion is met.

**85.150 APPLICATION – TENTATIVE PLAN**

*A. The applicant shall submit a completed application which shall include:*

- 1. The completed application form(s).*
- 2. Copies of the tentative plan and supplemental drawings shall include one copy at the original scale plus one copy reduced in paper size not greater than 11 inches by 17 inches. The applicant shall also submit one copy of the complete application in a digital format acceptable to the City. When the application submittal is determined to be complete, additional copies may be required as determined by the Community Development Department.*
- 3. A narrative explaining all aspects of land division per CDC 85.200.*

*B. The applicant shall pay the requisite fee. (Ord. 1401, 1997; Ord. 1408, 1998; Ord. 1442, 1999; Ord. 1613 § 19, 2013; Ord. 1621 § 25, 2014; Ord. 1622 § 19, 2014)*

**RESPONSE:** This application includes the tentative plat, together with the required application form and fees, and the required copies including all supporting documentation as specified in the list above, including A.1-4. This narrative addresses compliance with the applicable provisions of Chapter 85.

This proposed minor partition creates two lots as follows:

- Parcel 1 10,145 square feet; and
- Parcel 2 10,016 square feet, excluding the flag access

Each lot meets the zoning criteria as addressed above.

The pre-application conference notes indicate that frontage improvements, including curb and planter strip, curb and pavement will be required. Additional right-of-way was dedicated as part of the prior partition, so no additional dedication is required.

However, the parent lot (tax lot 700), created by prior partition and property line adjustment is a flag lot, with only 17 feet of frontage on 8<sup>th</sup> Avenue. A 16 foot shared driveway will be provided, leaving no practical frontage remaining for street improvements. Therefore the applicant is requesting fee in lieu for the frontage improvements, other than a standard driveway drop and sidewalk, as shown on the plans.

Utilities will also need to be extended to serve the two lots as follows:

Water: Water laterals will be connected to the water main in 8<sup>th</sup> Avenue.

Sanitary Sewer: A sewer line, with manholes will be installed, within an easement provided along the western perimeter of Tax Lot 702.

Storm Drainage: Storm water will be collect via pipes and directed to clean-outs and storm laterals to be constructed to the north. There is an existing easement to allow storm discharge to ultimately be directed to Christy Court along the property line between lots 1765 & 1769 Christy Court, immediately to the north of the subject property.

Electric Power: The existing overhead services must be undergrounded to each of the lots.

#### ***85.160 SUBMITTAL REQUIREMENTS FOR TENTATIVE PLAN***

*A. A City-wide map shall identify the site. A vicinity map covering one-quarter-mile radius from the development site shall be provided in the application showing existing subdivisions, streets, and unsubdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets and utilities may be extended to connect to existing streets and utilities.*

*B. The tentative subdivision plan shall be prepared by a registered civil engineer and/or a licensed land surveyor. A stamp and signature of the engineer or surveyor shall be included on the tentative subdivision plan. A tentative minor partition plan (three lots or less) is only required to be drawn to scale and does not have to be prepared by an engineer or surveyor.*

*C. The tentative plan of a subdivision or partition shall be drawn at a scale not smaller than one inch equals 100 feet, or, for areas over 100 acres, one inch equals 200 feet.*

**RESPONSE:** This application is for a tentative minor partition plan (three lots or less). While not required it has been drawn to scale (1" = 30') and has been prepared by an engineer, but without stamp and signature.

The application includes a city-wide reference map and ¼ mile radius vicinity map showing the surrounding streets and development pattern.

Therefore these criteria are met.

*D. The following general information shall be shown on the tentative plan of subdivision or partition:*

- 1. Proposed name of the subdivision and streets; these names shall not duplicate nor resemble the name of any other subdivision or street in the City and shall be determined by the City Manager or designee. Street names should be easily spelled, pronounced, and of limited length. All new street names must, to the greatest extent possible, respect and be representative of the surrounding geography and existing street names. Street names should consider any prominent historical City figures or neighborhood themes that exist. Subdivision street names may not reference names of the builder or developer.*
- 2. Date, north arrow, scale of drawing, and graphic bar scale.*
- 3. Appropriate identification clearly stating the drawing as a tentative plan.*
- 4. Location of the proposed division of land, with a tie to the City coordinate system, where established, and a description sufficient to define its location and boundaries, and a legal description of the tract boundaries.*
- 5. Names and addresses of the owner, developer, and engineer or surveyor.*

**RESPONSE:** The Tentative Plat provides all the required information listed in D. 1-5 above. Therefore these criteria are met.

*E. The following existing conditions shall be shown on the tentative plan of a subdivision or partition:*

- 1. The location, widths, and names of all existing or platted streets and rights-of-way within or adjacent to the tract (within 50 feet), together with easements*



*and other important features such as section lines, donation land claim corners, section corners, City boundary lines, and monuments.*

*2. Contour lines related to the U.S. Geological Survey datum or some other established benchmark, or other datum approved by the Planning Director and having the following minimum intervals:*

- a. Two-foot contour intervals for ground slopes less than 20 percent.*
- b. Five-foot contour intervals for ground slopes exceeding 20 percent.*

*3. The location of any control points that are the basis for the applicant's mapping.*

*4. The location, by survey, and direction of all watercourses and areas subject to periodic inundation or storm drainageway overflow or flooding, including boundaries of flood hazard areas as established by the U.S. Army Corps of Engineers or the City zoning ordinance.*

*5. Natural features such as rock outcroppings, wetlands tied by survey, wooded areas, heritage trees, and isolated trees (six-inch diameter at five feet above grade) identified by size, type, and location. All significant trees and tree clusters identified by the City Arborist using the criteria of CDC 55.100(B)(2), and all heritage trees, shall be delineated. Trees on non-Type I and II lands shall have their "dripline plus 10 feet" protected area calculated per CDC 55.100(B)(2) and expressed in square feet, and also as a percentage of total non-Type I and II area.*

*6. Existing uses of the property, including location of all existing structures. Label all structures to remain on the property after platting.*

*7. Identify the size and location of existing sewers, water mains, culverts, drain pipes, gas, electric, and other utility lines within the site, and in the adjoining streets and property.*

*8. Zoning on and adjacent to the tract.*

*9. Existing uses to remain on the adjoining property and their scaled location.*

*10. The location of any existing bicycle or pedestrian ways.*

*11. The location of adjacent transit stops.*

**RESPONSE:** The Tentative Plat provides all the required information listed in E. 1-11 above.

The subject property abuts 8<sup>th</sup> Avenue at about the 14<sup>th</sup> Street intersection, which is the only other existing street within 50 feet of the property. Dollar Street is over 200 feet to the west, while 13<sup>th</sup> Street is several hundred feet to the east.

Required topographic information, together with existing trees and other site features are provided on the Existing Conditions Plan Sheet (3of 6), and including:

- Existing uses of the property, including location of all existing structures are shown, and all structures to remain or be removed are identified.
- All existing sewers, water mains, culverts, drain pipes, gas, electric, and other utility lines within the site, and in the adjoining streets and property are identified by size and location.
- Zoning on and adjacent to the property.
- Existing uses to remain on the adjoining property and their scaled location.
- There are no nearby existing bicycle or pedestrian ways.

Therefore these criteria are met.

*F. The following proposed improvements shall be shown on the tentative plan or supplemental drawings:*

*1. The street – street location, proposed name, right-of-way width, and approximate radius of curves of each proposed street and street grades. Proposed street names shall comply with the street naming method explained in CDC 85.200(A)(12).*

*2. The type, method, and location of any erosion prevention and sediment control measures and/or facilities in accordance with the most current version of Clackamas County's Erosion/Sedimentation Control Plans Technical Guidance Handbook, which are necessary to prevent and control visible or measurable erosion as determined by the following criteria:*

*a. Deposition of soil, sand, dirt, dust, mud, rock, gravel, refuse, or any other organic or inorganic material exceeding one cubic foot in volume in a public right-of-way or public property, or into the City surface water management system either by direct deposit, dropping, discharge, or as a result of erosion; or*

*b. Flow of water over bare soils, turbid or sediment-laden flows, or evidence of on-site erosion such as rivulets or bare soil slopes, where the flow of water is not filtered or captured on the development site; or*

*c. Earth slides, mud flows, land slumping, slope failure, or other earth movement that is likely to leave the property of origin.*

*Additional on-site measures may later be required if original measures prove to be inadequate in meeting these attainment standards. For the*

*purposes of this code, "one cubic foot in volume" is defined to include the volume of material, wet or dry, at the time of deposition and includes any water of a discolored or turbid nature.*

3. *Any proposed infrastructure improvements that address those identified in the City Transportation System Plan.*
4. *Any proposed bicycle or pedestrian paths. The location of proposed transit stops.*
5. *Any easement(s) – location, width, and purpose of the easement(s).*
6. *The lot configuration including location and approximate dimensions and lot area of each parcel, and in the case of a subdivision, the proposed lot and block number.*
7. *A street tree planting plan and schedule approved by the Parks Department.*
8. *Any land area to be dedicated to the City or put in common ownership.*
9. *Phase boundaries shall be shown. (Ord. 1382, 1995; Ord. 1403, 1997; Ord. 1544, 2007; Ord. 1565, 2008)*

**RESPONSE:** The Streets and Utilities Plan Sheet (4 of 6), provides details regarding the existing streets and proposed utilities improvements associated with this partition, consistent with F.1. above. There are no new streets proposed.

A Storm Drainage Report has been provided, together with a preliminary Grading and Erosion Control Plan (5 of 6), consistent with F.2., 3. & 4. above.

Plan Sheet (2 of 6) is the Tentative Partition Plat, which shows the location of proposed easements, together with the proposed lot configuration including location and approximate dimensions and lot area of each parcel created.

No land area is proposed to be dedicated to the City, and, no phasing is proposed.

No Street Trees are proposed, due to the lack of street frontage width for improvements. The applicant is requesting fee in-lieu for frontage improvements, other than the driveway drop and sidewalk. This proposal has been submitted to the Parks Department for approval.

Therefore these criteria are met.

**85.170 SUPPLEMENTAL SUBMITTAL REQUIREMENTS FOR TENTATIVE SUBDIVISION OR PARTITION PLAN**

*The following information shall be submitted to supplement the tentative subdivision plan:*

*A. General.*

- 1. Narrative stating how the plan meets each of the applicable approval criteria and each subsection below.*
- 2. Statement or affidavit of ownership of the tract (County Assessor's map and tax lot number).*
- 3. A legal description of the tract.*
- 4. If the project is intended to be phased, then such a proposal shall be submitted at this time with drawing and explanation as to when each phase will occur and which lots will be in each phase.*
- 5. Where the land to be subdivided or partitioned contains only a part of the contiguous land owned by the developer, the Commission or Planning Director, as applicable, shall require a master plan of the remaining portion illustrating how the remainder of the property may suitably be subdivided.*
- 6. Where the proposed subdivision site includes hillsides or where erosion hazard potential exists, including Type I and II lands as defined in CDC 02.030, and any lands identified as a hazard site in the West Linn Comprehensive Inventory Plan Report, the standards and requirements of Chapter 24 CDC, Planned Unit Development, as well as the requirements for erosion control as described in CDC 85.160(F)(2), shall be addressed in a narrative.*
- 7. Table and calculations showing the allowable number of lots under the zone and how many lots are proposed.*
- 8. Map and table showing square footage of site comprising slopes by various classifications as identified in CDC 55.110(B)(3).*

**RESPONSE:** This compliance narrative satisfies A.1. The application materials include a County tax map, a title report confirming ownership, and boundary survey of the property.

The applicant owns Tax Lot 700 and 702, but no other adjoining properties. However, Tax Lot 700 was previously partitioned from Lot 702, and 702 is currently developed with a single family home. Therefore the only development potential is on Tax Lot 700, as proposed with this partition. Therefore item 5 is not applicable.

There will be no phasing of this partition.

There are no hillsides or erosion hazard areas associated with this property, therefore item 6 is not applicable.

The density calculations are provided later in this narrative at page 32, and summarized in the following table.

**Allowed and Proposed Density Summary**

Allowed Density		Proposed Density
Minimum	1.41	
Maximum	2.02	<b>2</b>

Compliance with required density calculations are provided in response to CDC 85.200.J.7. below on page 32.

**Slope Analysis**

Slope	Percent of Site
0-15	100
16-25	
17-35	
36-50	
50>	

**B. Transportation.**

1. *Centerline profiles with extensions shall be provided beyond the limits of the proposed subdivision to the point where grades meet, showing the finished grade of streets and the nature and extent of street construction.*
2. Traffic Impact Analysis (TIA).
  - 1) Preparation. *A Traffic Impact Analysis shall be prepared by a professional engineer qualified under OAR 734-051-0040. The City shall commission the traffic analysis and it will be paid for by the applicant.*
  - 2) Transportation Planning Rule compliance. *See CDC 105.050(D), Transportation Planning Rule Compliance.*
  - 3) Pre-application conference. *The applicant will meet with West Linn Public Works prior to submitting an application that requires a traffic impact application. This meeting will determine the required elements of the TIA and the level of analysis expected.*

**RESPONSE:** The Streets Plan (Sheet 4 of 6) provides a centerline profile of 8th Avenue, with extensions beyond the limits of the proposed partition to the point where grades meet. The plans



show the finished grade of the existing street. No new construction is proposed, except for the shared driveway access and accompanying sidewalk.

With only two lots proposed a TIA is not required.

C. Grading.

1. *If areas are to be graded, a plan showing the location of cuts, fill, and retaining walls, and information on the character of soils shall be provided. The grading plan shall show proposed and existing contours at intervals per CDC 85.160(E)(2).*

2. *The grading plan shall demonstrate that the proposed grading to accommodate roadway standards and create appropriate building sites is the minimum amount necessary.*

**RESPONSE:** The Grading Plan (Sheet 5 of 6) provides preliminary grading details, including cuts and fills. There are no proposed retaining walls. The proposed grading has been prepared consistent with CDC 85.160 and is the minimum necessary to accommodate the drive.

D. Water.

1. *A plan for domestic potable water supply lines and related water service facilities, such as reservoirs, etc., shall be prepared by a licensed engineer consistent with the adopted Comprehensive Water System Plan and most recently adopted updates and amendments.*

2. *Location and sizing of the water lines within the development and off-site extensions. Show on-site water line extensions in street stubouts to the edge of the site, or as needed to complete a loop in the system.*

3. *Adequate looping system of water lines to enhance water quality.*

4. *For all non-single-family developments, calculate fire flow demand of the site and demonstrate to the Fire Chief. Demonstrate to the City Engineer how the system can meet the demand.*

**RESPONSE:** The Utilities Plan (Sheet 4 of 6) provides details regarding the provision of water to each lot, which will be extended from the line in 8<sup>th</sup> Avenue. Adequate provisions for stubouts and system looping already exist with the water lines in 8<sup>th</sup> Avenue and 14<sup>th</sup> Street.

This is a single family development therefore the fire flow demand calculations are not applicable.

E. Sewer.

1. *A plan prepared by a licensed engineer shall show how the proposal is consistent with the Sanitary Sewer Master Plan and subsequent updates and*

*amendments. Agreement with that plan must demonstrate how the sanitary sewer proposal will be accomplished and how it is efficient. The sewer system must be in the correct zone.*

*2. Sanitary sewer information will include plan view of the sanitary sewer lines, including manhole locations and depths. Show how each lot would be sewered.*

*3. Sanitary sewer lines shall be located in the public right-of-way, particularly the street, unless the applicant can demonstrate why the alternative location is necessary and meets accepted engineering standards.*

*4. Sanitary sewer line should be at a depth that can facilitate connection with down-system properties in an efficient manner.*

*5. The sanitary sewer line should be designed to minimize the amount of lineal feet in the system.*

*6. The sanitary sewer line shall minimize disturbance of natural areas and, in those cases where that is unavoidable, disturbance shall be mitigated pursuant to the appropriate chapters (e.g., Chapter 32 CDC, Water Resource Area Protection).*

*7. Sanitary sewer shall be extended or stubbed out to the next developable subdivision or a point in the street that allows for reasonable connection with adjacent or nearby properties.*

*8. The sanitary sewer system shall be built pursuant to Department of Environmental Quality (DEQ), City, and Tri-City Service District sewer standards. This report should be prepared by a licensed engineer, and the applicant must be able to demonstrate the ability to satisfy these submittal requirements or standards at the pre-construction phase.*

**RESPONSE:** The Street and Utilities Plan (Sheet 4 of 6) also provides details regarding the provision of sanitary sewer to each lot consistent with the provisions of this section. The plans have been prepared by a licensed engineer, and include a plan view of the sanitary sewer lines, including manhole locations and depths, and how each lot will be served.

The existing sewer line is located in 8<sup>th</sup> Avenue. The service line to the lots will be extended up the west side of Tax Lot 702, within an easement, with manholes provided for connection for each lot. The line extension is designed to minimize the linear distance, and given the surrounding development pattern there is no need to provide depths for service to other properties.

The sanitary sewer line no impact any natural areas and identified for protection. The sanitary sewer system has been designed and will be built pursuant to Department of Environmental Quality (DEQ), City, and Tri-City Service District sewer standards.

**F. Storm.**

1. *A proposal shall be submitted for storm drainage and flood control including profiles of proposed drainageways with reference to the most recently adopted Storm Drainage Master Plan.*

2. *Storm treatment and detention facilities shall be sized to accommodate a 25-year storm incident. A registered civil engineer shall prepare a plan and statement which shall be supported by factual data that clearly shows that there will be no adverse impacts from increased intensity of runoff downstream or constriction-created upstream impacts. The plan and statement shall identify all on- or off-site impacts and measures to mitigate those impacts. The plan and statement shall, at a minimum, determine the off-site impacts from a 25-year storm.*

3. *Plans shall demonstrate how storm drainage will be collected from all impervious surfaces including roof drains. Storm drainage connections shall be provided to each dwelling unit/lot. The location, size, and type of material selected for the system shall correlate with the 10-year storm incident and agree with the factual information provided in response to subsection (F)(2) of this section.*

4. *The detention facilities shall be designed by a licensed engineer to meet City standards. The detention facilities should include a vegetation plan for the facility and environs, if applicable. (Ord. 1382, 1995; Ord. 1401, 1997; Ord. 1425, 1998; Ord. 1442, 1999; Ord. 1584, 2008; Ord. 1604 § 65, 2011)*

**RESPONSE:** The Utilities Plan (Sheet 4 of 6) provides details regarding the provision of storm drainage system to each lot consistent with the provisions of this section. Plan Sheet 5 of 6 provides preliminary grading details, reflecting the natural and altered flow of storm water runoff.

Storm water will be collected and directed to the existing 6 foot easement between the two properties to the north (1765 & 1769 Christy Court). The system is designed consistent with City standards, including required detention, and includes individual LIDA planters for water quality treatment of roof drains for each lot.

***85.190 ADDITIONAL INFORMATION REQUIRED AND WAIVER OF REQUIREMENTS***

*A. The Planning Director may require additional information as part of the application subject to the provisions of CDC 99.035(A).*

*B. The applicant may request a waiver of any requirements for the application subject to the provisions of CDC 99.035(B) and (C).*

**RESPONSE:** The Planning Director has not requested any additional information, and the applicant is not requesting any waiver of the provisions of CDC 99.035.

**85.200 APPROVAL CRITERIA**

*No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by condition of approval.*

A. Streets.

1. General. *The location, width and grade of streets shall be considered in their relation to existing and planned streets, to the generalized or reasonable layout of streets on adjacent undeveloped parcels, to topographical conditions, to public convenience and safety, to accommodate various types of transportation (automobile, bus, pedestrian, bicycle), and to the proposed use of land to be served by the streets. The functional class of a street aids in defining the primary function and associated design standards for the facility. The hierarchy of the facilities within the network in regard to the type of traffic served (through or local trips), balance of function (providing access and/or capacity), and the level of use (generally measured in vehicles per day) are generally dictated by the functional class. The street system shall assure an adequate traffic or circulation system with intersection angles, grades, tangents, and curves appropriate for the traffic to be carried. Streets should provide for the continuation, or the appropriate projection, of existing principal streets in surrounding areas and should not impede or adversely affect development of adjoining lands or access thereto.*

*To accomplish this, the emphasis should be upon a connected continuous pattern of local, collector, and arterial streets rather than discontinuous curvilinear streets and cul-de-sacs. Deviation from this pattern of connected streets should only be permitted in cases of extreme topographical challenges including excessive slopes (35 percent-plus), hazard areas, steep drainageways, wetlands, etc. In such cases, deviations may be allowed but the connected continuous pattern must be reestablished once the topographic challenge is passed. Streets should be oriented with consideration of the sun, as site conditions allow, so that over 50 percent of the front building lines of homes are oriented within 30 degrees of an east-west axis.*

*Internal streets are the responsibility of the developer. All streets bordering the development site are to be developed by the developer with, typically, half-street improvements or to City standards prescribed by the City Engineer. Additional travel lanes may be required to be consistent with adjacent road widths or to be consistent with the adopted Transportation System Plan (TSP) and any adopted updated plans.*

**RESPONSE:** The only street associated with this partition is 8<sup>th</sup> Avenue, which is designated as a local street. Local streets require a 40-60 foot right-of-way. The existing right-of-way across the site frontage is 50 feet, with 10 feet previously dedicated by a prior partition. While right-of-way was dedicated, no frontage improvements were made.

Per pre-application notes, City Engineering is asking for street improvements including curb, planter strip, and pavement will be required. However, because of the limited available frontage, the applicant is requesting that the driveway drop, curb and sidewalk are the only improvements to be required. There simply is not enough frontage width to accommodate standard frontage improvements, such as street trees.

2. *Right-of-way and roadway widths. In order to accommodate larger tree-lined boulevards and sidewalks, particularly in residential areas, the standard right-of-way widths for the different street classifications shall be within the range listed below. But instead of filling in the right-of-way with pavement, they shall accommodate the amenities (e.g., boulevards, street trees, sidewalks)...*

*Additional rights-of-way for slopes may be required. Sidewalks shall not be located outside of the right-of-way unless to accommodate significant natural features or trees.*

**RESPONSE:** City Engineering has not indicated any additional right-of-way is necessary for 8<sup>th</sup> Avenue.

B. *Blocks and lots.*

1. *General. The length, width, and shape of blocks shall be designed with due regard for the provision of adequate building sites for the use contemplated; consideration of the need for traffic safety, convenience, access, circulation, and control; and recognition of limitations and opportunities of topography and solar access.*

2. *Sizes. The recommended block size is 400 feet in length to encourage greater connectivity within the subdivision. Blocks shall not exceed 800 feet in length between street lines, except for blocks adjacent to arterial streets or unless topographical conditions or the layout of adjacent streets justifies a variation.*

*Designs of proposed intersections shall demonstrate adequate sight distances to the City Engineer's specifications. Block sizes and proposed accesses must be consistent with the adopted TSP.*

**RESPONSE:** No new streets or blocks are proposed. Therefore these block criteria are not applicable.

3. *Lot size and shape. Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision, for the type of use contemplated, for potential utilization of solar access, and for the protection of drainageways, trees, and other natural features. No lot shall be dimensioned to contain part of an existing or proposed street. All lots shall be buildable, and the buildable depth*

*should not exceed two and one-half times the average width. "Buildable" describes lots that are free of constraints such as wetlands, drainageways, etc., that would make home construction impossible. Lot sizes shall not be less than the size required by the zoning code unless as allowed by planned unit development (PUD).*

*Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.*

**RESPONSE:** The proposed Lot sizes, widths, shape, and orientation are appropriate for the location and the single family use contemplated. Both parcels have potential utilization of solar access, with good southern exposure. There are no drainageways or other significant natural features associated with this property. Appropriate tree protection and canopy cover is provided as addressed below in response to CDC 55.100.

No non-residential uses are proposed.

*4. Access. Access to subdivisions, partitions, and lots shall conform to the provisions of Chapter 48 CDC, Access, Egress and Circulation.*

**RESPONSE:** This partition complies with CDC 48 as follows:

***Chapter 48***  
***ACCESS, EGRESS AND CIRCULATION***

*Sections:*

- 48.010 PURPOSE*
- 48.020 APPLICABILITY AND GENERAL PROVISIONS*
- 48.025 ACCESS CONTROL*
- 48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES*
- 48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES*
- 48.050 ONE-WAY VEHICULAR ACCESS POINTS*
- 48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS*
- 48.070 PLANNING DIRECTOR'S AUTHORITY TO RESTRICT ACCESS APPEAL PROVISIONS*
- 48.080 BICYCLE AND PEDESTRIAN CIRCULATION*

***48.010 PURPOSE***

*The purpose of this chapter is to ensure that efficient, safe, and well-directed vehicular, bicycle, and pedestrian access, circulation, and egress are designed into development proposals. Access management seeks to balance mobility, the need to provide efficient, safe and timely travel with the ability to allow access to individual properties. Proper*

*implementation of access management techniques should guarantee reduced congestion, reduced accident rates, less need for roadway widening, conservation of energy, and reduced air pollution. (Ord. 1584, 2008)*

**48.020 APPLICABILITY AND GENERAL PROVISIONS**

*A. The provisions of this chapter do not apply where the provisions of the Transportation System Plan or land division chapter are applicable and set forth differing standards.*

**RESPONSE:** 8<sup>th</sup> Avenue is a designated local street. City Engineering has confirmed that adequate right-of-way exists, consistent with the Transportation System Plan.

*B. All lots shall have access from a public street or from a platted private street approved under the land division chapter.*

**RESPONSE:** Access to the two parcels will be provided from a public street (8<sup>th</sup> Avenue) by a 16 foot wide shared access easement. This easement will be aligned with the existing access for Tax Lot 700, thereby maintaining access spacing.

*C. No building or other permit shall be issued until scaled plans are presented to the City and approved by the City as provided by this chapter, and show how the access, egress, and circulation requirements are to be fulfilled. Access to State or County roads may require review, approval, and permits from the appropriate authority.*

**RESPONSE:** This application is for partitioning and not building permits. However, the applicant understands the requirements and obligation to provide a scaled site plan for building permit application.

*D. Should the owner or occupant of a lot or building enlarge or change the use to which the lot or building is put, resulting in increasing any of the requirements of this chapter, it shall be unlawful and a violation of this code to begin or maintain such altered use until the provisions of this chapter have been met, and, if required, until the appropriate approval authority under Chapter 99 CDC has approved the change.*

**RESPONSE:** The applicant understands the requirements of this section.

*E. Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same access and egress when the combined access and egress of both uses, structures, or parcels of land satisfies the requirements as designated in this code; provided, that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases, or contracts to establish joint use. Copies of said instrument shall be placed on permanent file with the City Recorder.*

**RESPONSE:** As noted, a joint access easement is proposed to serve the two parcels and the existing house on tax lot 702. This easement will be recorded on the partition plat, together with maintenance responsibilities assigned to the homeowners.

*F. Property owners shall not be compelled to access their homes via platted stems of flag lots if other driveways and easements are available and approved by the City Engineer. (Ord. 1584, 2008)*

**RESPONSE:** This application proposes a joint flag lot access configuration. This design provides adequate access to each lot, while maintaining appropriate driveway spacing along 8<sup>th</sup> Avenue.

*85.200 Approval Criteria continued:*

*5. Through lots and parcels. Through lots have frontage on a street at the front and rear of the lot. They are also called double-frontage lots. Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from arterial streets or adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. A planting screen or impact mitigation easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.*

**RESPONSE:** No through lots are created. Therefore this criterion is not applicable.

*6. Lot and parcel side lines. The lines of lots and parcels, as far as is practicable, should run at right angles to the street upon which they face, except that on curved streets they should be radial to the curve.*

**RESPONSE:** The proposed lot lines are provided at right angles and parallel to each other, to the degree practicable, given that 8<sup>th</sup> Avenue runs at an angle, and the shape of the parent parcel is not square.

*7. Flag lots. Flag lots can be created where it can be shown that no other reasonable street access is possible to achieve the requested land division. A single flag lot shall have a minimum street frontage of 15 feet for its accessway. Where two to four flag lots share a common accessway, the minimum street frontage and accessway shall be eight feet in width per lot. Common accessways shall have mutual maintenance agreements and reciprocal access and utility easements. The following dimensional requirements shall apply to flag lots:*

*a. Setbacks applicable to the underlying zone shall apply to the flag lot.*

*b. Front yard setbacks may be based on the rear property line of the parcel which substantially separates the flag lot from the street from which the flag lot gains access. Alternately, the house and its front yard may be oriented in other directions so long as some measure of privacy is ensured, or it is part of a pattern of development, or it better fits the topography of the site.*

*c. The lot size shall be calculated exclusive of the accessway; the access strip may not be counted towards the area requirements.*



d. *The lot depth requirement contained elsewhere in this code shall be measured from the rear property line of the parcel which substantially separates the flag lot from the street from which the flag lot gains access.*

e. *As per CDC 48.030, the accessway shall have a minimum paved width of 12 feet.*

f. *If the use of a flag lot stem to access a lot is infeasible because of a lack of adequate existing road frontage, or location of existing structures, the proposed lot(s) may be accessed from the public street by an access easement of a minimum 15-foot width across intervening property.*

**RESPONSE:** The parent parcel (Lot 700) is a flag lot. The pole access has 17 feet of frontage on 8<sup>th</sup> Avenue. Within the access pole, there will be a 16 foot wide shared access easement serving the two parcels. The access will be paved to at least 12 feet in width, or more, thereby meeting the access standard. The lot sizes listed within this narrative have been calculated exclusive of the access pole (access easement).

8. *Large lots. In dividing tracts into large lots or parcels which, at some future time, are likely to be redivided, the approval authority may require that the blocks be of such size and shape, and be so divided into building sites, and contain such easements and site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size. Alternately, in order to prevent further partition of oversized lots, restrictions may be imposed on the subdivision or partition plat.*

**RESPONSE:** Neither of the two parcels are sized such that they could be further divided under the applicable R-10 zoning. Therefore this criterion is not applicable.

C. Pedestrian and bicycle trails.

1. *Trails or multi-use pathways shall be installed, consistent and compatible with federal ADA requirements and with the Oregon Transportation Planning Rule, between subdivisions, cul-de-sacs, and streets that would otherwise not be connected by streets due to excessive grades, significant tree(s), and other constraints natural or manmade. Trails shall also accommodate bicycle or pedestrian traffic between neighborhoods and activity areas such as schools, libraries, parks, or commercial districts. Trails shall also be required where designated by the Parks Master Plan.*

2. *The all-weather surface (asphalt, etc.) trail should be eight feet wide at minimum for bicycle use and six feet wide at minimum for pedestrian use. Trails within 10 feet of a wetland or natural drainageway shall not have an all-weather surface, but shall have a soft surface as approved by the Parks Director. These trails shall be contained within a corridor dedicated to the City that is wide enough to provide trail users with a sense of defensible space. Corridors that are too narrow, confined, or with vegetative cover may be threatening and discourage use. Consequently, the minimum corridor width shall be*

20 feet. Sharp curves, twists, and blind corners on the trail are to be avoided as much as possible to enhance defensible space. Deviations from the corridor and trail width are permitted only where topographic and ownership constraints require it.

3. Defensible space shall also be enhanced by the provision of a three- to four-foot-high matte black chain link fence or acceptable alternative along the edge of the corridor. The fence shall help delineate the public and private spaces.

4. The bicycle or pedestrian trails that traverse multi-family and commercial sites should follow the same defensible space standards but do not need to be defined by a fence unless required by the decision-making authority.

5. Except for trails within 10 feet of a wetland or natural drainageway, soft surface or gravel trails may only be used in place of a paved, all-weather surface where it can be shown to the Planning Director that the principal users of the path will be recreational, non-destination-oriented foot traffic, and that alternate paved routes are nearby and accessible.

6. The trail grade shall not exceed 12 percent except in areas of unavoidable topography, where the trail may be up to a 15 percent grade for short sections no longer than 50 feet. In any location where topography requires steeper trail grades than permitted by this section, the trail shall incorporate a short stair section to traverse the area of steep grades.

**RESPONSE:** No trails or pathways are proposed. Therefore these criteria are not applicable.

**D. Transit facilities.**

1. The applicant shall consult with Tri-Met and the City Engineer to determine the appropriate location of transit stops, bus pullouts, future bus routes, etc., contiguous to or within the development site. If transit service is planned to be provided within the next two years, then facilities such as pullouts shall be constructed per Tri-Met standards at the time of development. More elaborate facilities, like shelters, need only be built when service is existing or imminent. Additional rights-of-way may be required of developers to accommodate buses.

2. The applicant shall make all transit-related improvements in the right-of-way or in easements abutting the development site as deemed appropriate by the City Engineer.

3. Transit stops shall be served by striped and signed pedestrian crossings of the street within 150 feet of the transit stop where feasible. Illumination of the transit stop and crossing is required to enhance defensible space and safety. ODOT approval may be required.

4. Transit stops should include a shelter structure bench plus eight feet of sidewalk to accommodate transit users, non-transit-related pedestrian use, and wheelchair users. Tri-Met must approve the final configuration.

**RESPONSE:** Tri Met's Line 54 currently provides limited service to the Willamette Neighborhood, running along Willamette Falls Drive, Ostman and Blankenship Streets. This route runs within 250 of the subject property on Willamette Falls Drive. However, no service is currently provided or planned on 8<sup>th</sup> Avenue. Therefore these criteria are not applicable.

*E. Lot grading. Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:*

- 1. All cuts and fills shall comply with the excavation and grading provisions of the Uniform Building Code and the following:*
  - a. Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically (i.e., 67 percent grade).*
  - b. Fill slopes shall not exceed two feet horizontally to one foot vertically (i.e., 50 percent grade).*

**RESPONSE:** All proposed cuts and fills have been designed to comply with the excavation and grading provisions of the Uniform Building Code.

- 2. The character of soil for fill and the characteristics of lot and parcels made usable by fill shall be suitable for the purpose intended.*
- 3. If areas are to be graded (more than any four-foot cut or fill), compliance with CDC 85.170(C) is required.*

**RESPONSE:** The site is relatively flat. No cuts or fills greater than four feet are proposed.

- 4. The proposed grading shall be the minimum grading necessary to meet roadway standards, and to create appropriate building sites, considering maximum allowed driveway grades.*
- 5. Where landslides have actually occurred, where the area is identified as a hazard site in the West Linn Comprehensive Plan Report, or where field investigation by the City Engineer confirms the existence of a severe landslide hazard, development shall be prohibited unless satisfactory evidence is additionally submitted by a registered geotechnical engineer which certifies that methods of rendering a known hazard site safe for construction are feasible for a given site. The City Engineer's field investigation shall include, but need not be limited to, the following elements:*
  - a. Occurrences of geotropism.*
  - b. Visible indicators of slump areas.*
  - c. Existence of known and verified hazards.*
  - d. Existence of unusually erosive soils.*

- e. *Occurrences of unseasonably saturated soils.*

*The City Engineer shall determine whether the proposed methods or designs are adequate to prevent landslide or slope failure. The City Engineer may impose conditions consistent with the purpose of these ordinances and with standard engineering practices including limits on type and intensity of land use, which have been determined necessary to assure landslide or slope failure does not occur.*

**RESPONSE:** The proposed grading is design to be the minimum grading necessary to meet roadway standards, and to create appropriate building sites.

6. *All cuts and fills shall conform to the Uniform Building Code.*

**RESPONSE:** All proposed cuts and fills have been designed to comply with the excavation and grading provisions of the Uniform Building Code.

7. *On land with slopes in excess of 12 percent, cuts and fills shall be regulated as follows:*

a. *Toes of cuts and fills shall be set back from the boundaries of separate private ownerships at least three feet, plus one-fifth of the vertical height of the cut or fill. Where an exception is required from that requirement, slope easements shall be provided.*

b. *Cuts shall not remove the toe of any slope where a severe landslide or erosion hazard exists (as described in subsection (G)(5) of this section).*

c. *Any structural fill shall be designed by a registered engineer in a manner consistent with the intent of this code and standard engineering practices, and certified by that engineer that the fill was constructed as designed.*

d. *Retaining walls shall be constructed pursuant to Section 2308(b) of the Oregon State Structural Specialty Code.*

e. *Roads shall be the minimum width necessary to provide safe vehicle access, minimize cut and fill, and provide positive drainage control.*

**RESPONSE:** There are no slopes on the property over 12%. Therefore these criteria are not applicable.

8. *Land over 50 percent slope shall be developed only where density transfer is not feasible. The development will provide that:*

a. *At least 70 percent of the site will remain free of structures or impervious surfaces.*

b. *Emergency access can be provided.*

*c. Design and construction of the project will not cause erosion or land slippage.*

*d. Grading, stripping of vegetation, and changes in terrain are the minimum necessary to construct the development in accordance with subsection J of this section.*

**RESPONSE:** There are no slopes on the property over 50%. Therefore these criteria are not applicable.

*F. Water.*

*1. A plan for domestic water supply lines or related water service facilities shall be prepared consistent with the adopted Comprehensive Water System Plan, plan update, March 1987, and subsequent superseding revisions or updates.*

*2. Adequate location and sizing of the water lines.*

*3. Adequate looping system of water lines to enhance water quality.*

*4. For all non-single-family developments, there shall be a demonstration of adequate fire flow to serve the site.*

*5. A written statement, signed by the City Engineer, that water service can be made available to the site by the construction of on-site and off-site improvements and that such water service has sufficient volume and pressure to serve the proposed development's domestic, commercial, industrial, and fire flows.*

**RESPONSE:** The water service plan has been prepared consistent with the adopted Comprehensive Water System Plan, plan update, March 1987, and subsequent superseding revisions or updates.

As part of the City's review of this application the City Engineer will confirm that water service can be made available to the site by the proposed construction of on-site improvements.

*G. Sewer.*

*1. A plan prepared by a licensed engineer shall show how the proposal is consistent with the Sanitary Sewer Master Plan (July 1989). Agreement with that plan must demonstrate how the sanitary sewer proposal will be accomplished and how it is gravity-efficient. The sewer system must be in the correct basin and should allow for full gravity service.*

*2. Sanitary sewer information will include plan view of the sanitary sewer lines, including manhole locations and depth or invert elevations.*

3. *Sanitary sewer lines shall be located in the public right-of-way, particularly the street, unless the applicant can demonstrate why the alternative location is necessary and meets accepted engineering standards.*
4. *Sanitary sewer line should be at a depth that can facilitate connection with down-system properties in an efficient manner.*
5. *The sanitary sewer line should be designed to minimize the amount of lineal feet in the system.*
6. *The sanitary sewer line shall avoid disturbance of wetland and drainageways. In those cases where that is unavoidable, disturbance shall be mitigated pursuant to Chapter 32 CDC, Water Resource Area Protection, all trees replaced, and proper permits obtained. Dual sewer lines may be required so the drainageway is not disturbed.*
7. *Sanitary sewer shall be extended or stubbed out to the next developable subdivision or a point in the street that allows for reasonable connection with adjacent or nearby properties.*
8. *The sanitary sewer system shall be built pursuant to DEQ, City, and Tri-City Service District sewer standards. The design of the sewer system should be prepared by a licensed engineer, and the applicant must be able to demonstrate the ability to satisfy these submittal requirements or standards at the pre-construction phase.*
9. *A written statement, signed by the City Engineer, that sanitary sewers with sufficient capacity to serve the proposed development and that adequate sewage treatment plant capacity is available to the City to serve the proposed development.*

*H. Deleted during July 2014 supplement.*

**RESPONSE:** The sanitary sewer plan has been prepared by a licensed engineer, and is designed consistent with the Sanitary Sewer Master Plan (July 1989), and as follows:

- Sanitary sewer information includes plan view of the sanitary sewer lines, including manhole locations and depth or invert elevations. Service will be extended through Tax Lot 700 within an easement.
- Sanitary sewer lines are located in the public right-of-way (8<sup>th</sup> Avenue), except for the line to serve the two parcels, which are within an easement.
- Sanitary sewer lines are at a depth that can adequately serve each lot. There is no need to facilitate connection with any other down-system properties, as all abutting properties have service available.

- The sanitary sewer line has been designed to minimize the amount of lineal feet in the system.
- The sanitary sewer line avoids disturbance of wetland and drainageways.
- There is no need to stub sanitary sewer to any adjacent developable properties.
- The sanitary sewer system will be built pursuant to DEQ, City, and Tri-City Service District sewer standards.

As part of the City's review of this application the City Engineer will confirm that the proposed sanitary sewer laterals are of sufficient capacity to serve the proposed development and that adequate sewage treatment plant capacity is available.

*I. Utility easements. Subdivisions and partitions shall establish utility easements to accommodate the required service providers as determined by the City Engineer. The developer of the subdivision shall make accommodation for cable television wire in all utility trenches and easements so that cable can fully serve the subdivision.*

**RESPONSE:** There is an existing utilities easement extended to the north, which allows for the connection to the storm drainage system in Christy Court. The applicant will provide any other necessary easements for utilities, as may be determined by the City Engineer.

*J. Supplemental provisions.*

*1. Wetland and natural drainageways. Wetlands and natural drainageways shall be protected as required by Chapter 32 CDC, Water Resource Area Protection. Utilities may be routed through the protected corridor as a last resort, but impact mitigation is required.*

**RESPONSE:** There are no protected wetlands or natural drainageways associated with the subject property. Therefore this criterion is not applicable.

*2. Willamette and Tualatin Greenways. The approval authority may require the dedication to the City or setting aside of greenways which will be open or accessible to the public. Except for trails or paths, such greenways will usually be left in a natural condition without improvements. Refer to Chapter 28 CDC for further information on the Willamette and Tualatin River Greenways.*

**RESPONSE:** This property is not within either the Willamette or Tualatin Greenway. Therefore this criterion is not applicable.

*3. Street trees. Street trees are required as identified in the appropriate section of the municipal code and Chapter 54 CDC.*

**RESPONSE:** Because of limit street frontage and the proposed shared access easement, the applicant is requesting that frontage improvements be limited to driveway drop, curb and sidewalk, but not street trees.

4. *Lighting.* To reduce ambient light and glare, high or low pressure sodium light bulbs shall be required for all subdivision street or alley lights. The light shall be shielded so that the light is directed downwards rather than omnidirectional.

**RESPONSE:** Street lighting will be provided consistent with this criterion, if required.

5. *Dedications and exactions.* The City may require an applicant to dedicate land and/or construct a public improvement that provides a benefit to property or persons outside the property that is the subject of the application when the exaction is roughly proportional. No exaction shall be imposed unless supported by a determination that the exaction is roughly proportional to the impact of development.

**RESPONSE:** The City has not identified any need for dedications or exactions, except as discussed for fee in lieu of street improvements.

6. *Underground utilities.* All utilities, such as electrical, telephone, and television cable, that may at times be above ground or overhead shall be buried underground in the case of new development. The exception would be in those cases where the area is substantially built out and adjacent properties have above-ground utilities and where the development site's frontage is under 200 feet and the site is less than one acre. High voltage transmission lines, as classified by Portland General Electric or electric service provider, would also be exempted. Where adjacent future development is expected or imminent, conduits may be required at the direction of the City Engineer. All services shall be underground with the exception of standard above-grade equipment such as some meters, etc.

**RESPONSE:** All new utilities will be placed underground consistent with this criterion.

7. *Density requirement.* Density shall occur at 70 percent or more of the maximum density allowed by the underlying zoning. These provisions would not apply when density is transferred from Type I and II lands as defined in CDC 02.030. Development of Type I or II lands are exempt from these provisions. Land divisions of three lots or less would also be exempt.

**RESPONSE:** The subject property is zoned R-10, with 10,000 square foot minimum lot size. The allowed density is calculated as follows:

#### **24.110 RESIDENTIAL DENSITY**

A. *The PUD allows density to be transferred on residential portions of the site. The following sections explain how the allowed number of dwelling units per acre is calculated. The standards are also intended to ensure that PUDs and adjoining developments are compatible and maintain a sense of neighborhood unity.*



B. *Net acres for land to be developed with detached single-family dwellings, or multi-family dwellings including duplexes, is computed by subtracting the following from the gross acres:*

1. *Any land area which is included in a boundary street right-of-way or water course, or planned open space areas if density transfer is not requested.*
2. *An allocation of 25 percent for public or private facilities (e.g., streets, paths, right-of-way, etc.) or, when a tentative plat or plan has been developed, the total land area allocated for public or private facilities.*
3. *A lot of at least the size required by the applicable base zone, if an existing dwelling is to remain on the site.*

C. *The allowed density or number of dwelling units on the site, subject to the limitations in CDC 24.140 and 24.150, is computed by dividing the number of square feet in the net acres by the minimum number of square feet required for each lot, by the base zone.*

**RESPONSE:** This partition is not a PUD, therefore there is no available density transfer. There are no applicable Type I or II lands and no open space proposed.

The preliminary partition plat provides a shared access easement, which contains 2,706 square feet within the pole portion of the flag lot configuration.

Gross Site Area      22,867 square feet

Access                      2,706 square feet

Net Acres                    20,161 square feet

Allowed Density =     $20,161/10,000 = 2.02$  units, minimum density @ 70% = 1.41 units.

The allowed density is 2 units. The minimum density is 1 unit. Therefore the proposed 2-Lot Partition complies with the density standards.

8. *Mix requirement. The "mix" rule means that developers shall have no more than 15 percent of the R-2.1 and R-3 development as single-family residential. The intent is that the majority of the site shall be developed as medium high density multi-family housing.*

**RESPONSE:** The subject property is not zoned R-2.1 or R-3, therefore this criterion is not applicable.

9. *Heritage trees/significant tree and tree cluster protection. All heritage trees, as defined in the Municipal Code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction. All non-heritage trees and clusters of trees (three or more trees with overlapping*

*dripline; however, native oaks need not have an overlapping dripline) that are considered significant by virtue of their size, type, location, health, or numbers shall be saved pursuant to CDC 55.100(B)(2). Trees are defined per the municipal code as having a trunk six inches in diameter or 19 inches in circumference at a point five feet above the mean ground level at the base of the trunk.*

**RESPONSE:** The City Arborist has not identified any heritage trees associated with this property.

*10. Annexation and street lights. Developer and/or homeowners association shall, as a condition of approval, pay for all expenses related to street light energy and maintenance costs until annexed into the City, and state that: "This approval is contingent on receipt of a final order by the Portland Boundary Commission, approving annexation of the subject property." This means, in effect, that any permits, public improvement agreements, final plats, and certificates of occupancy may not be issued until a final order is received. (Ord. 1377, 1995; Ord. 1382, 1995; Ord. 1401, 1997; Ord. 1403, 1997; Ord. 1408, 1998; Ord. 1425, 1998; Ord. 1442, 1999; Ord. 1463, 2000; Ord. 1526, 2005; Ord. 1544, 2007; Ord. 1584, 2008; Ord. 1590 § 1, 2009; Ord. 1604 § 64, 2011; Ord. 1613 § 20, 2013; amended during July 2014 supplement)*

**RESPONSE:** The applicant understands the obligations set forth for payment for lighting power and maintenance. The subject property is annexed to the City of West Linn, and therefore these costs are covered under the City's street lighting utility fees.

## **FINAL CONCLUSION**

The applicant has provided plans and findings demonstrating compliance with all applicable sections of the West Linn Development Code for the R-10 Zone and Minor Partitioning. Therefore, the applicant respectfully requests approval from the City of West Linn for the requested Property line Adjustment.



# SFA Design Group, LLC

STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING

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August 27, 2014

City of West Linn

RE: Lot Partition at 1698 8<sup>th</sup> Avenue, Storm Analysis  
SFA Project No.: 309-001

To Whom It May Concern:

I am writing concerning the storm water management proposed for the 2-Lot Partition of 9602 SW Taylor Street.

The property to be developed is a 0.52 acre lot with a single outbuilding and carport. The proposed partition will create 2 lots of 0.29 acres and 0.23 acres. Access to both lots will remain at the flag lot driveway connecting to 8<sup>th</sup> Avenue. The proposed improvements will create additional impervious area as a result of the roof area for two new homes, and improving the driveway to 8<sup>th</sup> Avenue.

We will be managing the newly created impervious area by constructing LIDA Infiltration Planters, meeting standards set by the City of Portland Stormwater Management Manual (SWMM - 2014), on each of the new lots at the time of home construction. This planter will be sized according to the simplified approach outlined in the SWMM to collect the roof water and provide treatment for the newly created impervious area. The planter will treat the collected roof storm water and release the collected storm water into the existing storm water laterals on the north edge of the property. Any flows in excess of the capacity of the planter will bypass the planter and flow directly into the storm water laterals which will be conveyed to the north and into the public storm pipes located in Christy Court.

Through the use of the LIDA facility the proposed improvements meet the requirements of the City of West Linn to manage the storm water from the improvement.

Sincerely,  
SFA Design Group, LLC

A handwritten signature in black ink, appearing to read 'Brent E. Fitch', is written over the typed name.

Brent E. Fitch, PE  
Principal



**Exhibit 2-19:** Epler Hall Planter. See **Appendix G.1**, SW-130, for typical private property planter detail and **Appendix G.3**, SW-310 through SW-313, for typical Green Street planter details.

### Facility Description

Planters are structural landscaped reservoirs used to collect, filter, and infiltrate stormwater, allowing pollutants to settle and filter out as the water percolates through the vegetation, growing medium, and gravel. Depending on site conditions, planters can be designed to completely or partially infiltrate the stormwater they receive. They can also be designed as lined, flow-through facilities where stormwater is temporarily stored. Excess stormwater collects in a perforated pipe at the bottom of the flow-through planter and drains to an approved discharge point. Planters can be used to help fulfill a site's required landscaping area requirement and should be integrated into the overall site design. Numerous design variations of shape, wall treatment, and planting scheme can be used to fit the character of a site. Because flow-through planters can be constructed immediately next to buildings, they are ideal for sites with setback requirements, poorly draining soils, steep slopes, or other constraints.

### Design Requirements

- **Soil suitability:** Existing infiltration rates will determine if the facility can be designed to achieve infiltration, partial infiltration, or allow the stormwater to flow through the facility. See **Appendix F.2** for infiltration testing procedures. For the Simplified Approach (**Section 2.2.1**), if the tested infiltration rate is greater than or equal to 2 inches per hour, the planter must overflow to a subsurface infiltration facility. If the tested infiltration rate is less than 2 inches

per hour, the planter should be designed as a partial infiltration or flow-through facility, with an overflow to an approved discharge point. For the Presumptive Approach (**Section 2.2.2**), the existing infiltration rate also determines the type of planter, but additional variables are factored in to determine the configuration of the facility.

- **Setbacks:** Infiltration planters are typically set back 5 feet from property lines and 10 feet from building foundations. No setbacks are required for lined, flow-through planters where the height above finished grade is 30 inches or less. Lined flow-through planters can be used next to foundation walls, adjacent to property lines, or on slopes when they include a waterproof lining. See **Exhibit 2-1** for more information on setbacks.
- **Access:** Design must consider safe access for maintenance of the planter.
- **Sizing:** For the Simplified Approach, a sizing factor of 0.06 is required. For the Performance Approach, surface area and depth of facility vary. An approved stormwater sizing calculator allows the designer to size the planter with respect to native infiltration rates and other unique site conditions of the project.
- **Dimensions and slopes:** The minimum infiltration planter width is 30 inches, and the minimum flow-through planter width is 18 inches (measured from inside the planter walls). Facility storage depth must be at least 12 inches (from inlet elevation of overflow to top of growing medium), unless a larger-than-required planter area is specified. Planters are flat facilities that shall not slope more than 0.5 percent in any direction. A minimum of 2 inches of freeboard (vertical distance between the design water surface elevation and overtopping elevation) shall be provided.
- **Planter walls:** Planter walls shall be made of stone, concrete, brick, or other durable material. For planters that require an impervious bottom, a single-pour concrete solution is preferred. Chemically treated wood that can leach out toxic chemicals and contaminate stormwater shall not be used.
- **Waterproofing (if required):** Flow-through facilities that require an impervious bottom can be achieved through either a waterproof liner (geomembrane) or a single-pour concrete box. If lined, there are many liner options, and installation varies. Liners should be installed to the high water mark. Liner shall be 30 to 40-mil PVC or HDPE as appropriate or approved equivalent.
- **Gravel drain rock:** Drain rock may be required below the growing medium of a planter. For infiltration facilities, where drain rock is specified to retain stormwater prior to infiltration, the specification is 1½- to ¾-inch washed drain

rock. Where drain rock is specified primarily for detention and conveyance, the specification is ¾-inch washed drain rock. For all flow-through facilities, ¾-inch wash drain rock shall be used. Drain rock and growing medium must be separated a 2- to 3-inch layer of ¾- to ¼-inch washed, crushed rock or by filter fabric (see **Exhibit 2-3** for geotextile specifications). Green streets require ¾ inch No. 4 open graded aggregate 3 inches in depth.

- **Piping:** For private property, piping shall be cast iron, ABS SCH40, or PVC SCH40. Three-inch pipe is required for facilities draining up to 1,500 square feet of impervious area; otherwise, a 4-inch pipe minimum is required. Piping installation must follow current Uniform Plumbing Code. For streets, 6-inch or 8-inch ASTM 3034 SDR 35 PVC pipe and perforated pipe are required. Refer to the *City’s Sewer and Drainage Facilities Design Manual* for more information.
- **Growing medium:** For planters designed with the Simplified Approach or planters on private property, the imported soil shall be a sandy loam mixed with compost or a sand/soil/compost blend. It shall be roughly one-third compost by volume, free-draining, and support plant growth. The compost shall be derived from plant material; animal waste is not allowed. For streets, the blended topsoil is specified in **Appendix F.3**. In all cases, the blended topsoil shall be 18 inches deep.
- **Vegetation:** The entire facility area must be planted with vegetation. The facility area is equivalent to the total area of the planter, as developed in the sizing calculations. The entire surface area of a planter is inundated with water and therefore requires only Zone A plants. See **Appendix F.4** for suggested plant material appropriate for private property and the public right-of-way. See **Appendix G.3** for typical details and planting templates. Minimum container size is 1 gallon. Minimum quantities are shown on **Exhibit 2-20**.

**Exhibit 2-20: Planter Vegetation - ZONE A  
Private and Public Property**

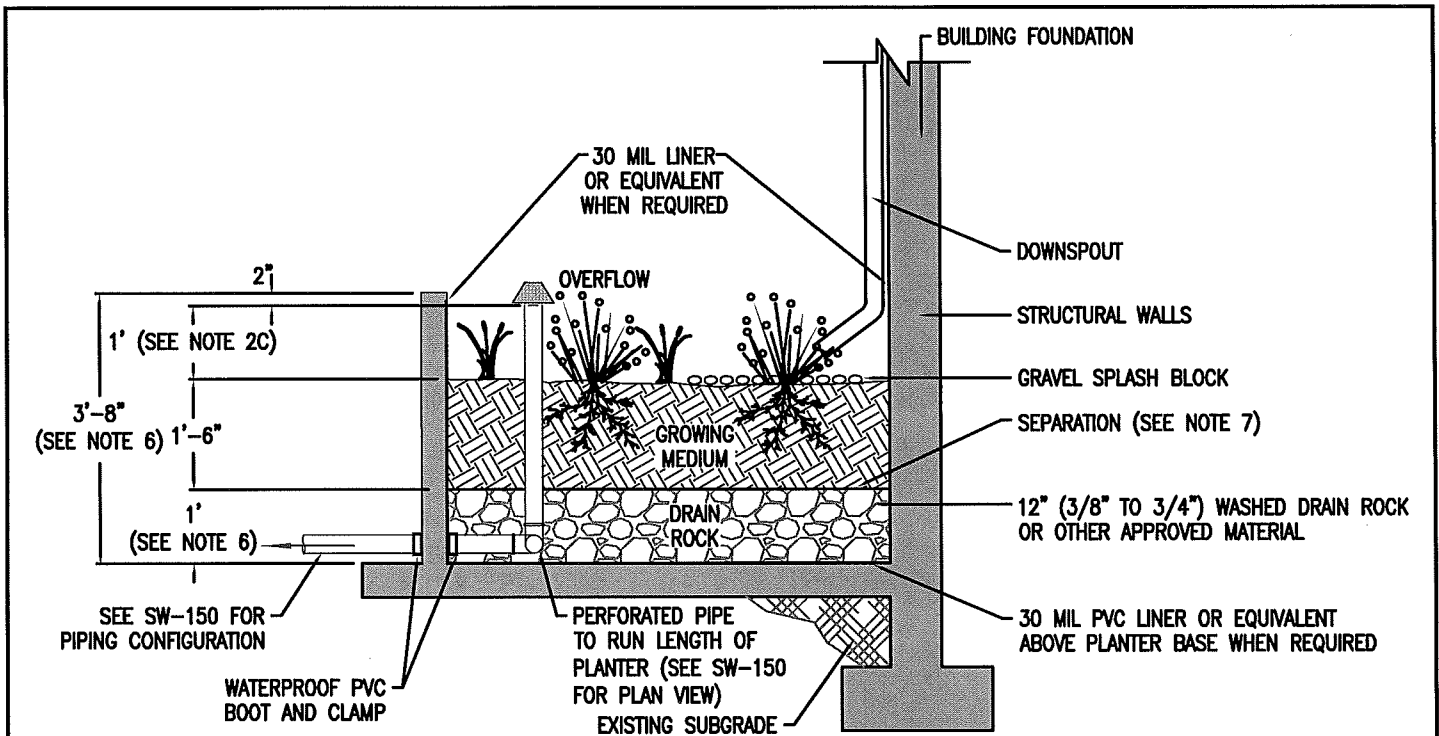
Number of plants	Vegetation type	Per square feet	Size	Spacing density (on center)
<b>115</b>	<b>Herbaceous plants</b>	100	1 gallon	1'
<b>OR</b>				
<b>100</b>	<b>Herbaceous plants</b>	100	1 gallon	1'
<b>4</b>	<b>Small shrubs</b>	100	1 gallon	2'

**Note:** Tree planting is not required in planters but is encouraged where practical. Tree planting is also encouraged near planters.

- **Mulch:** Washed pea gravel or river rock is recommended for planters. It should be applied 2 to 3 inches thick to cover all soil between plants. It should not be overapplied.

### **Construction Considerations**

Special attention should be paid to the structural waterproofing if the planter is constructed adjacent to building structures. Infiltration planter areas should be clearly marked before site work begins to avoid soil compaction and sedimentation to preserve infiltration capacity during construction. No vehicular or foot traffic, except that specifically used to construct the facility, should be allowed within 10 feet of infiltration planter areas.



- Provide protection from all vehicle traffic, equipment staging, and foot traffic in proposed infiltration areas prior to, during, and after construction.
- Dimensions:
  - Width of flow-through planter: 18" minimum.
  - Width of infiltration planter: 30" minimum.
  - Depth of planter (from top of growing medium to overflow elevation); Simplified: 12", Presumptive: 6" - 18".
  - Longitudinal slope of planter: 0.5% or less.
- Setbacks (from centerline of facility):
  - Infiltration planters must be 10' from foundations and 5' from property lines.
  - Flow-through planters must be less than 30" in height above surrounding area if within 5-feet of property line.
- Overflow:
  - Overflow required for Simplified Approach
  - Inlet elevation must allow for 2" of freeboard, minimum.
  - Protect from debris and sediment with strainer or grate.
- Piping: shall be ABS Sch.40, cast iron, or PVC Sch.40. 3" pipe required for up to 1,500 sq ft of impervious area, otherwise 4" min. Piping must have 1% grade and follow the Uniform Plumbing Code.
- Drain rock:
  - Size for infiltration planter: 1-1/2" - 3/4" washed
  - Size for lined, flow-through planter: 3/4" washed
  - Depth for Simplified: 12"
  - Depth for Presumptive: 0-48", see calcs.
- Separation between drain rock and growing medium: Use filter fabric (see SWMM Exhibit 2-4 Geotextile table) or a gravel lens (3/4 - 1/4 inch washed, crushed rock 2 to 3 inches deep).
- Growing medium:
  - 18" minimum
  - See Appendix F.3 for topsoil specification or use sand/loam/compost 3-way mix.
- Vegetation: Follow landscape plans otherwise refer to plant list in SWMM Appendix F. Minimum container size is 1 gallon. # of plantings per 100sf of facility area:
  - Zone A (wet):
    - 115 herbaceous plants OR;
    - 100 herbaceous plants and 4 small shrubs.
- Planter walls:
  - Material shall be stone, brick, concrete, wood or other durable material (no chemically treated wood).
  - Concrete, brick, or stone walls shall be included on foundation plans.
- Waterproof liner: Shall be 30 mil PVC or equivalent for flow-through facilities.
- Install washed pea gravel or river rock to transition from inlets and splash pad to growing medium.
- Inspections: Call BDS IVR Inspection Line, (503) 823-7000, for appropriate inspections.

- DRAWING NOT TO SCALE -

## STORMWATER MANAGEMENT TYPICAL DETAILS

- Simplified / Presumptive Design Approach -  
Planter



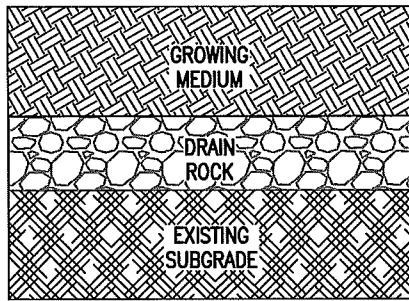
Bureau of Environmental Services



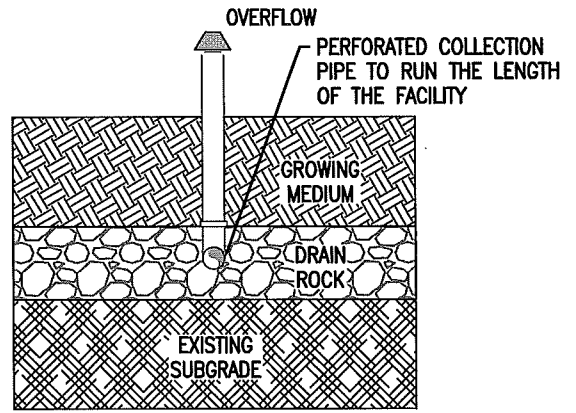
NUMBER

SW-130

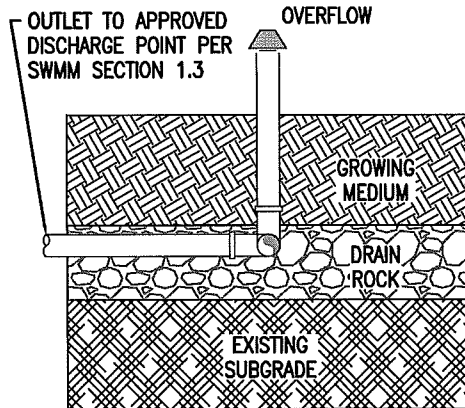




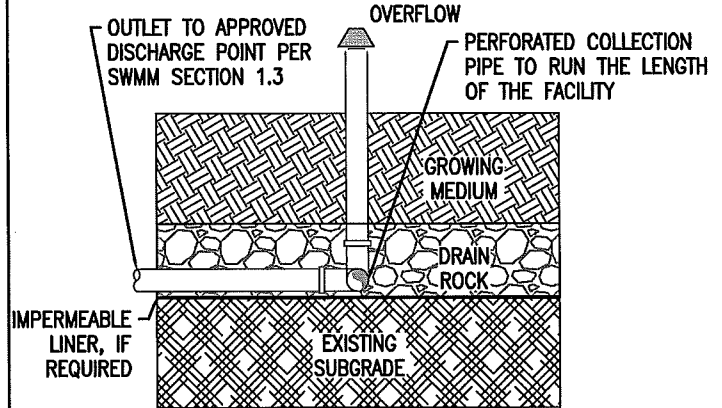
**INFILTRATION**  
STORMWATER HIERARCHY CATEGORY 1



**HYBRID**  
STORMWATER HIERARCHY CATEGORY 2  
OVERFLOW DIRECTED TO DRAIN  
ROCK. (SEE SW-151 AND SW-152  
FOR MORE INFORMATION)

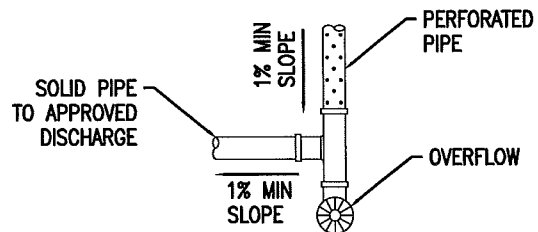


**PARTIAL INFILTRATION**  
STORMWATER HIERARCHY CATEGORY 3 or 4  
OVERFLOW AND UNDERDRAIN REQUIRED.  
SET UNDERDRAIN WITHIN DRAIN ROCK



**FLOW-THROUGH**  
STORMWATER HIERARCHY CATEGORY 3 or 4  
OVERFLOW AND UNDERDRAIN REQUIRED.  
SET UNDERDRAIN AT BASE OF DRAIN ROCK LINER.

**NOTE:**  
HYBRID FACILITIES MUST BE  
REGISTERED AS A UIC DESIGNED  
UNDER THE PRESUMPTIVE  
APPROACH.



**PLAN VIEW**  
PIPE W/ UNDERDRAIN & DISCHARGE POINT

- DRAWING NOT TO SCALE -

**STORMWATER MANAGEMENT TYPICAL DETAILS**

- Simplified / Presumptive Design Approach -  
**Facility Overflow Configurations**

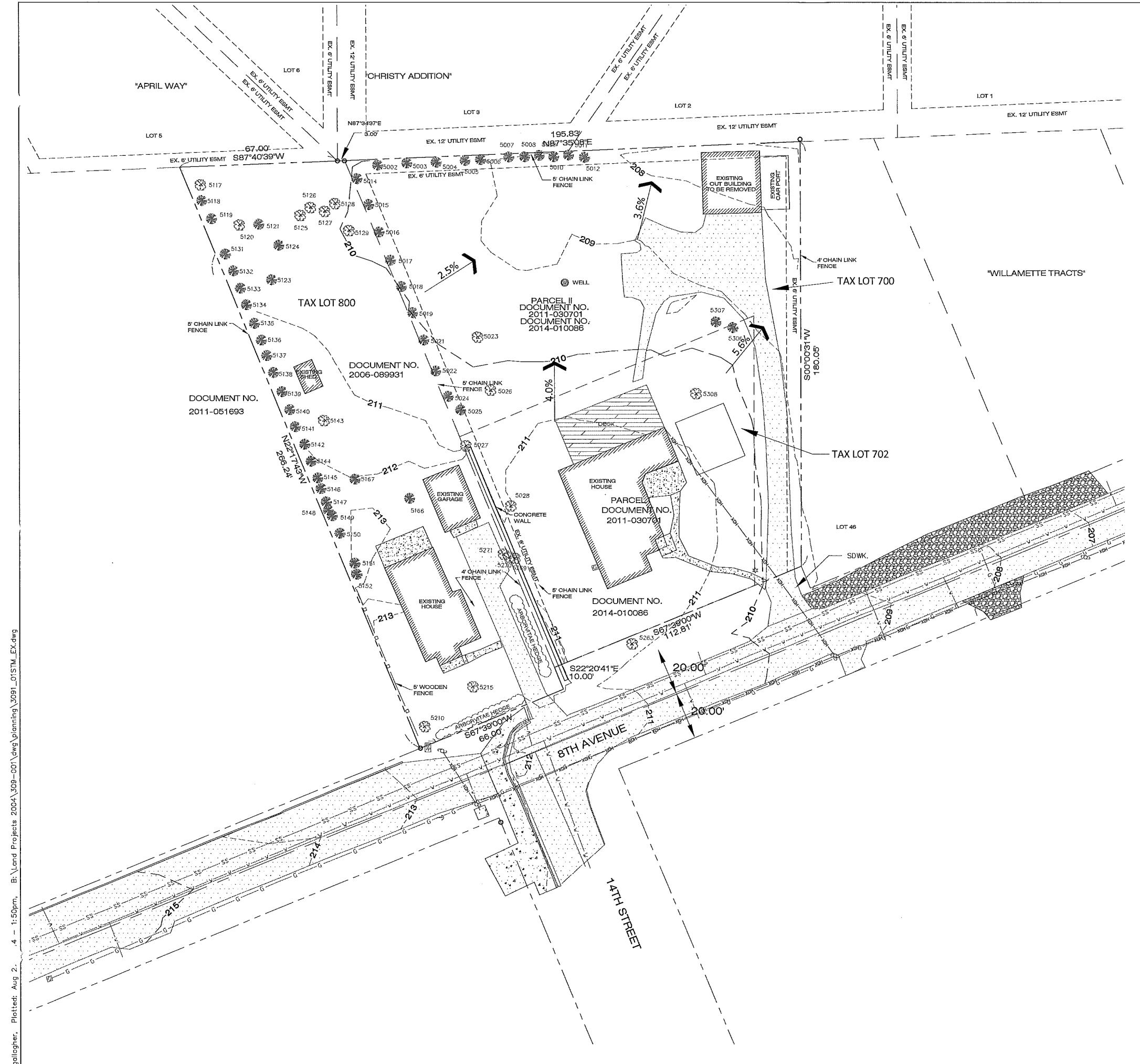


Bureau of Environmental Services



NUMBER

SW-150



LEGEND (EXISTING):

- STORM DRAINAGE LINE
- SANITARY SEWER LINE
- WATER LINE
- GAS LINE
- LOT LINE
- RIGHT-OF-WAY LINE
- RIGHT-OF-WAY CENTERLINE
- BOUNDARY LINE OF SUBJECT PARCEL
- WALL AS NOTED
- FENCE AS NOTED
- OVERHEAD POWER
- 1' CONTOUR LINE
- 5' CONTOUR LINE
- EXISTING GRAVEL
- EXISTING CONCRETE
- EXISTING ASPHALT PAVEMENT
- EXISTING BUILDING FOOTPRINT
- EXISTING FLOW DIRECTION
- CONIFEROUS TREE
- DECIDUOUS TREE
- VAULT AS NOTED
- WATER VALVE
- WATER METER
- UTILITY POLE
- AREA DRAIN/DITCH INLET/CATCH BASIN
- STORM MANHOLE
- SANITARY MANHOLE
- FIRE HYDRANT
- GAS RISER
- COMMUNICATION PEDESTAL

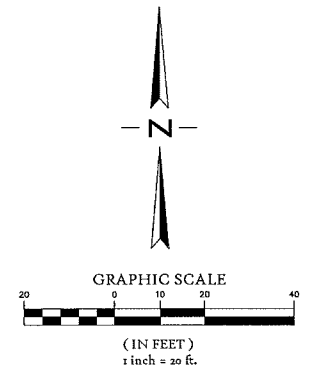
NUMBER	SPECIES	DBHI	NUMBER	SPECIES	DBHI
5001	FI	12" (DEAD)	5127	AL	13"
5002	FI	10"	5128	AL	10"
5003	FI	20"	5129	FI	9"
5004	FI	20"	5131	FI	18"
5005	FI	18"	5132	FI	15"
5006	FI	15"	5133	FI	15"
5007	FI	19"	5134	FI	20"
5008	FI	18"	5135	FI	10"
5009	FI	15"	5136	FI	17"
5010	FI	21"	5137	FI	14"
5011	FI	21"	5138	FI	15"
5012	FI	24"	5139	FI	15"
5014	FI	15"	5140	FI	12"
5015	FI	17"	5141	FI	14"
5016	FI	18"	5142	FI	16"
5017	FI	17"	5143	MA	13"
5018	FI	18"	5144	FI	16"
5019	FI	22"	5145	FI	17"
5021	FI	27"	5146	FI	6"
5022	FI	20"	5147	FI	6"
5023	AP	9"	5148	CE	10"
5024	FI	21"	5149	CE	6"
5025	FI	22"	5150	CE	6"
5026	AP	8"	5151	CE	6"
5027	DE	7"	5152	CE	8"
5028	DE	36"	5166	FI	20"
5117	DE	15"	5167	FI	24"
5118	FI	17"	5210	DE	24"
5119	FI	18"	5215	MA	10"
5120	AL	6"	5263	DE	15"
5121	FI	10"	5269	DE	6"
5122	FI	12"	5270	DE	9"
5123	FI	12"	5271	DE	8"
5124	FI	12"	5306	FI	23"
5125	AL	15"	5307	FI	31"
5126	AL	14"	5308	AP	8"

KEY	DECIDUOUS
DE	DECIDUOUS
FI	FIR
MA	MAPLE
AL	ALDER
AP	APPLE
CE	CEDAR

**SFA Design Group, LLC**  
 STRUCTURAL | CIVIL | PLANNING | SURVEYING  
 9020 SW Washington Square Dr, Suite 905  
 Portland, Oregon 97223  
 Ph: (503) 643-8311 Fax: (503) 643-7955  
 http://www.sfadg.com

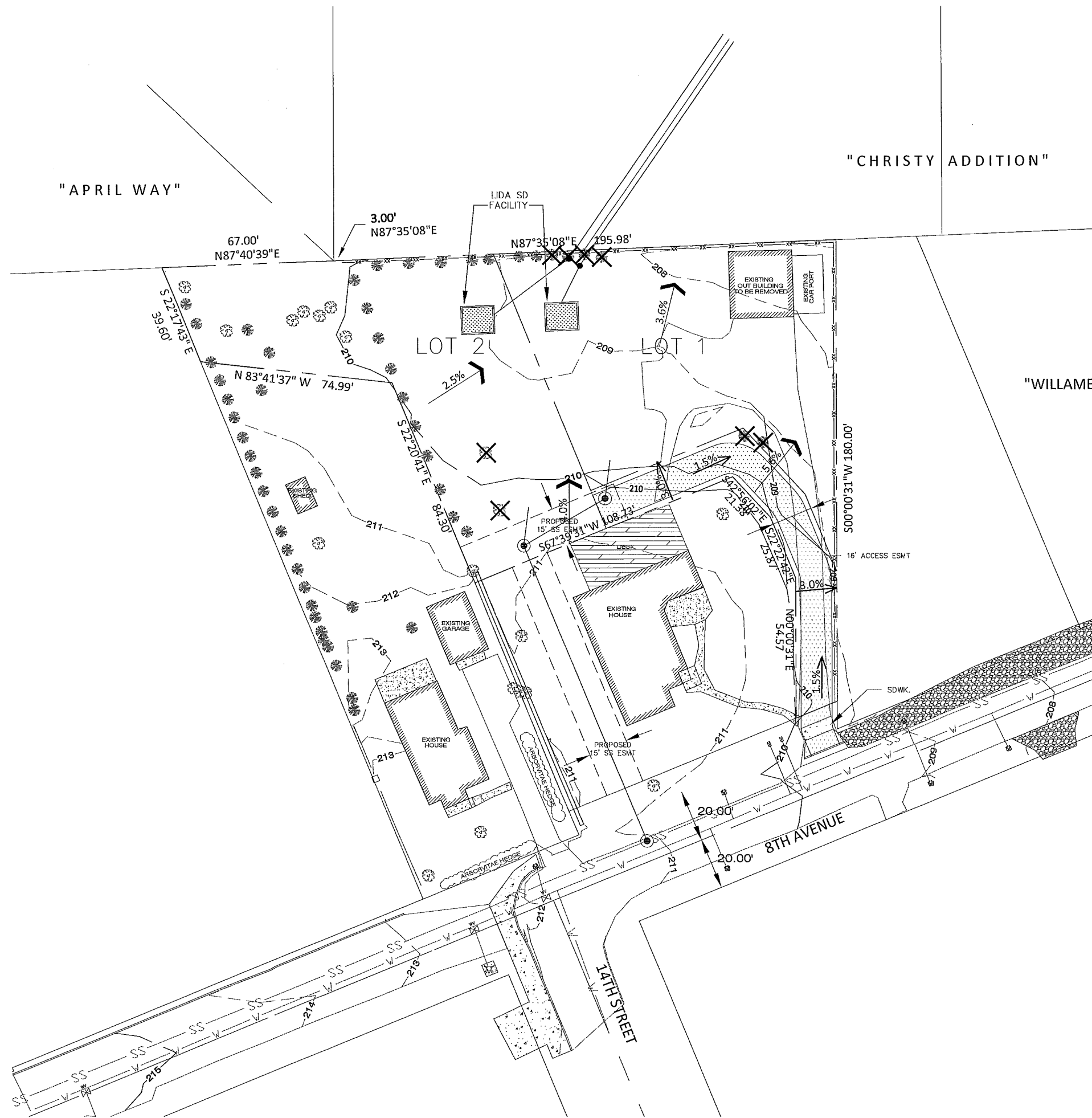
**EXISTING CONDITIONS**  
 8TH AVE PLAY PARTITION  
 CITY OF WEST LINN, OREGON

DESIGNED BY	M.S.	DATE	08/2014
DRAWN BY	T.C.C.	DATE	08/2014
REVIEWED BY	M.S.	DATE	08/2014
PROJECT NO.	309-001	REF.	
SCALE	1"=20'		
SHEET	1	OF	2
PROJECT	8TH AVE		
NO.	309-001		
TYPE	PLANNING		



3091\_DISTM\_EX.dwg  
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 Plotfile: Aug 2, 2014

scallopjr, Plotted: Aug 2, 2004 11:22am, B:\Land Projects 2004\309-001\dwg\planning\3091\_02STM\_GRD.dwg



**LEGEND (EXISTING):**

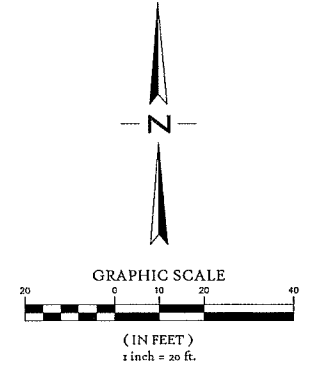
- SD - STORM DRAINAGE LINE
- SS - SANITARY SEWER LINE
- W - WATER LINE
- LOT LINE
- RIGHT-OF-WAY LINE
- RIGHT-OF-WAY CENTERLINE
- BOUNDARY LINE OF SUBJECT PARCEL
- WALL AS NOTED
- 1' CONTOUR LINE
- 5' CONTOUR LINE
- CONIFEROUS TREE
- DECIDUOUS TREE
- VAULT AS NOTED
- WATER VALVE
- WATER METER
- UTILITY POLE
- AREA DRAIN/DITCH INLET/CATCH BASIN
- STORM MANHOLE
- SANITARY MANHOLE
- FIRE HYDRANT
- GAS RISER
- COMMUNICATION PEDESTAL
- EXISTING GRAVEL
- EXISTING CONCRETE
- EXISTING ASPHALT PAVEMENT
- EXISTING BUILDING FOOTPRINT
- EXISTING FLOW DIRECTION

**LEGEND (PROPOSED):**

- WATER METER
- STORM CLEANOUT
- SANITARY MANHOLE
- STORM DRAINAGE LINE
- SANITARY SEWER LINE
- WATER LATERAL LINE
- EASEMENT LINE
- 1' CONTOUR LINE
- 5' CONTOUR LINE
- EG FENCE
- DRIVEWAY LINE
- PROPOSED CONCRETE
- PROPOSED ASPHALT PAVEMENT
- PROPOSED FLOW DIRECTION
- TREE TO BE REMOVED
- LIDA SD FACILITY

**CUT / FILL TOTALS**

PROPOSED CUT = 16 CY  
 PROPOSED FILL = 1 CY  
 CUT / FILL TOTAL = 15 CY CUT  
 DISTURBANCE AREA = 0.12 AC



**SFA Design Group, LLC**  
 STRUCTURAL | CIVIL | PLANNING | SURVEYING  
 9020 SW Washington Square Dr, Suite 905  
 Portland, Oregon 97225  
 Ph: (503) 641-6311 Fax: (503) 947-995  
<http://www.sfadg.com>

**PROPOSED GRADING AND  
 STORMWATER FACILITY PLAN  
 8TH AVE PLA/ PARTITION  
 CITY OF WEST LINN, OREGON**

NO.	DATE	REVISION	BY

DESIGNED BY: MLS DATE: 08/20/04  
 DRAWN BY: TCG DATE: 08/20/04  
 REVIEWED BY: MLS DATE: 08/20/04  
 PROJECT NO.: 309-001 REF.:  
 SCALE: 1"=20'

## Ben Altman

---

**From:** Michael Selvaggio <mike@sevage.com>  
**Sent:** Thursday, August 14, 2014 8:49 AM  
**To:** Ben Altman  
**Subject:** Re: West Linn Willamette Neighborhood Association - Development Review Meeting

To my recollection, this is a true and accurate account of the meeting. It was pretty straightforward and as far as I am aware you answered all questions to everyone's satisfaction. I will let you know if I hear any further comments/questions/concerns/etc after the fact.

Thanks!

-Mike S.

---

**From:** Ben Altman <baltman@sfadg.com>  
**To:** Michael Selvaggio <mike@sevage.com>  
**Sent:** Thursday, August 14, 2014 7:17 AM  
**Subject:** RE: West Linn Willamette Neighborhood Association - Development Review Meeting

Michael, please see attached notes and sign-up sheet.

**Ben Altman**  
Senior Planner/Project Manager

**SFA DESIGN GROUP, LLC**  
STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING  
9020 SW Washington Square Dr., Suite 505 Portland, OR 97223  
P (503) 641-8311  
F (503) 643-7905  
E [baltman@sfadg.com](mailto:baltman@sfadg.com)  
[www.sfadesigngroup.com](http://www.sfadesigngroup.com)

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This e-mail may contain proprietary, confidential, and/or privileged information. If you are not the intended recipient (or have received this e-mail in error), please notify the sender immediately by email or telephone (503-641-8311) and delete this message along with any attachments without copying or disclosing the contents. Any unauthorized copying, disclosure or distribution of the material in this e-mail is strictly forbidden. SFA Design Group, LLC (SFA) shall not be liable for any changes made to the electronic data transferred. Distribution of electronic data to others is prohibited without the express written consent of SFA.

---

**From:** Michael Selvaggio [mailto:mike@sevage.com]  
**Sent:** Wednesday, July 30, 2014 2:53 PM  
**To:** Ben Altman  
**Subject:** Re: West Linn Willamette Neighborhood Association - Development Review Meeting

Ben --

I just picked this up from the Post Office this very morning.

I'm about to send a draft agenda around to the Board with you on it for August 13; is that correct?

-Mike S.

---

**From:** Ben Altman <baltman@sfadg.com>  
**To:** Michael Selvaggio <mike@sevage.com>

**Neighborhood Meeting Notes  
8<sup>th</sup> Avenue PLA/Partition  
Willamette Neighborhood Association Regular Meeting  
Pacific West Bank, Community Room  
2040 Eight Avenue, West Linn, Oregon  
August 13, 2014  
7:00 PM**

After opening the meeting, Michael Selvaggio, Chair introduced Ben Altman for a presentation about the proposed development.

Ben introduced himself, noting he was with SFA Design Group, representing the applicant for this development. He summarized the City's review process, noting that, once the application is submitted and declared "complete", the City will mail a notice to the same people who received notice of this neighborhood meeting. That will provide an opportunity to provide formal comments regarding the development. The meeting tonight is just an informal opportunity for you to understand what is being proposed.

Referring to an aerial photo, Ben provided an orientation of the project, noting that it was just west down 8<sup>th</sup> Avenue from the Bank, at 14<sup>th</sup> Street. Then referring to the PLA drawing he showed how the property lines between tax lots 700 & 800 are proposed to be adjusted, transferring 3,000 square feet from 800 to 700.

Then referring to the Preliminary Partition Plat, he described the proposed 2-Lot Partition. He discussed utilities and how they would be extended to the two new lots. He then opened it up for questions:

1. Will there be access for fire trucks?

**Response:** These lots are in a flag configuration, with a 17 foot wide access pole. The common driveway will be paved to 16 feet, which will provide sufficient access for emergency vehicles, and is consistent with the City's code standards.

2. What size are the Lots?

**Response:** I forgot to mention the property is zoned R-10. Lot 1 will be 10,145 sf and Lot 2 10,016 sf.

3. What is the purpose of the partition?

**Response:** The purpose is to provide buildable lots for two new homes.

With no further questions, Ben thanked everyone for attending, and reminded them that the City will be providing a public notice once their formal review is initiated.

# NEIGHBORHOOD MEETING ATTENDANCE ROSTER

PROJECT: 8<sup>TH</sup> AVENUE PARTITION

MEETING DATE: 8-13-14

PLEASE PRINT LEGIBLY!

NAME	MAILING ADDRESS	CITY, STATE	ZIP CODE	PHONE #
Gimbleth Rocchia	957 Willamette Falls Dr.	WL OR		
Andy Rocchia	" "	" "	97068	
Gallie Halicki	2307 Falcon Dr.	WL	" "	
Chris Kost	22500 Colma Rd.			2
Eric Miller	2133 Johnny Cr.	WL OR	97068	
Jody Carson	1296 12 <sup>th</sup> St	WL DR	97068	
MIKE JONES		WL	97068	
Kristine Webb	1344 14 <sup>th</sup> St	WL	97068	
Lonny Webb	1344 14 <sup>th</sup> St	WL	97068	
MIKE SELVALCIO	1790 5 <sup>th</sup>	WL OR		

## **Neighborhood Meeting**

*POSTED AT MEETING SITE*

**Proposal: Property Line Adjustment and 2-Lot Partition, 1722 Eighth Street**

**Date/Time: August 13, 2014**

**7:00 PM**

**Location: Pacific West Bank**

**2040 Eighth Avenue, West  
Linn**

**Applicant: Gretchen & Sean Keys**

**Represented by: SFA Design Group**

**Note: This meeting is open to the public, and any interested persons may attend.**

NEIGHBORHOOD MEETING  
AFFIDAVIT OF MAILING

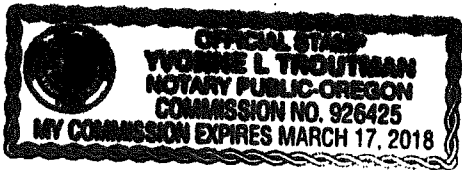
STATE OF OREGON            )  
  )  
City of West Linn            )            ss

I, BEN ALTMAN, being duly sworn, depose and say that the 23rd  
day of JULY, 2014 I caused to have mailed to each of the persons on the attached list  
a notice of a meeting to discuss a proposed development at 1698 & 1722 8<sup>TH</sup> AVENUE,  
WEST LINN, a copy of which notice so mailed is attached hereto and made a part hereof.

I further state that said notices were enclosed in envelopes plainly addressed to said persons and were  
deposited on the date indicated above in the United States Post Office with postage prepaid thereon.

Ben Altman  
Signature

Subscribe and sworn to, or affirmed, before me this 23 day of July, 2014.



Yvonne L. Troutman  
Notary Public for the State of Oregon  
County of Washington  
My Commission expires: March 17, 2018



NEIGHBORHOOD MEETING AFFIDAVIT OF POSTING NOTICE  
City of West Linn, Oregon

Name of Applicant GRETCHEN KEYS and NICOLE SAKYS  
Subject Property: Tax Lot(s) 700+800 Tax Map(s) 31E 2BB  
Address or General Location: 1698+1722 8th AVENUE, WEST LINN

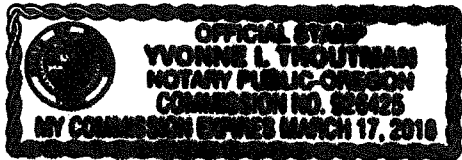
I, BEN ALTMAN, do swear or affirm that I am (represent) the party  
initiating interest in a proposed 2-LOT PARTITION  
affecting the land located at 1698+1722 8th AVENUE  
and that pursuant to CDC Section 99.038, did on the 23rd day of JULY, 20 14  
personally post the notice indicating that the site may be proposed for a 2-LOT PARTITION  
application.

The sign was posted at 1698+1722 8th AVENUE, see ATTACHED PHOTO  
(state location of sign on property)

This 23rd day of JULY, 20 14.

Ben Altman  
Signature

Subscribed and sworn to, or affirmed, before me this 23 day of July, 20 14.



Yvonne L. Troutman  
Notary Public for the State of Oregon  
County of Washington

My Commission expires: March 17, 2018

# MEETING NOTICE

PROPOSAL: 2-LOT PARTITION

AT 1722 8<sup>TH</sup> AVENUE

MEETING DATE: AUG 13 2014 TIME: 7:00 PM

ADDRESS: PACIFIC WEST BANK  
2040 EIGHTH STREET

PROJECT CONTACT: BEN ALTMAN

PHONE NUMBER: 503-641-8311

07.22.2014 12:56

July 21, 2014

**RE: PROPOSED LOT LINE ADJUSTMENT and 2-LOT LAND PARTITION  
TAX MAP 31E2BB TAX LOTS 700 & 800. 1698 and 1722 8<sup>th</sup> AVENUE, WEST  
LINN, SITE AREA .78 AC**

Dear Property Owner or Interested Resident:

SFA Design Group, LLC will make a presentation of the development described above at the regularly scheduled Willamette Neighborhood Association meeting, as set forth below.

SFA Design Group, LLC represents the Developer of the property described above. We are proposing a Lot Line Adjustment between Tax Lots 700 & 800, and a 2-Lot Partition of the newly configured Tax Lot 700. This property is currently zoned R-10.

Prior to applying to the City of West Linn for the necessary approvals, we are required to contact the Neighborhood Association and coordinate a meeting. The purpose of the meeting is to review the proposal, and to identify issues so that such issues may be considered before the formal application is turned in to the City. The meeting is scheduled as described below:

**August 13<sup>th</sup>, 2014  
Pacific West Bank meeting Room  
2040 Eighth Avenue  
West Linn, OR 97068  
@ 7:00 P.M.**

Pursuant to the City of West Linn Development Code, we are required to notify all property owners within 500 feet of the proposal, and all of the officers of the Willamette Neighborhood Association, not less than 20 days before the date of the meeting.

Thank you for your interest regarding this development. If you have any questions, I may be reached at 503-641-8311.

Sincerely,

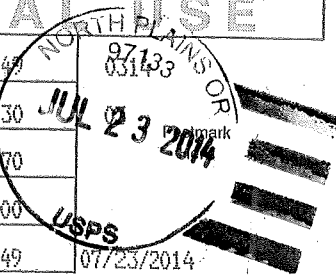


Ben Altman  
Project Planner

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

WEST LINN OR 97068	
Postage	\$ 0.49
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$ 6.49</b>



JSPS Mobile

Ship a Package

Send Mail

Manage Your Mail

Sent To: *Michael Selvaggio 309-001*  
 Street, Apt. No., or PO Box No.: *Willamette N/A, Assoc*  
 City, State, ZIP+4: *1790 SW 5th Ave West Linn, OR 97068*

PS Form 3800, August 2006 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Michael Selvaggio  
 Willamette Neighborhood Assn.  
 1790 Fifth Avenue  
 West Linn, OR 97068

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: *[Signature]*  Agent  Addressee  
 B. Received by (Printed Name): *MICHAEL SELVAGGIO*  
 C. Date of Delivery: *[Stamp]*  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
 (Transfer from service label)

7010 1670 0002 3219 9172

102595-02-M-1540

We were unable to deliver this item on July 24, 2014 in WEST LINN, OR 97068 and a notice was sent to an authorized recipient was not available. You may arrange redelivery by visiting <http://www.usps.com/redelivery> or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice. If this item is unclaimed after 15 days then it will be returned to the sender. Information, if available, is updated periodically throughout the day. Please check again later.

July 24, 2014 , 5:57 am	Departed USPS Facility	PORTLAND, OR 97220
July 24, 2014 , 12:47 am	Arrived at USPS Facility	PORTLAND, OR 97220
July 23, 2014 , 9:47 pm	Arrived at USPS Facility	PORTLAND, OR 97208
July 23, 2014 , 5:20 pm	Departed Post Office	NORTH PLAINS, OR 97133
July 23, 2014 , 4:25 pm	Acceptance	NORTH PLAINS, OR 97133

July 21, 2014

Michael Selvaggio  
Willamette Neighborhood Association  
1790 Fifth Avenue  
West Linn, OR 97068

RE: PROPOSED LOT LINE ADJUSTMENT and 2-LOT LAND PARTITION  
TAX MAP 31E2BB TAX LOTS 700 & 800, 1698 and 1722 8<sup>th</sup> Avenue, West Linn.  
SITE AREA .78 AC

Dear Mr. Selvaggio:

Thank you for getting back in touch with Ben Altman of our office. Per your email conversation we will make a presentation of the development described above at your regularly scheduled Willamette Neighborhood Association meeting, as set forth below.

SFA Design Group, LLC represents the Developer of the property described above. We are proposing a Lot Line Adjustment between Tax Lots 700 & 800, and a 2-Lot Partition of the newly configured Tax Lot 700. This property is currently zoned R-10. Prior to applying to the City of West Linn for the necessary approvals, we are required to contact the Neighborhood Association and either be an agenda item at their regular monthly meeting or set up a separate meeting. The purpose of the meeting is to review the proposal, and to identify issues so that such issues may be considered before the formal application is turned in to the City. The meeting is scheduled as described below:

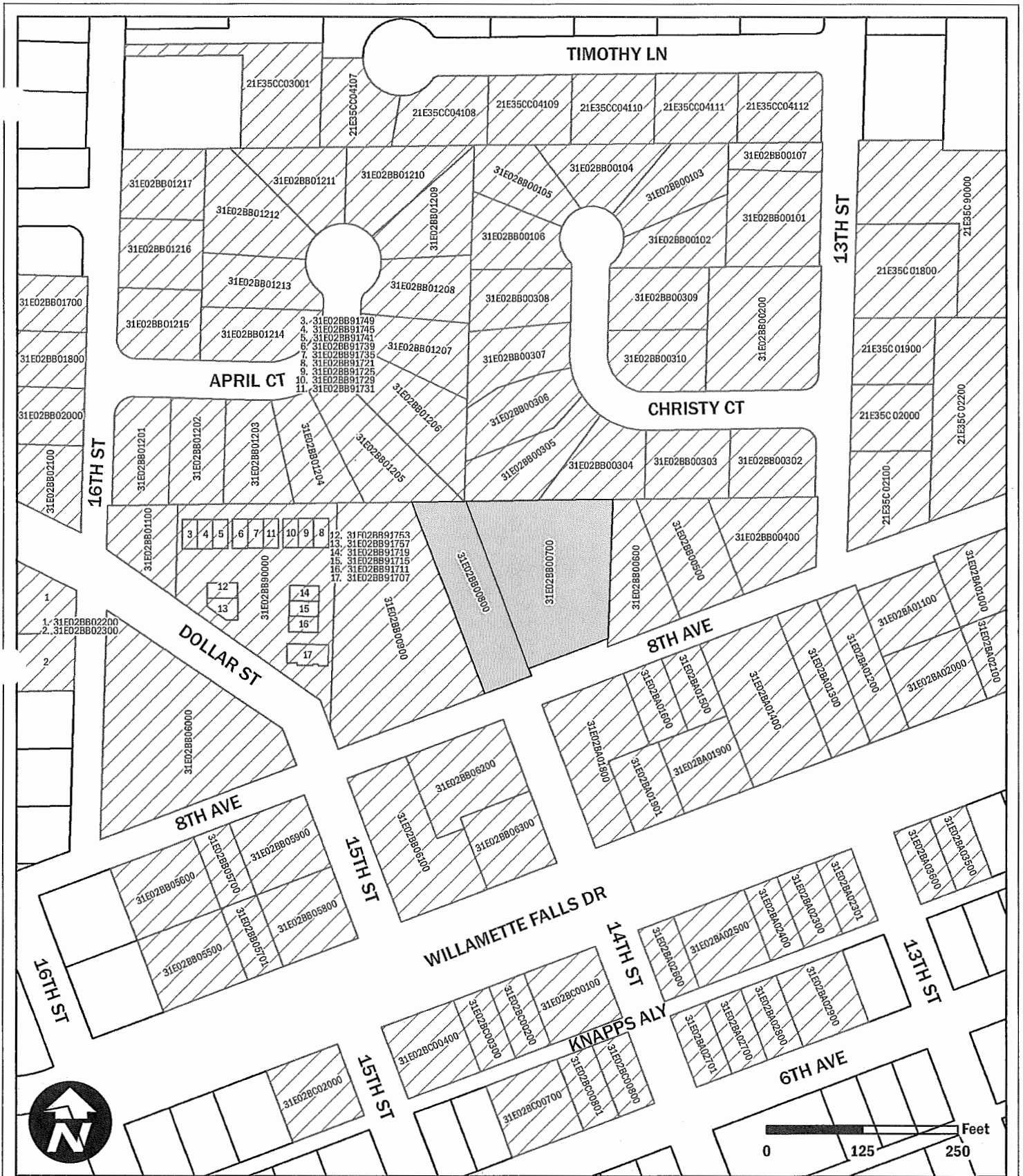
**August 13<sup>th</sup>, 2014**  
**Pacific West Bank meeting Room**  
**2040 Eighth Avenue**  
**West Linn, OR 97068**  
**@ 7:00 P.M.**

The City has informed us that you are the President of the Willamette Neighborhood Association. Pursuant to the City of West Linn Development Code, we are required to notify all property owners within 500 feet of the proposal, all of the officers of the Willamette Neighborhood Association, and you, as President, not less than 20 days before the date of the meeting.



Thank you for your co-operation regarding this matter. If you have any questions, I may be reached at 503-641-8311.

Sincerely,

Ben Altman  
Project Planner



**Public Notification Search**

-  Subject
- Radius = 500'
-  Notification Parcels

Prepared by: Fidelity National Title  
 Data: CoreLogic, Metro RLIS  
 Date: 7/17/2014  
 This information is reliable, but not guaranteed. It is not a survey.



21E35C 01800  
Roger & Judith Christiansen  
1891 13th St  
West Linn, OR 97068

21E35C 01900  
City Of West Linn  
22500 Salamo Rd #100  
West Linn, OR 97068

21E35C 02000  
City Of West Linn  
22500 Salamo Rd #100  
West Linn, OR 97068

21E35C 02100  
City Of West Linn  
22500 Salamo Rd #100  
West Linn, OR 97068

21E35C 02200  
City Of West Linn  
22500 Salamo Rd #100  
West Linn, OR 97068

21E35CC03001  
Raymond Benski  
1925 16th St  
West Linn, OR 97068

21E35CC04107  
William Barker  
1675 Timothy Ln  
West Linn, OR 97068

21E35CC04108  
Jean Marie Esser  
1679 Timothy Ln  
West Linn, OR 97068

21E35CC04109  
Diane Nelson  
1711 Timothy Ln  
West Linn, OR 97068

21E35CC04110  
Grace Kotzamichalis  
1721 Timothy Ln  
West Linn, OR 97068

21E35CC04111  
Denise Fletter  
1731 Timothy Ln  
West Linn, OR 97068

21E35CC04112  
Eugene Jr Schaffer  
1741 Timothy Ln  
West Linn, OR 97068

31E02BA01000  
Javad Farza  
7110 SW Clinton St  
Tigard, OR 97223

31E02BA01100  
Tualatin Valley Fire & Rescue  
11945 SW 70th Ave  
Tigard, OR 97223

31E02BA01200  
Pazmol Willamette Properties LLC  
1832 Willamette Falls Dr  
West Linn, OR 97068

31E02BA01300  
Glena Kay Butler  
11835 SW Ebberts Ct  
Beaverton, OR 97008

31E02BA01400  
Stephen Adams  
4111 N Locust St  
Canby, OR 97013

31E02BA01500  
Julia Hart  
1755 8th Ave  
West Linn, OR 97068

31E02BA01600  
Sheena Rolston  
1741 8th Ave  
West Linn, OR 97068

31E02BA01800  
Chay LLC  
1980 Willamette Falls Dr #120  
West Linn, OR 97068

31E02BA01900  
Dnj Properties LLC  
2285 Crestview Dr  
West Linn, OR 97068

31E02BA02000  
Tualatin Valley Fire & Rescue  
11945 SW 70th Ave  
Tigard, OR 97223

31E02BA02100  
Willamette Falls Holdings LLC  
1980 Willamette Falls Dr #200  
West Linn, OR 97068

31E02BA02300  
Dean & Jean Werst  
1785 Willamette Falls Dr #6  
West Linn, OR 97068

31E02BA02400  
Hiemstra Properties Inc  
17420 SW Parrett Mountain Rd  
Sherwood, OR 97140

31E02BA02500  
Willamette Capital Investments LLC  
24979 SW Quarryview Dr  
Wilsonville, OR 97070

31E02BA02600  
Willamette Capital Investments LLC  
24979 SW Quarryview Dr  
Wilsonville, OR 97070

31E02BA02700  
James & Barbara Mixer  
1728 6th Ave  
West Linn, OR 97068

31E02BA02701  
Denise Hoffner  
1706 6th Ave  
West Linn, OR 97068

31E02BA02800  
Diane Bobillot  
1740 6th Ave  
West Linn, OR 97068

31E02BA02900  
James Jonathan Rozes  
1780 6th Ave  
West Linn, OR 97068

31E02BA03500  
Sloan William Todd & Farzaneh  
1022 SW Stephenson Ct  
Portland, OR 97219

31E02BA03600  
Handris Holdings LLC  
1980 Willamette Falls Dr #200  
West Linn, OR 97068

31E02BB00200  
Judy Halsted  
1840 13th St  
West Linn, OR 97068

31E02BB00302  
Walter Reuben Cropper  
1816 13th St  
West Linn, OR 97068

31E02BB00303  
Cheryl Cropper  
1816 13th St  
West Linn, OR 97068

31E02BB00304  
Molly Johnston  
1769 Christy Ct  
West Linn, OR 97068

31E02BB00305  
Heidi Armovitz  
1765 Christy Ct  
West Linn, OR 97068

31E02BB00306  
Ronald & Tiffany Williams  
1763 Christy Ct  
West Linn, OR 97068

31E02BB00307  
George Riek  
3950 Goodpasture Loop #X251  
Eugene, OR 97401

31E02BB00308  
Darci Lavitz  
1759 Christy Ct  
West Linn, OR 97068

31E02BB00309  
Walter & Debra Southards  
1778 Christy Ct  
West Linn, OR 97068

31E02BB00310  
Richard & Angela Clark  
1774 Christy Ct  
West Linn, OR 97068

31E02BB00400  
Jerry & Leanna Sparks  
1796 8th Ave  
West Linn, OR 97068

31E02BB00500  
David & Carla Vail  
1771 8th Ave  
West Linn, OR 97068

31E02BB00600  
Harold & Linda Clayton  
15244 Forsythe Rd  
Oregon City, OR 97045

31E02BB00700  
Sean & Gretchen Keys  
1122 Short St  
West Linn, OR 97068

31E02BB00800  
Nicole Sakys  
1697 19th St  
West Linn, OR 97068

31E02BB00900  
1810 Catalina LLC  
444 Aulii Dr  
Makawao, HI 96768

31E02BB01100  
Jun Xiao  
1773 Dollar St  
West Linn, OR 97068

31E02BB01201  
Gary McVicker  
1819 16th St  
West Linn, OR 97068

31E02BB01202  
Douglas Olie Nelson  
1613 April Ct  
West Linn, OR 97068

31E02BB01203  
John Myhra  
1625 April Ct  
West Linn, OR 97068

31E02BB01204  
Jack Jr & Karen Mitchell  
3514 SE Risley Ave  
Milwaukie, OR 97267

31E02BB01205  
Kristopher Norton  
1649 April Ct  
West Linn, OR 97068

31E02BB01206  
Kevin & Sandra Krueger  
1651 April Ct  
West Linn, OR 97068

31E02BB01207  
Kevin & Sandra Krueger  
1663 April Ct  
West Linn, OR 97068

31E02BB01208  
Connie Kriesel  
1675 April Ct  
West Linn, OR 97068

31E02BB01209  
Jonathan & Michelle Glynn  
1687 April Ct  
West Linn, OR 97068

31E02BB01210  
Timothy & Suzanne Borho  
1699 April Ct  
West Linn, OR 97068



31E02BB01211  
Brett Delia  
1684 April Ct  
West Linn, OR 97068

31E02BB01212  
Christina Blackmar  
1660 April Ct  
West Linn, OR 97068

31E02BB01213  
Sandro Lu  
1658 April Ct  
West Linn, OR 97068

31E02BB01214  
Roger & Kathy Stewart  
1622 April Ct  
West Linn, OR 97068

31E02BB01215  
Garry & Beverley Harvey  
1604 April Ct  
West Linn, OR 97068

31E02BB01216  
Robert & Billie Hansen  
1849 16th St  
West Linn, OR 97068

31E02BB01217  
Gary & Kristen Markwardt  
1863 16th St  
West Linn, OR 97068

31E02BB01700  
Nicholas & Ebba Watkins  
1840 16th St  
West Linn, OR 97068

31E02BB01800  
Linda Dunlap  
1830 16th St  
West Linn, OR 97068

31E02BB02000  
Kim Bria  
1820 16th St  
West Linn, OR 97068

31E02BB02100  
Julie Laan  
1818 16th St  
West Linn, OR 97068

31E02BB02200  
Daniel Edmonds  
1768 16th St  
West Linn, OR 97068

31E02BB02300  
Mark & Mia Pizzuti  
6950 SW Hampton St  
Portland, OR 97223

31E02BB05500  
1556 Willamette Falls Drive LLC  
10855 SW Butner Rd  
Portland, OR 97225

31E02BB05600  
Teresa Olson  
2045 Hillcrest Dr  
West Linn, OR 97068

31E02BB05700  
Eng Lone Pine LLC  
3490 Riverknoll Way  
West Linn, OR 97068

31E02BB05800  
Eas LLC  
19363 Willamette Dr  
West Linn, OR 97068

31E02BB05900  
Charley Skee  
1684 Dollar St  
West Linn, OR 97068

31E02BB06000  
Gerald Hayden  
71 S La Senda Dr  
Laguna Beach, CA 92651

31E02BB06100  
Kuo Chiang Chang  
4343 Roosevelt Way NE #301  
Seattle, WA 98105

31E02BB06200  
1600 14th Street LLC  
1600 14th St  
West Linn, OR 97068

31E02BB06300  
West Linn Equities LLC  
1300 Woodland Grove Ct  
Westlake Vlg, CA 91362

31E02BC00100  
Willamette United Meth Ch  
1683 Willamette Falls Dr  
West Linn, OR 97068

31E02BC00200  
Runkel Properties LLC  
5151 Firwood Ct  
West Linn, OR 97068

31E02BC00300  
Marjorie Gress  
1645 Willamette Falls Dr  
West Linn, OR 97068

31E02BC00400  
Lonny & Kristine Webb  
1294 14th St  
West Linn, OR 97068

31E02BC00700  
Darrell & Vicki Greenwood  
24323 SW Mountain Rd  
West Linn, OR 97068

31E02BC00800  
Kelly & Stephanie Butler  
1508 14th St  
West Linn, OR 97068

31E02BC02000  
Denise Vontagen  
1102 SW Schaeffer Rd  
West Linn, OR 97068

31E02BC00801  
James & Pauline Beatty  
1690 6th Ave  
West Linn, OR 97068

31E02BB05701  
Fateme Modarresi  
1566 Willamette Falls Dr  
West Linn, OR 97068

31E02BA02301  
Willamette Capital Investments LLC  
24979 SW Quarryview Dr  
Wilsonville, OR 97070

31E02BB00101  
John Grothe  
14120 SW Barrows Rd #4  
Tigard, OR 97223

31E02BB00102  
Ryan Fitzpatrick  
1766 Christy Ct  
West Linn, OR 97068

31E02BB00103  
Adrienne Kristen Leavenworth  
1742 Christy Ct  
West Linn, OR 97068

31E02BB00104  
James Tarnng Tsai  
1037 Madsen Ct  
Pleasanton, CA 94566

31E02BB00105  
Toby Hays  
1723 Christy Ct  
West Linn, OR 97068

31E02BB00106  
Willow Kennedy  
1747 Christy Ct  
West Linn, OR 97068

31E02BB00107  
City Of West Linn  
22500 Salamo Rd #600  
West Linn, OR 97068

31E02BB90000  
Willamette Old Town Properties LLC  
21633 Johnson Rd  
West Linn, OR 97068

31E02BB91707  
Debra Hansen  
1707 Dollar St  
West Linn, OR 97068

31E02BB91711  
Willamette Old Town Properties LLC  
21633 Johnson Rd  
West Linn, OR 97068

31E02BB91715  
Calista Real Estate LLC  
301 Calista Ct #A  
Anchorage, AK 99518

31E02BB91719  
Theodore Wheelock  
1719 Dollar St  
West Linn, OR 97068

31E02BB91721  
Elizabeth Anne Smyth  
Po Box 53  
Wilsonville, OR 97070

31E02BB91725  
Willamette Old Town Properties LLC  
21633 Johnson Rd  
West Linn, OR 97068

31E02BB91729  
Jeffrey Deeder  
1729 Dollar St  
West Linn, OR 97068

31E02BB91731  
Hunter & Alexandra Rains  
1731 Dollar St #1731  
West Linn, OR 97068

31E02BB91735  
Scott Coffey  
1735 Dollar St  
West Linn, OR 97068

31E02BB91739  
Suzanne Leblanc  
1739 Dollar St  
West Linn, OR 97068

31E02BB91741  
Sherri Agee  
Po Box 391  
West Linn, OR 97068

31E02BB91745  
Willamette Old Town Properties LLC  
21633 Johnson Rd  
West Linn, OR 97068

31E02BB91749  
Leslie Elizabeth Taylor  
1631 Woodland Ter  
Lake Oswego, OR 97034

31E02BB91753  
Roxanne Waterman  
1753 Dollar St  
West Linn, OR 97068

31E02BB91757  
Marvin & Emilou Nelson  
1643 Victorian Way  
Eugene, OR 97401

21E35C 90000  
Vpc-Or West Linn Limited Partnership  
125 Sir Francis Drake Boulevard  
Larkspur, CA 94939

31E02BA01901  
Sutherland Properties LLC  
Po Box 488  
West Linn, OR 97068

# Pre-Application Conference

Subject: Minor Partition(MIP)/Lot Line Adjustment(LLA)

Location: 1722 Eighth Avenue ( Assessor's Map 31E 2BB tax lot 700)

File No: PA-14-01

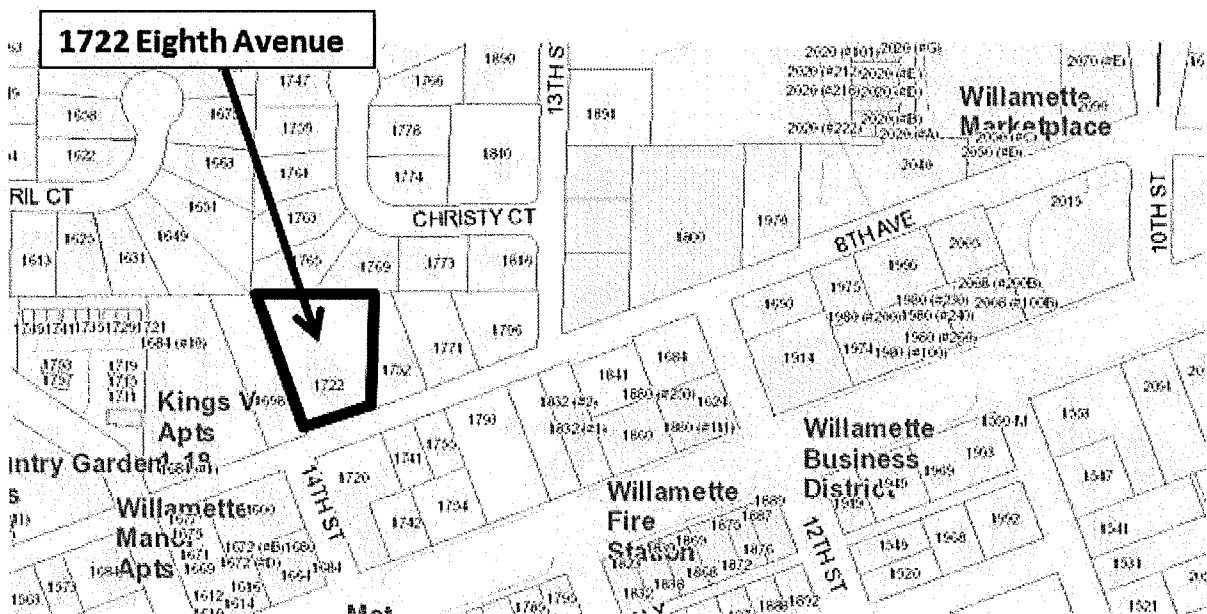
Date: January 16, 2014

Attendees: Matt Sprague, Brent Fitch, Rodney Grinberg, Gretchen Keys

Staff: Khoi Le (Engineering), Peter Spir (Planning)

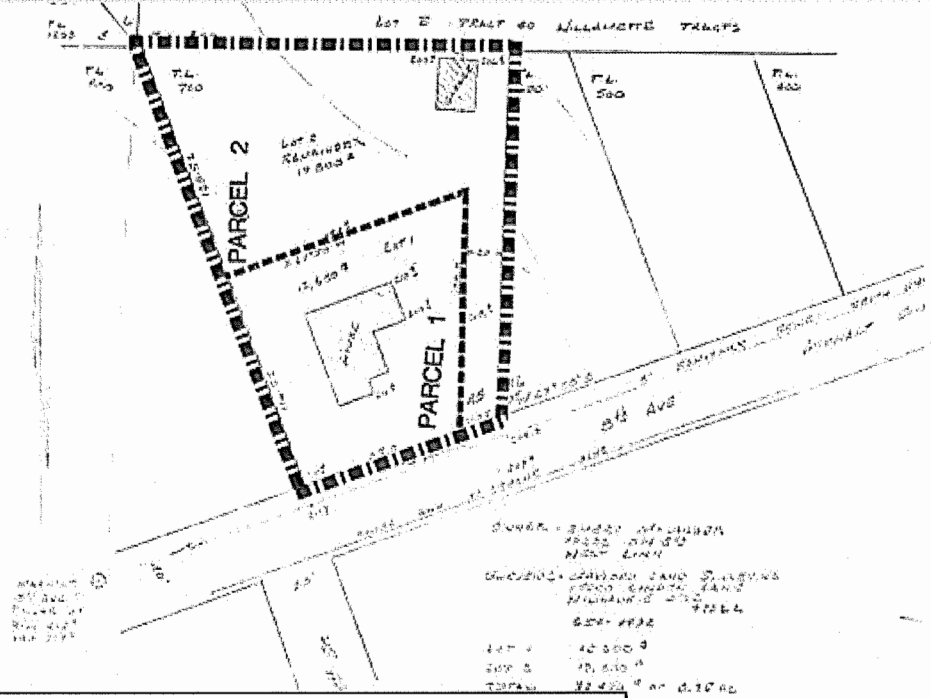
Public: Gail Holmes

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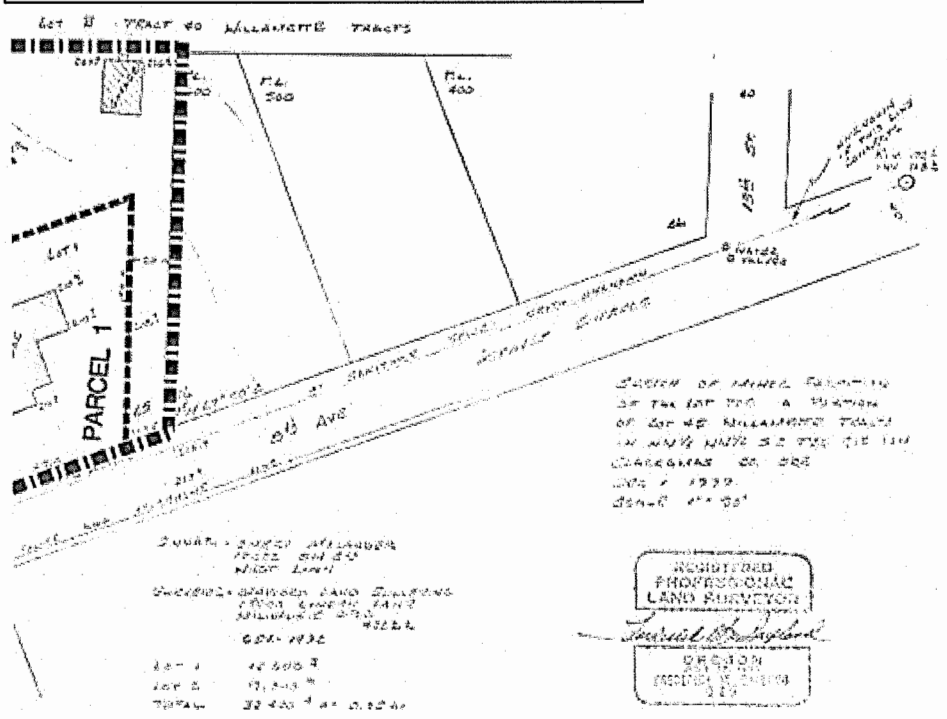


## Background:

In 1977, a two lot minor partition (MIP-77-05) was applied for on this property. The application was approved by the Planning Commission with conditions including the dedication of 10 feet of ROW to the City along the site frontage. The property owner subsequently dedicated the ROW. Although the County Assessor Maps show the minor partition boundary there is no final plat document in the City's files to verify that the plat was ever recorded with the appropriate City official's signature(s). This pre-application seeks to determine if the final plat was properly recorded and to explore options as to how the property could be reconfigured by lot line adjustment or by minor partition. The zoning is R-10 (10,000 square foot minimum lot size/single family residential).

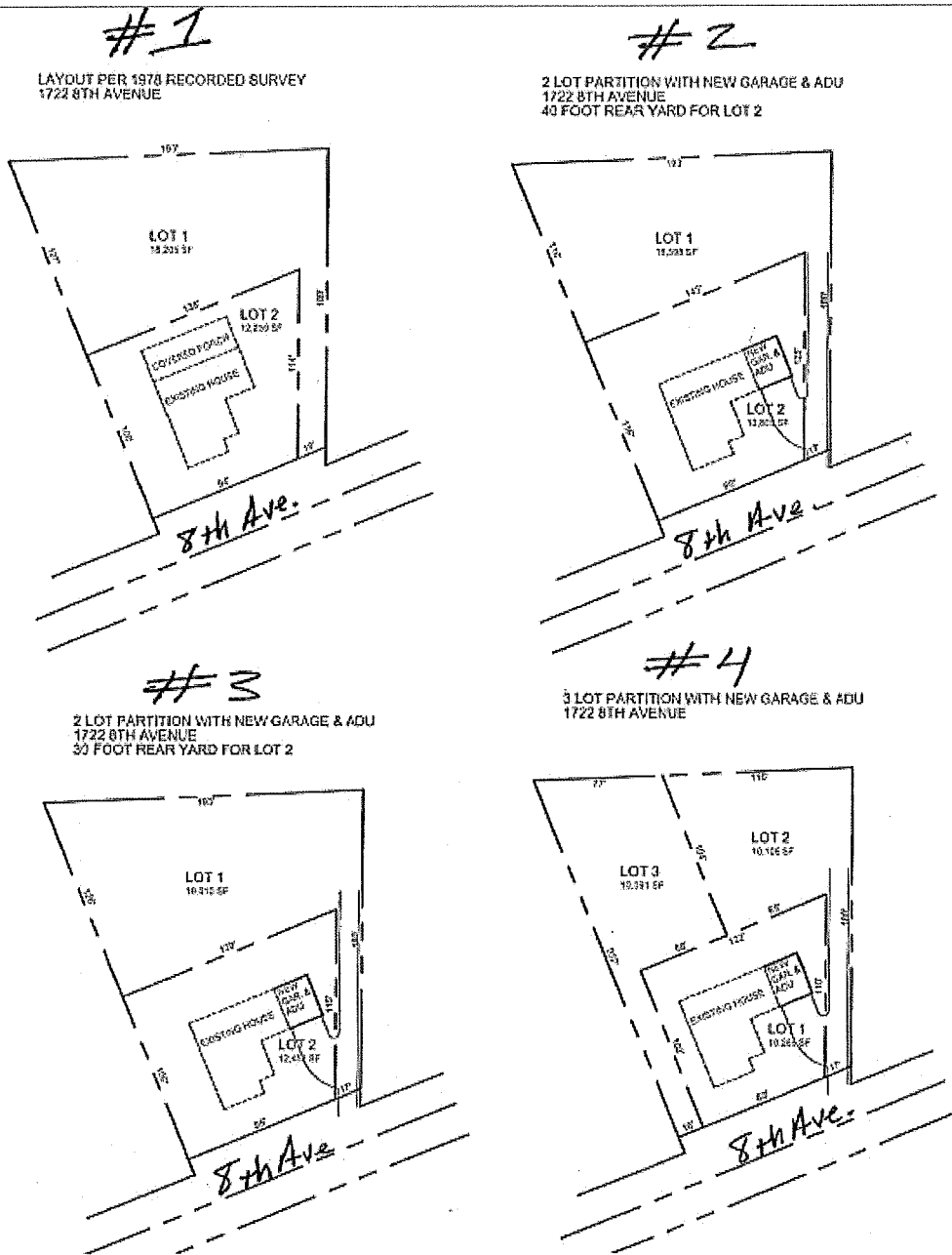


**This is the approved preliminary plat for MIP-77-05**



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Edward J. [Signature]*  
SECTION  
COURTNEY, MISSOURI  
019

The applicant submitted four drawings, shown below, which describe different lot layout options and the possibility of a new minor partition to yield three lots.



**Discussion:**

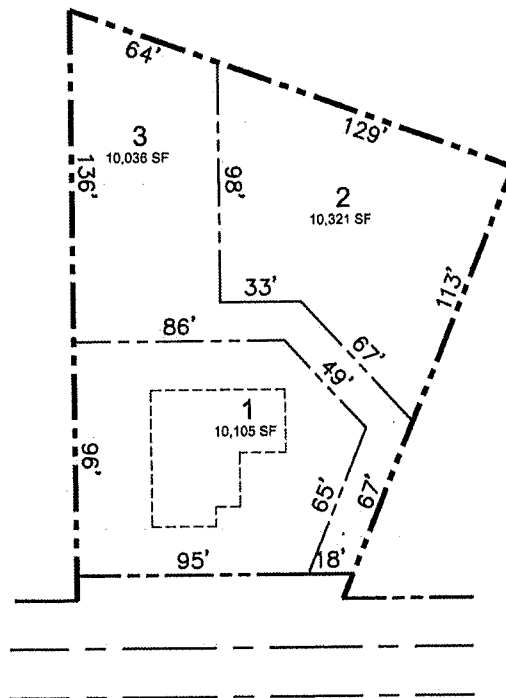
The issue of whether the partition was final platted and recorded remains unresolved. The applicant will undertake a search for those documents and proof. Assuming the final plat was properly recorded, the City will recognize the two lots (drawing #1). The two lot line adjustments proposed in drawings #2 and #3 are reasonable as is the plan to add a garage/accessory dwelling unit (ADU) on the east side of the house. (See CDC Chapter 34 for ADU design.) Lot line adjustments are very simple administrative

procedures that are approved by the Planning Director and require no notice or hearing. They can be processed within a month.

The proposal (drawing #4) would create a third lot at the rear by minor partition, with access via the west side of the existing house. This design would add a second driveway onto Eighth Avenue which is not permitted. Eighth Avenue is a local street per the Transportation System Plan (TSP) with a driveway separation requirement of 50 feet. The proximity of the west driveway to an existing driveway on the lot next door to the west would violate the TSP standard. Staff explained that there is internal conflict between the CDC 48.025(B) (6) and TSP (Table 8-3) on this subject and that there are practical reasons and a considerable amount of precedence that would lead staff to support a variance for the additional driveway. A Class II Variance would, however, be needed to allow that driveway.

A single flaglot stem must be 15 feet wide with appropriate setbacks to adjacent structures (e.g. 7.5 foot side yard setback). (85.200(B)(7)) The preferred option to a flag lot stem is an access easement. Shared access easements would have to be at least 16 feet wide. The square footage of the easement or the flaglot stem must be deducted from the square footage of the lot it is a part of or the lot that it traverses or crosses. The minimum driveway width for one lot would be 12 feet. For two lots it would be 14-16 feet.

The applicant offered another alternative that would access the third rear lot via the existing driveway. The challenge is maintaining enough square footage (10,000 square feet) for all lots exclusive of the stems or access easements. The County Surveyors office does not want to see side by side flag lot stems so a shared access easement is the way to go.



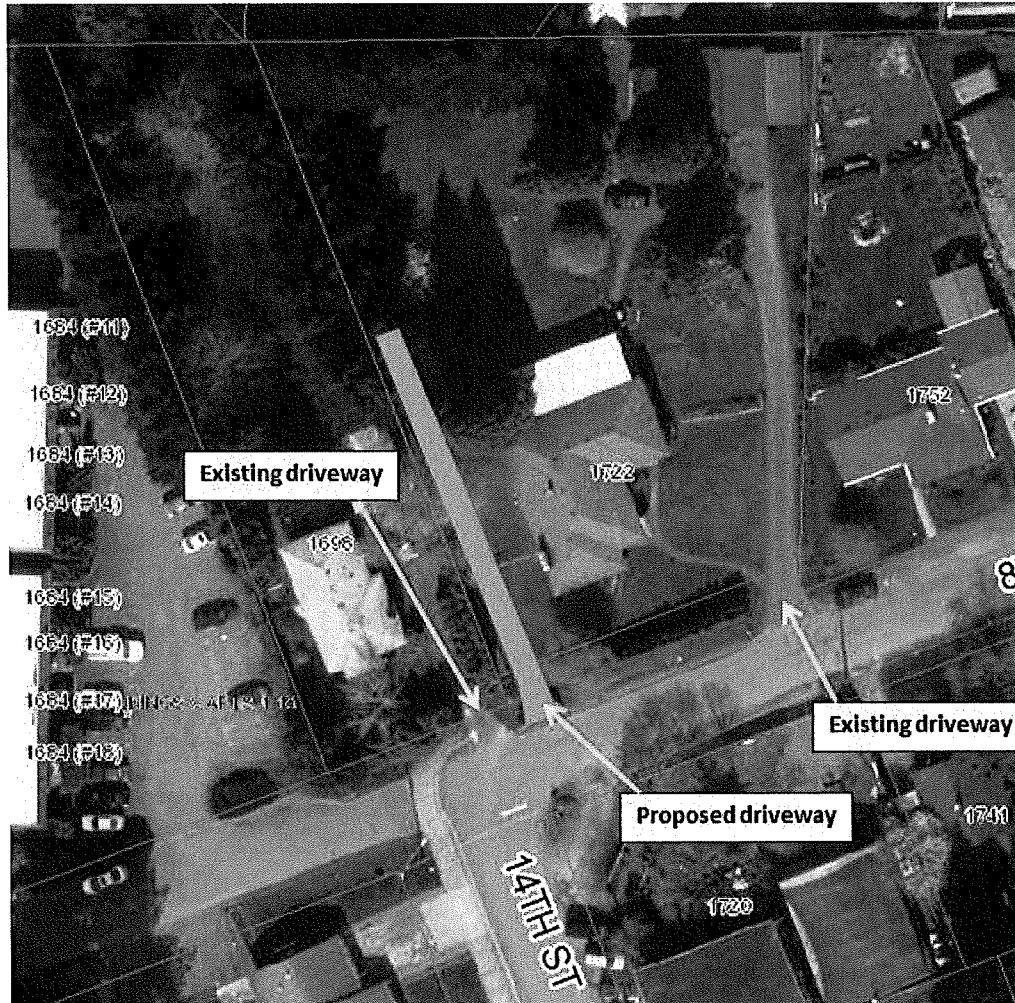
The applicant asked if a variance from the minimum lot size would be supported. Staff stated that it would probably not be supported unless the discussion to justify the variance showed that the dedicated ROW had made the difference between achieving or not achieving the required lot size. If the lot is shy of the required square footage by 5% or less, it would be a Class I variance which is a Planning Director's decision. Still it would be unlikely to be approved unless very compelling findings per approval criteria 75.060 could be made.

The applicant asked if a vacation of all or part of the 10 foot ROW that was conveyed in 1977 was possible. (This additional area could then be added to the site square footage to facilitate partitioning and meeting the minimum lot size requirements.) The City wants to retain at least six feet to achieve an adequate ROW width so that would leave the door open to vacating four feet of ROW. The City would not initiate this so it would be the responsibility of the applicant to apply for a street vacation. Street vacations are described in "process" below. (The vacated ROW could be used to accommodate part of the planter strip with an easement for the sidewalk.)

Another option would be to create three lots fronting on 8<sup>th</sup> Ave. It would require removing the existing house. The lots would be long and narrow but would present an attractive streetscape with a row of homes. The 2.5 times rule of CDC 11.070(4) is proposed to be eliminated under code amendments being presented to City Council in late February/early March.

The trees that crowd the west and rear/north property line would need to be factored into the 20 percent retention rule for significant trees (55.100(B)(2)). An inventory of the trees by an arborist with an assessment of their significance/health would be required.

Comments from Gail Holmes: Stated preference for consolidation of driveways and the construction of craftsman/neotraditional homes.



## Engineering Comments:

### STREET AND ACCESS

Existing driveway is approximately 24' wide. Driveway requires an access easement for shared access.

Street improvement including planter strip, sidewalk, curb and pavement must be provided. Fee in lieu for street improvement can be requested by Developer. Fee in lieu is subject to review and approval of City Manager or City Manager Designee.

### EASEMENTS

6' utility access easements exist along all property lines including property lines shown in 1977 survey. Public utility documents: 78-3417, 78-3718.

### UTILITIES

Water -



Public water main is available on 8<sup>th</sup> Ave for connection. Meters shall be placed outside of driveway approach.

**Sewer**

Pubic sewer main is available on 8<sup>th</sup> Ave for connection.

**Stormwater**

Run-off from new impervious areas must be collected, detained and treated prior to discharge to public storm system. Treatment facility is required to capture run-off from impervious area greater than 500 square foot. Detention facility is required to capture run-off from impervious area greater than 5,000 square foot. Utility easements exist to run discharge to Christy Ct along property line between 1765 and 1769 Christy Ct. Alternative option is to test soil for infiltration. Minimum infiltration is 2 inches/hour.

**Overhead Power**

Existing overhead services shall be place underground. New services must also be placed underground.

**SYSTEM DEVELOPMENT CHARGE**

**A. STREET SDC AND BIKE/PEDESTRIAN EFFECTIVE JULY 1<sup>ST</sup> 2013**

Type of Use	Trip per Use	Factor	Reimbursement	Improvement	Administrative	Total
Per Factor of 1		1.00	\$2,201	\$4,717	\$179	\$7,079
Single Family	Per House	1.01	\$2,223	\$4,764	\$181	\$7,168

Type of Use	Trip per Use	Factor	Reimbursement	Improvement	Administrative	Total
Per Factor of 1		1.00	\$0	\$1,542	\$40	\$1,582
Single Family	Per House	1.01	\$0	\$1,557	\$40	\$1,597

**B. SURFACE WATER SDC EFFECTIVE JULY 1<sup>ST</sup> 2013**

Unit		Factor	Reimbursement	Improvement	Administrative	Total
Per Factor of 1		1.00	\$793	\$238	\$52	\$1,083
Single Family	Per House	1.00	\$793	\$238	\$52	\$1,083

**C. SANITARY SEWER SDC EFFECTIVE JULY 1ST 2013**

Unit	Meter Size	Factor	Reimbursement	Improvement	Administrative	Total
Per Factor of 1		1.00	\$612	\$2,385	\$111	\$3,108
Single Family	Per House	1.00	\$612	\$2,385	\$111	\$3,108

**A. WATER SDC EFFECTIVE JULY 1ST 2012**

Unit	Meter Size	Factor	Reimbursement	Improvement	Administrative	Total
Per Factor of 1		1.00	\$585	\$6,969	\$196	\$7,750
5/8" Meter	1		\$585	\$6,969	\$196	\$7,750

Process:

The applicant shall assemble the material required in submittal requirements and prepare complete responses to the approval criteria of CDC chapter 85 for the minor partition. If the applicant wishes to seek waivers of submittal requirements they should do so as soon as possible. Waivers are discussed in 85.190. Submit a completed application form and a minor partition deposit fee of \$2,800 plus a final plat fee of \$1,500. A LLA requires a fee of \$800 and final plat fee of \$200. If additional new driveways are proposed, a Class II Variance would be required in order to be excused from the TSP driveway separation standards. CDC Chapter 75: Variances offers the applicable submittal and approval criteria. The fee is \$2,900 for a Class II Variance and \$825 for a Class I Variance. If a Class II Variance is required, then it requires a Planning Commission hearing. A Class I Variance is a Planning Director decision. If no variance is required and it is just a minor partition, then it is a Planning Director's decision. Typical minor partitions take 6-10 months from beginning to end; longer, if off-site infrastructure is required, like street improvements.

The City has 30 days to determine the completeness of the application. Usually, applications are found to be incomplete. Once the application is finally declared complete by City staff, public notice will be mailed to property owners within a 500 foot radius of the site perimeter at least 20 days prior to the Planning Director's decision being rendered. Both the Planning Director's and Planning Commission's decisions (whichever is applicable) may be appealed by persons with standing to the City Council who will convene a public hearing. The City has 120 days from the date of determination of completeness to exhaust all local reviews, including any City Council appeal hearings. Appeals of City Council decisions are heard by the Land Use Board of Appeals.

Street vacations are to be in compliance with the terms of ORS 271.080. The fee for a street vacation is \$1,500 and requires two meetings/ hearings with City Council. It should be initiated PRIOR to the minor partition since its outcome will determine the feasibility of the partition and the number of lots allowed.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

**DISCLAIMER:** This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. Thus, there is no “shelf life” for pre-apps.

Pre-app 1-16-14 Summary MIP 1722 8<sup>th</sup> Ave.

# WILSEY & HAM

Earl P. Wilsey (1892-1957)

222 SOUTHWEST HARRISON, SUITE 4 • PORTLAND, OREGON 97201 • Telephone (503) 227-0455 • Cable "WHINT"

December 27, 1977

Mr. Robert O. Bissell  
2550 DeBok Road  
West Linn, Oregon 97068

Re: Minor Partition, Tax Lot 700, Map 2-1E-2BB

Dear Mr. Bissell:

At their meeting on December 19, 1977, the West Linn Planning Commission approved your request for a minor partition on Tax Lot 700, Map 2-1E-2BB. The Planning Commission's decision was based on the findings and recommendations contained in the enclosed staff report with the following additions.

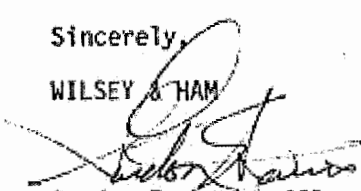
- #7. That the applicant provide valid easement documents to the City for all existing and required easements.

In accordance with Section 41, Ordinance 893, the decision of the Planning Commission becomes effective within 10 days from the date of the Planning Commission action, unless an appeal is filed with the City Council.

If you have any questions regarding the Planning Commission's action or procedures, please do not hesitate to call Mr. Ken Hubbard, City Engineer, telephone 656-4261.

Sincerely,

WILSEY & HAM

  
Gordon E. Davis, AIP  
Consultant to the City of West Linn

GED/kmh

Enclosure

WEST LINN PLANNING COMMISSION  
STAFF REPORT  
December 19, 1977

Agenda Item No. 6

PROPERTY DESCRIPTION: Tax Lot 700, Map 2-1E-2BB

LOCATION: 1722 8th Avenue

APPLICANT: Robert O. Bissell (Emery and Alice Molander, owners)

REQUEST MINOR PARTITION

SUMMARY OF PROPOSAL:

1. The request involves the minor partitioning of a parcel of land into two parcels (see Exhibit 1).
2. The proposal would create one additional development parcel by dividing off the rear portion of Tax Lot 700 creating a parcel of 12,600 square feet which would contain the existing house at 1722 8th Avenue (parcel #1) and a remaining parcel (parcel #2) of 19,800 square feet.

STAFF FINDINGS:

1. The comprehensive plan designates the site as multi-family residential; the proposed draft comprehensive plan designates the site as medium density residential; the parcel is zoned R-10, single family residential.
2. Water and sewer are available to the site in 8th Avenue.
3. 8th Avenue is presently a 40-foot right-of-way.
4. The proposed 20-foot access to 8th Avenue is in the present location of the existing gravel driveway serving the house at 1722 8th Avenue. This access is adequate to provide service to parcel #2 but a new driveway access would be required to serve parcel #1.

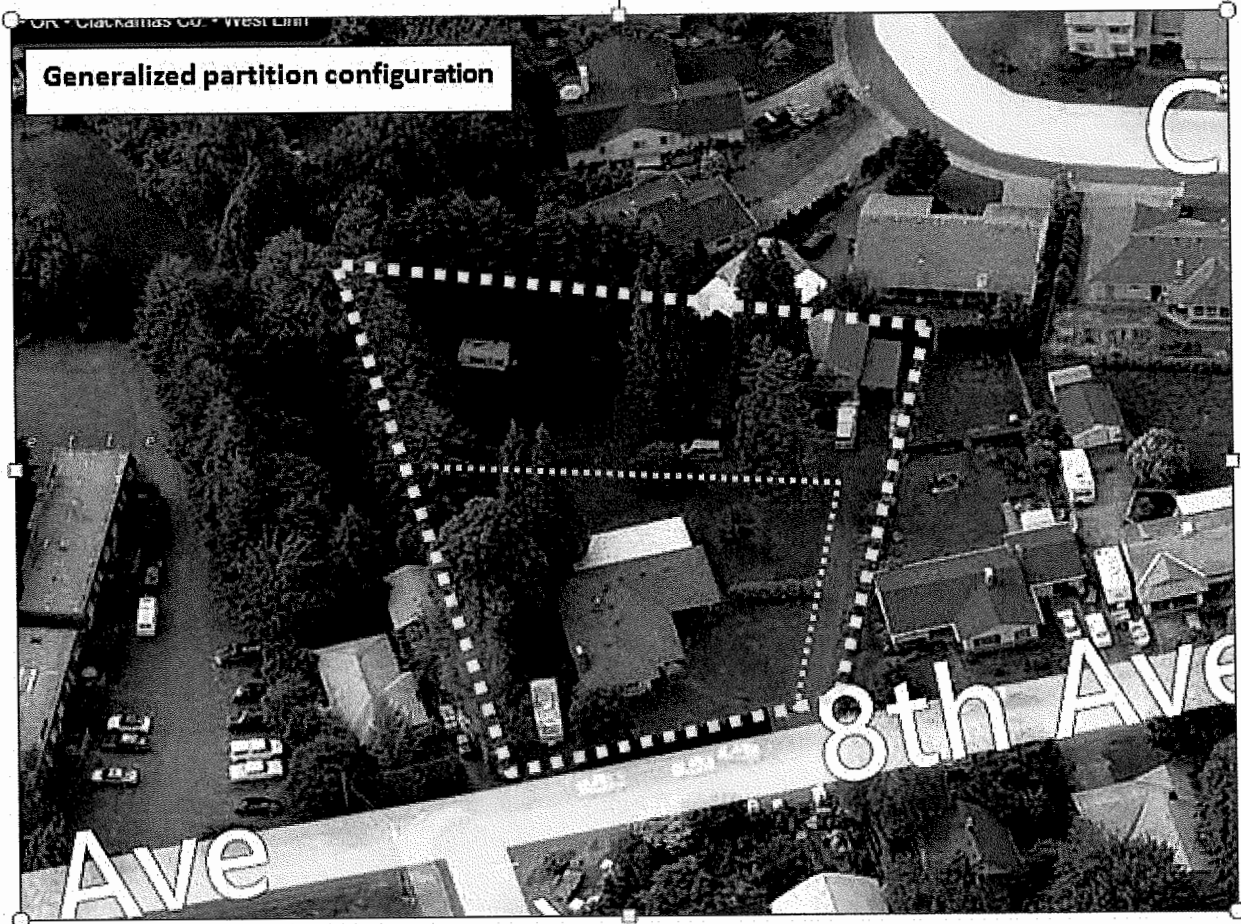
RECOMMENDATION:

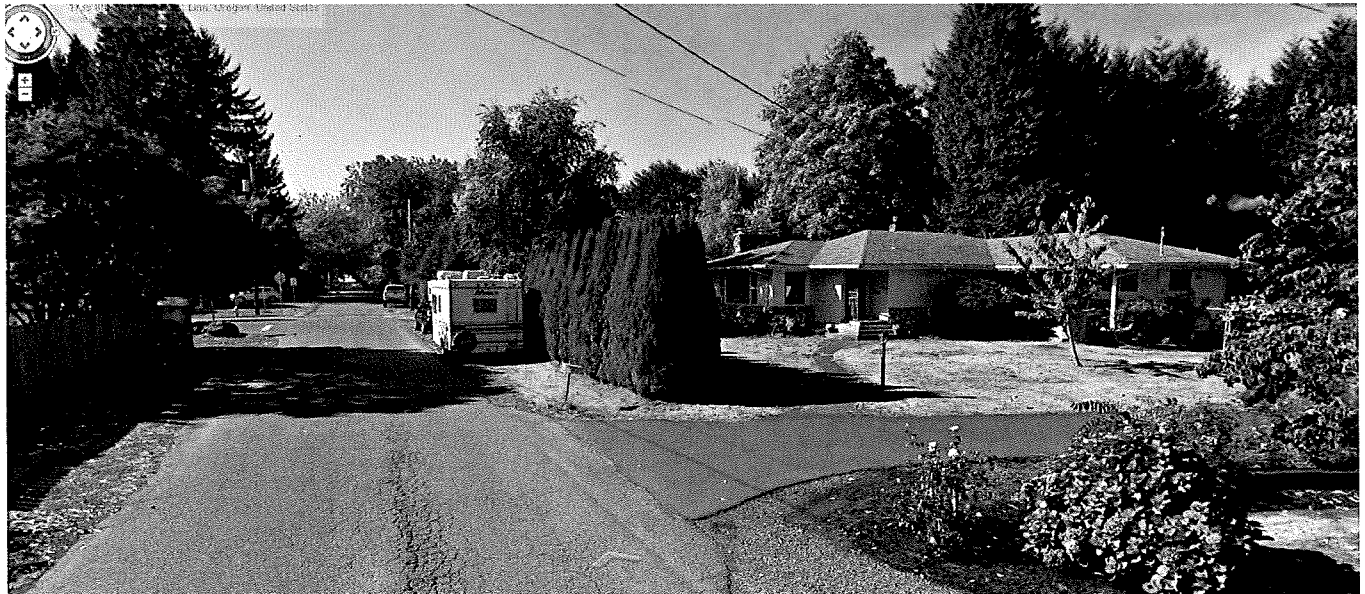
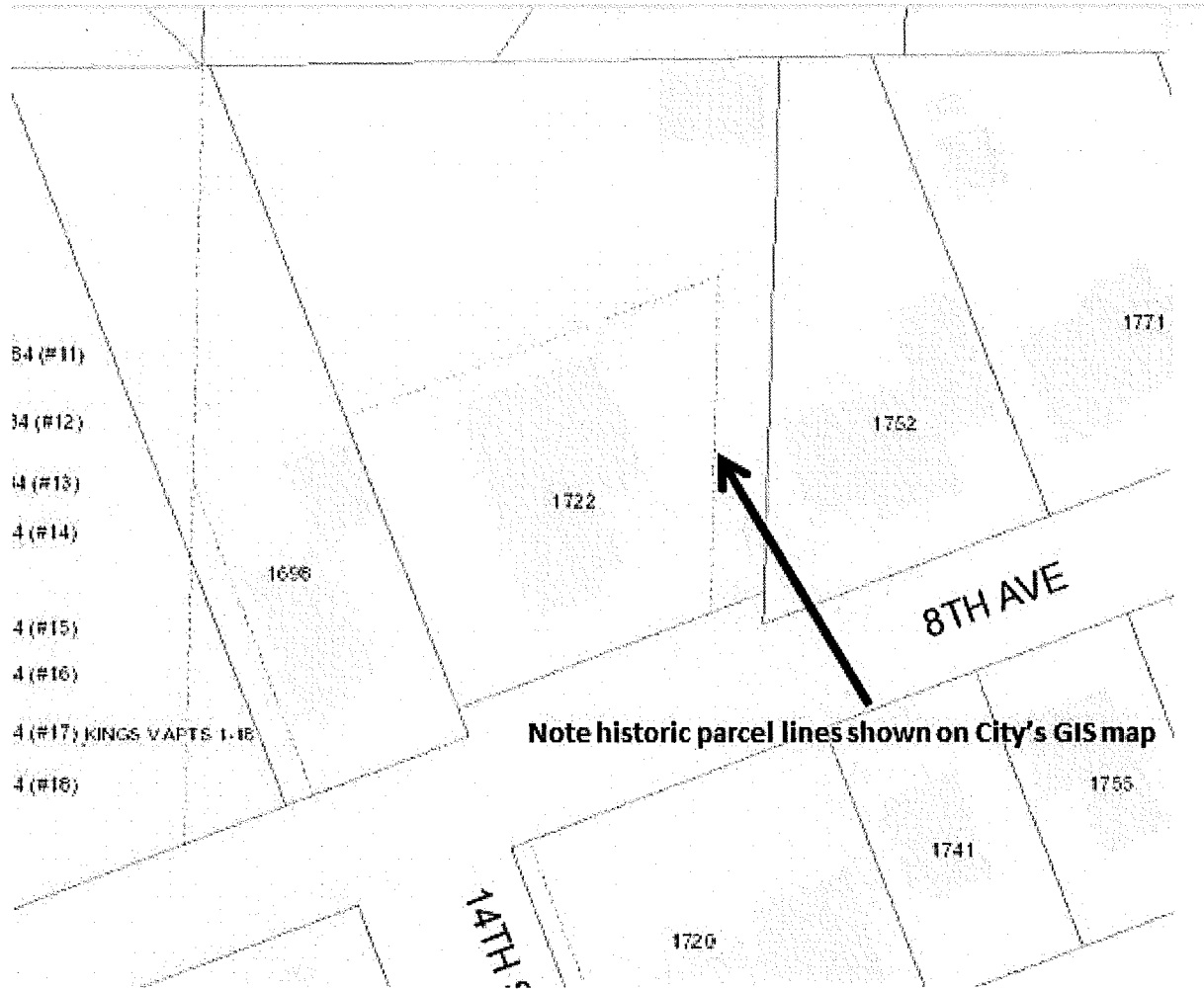
Staff recommends approval of the minor partition request with the following conditions:

1. That a new driveway access be provided to Lot #1 and the existing house at 1722 8th Avenue.
2. That an additional ten feet of right-of-way be dedicated along the frontage of both parcel #1 and 2 on 8th Avenue.
3. That six foot utility easements be provided along all interior and rear lot lines.

4. That the existing garage located on parcel #2 be either removed or remodeled to meet city standards at such time as a building permit is applied for on that parcel.
5. That the applicant submit four copies of the required map of survey by a registered surveyor or engineer with said map and survey designating all easements and other required data as specified in Section 23, Ordinance 893.
6. That by approval of this minor partition, the City of West Linn does not guarantee the availability of sewer hook-ups.

Pre-app Jan 16 2014 8<sup>th</sup> Ave. MIP summary



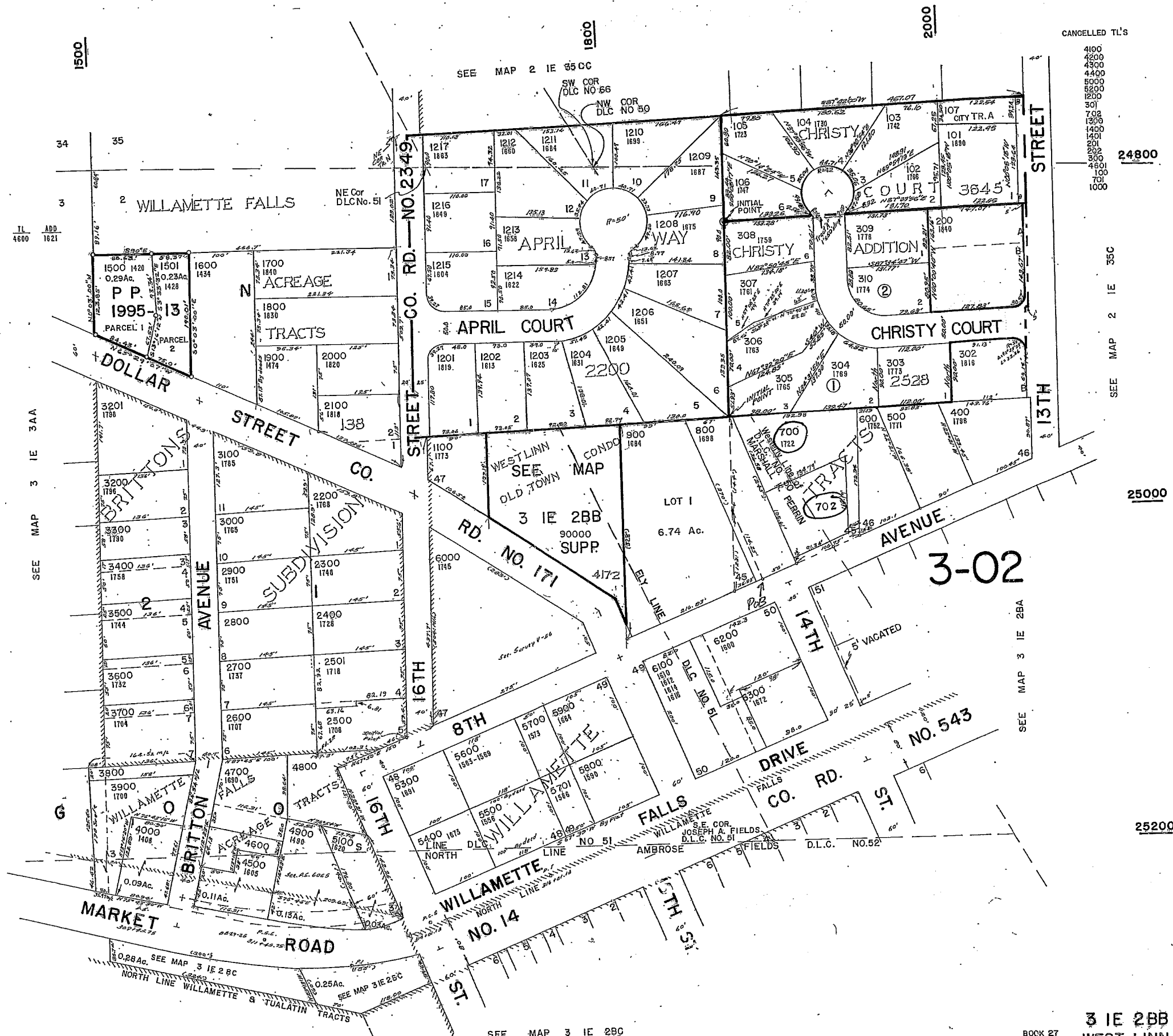








This map was prepared for  
assessment purpose only.



CANCELLED TL'S

- 4100
- 4200
- 4300
- 4400
- 4500
- 4600
- 4700
- 4800
- 4900
- 5000
- 5100
- 5200
- 5300
- 5400
- 5500
- 5600
- 5700
- 5800
- 5900
- 6000

24800

SEE MAP 2 IE 35C

25000

3-02

SEE MAP 3 IE 2BA

25200

SEE MAP 3 IE 28C

BOOK 27

Clackamas County Official Records Sherry Hall, County Clerk	<b>2014-010089</b>
D-D Cnt=1 Stn=5 KANNA \$10.00 \$16.00 \$10.00 \$22.00	03/06/2014 09:16:56 AM \$58.00

Part of 700

RECORDING REQUESTED BY:  
Fidelity National Title Company of Oregon

GRANTOR:  
Sean T Keys and Gretchen L Keys  
1122 Short Street  
West Linn, OR 97068

GRANTEE:  
Sean T Keys and Gretchen L Keys  
1122 Short Street  
West Linn, OR 97068

SEND TAX STATEMENTS TO:  
Sean T Keys and Gretchen L Keys  
1122 Short Street

AFTER RECORDING RETURN TO:  
Sean T Keys and Gretchen L Keys  
1122 Short Street  
West Linn, OR 97068

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**BARGAIN AND SALE DEED – STATUTORY FORM**  
(INDIVIDUAL or CORPORATION)

Sean T Keys and Gretchen L Keys, Grantor, conveys to  
Sean T Keys and Gretchen L Keys, Husband and Wife  
Grantee, the following described real property, situated in the County of Clackamas, State of Oregon,

SEE LEGAL DESCRIPTION ATTACHED HERETO

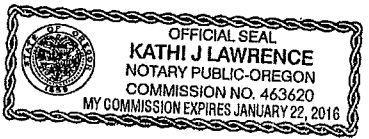
This Deed is being recorded to create a separate legal description in order to create a separate tax lot.

\*None

The true consideration for this conveyance is \$:\*(See ORS 93.030).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated: March 5, 2014



*[Signature]*  
Sean T Keys

*[Signature]*  
Gretchen L Keys

State of OREGON  
COUNTY of Clackamas  
This instrument was acknowledged before me on March 5, 2014  
by Sean T Keys and Gretchen L Keys.

*[Signature]*  
Notary Public - State of Oregon  
My commission expires: \_\_\_\_\_

Fidelity National Title of Oregon 20130088834-08

**LEGAL DESCRIPTION**

**PARCEL I:**

A portion of Tract 45, WILLAMETTE TRACTS, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at a point which bears North 10.81 feet from and South 67° 39' West, 21.62 feet from the Southeast corner of said Tract 45; thence North parallel with the East line of Tract 45, a distance of 114.19 feet; thence South 67° 39' West, 134.79 feet; thence South 22° 21' 12" East, 105.61 feet; thence North 67° 39' East, 91.36 feet to the place of beginning.

EXCEPTING FROM Parcels I above any portion thereof lying within the boundaries of a Tract of Land described in deed from Emery and Alice Molander to the City of West Linn and Recorded March 14, 1978 as Recording No. 78-10341.

Clackamas County Official Records **2014-010086**  
Sherry Hall, County Clerk 03/06/2014 09:16:56 AM  
D-D Cnt=1 Stn=5 KANNA  
\$20.00 \$16.00 \$10.00 \$22.00 \$68.00

RECORDING REQUESTED BY:  
Fidelity National Title Company of Oregon

GRANTOR:  
Kari M Walters  
2670 Renaissance Ct  
West Linn, OR 97068

GRANTEE:  
Sean T Keys and Gretchen L Keys  
1122 Short Street  
West Linn, OR 97068

SEND TAX STATEMENTS TO:  
Sean T Keys and Gretchen L Keys  
**1122 Short Street**  
West Linn, OR 97068

AFTER RECORDING RETURN TO:  
Sean T Keys and Gretchen L Keys  
1122 Short Street  
West Linn, OR 97068

Escrow No: 20130088834-FTPOR08

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

Kari M Walters, Grantor, conveys and warrants to

Sean T Keys and Gretchen L Keys, Husband and Wife,  
Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

SEE LEGAL DESCRIPTION ATTACHED HERETO

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$399,000.00. (See ORS 93.030)

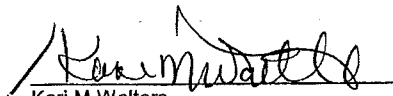
Subject to and excepting: See Attached Exhibit "One"

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

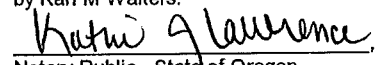
20130088834-FTPOR08  
Deed (Warranty-Statutory)

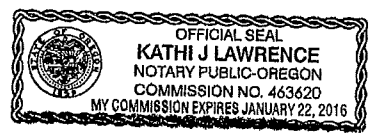
Fidelity National Title of Oregon 20130088834-08

DATED: 3-5-14

  
Kari M Walters

State of OREGON  
COUNTY of Clackamas  
This instrument was acknowledged before me on March 5, 2014  
by Kari M Walters.

  
Notary Public - State of Oregon  
My commission expires: \_\_\_\_\_



**LEGAL DESCRIPTION**

**PARCEL I:**

A portion of Tract 45, WILLAMETTE TRACTS, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at a point which bears North 10.81 feet from and South 67° 39' West, 21.62 feet from the Southeast corner of said Tract 45; thence North parallel with the East line of Tract 45, a distance of 114.19 feet; thence South 67° 39' West, 134.79 feet; thence South 22° 21' 12" East, 105.61 feet; thence North 67° 39' East, 91.36 feet to the place of beginning.

**PARCEL II:**

Part of Tract 45, WILLAMETTE TRACTS, located in Section 2, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at an iron rod on the East line of Tract 45, which bears North 10.81 feet from the Southeast corner of said Tract 45. From the true point of beginning, thence North along the East line Tract 45, a distance of 179.94 feet to the Northeast corner thereof; thence along the North line of the said Tract, South 87° 34' 37" West 192.98 feet to an iron rod which bears North 87° 34' 37" East 3.0 feet from the Northwest corner of said Tract 45; South 22° 21' 12" East 126.58 feet to an iron rod; thence North 67° 39' East 134.79 feet to an iron rod; thence South 114.19 feet to an iron rod; thence North 67° 39' East 21.62 feet to the iron rod at the true point of beginning of the tract herein described.

EXCEPTING FROM Parcels I and II above any portion thereof lying within the boundaries of a Tract of Land described in deed from Emery and Alice Molander to the City of West Linn and Recorded March 14, 1978 as Recording No. 78-10341.

*Part of 700  
2014-010089*

*Part of 700*

Order No.: 20130088834-FTPOR08

**EXHIBIT "ONE"**

Rights of the public to any portion of the Land lying within the area commonly known as  
Streets, roads or highways.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of West Linn, a municipal corporation  
Purpose: Utilities  
Recording Date: January 25, 1978  
Recording No: 78-003417  
Affects: Parcel I

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:


Granted to: City of West Linn, a municipal corporation  
Purpose: Utilities  
Recording Date: January 25, 1978  
Recording No: 78-003418  
Affects: Parcel II

06286699-C  
SS

JP

TL 800

Subject

Title Order No. 06286699	Clackamas County Official Records Sherry Hall, County Clerk	2006-089931
Escrow No. 06286699		
After Recording Return To: Nicole H. Sakys 1697 19th Street West Linn, OR 97068 Name, Address, Zip	 01024902200600899310020029 09/28/2006 02:20:05 PM D-D Cnt=1 Stn=5 BEV L. \$10.00 \$11.00 \$10.00	\$31.00
Until a change is requested send all tax statements to the following address: Nicole H. Sakys 1697 19th Street West Linn, OR 97068 Name, Address, Zip		

**PERSONAL REPRESENTATIVE'S DEED**  
(Statutory Bargain and Sale Deed)

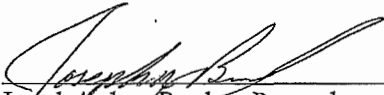
JOSEPH ANDREW BRUCKEN, Grantor, Personal Representative of the Estate of JAMES JOSEPH BRUCKEN, conveys to NICOLE H. SAKYS, Grantee, the following described real property:

See Exhibit A attached hereto and made a part hereof.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true consideration for this conveyance is \$285,000.00. (Here comply with the requirements of ORS 93.030)

Dated this September 27, 2006.

  
 Joseph Andrew Brucken, Personal Representative of the Estate of James Joseph Brucken, in the Circuit Court for Clackamas County, Case No. P0603075.

STATE OF OREGON }  
 County of Washington } ss

On this September 27, 2006, before me, the undersigned, personally appeared the within named Joseph Andrew Brucken known to me to be the identical individual who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily as Personal Representative.



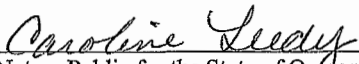
  
 Notary Public for the State of Oregon  
 My commission expires: 9.23.07



Exhibit A

A Tract of land in Section 2, Township 3 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

BEGINNING at a point on the Southerly line of Tract 45, WILLAMETTE TRACT, a recorded plat, that is 46 feet 10 inches North 67°39' East from the Southwesterly corner thereof, and the most Southerly corner of that tract of land conveyed to Donald Gray, et ux, recorded May 17, 1948, in Book 406, Page 437, Deed Records; thence North 67°39' East along the Southerly line of Tract 45, a distance of 56.00 feet to the most Easterly corner of said Gray Tract; thence Northwesterly along the Northeasterly line of the Gray Tract, 245.00 feet, more or less, to a point in the North line of Tract 45 that bears East 3.00 feet from the Northwest corner of Tract 45, and the Northeasterly corner of the Gray Tract; thence West 3.00 feet to the Northwest corner of Tract 45 and the Northeasterly corner of that tract of land conveyed to Donald Gray, et ux, recorded December 10, 1963, in Book 632, Page 606, Deed Records; thence continuing West along the South line of Tract "P" of the WILLAMETTE FALLS ACREAGE TRACT, a recorded plat, 67.00 feet to the Northwesterly corner of the second mentioned Gray Tract; thence Southeasterly in a straight line along the Southwesterly line of the second mentioned Gray Tract, 262.50 feet, more or less, to a point in the South line of Tract 45 that bears South 67°39' West 10.00 feet from the point of beginning; thence North 67°39' East a distance of 10.00 feet to the point of beginning.

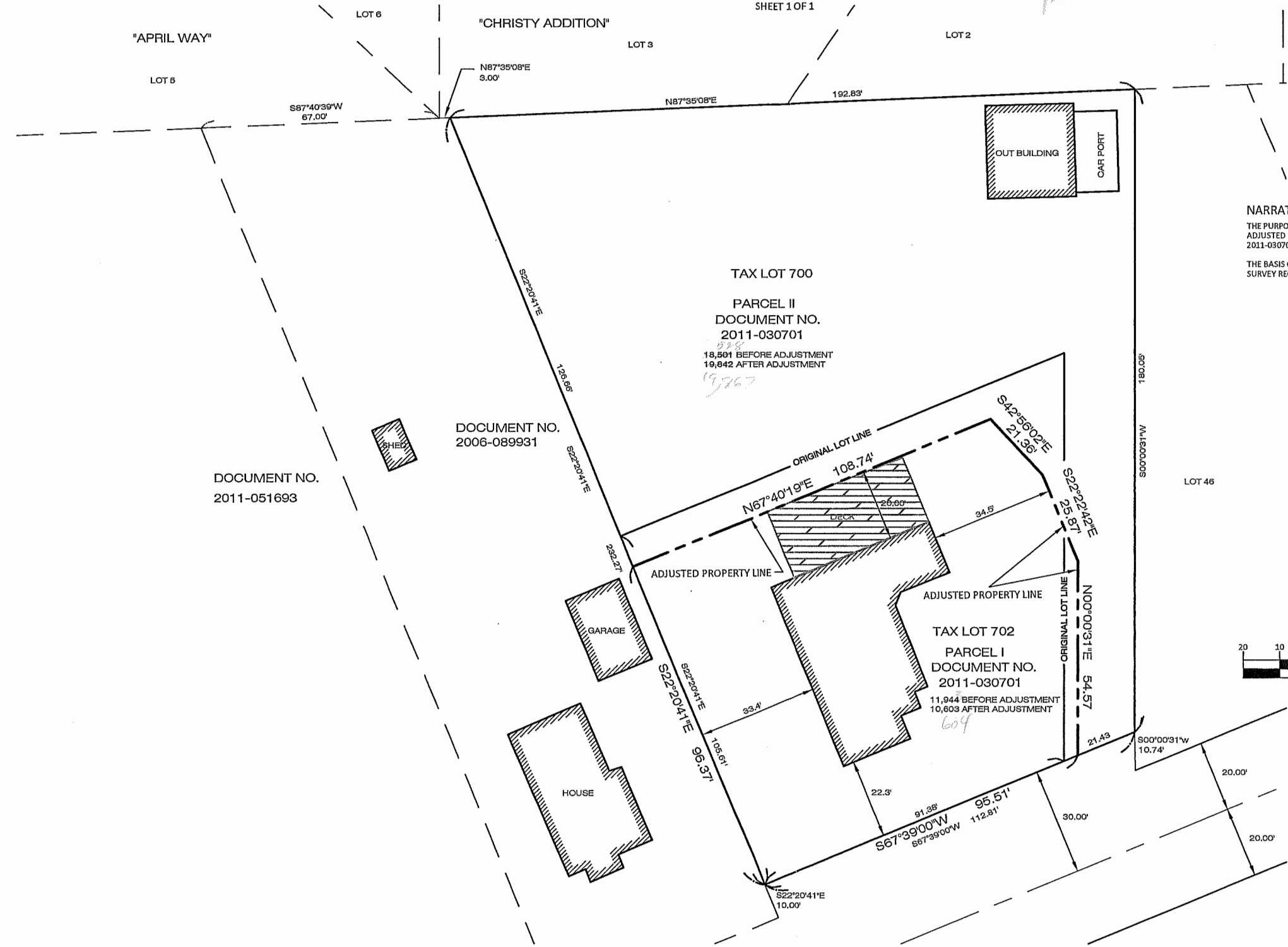
# RECORD OF SURVEY FOR A PROPERTY LINE ADJUSTMENT

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 2,  
TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN,  
CLACKAMAS COUNTY, OREGON  
DATE: MAY, 2014  
SFA DESIGN GROUP JOB NO. 309-001  
SHEET 1 OF 1

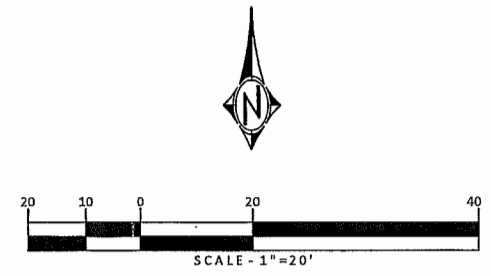
*PR 1518  
Being  
Recorded*

WASHINGTON COUNTY  
SURVEYOR'S OFFICE

ACCEPTED  
FOR FILING \_\_\_\_\_



**NARRATIVE:**  
THE PURPOSE OF THIS SURVEY IS TO DOCUMENT THE MONUMENTATION OF ADJUSTED PROPERTY LINES BETWEEN PARCEL 1 AND PARCEL 2 OF DOCUMENT NO. 2011-030701.  
  
THE BASIS OF BEARINGS FOR THIS SURVEY IS SN 15451, CLACKAMAS COUNTY SURVEY RECORDS, TAKEN AS NORTH 67°39'00" EAST.



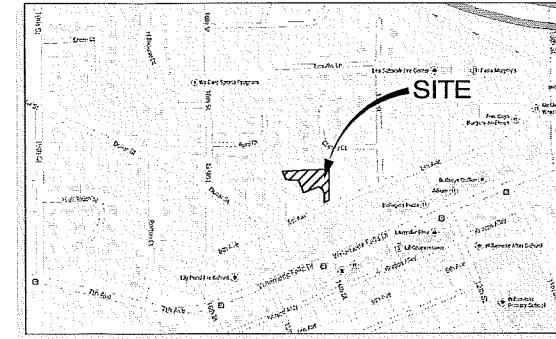
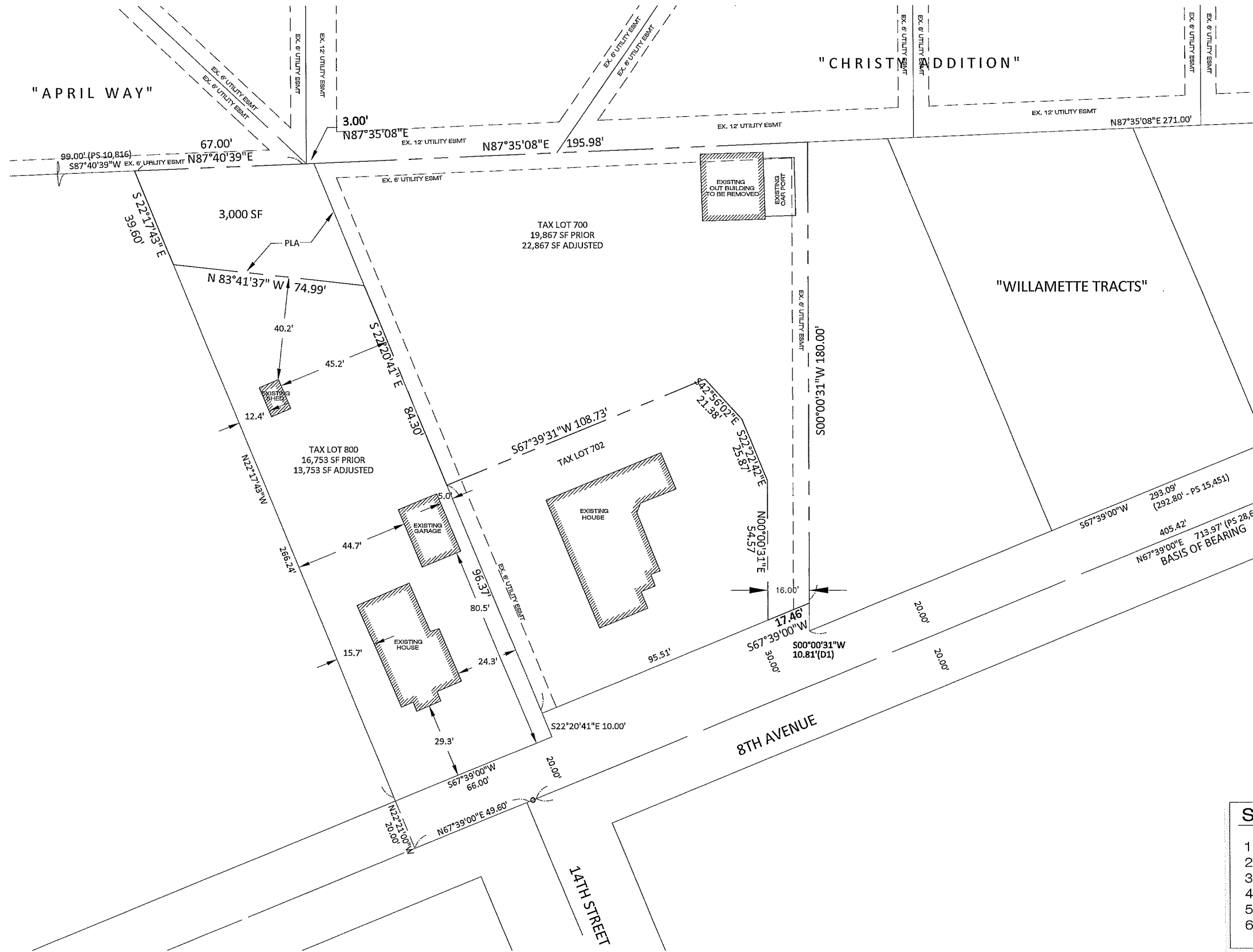
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 11, 2000  
MICHAEL H. HARRIS  
57863  
VALID UNTIL 6-30-15

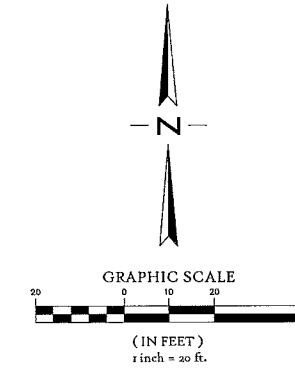
**SFA Design Group, LLC**  
STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING  
9020 SW Washington Square Dr • Suite 505 • Portland, Oregon 97223  
Phone 503.641.8311 Fax 503.643.7905

# 8TH AVE PLA

A PROPERTY LINE ADJUSTMENT ON TAX LOTS 700, 800 MAP 31E 2BB



VICINITY MAP  
N.T.S.



### APPLICANTS/OWNERS

GRETCHEN L. & SEAN T. KEYS  
1122 SHORT STREET  
WEST LINN, OR 97068  
PHONE (503) 645-6800

NICOLE H. SAKYS  
1697 19TH STREET  
WEST LINN, OR 97068

### PLANNING/ENGINEER/SURVEY

SFA DESIGN GROUP, LLC  
9020 WASHINGTON SQ DR, SUITE 505  
PORTLAND, OR 97223  
PHONE (503) 641-8311  
FAX (503) 643-7905  
CONTACT: MATT SPRAGUE

### SHEET INDEX

1. PROPERTY LINE ADJUSTMENT
2. PRELIMINARY PARTITION PLAT
3. EXISTING CONDITIONS
4. STREETS AND UTILITIES PLAN
5. GRADING/ TREE REMOVAL PLAN
6. AERIAL/ CIRCULATION PLAN

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STRUCTURAL | CIVIL | PLANNING | SURVEYING  
9020 SW Washington Square Dr. Suite 505  
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Ph: (503) 641-8311 Fax: (503) 643-7905  
<http://www.sfdg.com>

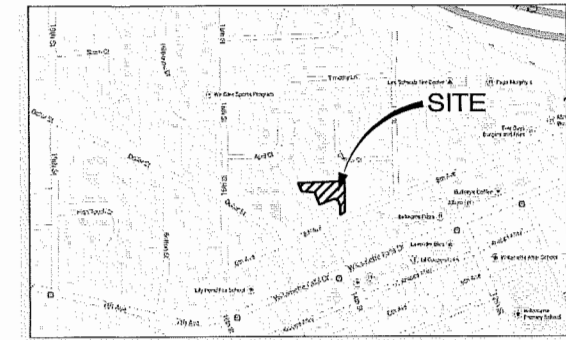
PROPERTY LINE ADJUSTMENT  
8TH AVE PLA/ PARTITION  
CITY OF WEST LINN, OREGON

NO.	DATE	REVISION	BY

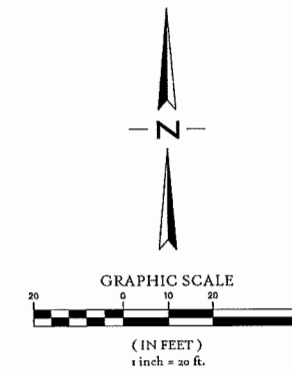
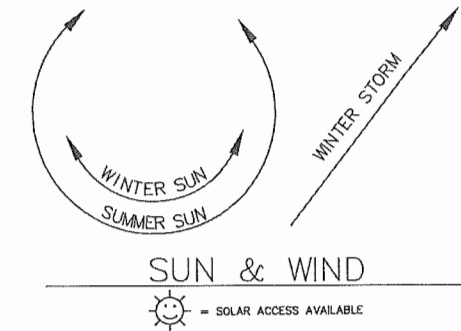
DESIGNED BY: M.S. DATE: 08/20/14  
DRAWN BY: T.C.C. DATE: 08/20/14  
REVIEWED BY: M.S. DATE: 08/20/14  
PROJECT NO.: 309-001 REF.:  
SCALE: 1"=50'  
SHEET 1 OF 6  
PROJECT: 8TH AVE  
NO.: 309-001  
TYPE: PLANNING

# 8TH AVE PARTITION

A 2 LOT MINOR PARTITION ON TAX LOT 700 MAP 31E 22BB



VICINITY MAP  
N.T.S.

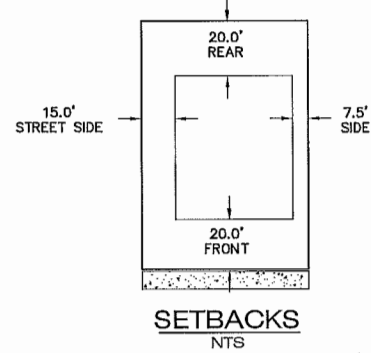
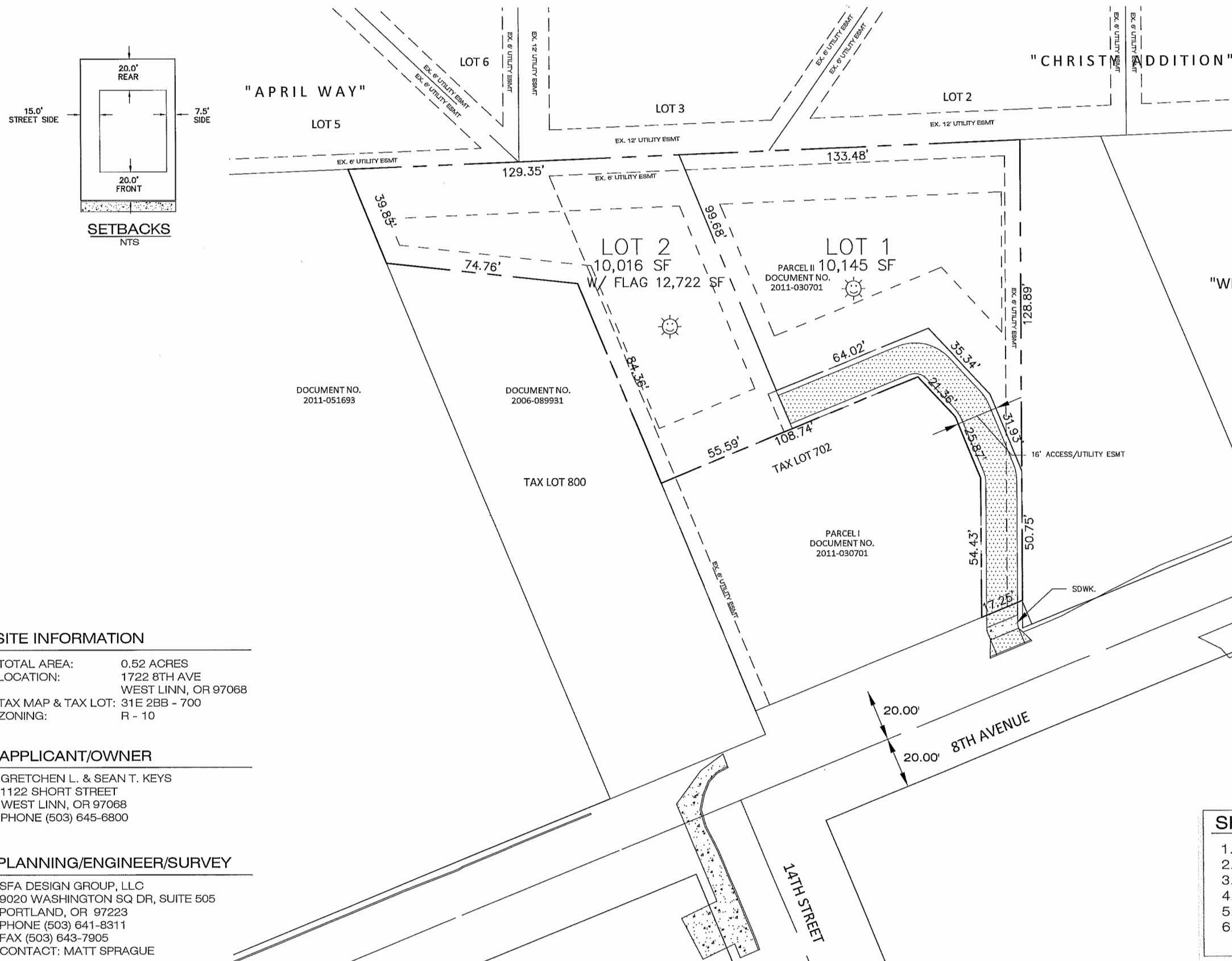


### VERTICAL DATUM

CONTOURS AND ELEVATION NOTED ON THIS MAP ARE BASED ON THE CITY OF WEST LINN SANITARY SEWER AS-BUILTS FROM SANITARY SEWER MANHOLE 9B-B-1-4, LOCATED AT THE INTERSECTION OF 8TH AVENUE & 15TH STREET  
ELEVATION = 216.17'  
CONTOUR INTERVAL IS 1 FOOT.

### SHEET INDEX

1. PROPERTY LINE ADJUSTMENT
2. PRELIMINARY PARTITION PLAT
3. EXISTING CONDITIONS
4. STREETS AND UTILITIES PLAN
5. GRADING/ TREE REMOVAL PLAN
6. AERIAL/ CIRCULATION PLAN



### SITE INFORMATION

TOTAL AREA: 0.52 ACRES  
 LOCATION: 1722 8TH AVE  
 WEST LINN, OR 97068  
 TAX MAP & TAX LOT: 31E 22BB - 700  
 ZONING: R - 10

### APPLICANT/OWNER

GRETCHEN L. & SEAN T. KEYS  
 1122 SHORT STREET  
 WEST LINN, OR 97068  
 PHONE (503) 645-6800

### PLANNING/ENGINEER/SURVEY

SFA DESIGN GROUP, LLC  
 9020 WASHINGTON SQ DR, SUITE 505  
 PORTLAND, OR 97223  
 PHONE (503) 641-8311  
 FAX (503) 643-7905  
 CONTACT: MATT SPRAGUE

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 Ph: (503) 641-8311 Fax: (503) 643-7905  
 http://www.sfadg.com

PRELIMINARY PARTITION PLAT  
 8TH AVE PLA/ PARTITION  
 CITY OF WEST LINN, OREGON

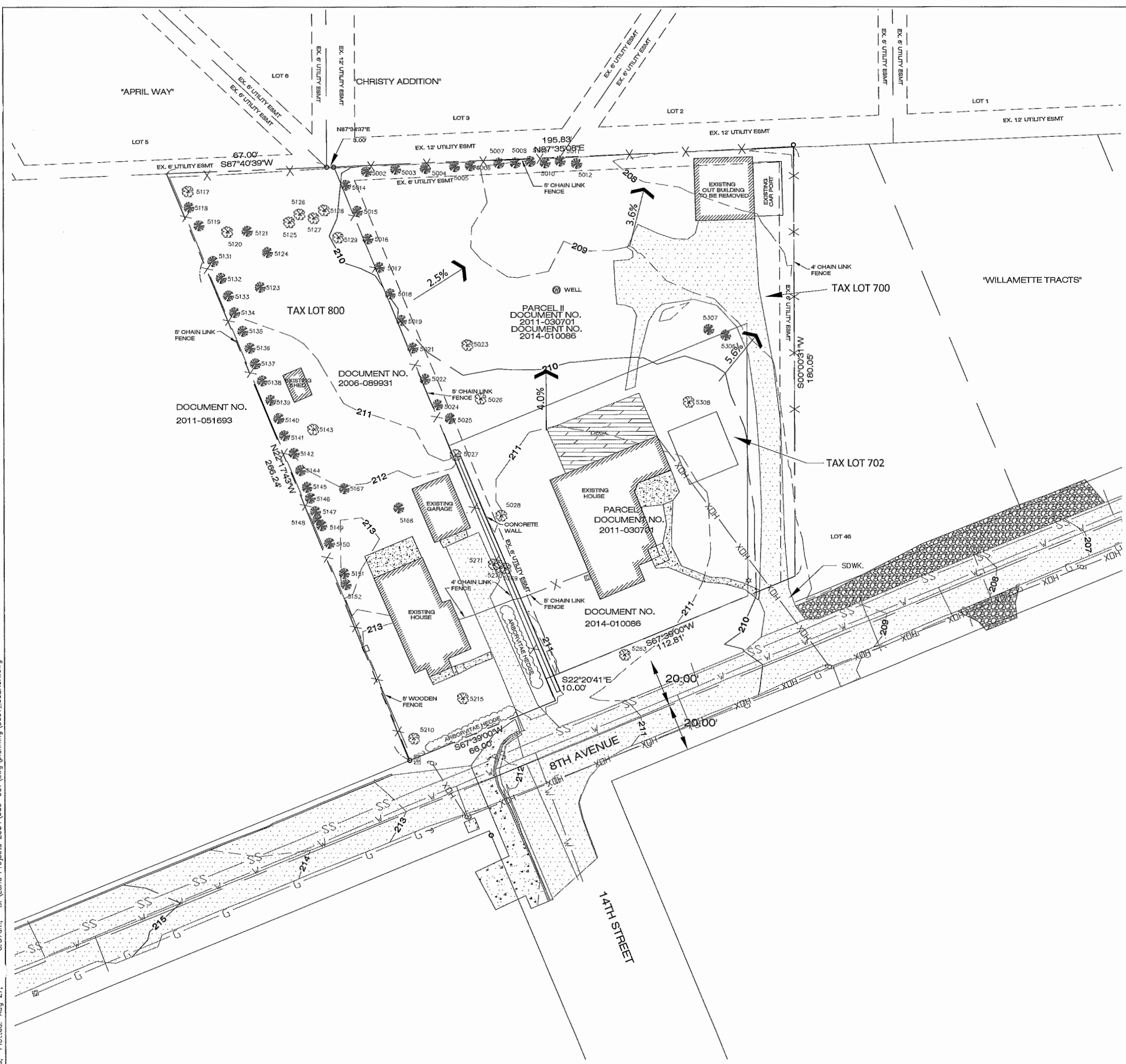
NO.	DATE	REVISION	BY

DESIGNED BY	M.S.	DATE	08/20/14
DRAWN BY	TCC	DATE	08/20/14
REVIEWED BY	M.S.	DATE	08/20/14
PROJECT NO.	309-001	REF.	
SCALE	1"=20'		

SHEET 2 OF 6

PROJECT 8TH AVE  
 NO. 309-001  
 TYPE PLANNING

courtis, Plotted: Aug 27, - 8:37am, B:\Land Projects 2004\309-001\dwg\planning\3091\_03EXCN.dwg

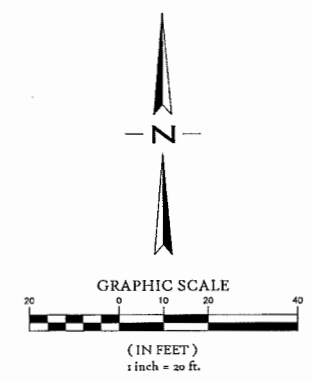


**LEGEND (EXISTING):**

- SD - STORM DRAINAGE LINE
- SS - SANITARY SEWER LINE
- W - WATER LINE
- G - GAS LINE
- LOT LINE
- RIGHT-OF-WAY LINE
- RIGHT-OF-WAY CENTERLINE
- BOUNDARY LINE OF SUBJECT PARCEL
- WALL AS NOTED
- FENCE AS NOTED
- OVERHEAD POWER
- 1' CONTOUR LINE
- 5' CONTOUR LINE
- EXISTING GRAVEL
- EXISTING CONCRETE
- EXISTING ASPHALT PAVEMENT
- EXISTING BUILDING FOOTPRINT
- EXISTING FLOW DIRECTION
- CONIFEROUS TREE
- DECIDUOUS TREE
- VAULT AS NOTED
- WATER VALVE
- WATER METER
- UTILITY POLE
- AREA DRAIN/DITCH INLET/CATCH BASIN
- STORM MANHOLE
- SANITARY MANHOLE
- FIRE HYDRANT
- GAS FIBER
- COMMUNICATION PEDESTAL

NUMBER	SPECIES	DBHI	NUMBER	SPECIES	DBHI
5001	FI	12" (DEAD)	5127	AL	13"
5002	FI	10"	5128	AL	10"
5003	FI	20"	5129	FI	9"
5004	FI	20"	5131	FI	18"
5005	FI	18"	5132	FI	15"
5006	FI	15"	5133	FI	15"
5007	FI	19"	5134	FI	20"
5008	FI	18"	5135	FI	10"
5009	FI	15"	5136	FI	17"
5010	FI	21"	5137	FI	14"
5011	FI	21"	5138	FI	15"
5012	FI	24"	5139	FI	15"
5014	FI	15"	5140	FI	12"
5015	FI	17"	5141	FI	14"
5016	FI	18"	5142	FI	16"
5017	FI	17"	5143	MA	13"
5018	FI	18"	5144	FI	16"
5019	FI	22"	5145	FI	17"
5021	FI	27"	5146	FI	6"
5022	FI	20"	5147	FI	6"
5023	AP	9"	5148	CE	10"
5024	FI	21"	5149	CE	6"
5025	FI	22"	5150	CE	6"
5026	AP	8"	5151	CE	6"
5027	DE	7"	5152	CE	8"
5028	DE	36"	5166	FI	20"
5117	DE	15"	5167	FI	24"
5118	FI	17"	5210	DE	24"
5119	FI	18"	5215	MA	10"
5120	AL	6"	5263	DE	15"
5121	FI	10"	5269	DE	6"
5122	FI	12"	5270	DE	9"
5123	FI	12"	5271	DE	8"
5124	FI	12"	5306	FI	23"
5125	AL	15"	5307	FI	31"
5126	AL	14"	5308	AP	8"

KEY	DECIDUOUS
DE	DECIDUOUS
FI	FIR
MA	MAPLE
AL	ALDER
AP	APPLE
CE	CEDAR

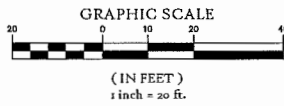
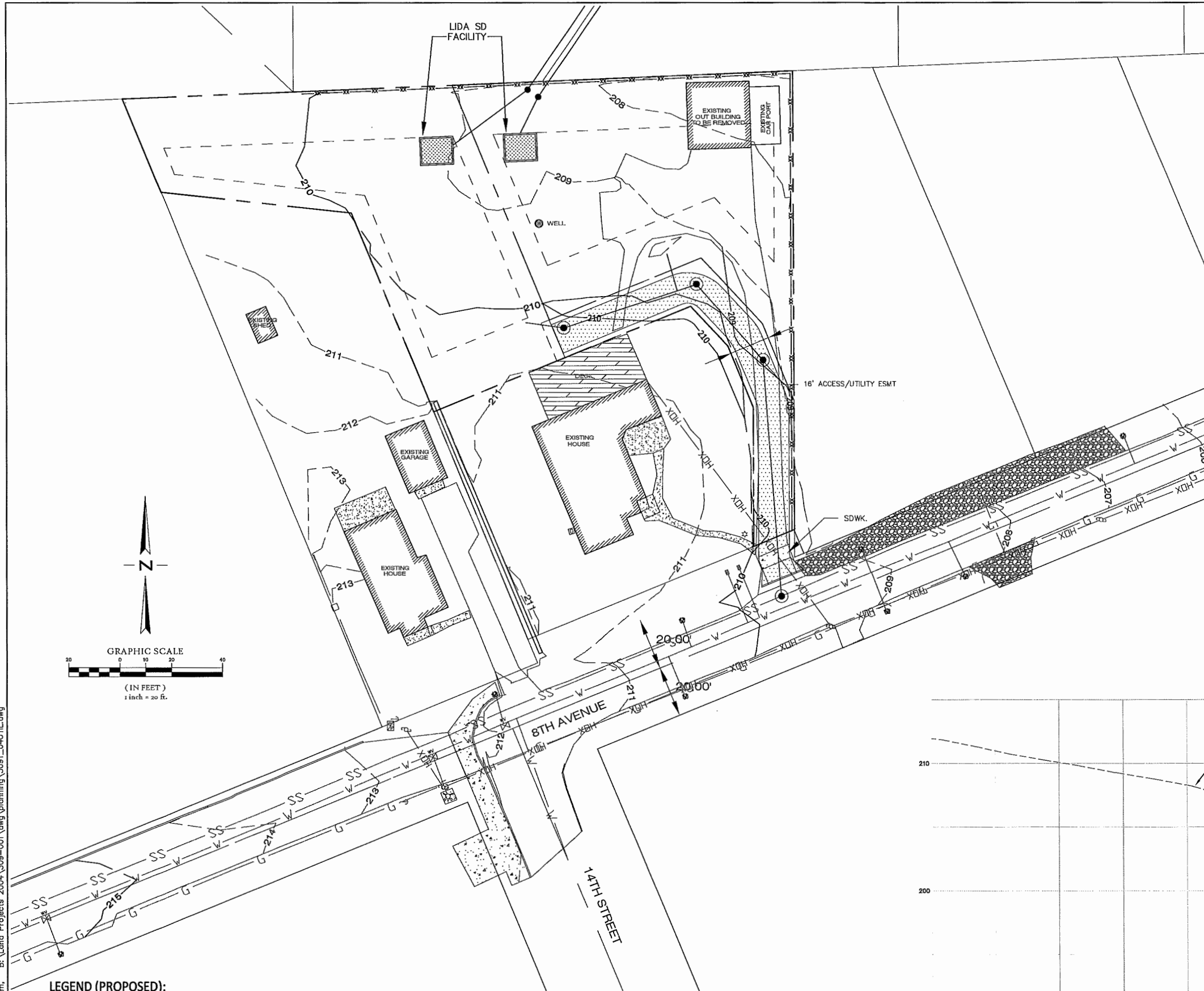


**EXISTING CONDITIONS**  
**8TH AVE PLA/ PARTITION**  
**CITY OF WEST Linn, OREGON**

**SFA Design Group, LLC**  
 STRUCTURAL, CIVIL, PLANNING, SURVEYING  
 9329 SW Washington Square Dr., Suite 505  
 Portland, Oregon 97225  
 PH: (503) 464-8311 Fax: (503) 645-7965  
<http://www.sfaeng.com>

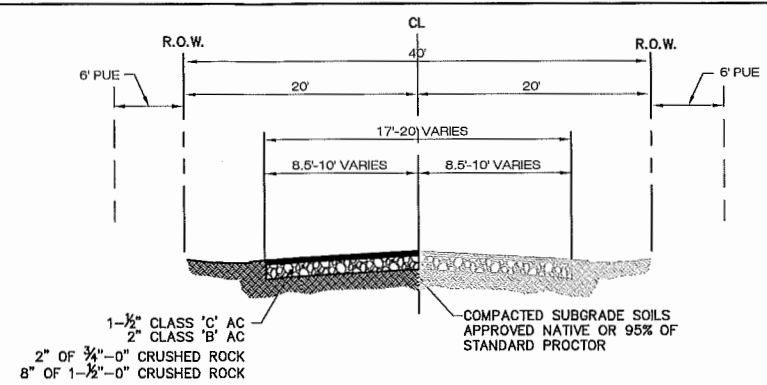
DESIGNED BY	M.B.	DATE	08/20/04	BY
DRAWN BY	TCC	DATE	08/20/04	
REVIEWED BY	M.B.	DATE	08/20/04	
PROJECT NO.	309-001	REF.		
SCALE	1"=20'			
3091_03EXCN.dwg				
SHEET	3	OF	6	
PROJECT	8TH AVE			
NO.	309-001			
TYPE	PLANNING			

courtis, Plotted: Aug 28, - 1:28pm, B:\Land Projects\2004\309-001\dwg\planning\3091\_04U1L.dwg



**LEGEND (PROPOSED):**

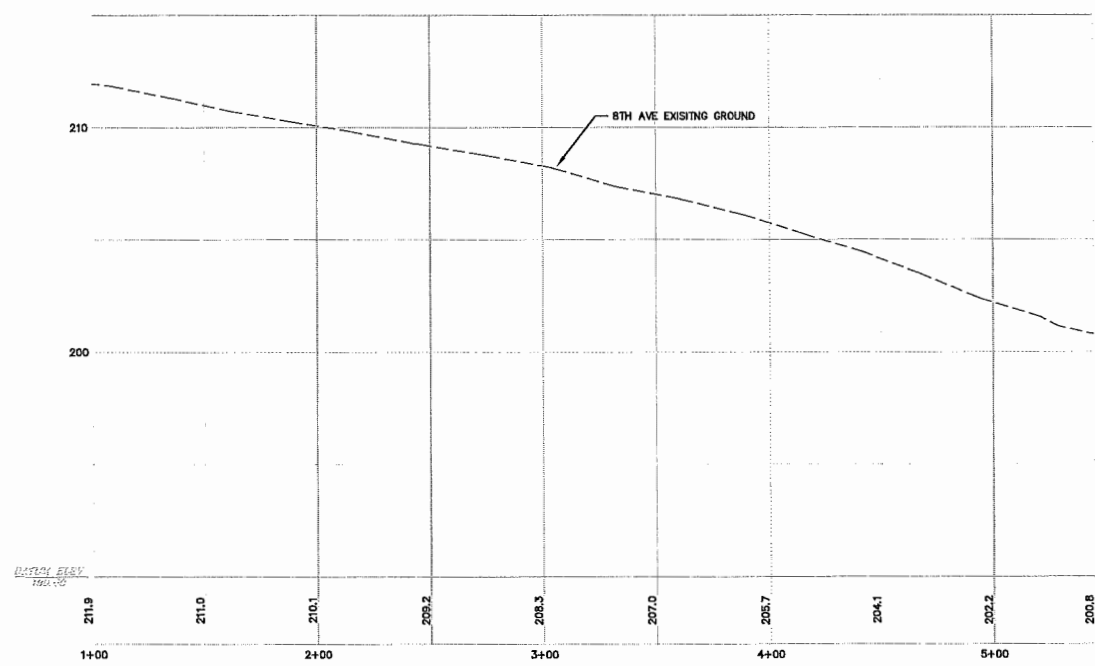
- |  |                             |  |                       |
|--|-----------------------------|--|-----------------------|
|  | - WATER METER               |  | - STORM DRAINAGE LINE |
|  | - STORM CLEANOUT            |  | - SANITARY SEWER LINE |
|  | - SANITARY MANHOLE          |  | - WATER LATERAL LINE  |
|  | - PROPOSED ASPHALT PAVEMENT |  | - LOT LINE            |
|  | - LIDA SD FACILITY          |  | - EASEMENT LINE       |
|  |                             |  | - DRIVEWAY LINE       |
|  |                             |  | - 1' CONTOUR LINE     |
|  |                             |  | - 5' CONTOUR LINE     |
|  |                             |  | - E-C FENCE           |



**TYPICAL STREET**  
**8TH AVENUE**  
N.T.S.

**LEGEND (EXISTING):**

- |  |                                   |  |                                      |
|--|-----------------------------------|--|--------------------------------------|
|  | - STORM DRAINAGE LINE             |  | - VAULT AS NOTED                     |
|  | - SANITARY SEWER LINE             |  | - WATER VALVE                        |
|  | - WATER LINE                      |  | - WATER METER                        |
|  | - GAS LINE                        |  | - UTILITY POLE                       |
|  | - LOT LINE                        |  | - AREA DRAIN/DITCH INLET/CATCH BASIN |
|  | - RIGHT-OF-WAY LINE               |  | - STORM MAN-HOLE                     |
|  | - RIGHT-OF-WAY CENTERLINE         |  | - SANITARY MAN-HOLE                  |
|  | - BOUNDARY LINE OF SUBJECT PARCEL |  | - FIRE HYDRANT                       |
|  | - WALL AS NOTED                   |  | - GAS RISER                          |
|  | - FENCE AS NOTED                  |  | - COMMUNICATION PEDESTAL             |
|  | - OVERHEAD POWER                  |  |                                      |
|  | - 1' CONTOUR LINE                 |  |                                      |
|  | - 5' CONTOUR LINE                 |  |                                      |
|  | - EXISTING GRAVEL                 |  |                                      |
|  | - EXISTING CONCRETE               |  |                                      |
|  | - EXISTING ASPHALT PAVEMENT       |  |                                      |
|  | - EXISTING BUILDING FOOTPRINT     |  |                                      |



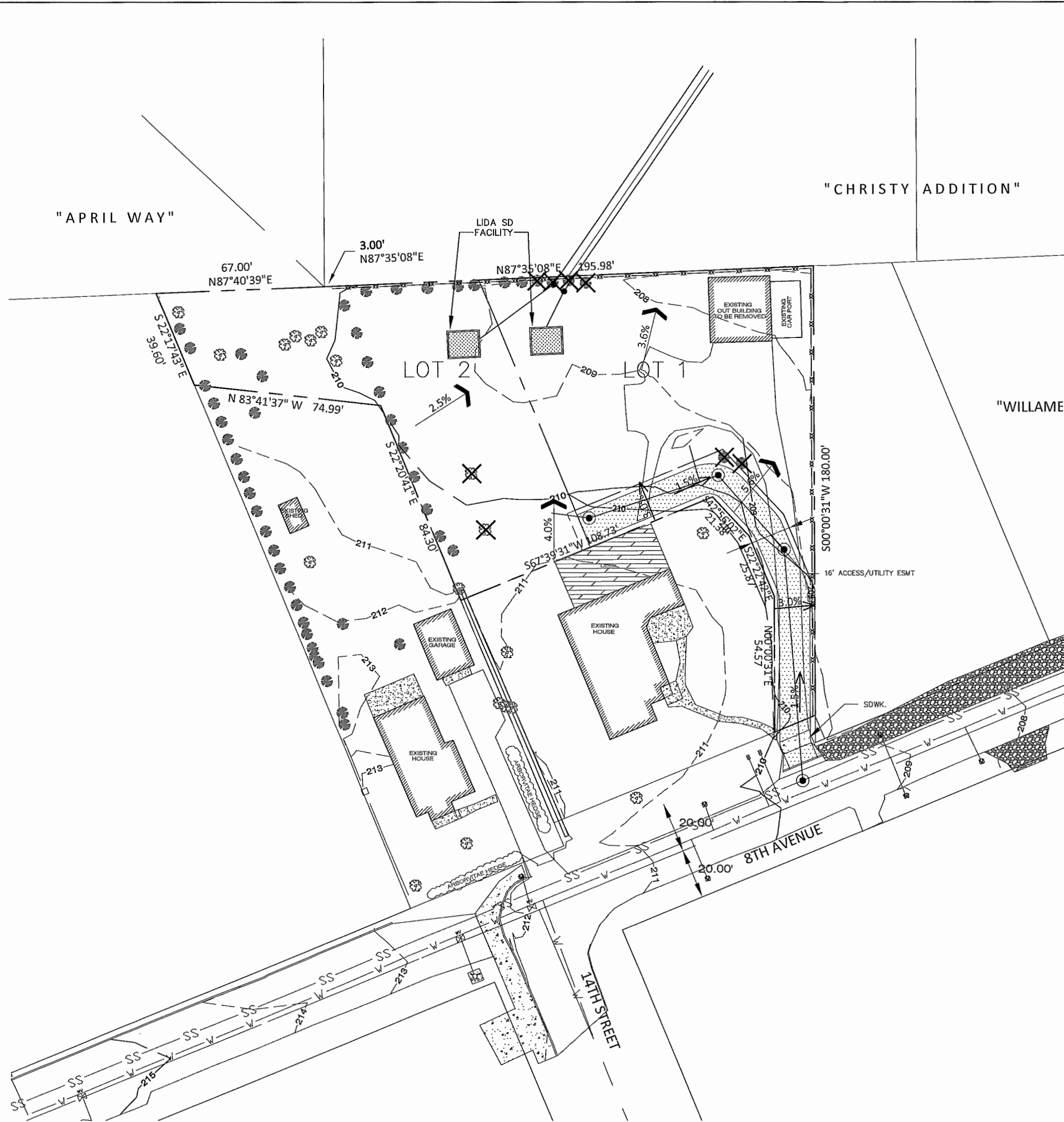
**8TH AVENUE**  
SCALE: HORZ: 1" = 40', VERT: 1" = 4'

**SFA Design Group, LLC**  
STRUCTURAL | CIVIL | PLANNING | SURVEYING  
9020 SW Washington Square Dr, Suite 905  
Portland, Oregon 97223  
Ph: (503) 641-8811 Fax: (503) 645-7905  
http://www.sfadg.com

**STREET AND UTILITIES PLAN**  
**8TH AVE PLA/ PARTITION**  
CITY OF WEST Linn, OREGON

NO.	DATE	REVISION	BY

DESIGNED BY: M.L.S. DATE: 08/20/04  
DRAWN BY: T.D.C. DATE: 08/20/04  
REVIEWED BY: M.L.S. DATE: 08/20/04  
PROJECT NO: 309-001 REF: \_\_\_\_\_  
SCALE: 1"=20'  
3091\_04U1L.dwg



**LEGEND (EXISTING):**

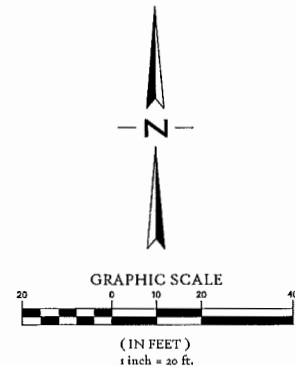
- SD SD - STORM DRAINAGE LINE
- SS - SANITARY SEWER LINE
- W - WATER LINE
- - - - - LOT LINE
- - - - - RIGHT-OF-WAY LINE
- - - - - RIGHT-OF-WAY CENTERLINE
- - - - - BOUNDARY LINE OF SUBJECT PARCEL
- - - - - WALL AS NOTED
- - - - - 209 - 1' CONTOUR LINE
- - - - - 210 - 5' CONTOUR LINE
- [Pattern] - EXISTING GRAVEL
- [Pattern] - EXISTING CONCRETE
- [Pattern] - EXISTING ASPHALT PAVEMENT
- [Pattern] - EXISTING BUILDING FOOTPRINT
- [Arrow] - EXISTING FLOW DIRECTION
- [Symbol] - CONIFEROUS TREE
- [Symbol] - DECIDUOUS TREE
- [Symbol] - VAULT AS NOTED
- [Symbol] - WATER VALVE
- [Symbol] - WATER METER
- [Symbol] - UTILITY POLE
- [Symbol] - AREA DRAIN/DITCH INLET/CATCH BASIN
- [Symbol] - STORM MANHOLE
- [Symbol] - SANITARY MANHOLE
- [Symbol] - FIRE HYDRANT
- [Symbol] - GAS RISER
- [Symbol] - COMMUNICATION PEDESTAL

**LEGEND (PROPOSED):**

- [Symbol] - WATER METER
- [Symbol] - STORM CLEANOUT
- [Symbol] - SANITARY MANHOLE
- - - - - STORM DRAINAGE LINE
- - - - - SANITARY SEWER LINE
- - - - - WATER LATERAL LINE
- - - - - LOT LINE
- - - - - EASEMENT LINE
- - - - - DRIVEWAY LINE
- - - - - 209 - 1' CONTOUR LINE
- - - - - 210 - 5' CONTOUR LINE
- - - - - EC FENCE
- [Pattern] - PROPOSED ASPHALT PAVEMENT
- [Pattern] - LIDA SD FACILITY
- [Symbol] - TREE TO BE REMOVED
- [Arrow] - PROPOSED FLOW DIRECTION

**CUT / FILL TOTALS**

PROPOSED CUT = 16 CY  
 PROPOSED FILL = 1 CY  
 CUT / FILL TOTAL = 15 CY CUT  
 DISTURBANCE AREA = 0.12 AC



**PRELIMINARY GRADING/  
 TREE REMOVAL PLAN  
 8TH AVE PLA / PARTITION  
 CITY OF WEST LINN, OREGON**

NO.	DATE	REVISION	BY

DESIGNED BY: M.L.S. DATE: 08/20/04  
 DRAWN BY: T.C.C. DATE: 08/20/04  
 REVIEWED BY: M.L.S. DATE: 08/20/04  
 PROJECT NO.: 309-001 REF.:  
 SCALE: 1"=20'

SHEET **5** OF **6**

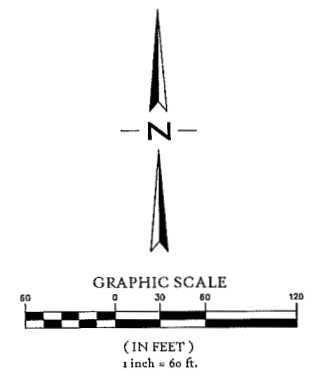
PROJECT **8TH AVE**  
 NO. **309-001**  
 TYPE **PLANNING**





**LEGEND**

- PROPOSED PEDESTRIAN CIRCULATION
- ○ ○ ○ ○ EXISTING PEDESTRIAN CIRCULATION
- ↔ ↔ ↔ ↔ ↔ PROPOSED VEHICULAR / BICYCLE CIRCULATION
- ↔ ↔ ↔ ↔ ↔ EXISTING VEHICULAR / BICYCLE CIRCULATION



**AERIAL/ CIRCULATION PLAN**  
**8TH AVE PLA/ PARTITION**  
**CITY OF WEST LINN, OREGON**

NO.	DATE	REVISION	BY

DESIGNED BY: M.L.S. DATE: 08/20/04  
 DRAWN BY: T.C.C. DATE: 08/20/04  
 REVIEWED BY: M.L.S. DATE: 08/20/04  
 PROJECT NO.: 309-001 REF.:  
 SCALE: 1"=60'

SHEET **6** OF **6**  
 PROJECT **8TH AVE**  
 NO. **309-001**  
 TYPE **PLANNING**