

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
November 21, 2013

SUBJECT: Planned Unit Development and Class II Design Review for duplex-style multi-family development, possibly requiring Water Resource Area permit, at 18270/18340 Willamette Drive and 18395 Shady Hollow Way. Water Resource Area (WRA) approval also applies unless professional analysis proves there is no actual open drainage channel.

ATTENDEES: Applicants: David & Diana Emami, Stewart Gordon Straus
Staff: Tom Soppe (Planning Department), Khoi Le (Engineering Division)
ODOT: Seth Brumley
Neighborhood: Kevin Bryck (Robinwood NA)

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Project Details

This is an approximately two-acre site at the northeast corner of Willamette Drive and Shady Hollow in the Robinwood area. The zoning is R-4.5. The applicants propose a multi-family development, and the removal of the two single-family houses currently on site. As is desirable, the new development would access only off of Shady Hollow Way and not Willamette Drive.



Existing house on site along Shady Hollow Way



Existing house and driveway from Willamette Drive. House and its outbuildings are on the left. On the right is the house on site that accesses from Shady Hollow, which is also seen in the photo above this one.



Northwest area of site as seen from Willamette Drive edge; Open channel shown on maps is along the trees and bushes behind the white van.

The proposed development would be in the form of duplex-style buildings, but the applicant does not plan subdivision of these into separate lots so the use would be considered multi-family rather than duplex or single-family residential attached. Multi-family is not allowed in the R-4.5 zone but can be allowed with a Planned Unit Development (PUD) approval. Community Development Code (CDC) 24.090 states the following:

24.090 APPLICABILITY AND ALLOWED USES

Subject to the provisions of CDC [24.070](#), [24.080](#) and this section, the PUD Overlay Zone may be applied to all residential, commercial, and industrial zones.

A. In addition to the uses allowed outright in the underlying zone the following uses shall be allowed outright where all other applicable standards are met.

1. Single-family, duplex, attached housing and multiple-family housing.

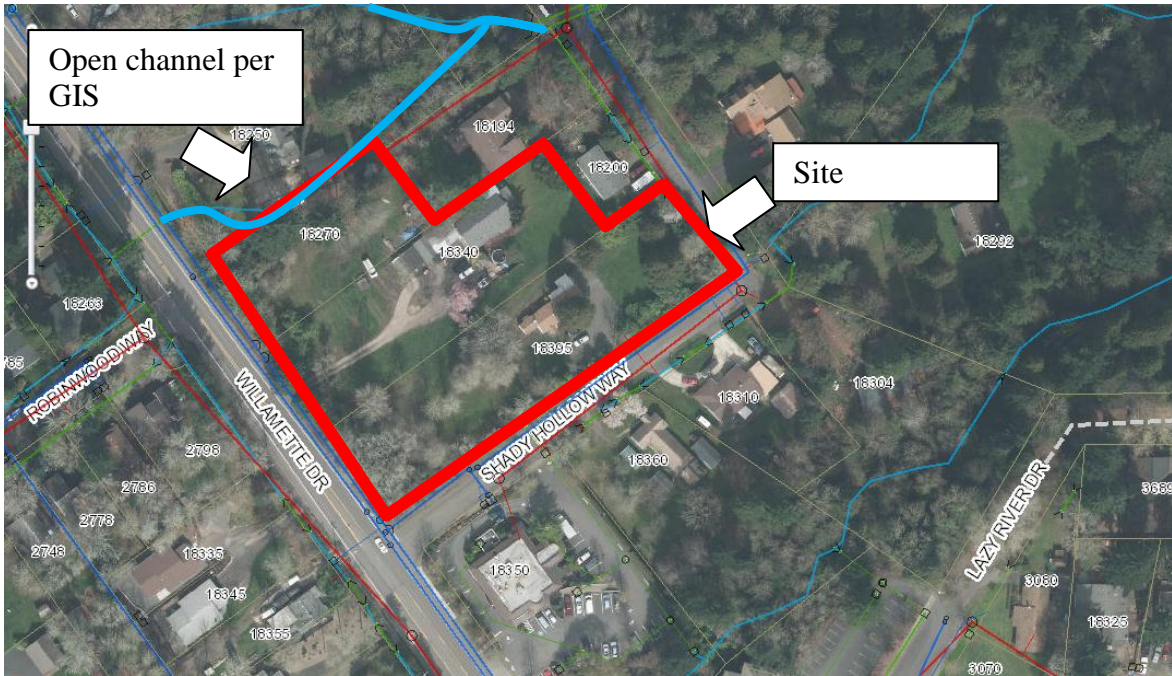
The zone change approval from 2008 which changed the site from R-10 to R-4.5 came with conditions, which are listed in the zone change ordinance for the site. The file is ZC-08-01/PLN-08-06. Condition of Approval 3 in the ordinance requires a 25-foot –wide buffer between buildings on the site and the properties to the east. The concept plan will have to be modified to meet this standard, even if units are lost.

The other constraint that affects the property is the open channel just north of the property. As an open channel this has a development setback of 50 feet and a structural setback of another 7.5 feet (to a building side) or 15 feet (to a building rear), per CDC 32.050(E). Because this setback overlaps with the site, a Water Resource Area permit is

also required. Under current Chapter 32 Water Resource Area provisions, this area will be required to not have buildings and the 50-foot buffer specifically will be required to be in its own tract or conservation easement per CDC 32.050(D). This is likely to result in the loss of 4-6 units unless the applicant can reconfigure the site so these can fit elsewhere. The applicant also is required to provide 300 square feet of usable open space per unit. Since the Water Resource Area buffer is to be preserved as a conservation area it cannot count as usable space. This may require further reconfiguration of the site and may make it hard not to lose the aforementioned units from the plan. Further investigation may be needed to determine if an actual viable open channel does exist at this location, as sometimes wrong assumptions were made on the data that became the City's stormwater map. Staff found mixed evidence of channelization here. A wetlands specialist, in conjunction with City engineering staff, may have to make the final determination. If it is concluded that there is not an open channel here, the setbacks, easements/tracts, and protected areas discussed above do not apply.

In duplex configuration CDC 14.070(A)(3) requires a minimum of 4,000 square feet per unit; with the non-subdivided multi-family provision of duplexes as proposed by the applicant, this amount of minimum square feet per unit applies to the entire site as there will not be individual lots. As the site has approximately 90,479 square feet, a maximum of 22 units are allowed, even if private "right of way" in the form of shared driveway is not subtracted, which it must be according to CDC 24.120. Typically it would subtract about $\frac{1}{4}$ of the area so something like 16 units is more likely (which would probably become 15 or so after the water resource area, if the property really has one, is subtracted). Also, density transfer is further affected by how the water resource area square footage can only be 50% transferred to the rest of the site per CDC 24.130(B). The applicant proposes 30 units, so some units will have to be lost anyway.

Theoretically the applicant could request a density bonus for more units than allowed by the calculations of 24.120, responding to the criteria and calculations in 24.150 and 24.160 to make the case that this is warranted. This could bring the development, at the highest theoretical possibility, up to approximately 29 units (using the maximum allowed low-cost housing, design excellence, and the dedication of the water resource setback), but that is also before subtracting private right of way so that would likely bring it down to 22 units or so at the highest theoretical possibility.



Aerial of site, and location of open channel on City GIS maps



Shady Hollow Way along south edge of site (right)



Shady Hollow Way along east edge of site (left)



Willamette Drive along west edge of site (right)

Engineering Notes

I. TRANSPORTATION

WILLAMETTE DRIVE

Willamette Drive is an ODOT Highway. Pavement improvement will be dictated by ODOT.

City of West Linn will coordinate with ODOT on sidewalk and curb improvement.

| | EXISTING CONDITIONS | POTENTIAL POST DEVELOPMENT CONDITIONS |
|---------------------|---------------------|---------------------------------------|
| Classification | State Highway | State Highway |
| Zone | R-4.5 | R-4.5 |
| Right of Way Width | Approximate 80' | Check with ODOT |
| Full Pavement Width | Approximate 43' | Check with ODOT |

| | | |
|-----------------|----------------------------------|--|
| Bike Lane | Along the frontage | 6' |
| Curb and Gutter | None | Curb and Gutter |
| Planter Strip | None | 5.5' |
| Sidewalk | None | 6' |
| Street Light | None | Yes – LED Fixtures |
| Utility Pole | None | New services to be placed underground |
| Street Tree | None | Yes |
| ADA Ramps | None | Yes |
| Post Speed | 35 MPH | 35 MPH |
| Stripe | Double Center Line and Bike Line | Provide proper striping as part of street improvements and in accordance with ODOT requirements. |

A. MINIMUM REQUIRED IMPROVEMENT WITH ODOT REVIEW AND APPROVAL

1. Dedication: None
2. Per ODOT recommendations.
3. Provide striping including double yellow line and 6' bike lane in accordance with ODOT recommendations and requirements.
4. Provide illumination analysis of the existing conditions. Install street lights per analysis recommendations in accordance with ODOT requirements. Street lights should match existing surrounding lights, with LED Beta Fixtures.
5. Provide Street Trees. Coordinate with Parks Department for requirements.
 - Driveway Approach: 36' maximum width including wings. See WL-504A, 504B, and 505 for technical and construction specifications. Driveway approach serving 3 lots or more.
6. All new and existing overhead utilities along the development must be placed underground.
7. Reference: Burgerville and Willamette Village Shopping Center

SHADY HOLLOW WAY

| | EXISTING CONDITIONS | POTENTIAL POST DEVELOPMENT CONDITIONS |
|---------------------|---------------------|---------------------------------------|
| Classification | Local | Local |
| Zone | R-4.5 | R-4.5 |
| Right of Way Width | Approximate 46' | 52' |
| Full Pavement Width | Approximate 24' | 28' |
| Bike Lane | None | No |
| Curb and Gutter | None | Curb and Gutter |
| Planter Strip | None | 5.5' Planter |
| Sidewalk | None | 6' Sidewalk |
| Street Light | None | Yes – LED Fixtures |

| | | |
|--------------|--------------------|---|
| Utility Pole | None | New services to be placed underground |
| Street Tree | None | Yes |
| ADA Ramps | None | Yes |
| Post Speed | 10 MPH | 10 MPH |
| Stripe | Double Center Line | Provide proper stripe as part of street improvement |

B. MINIMUM REQUIRED IMPROVEMENT

1. Dedication: 6''
2. Provide a minimum 16' half street pavement improvement with the following sections:
 - 10" of 1-1/2"-0 Crush Rock
 - 2" of 3/4" -0 Leveling Course
 - 4" of AC Pavement consisting of 2" Class "C" over 2" Class "B"
 - See Public Works Standards Section 5.0030 Pavement Design for design requirements.
3. Provide illumination analysis of the existing conditions. Install street lights as recommended in accordance to the followings:
 - Average Maintained Illumination: 0.6 foot-candles (Residential)
 - Uniformity Average to Minimum: 4 to 1
 - Street Light should match existing surrounding lights, with LED Beta Fixtures.
4. All new and existing overhead utilities along the development must be placed underground.
5. Reference: Burgerville

C. CITY TRANSPORTATION MASTER PLAN

PEDESTRIAN MASTER PLAN

Willamette Dr is indicated in the City Pedestrian Master Plan as one of the roadways with sidewalk deficiencies. The sidewalk project along Willamette Drive between Shady Hollow Way and the north edge of the City Limits is identified as project number 14 on the Pedestrian Master Plan Project list (See TSP page 5-6). **6' sidewalk along the project frontage will be included as part of the street improvement requirements.**

BICYCLE MASTER PLAN

Willamette Dr is indicated in the City Bicycle Master Plan as one of the roadways with bike lane deficiencies. The bike lane project along Willamette Drive between McKillican St to North City Limits is identified as project 24 on the Bicycle Plan Project List (See TSP page 6-7). **6' bike lane along project frontage will be included as part of the street improvement requirements.**

MOTOR VEHICLE MASTER PLAN

The intersection of Shady Hollow Way and Willamette Dr was not one of the intersections analyzed in the TSP. The nearest intersection analyzed is Arbor Dr.

Existing Operations Conditions

| Intersection | LOS | Average Delay (sec) | Volume/ Capacity (v/c) | Measure of Effectiveness Administrative | | MOE Met? |
|--------------------------------|-----|---------------------|------------------------|---|-----------|----------|
| | | | | Agency | Maximum | |
| Willamette Dr/Shady Hollow Way | B/F | 1.5 | 0.03/0.037 | ODOT | 0.99/0.90 | YES |

The intersection will still continue to operate at this level until 2030. No improvement is needed at this point.

D. STREET SDC AND BIKE/PEDESTRIAN EFFECTIVE JULY 1ST 2013

| Type of Use | Trip per Use | Factor | Reimbursement | Improvement | Admin. | Total |
|-----------------|--------------|--------|---------------|-------------|--------|---------|
| Per Factor of 1 | | 1.00 | \$2,201 | \$4,717 | \$179 | \$7,097 |
| Single Family | Per House | 1.01 | \$2,223 | \$4,764 | \$181 | \$7,168 |

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

II. STORM DRAINAGE

A. EXISTING CONDITIONS

1. There are limited public storm mains along both Willamette Dr and Shady Hollow Way.

B. MINIMUM REQUIRED IMPROVEMENT

1. Provide treatment for new impervious of 500 square feet or more.
2. Provide detention for new impervious of 5000 square feet or more.
3. Storm Drainage Analysis Report is required.
4. **Collect, treat, detain, and provide proper conveying system for new impervious area created along Willamette Dr and Shady Hollow Way. Installation of public storm main on Shady Hollow Way may be required.**

C. SURFACE WATER SDC EFFECTIVE JULY 1ST 2013

| Unit | | Factor | Reimbursement | Improvement | Admin. | Total |
|-----------------|-----------|--------|---------------|-------------|--------|---------|
| Per Factor of 1 | | 1.00 | \$793 | \$238 | \$52 | \$1,083 |
| Single Family | Per House | 1.00 | \$793 | \$238 | \$52 | \$1,083 |

III. SANITARY SEWER

A. EXISTING CONDITIONS

1. Public sanitary sewer main is available along Shady Hollow Way for connectivity.

B. MINIMUM REQUIRED IMPROVEMENT

1. If the existing houses are on septic, decommission the septic tank(s) and drain field(s) in accordance to DEQ requirements and submit to the City with proper paperwork.

A. SANITARY SEWER SDC EFFECTIVE JULY 1ST 2013

| Unit | Meter Size | Factor | Reimbursement | Improvement | Admin. | 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 |

Tri-City Service District Sewer SDC 1 EDU = \$2,020

IV. WATER

A. PRESSURE ZONE

1. Zone: Robinwood Zone
2. Overflow Elevation: 328 Upper Elevation: 218 Lower Elevation: to river

B. RESERVOIR AND PUMP STATION

1. Reservoir: The View Drive Reservoir is located on View Dr. The reservoir's usable capacity is 0.4 million gallons. The reservoir is filled by South Fork and also has an emergency intertie with Lake Oswego.
2. Pump Station: The View Drive Pump Station has a total of 3 pumps at 600 gpm each with nominal firm capacity at 1,200 gpm.

C. EXISTING POPULATION AND PROJECTED POPULATION AT SATURATION

1. Existing Population: 1,915
2. Projected Population at Saturation: 2,476

D. WATER DEMAND AT SATURATION

| Average Day Demand (mgd) | Maximum Day Demand (mgd) | Peak Hour Demand (mgd) |
|--------------------------|--------------------------|------------------------|
| 0.3 | 0.8 | 1.2 |

E. RESERVOIR AND PUMP STATION CURRENT OPERATING CONDITIONS

1. In accordance with Water System Plan, both the reservoir and pump station are listed as appearing in good condition.

F. ROBINWOOD PRESSURE ZONE PERFORMANCE

| Year | MDD (mg) | Fire Flow (mg) | Total Supply Need (mg) | Normal Supply Capacity (mg) | Emerg. Supply Capacity (mg) | Normal Supply Deficit (mg) | Emerg. Supply Deficit (mg) |
|------------|--------------|----------------|------------------------|-----------------------------|-----------------------------|----------------------------|----------------------------|
| Current | 1.6 (0.6) | 0.5 | 2.1 (1.1) | 3.1 | 0.5 | (1.0) | 0.6 |
| 2015 | 1.7 (0.7) | 0.5 | 2.2 (1.2) | 3.1 | 0.5 | (0.9) | 0.8 |
| 2030 | 1.9 (0.8) | 0.5 | 2.4 (1.3) | 3.1 | 0.5 | (0.7) | 0.8 |
| Saturation | 2.0 (0.8) | 0.5 | 2.5 (1.3) | 3.1 | 0.5 | (0.6) | 0.8 |

1. The table above indicates that there is NO deficiency in supply capacity during normal conditions. There is no improvement project adjacent to development listed in the Water System Master Plan.

G. ROBINWOOD PRESSURE ZONE SUPPLY AND STORAGE DEFICIT

| Year | Normal Conditions | | | Emergency Conditions | | |
|------------|----------------------|---------------------|-----------------------|----------------------|-----------------------|-----------------------|
| | Supply Deficit (mgd) | Storage Volume (mg) | Overall Deficit (mgd) | Supply Deficit (mgd) | Storage Deficit (mgd) | Overall Deficit (mgd) |
| Current | 0 | 0.4 | 0 | 0.6 | 0.4 | 0.2 |
| 2015 | 0 | 0.4 | 0 | 0.7 | 0.4 | 0.3 |
| 2030 | 0 | 0.4 | 0 | 0.8 | 0.4 | 0.4 |
| Saturation | 0 | 0.4 | 0 | 0.8 | 0.4 | 0.4 |

1. The table above indicates that there is no overall storage volume deficit during a normal condition but deficient during emergency condition.

H. ROBINWOOD PRESSURE ZONE MASTER PROJECT LIST

1. There are 8 water improvement projects listed in the City Water System Plan under the Willamette Pressure zone. **Project number 60 is along the subject development frontage. However it was done in 2013. No improvement is required of this development.**

I. MINIMUM REQUIRED IMPROVEMENTS

1. Existing public water system is available on Shady Hollow Way for connection.
2. New water meter shall be set behind curb and out of driveway approaches. No water meters or water main shall be allowed to be placed in private driveway.
3. Existing fire hydrant on Willamette Dr will need to be replaced with new hydrant to ensure efficiency.

J. WATER SDC EFFECTIVE JULY 1ST 2013

| Unit | Meter Size | Factor | Reimbursement | Improvement | Admin. | Total |
|-----------------|------------|--------|---------------|-------------|---------|----------|
| Per Factor of 1 | | 1.00 | \$585 | \$6,969 | \$196 | \$7,750 |
| 1” Meter | | 2.5 | \$1,463 | \$17,423 | \$490 | \$19,376 |
| 1.5” Meter | | 5 | \$2,925 | \$34,845 | \$980 | \$38,750 |
| 2” Meter | | 8 | \$4680 | \$55,752 | \$1,568 | \$62,000 |

Process

Planned Unit Development (PUD) and Class II Design Review approvals are required. Unless analysis shows otherwise as discussed above, a Water Resource Area permit is also required. This will be a Planning Commission decision as PUD and Class II Design Review require Planning Commission approval.

A neighborhood meeting is required for this application. The site is in the Robinwood neighborhood. Contact Aaron Buffington, President of the Robinwood Neighborhood Association, at RobinwoodNA@westlinnoregon.gov. Follow the provisions of 99.038 precisely, including regarding what needs to be submitted with the application regarding the meeting and meeting notice. The applicant is required to provide the neighborhood association with conceptual plans and other material at least 10 days prior to the meeting.

Follow 24.080, 55.070, and 32.040 strictly and completely regarding submittal requirements (including plans, maps, etc.) that should accompany the narrative and the application form. Submittal requirements may be waived but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Director and must identify the specific grounds for that waiver. The waiver may or may not be granted by the Planning Director.

The criteria of 24.100, 24.110, 24.170, 24.180, 32.050, and 55.100 shall be responded to in a narrative (if requesting a density bonus, also respond to 24.150 and 24.160). N/A is not an acceptable response to the approval criteria. Prepare the application and submit to the Planning Department with deposit fees and signed application form.

Prepare the application and submit to the Planning Department with a signed application form and deposit fees. The deposit for PUD is \$4,600, plus a \$500 fee for eventual final inspection. The fee for Class II Design Review is \$4,000 plus 4% of construction value, plus a \$300 final inspection fee. The deposit for a Water Resource Area permit is \$1,850.

PLEASE NOTE that the deposits are initial deposits, and staff time is charged against the deposit account. It is common for there to be more staff time spent on development applications than deposits cover, and therefore additional billing may be likely to occur.

Once the submittal is deemed complete, the staff will schedule a hearing with the Planning Commission. Staff will send out public notice of the Planning Commission hearing at least 20 days before it occurs. The Planning Commission's decision may be appealed to City Council by the applicant or anyone with standing.

The CDC is online at <http://westlinnoregon.gov/planning/community-development-code-cdc>.

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.

Typical land use applications can take 6-10 months from beginning to end.

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.