

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**July 3, 2008**

SUBJECT: 11-lot subdivision at 1329-1335 Willamette Falls Drive.

ATTENDEES: Applicants: Dave Gackle, Pat Carroll; Staff: Tom Soppe  
(Planning Department); Dennis Wright (Engineering Division)

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*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**

The property consists of two parcels with a combined square footage of approximately 90,000 in the R-4.5 zoning district along the south side of Willamette Falls Drive, just west of the Willamette historic commercial area in the Willamette neighborhood. Willamette Falls Drive is the only developed street providing access to the property, although there is an undeveloped ROW of 19<sup>th</sup> Street along the west side of the site. Several parcels to the east, south and southeast of the site are also zoned R-4.5, while the rest of the surrounding neighborhood including properties immediately north and west of the site are zoned R-10. Most of the properties in the surrounding area are developed to their full capacity or close to it. Each of the two parcels that comprise the site contains an existing house, both of which are planned to be retained on the applicant's conceptual plan, while a garage will be removed on the 1335 property.

The applicant proposes a dead-end street with a 48-foot ROW to enter the property from Willamette Falls Drive in the northeast area of the site, serving lots 1-8 and 11. Lots 9 and 10 would take access from Willamette Falls Drive. Lot 2 would contain the existing house on 1335, Lot 9 the existing house on 1329.

The applicant may want to consider a street vacation for the steep and undeveloped portion of 19<sup>th</sup> Street to the west, which would give the property approximately 4,400 more square feet, which could theoretically be used to create at one more lot if appropriate reconfiguration of the proposed lots at the west end of the site allowed. If there is no street vacation, ½ street improvements are required here as well as along Willamette Falls Drive despite that there is no street here at this time. The applicant can apply for a variance to avoid constructing improvements here, can propose to build a trail along this ROW connecting Willamette Falls Drive to Cheryl Drive, or can build a street here as part of the subdivision, making a “loop” street system with the other proposed

street. The applicant expressed interest in the last option at the conference, specifically expressing interest in a 1-way loop street.

The property slopes down consistently to the south from Willamette Falls Drive, although some areas of the site (generally the southern part of the site) are more steep than others. Approximately  $\frac{1}{2}$  of the site consists of Type I and II lands, within which the density allowed is  $\frac{1}{2}$  of the base zone. Therefore the allowed number of units on site if it had no Type I and II lands would be 20. However approximately 15 units are allowed in reality as approximately  $\frac{1}{2}$  of the site would be allowed  $\frac{1}{2}$  the density, leading to 25% fewer units altogether than the 20. The applicant proposes 11 units, which therefore appears acceptable in terms of square footage even after the approximate square footage needed for the dead end ROW on site is subtracted. Attached single-family housing is allowed in the R-4.5 zone. If any of the housing is attached, Class II Design Review will have to be applied for also.

The applicant is not applying for a PUD as no open space is provided. The  $\frac{1}{2}$  density stipulation for Type I and II lands can only be avoided with a PUD; the applicant may achieve more units in this R-4.5 zone where attached housing is allowed by crowding units on the non Type I and II lands in the northern half of the site and dedicating the Type I and II lands to the city under the PUD provisions. These could be served by a frontage road that loops off Willamette Falls Drive, as is the case with a nearby development to the east. However, the applicant's conceptual non-PUD plan with 11 detached units looks as feasible as any other plan at this point. If a standard subdivision is applied for instead of a PUD, regulations on lots such as lots not being more than 2.5 times long as they are wide will apply; the current plan for example has one lot (Lot 11) that does not meet this particular code requirement. However, the applicant expressed great interest in the loop street system and other changes that may require significant changes from the submitted conceptual plan anyhow.

The applicant will need to prepare a tree survey of the property, indicating location, size, and species of each tree on the site. Each tree needs to be tagged in the field with a number that corresponds to the tree inventory map. CDC Section 55.100(B)(2) requires that up to 20% of the relatively flatter non-type I and II lands can be set aside to protect the dripline plus 10 feet of significant trees. (B)(2) also requires that all trees on Type I and II lands be preserved. That requirement can have a significant impact on some applications. Attached as well is the City Arborists map of which trees on site are significant. Achieving the goal of preservation of 20% of the site for significant tree dripline + 10 feet area may be possible by saving the trees north of the existing house on 1329, the trees at the rear of Lot 8, and the trees in the 19<sup>th</sup> Street ROW. However the arborist says the trees with highest significance are those near where the street into the site is currently proposed. The City does encourage saving as many significant trees as possible, and it may be possible to save many of these if the street enters the site slightly further east.

## **ENGINEERING REVIEW AND COMMENTS**

For 11 lot subdivision, followings are general comments on the requirements for street and utility improvements.

## **STREET**

Willamette Falls Drive is classified as Minor Arterial in the City Transportation Master Plan. The right of way for a Minor Arterial varies from 60'-72'-102' depended upon whether parking, bike lane, and median are required.

Currently, Willamette Falls Drive's right-of-way along the frontage of the proposed development is 60' wide per the information from the City assessor map. The City TMP also indicates that a bike lane is needed along Willamette Falls Drive between Broadway Street and Ostman Road. The TSP also indicates that sidewalk is needed on both side of Willamette Falls Drive between 16<sup>th</sup> Street and 19<sup>th</sup> Street.

*Since the TSP points out that Willamette Falls Drive along the proposed development frontage must have bike lane and sidewalk for bike and pedestrian connectivity respectively, 10' dedication shall be required.*

*Curb and gutter plus 6' sidewalk and 6' planter strip shall be required on Willamette Falls Drive along the development frontage.*

*Half street improvement shall be required on Willamette Falls Drive along the development frontage. Half street improvement shall consist of rebuild full structure of the road way from the face of the proposed curb to the center line of the road way or overlaying the full street depended upon the conditions of the existing pavement along the project frontage.*

19<sup>th</sup> Street is currently an unimproved right-of-way. The City Transportation Master Plan indicates that 19<sup>th</sup> Street is a Neighborhood Route. The right-of-way for a neighborhood route varies from 48'-52'-56' depended upon whether or not on-street parking is required.

*Currently the unimproved right-of-way is 40' wide. Dedication may be required depended whether or not development will construct an access onto 19<sup>th</sup> Street.*

*If the applicant decides to construct an access onto 19<sup>th</sup> Street, applicant shall be required providing street improvement that shall be adequate to handle the two way traffics.*

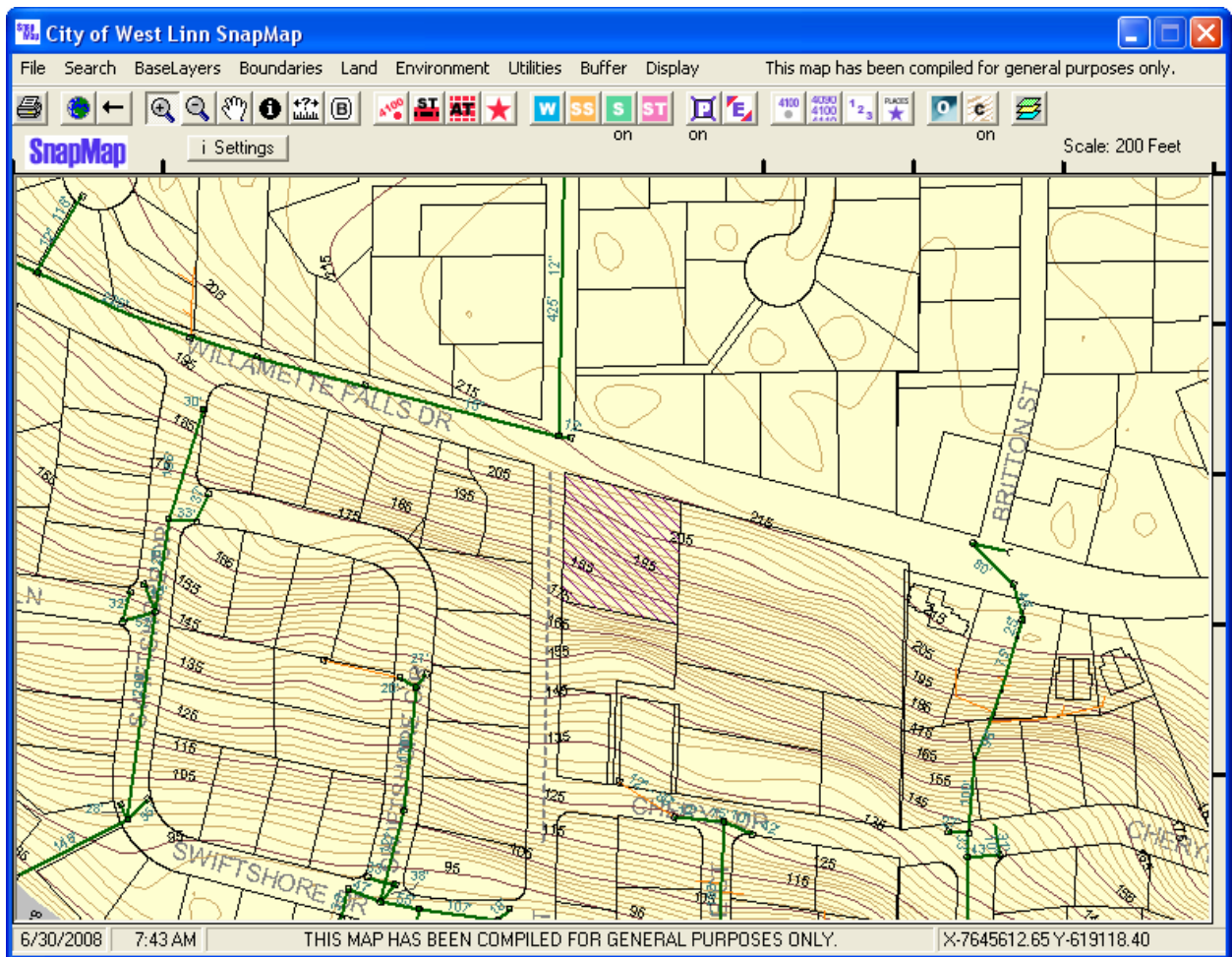
*Street improvement shall be designed and construct per the City of West Linn Public Works Design and Construction Standards and also to the satisfactory of TVF&R requirement.*

*The City TSP also indicates that the recommended access spacing standards on an Arterial roadway shall be 600 feet from the between public intersections. Private drives shall space at a minimum 300 feet from one another. **However the City prefers to have no individual driveway accesses directly onto WFD unless no practical alternative exists.***

*Similarly, a private drives shall be space at a minimum 100 feet from one another on a Neighborhood Route.*

Development shall be subject to Street SDC fee.

## STORM DRAINAGE



From the City GIS map, there is not storm drainage system along the project frontage on both Willamette Falls Drive and unimproved 19<sup>th</sup> Street.

***Possible connection is on Cheryl Drive but this will require request of easement on the neighboring property or running the storm line in the unimproved 19<sup>th</sup> Street ROW down to and connecting to Cheryl Drive.***

Street run-off along the project frontage on both Willamette Falls Drive and 19<sup>th</sup> Street shall be collected, treated and detained before discharging to the public storm system.

On-site run-off shall also be collected, treated and detained before discharging to the public storm system.

Onsite public stormwater facility such as water quality/detention facility shall be located in designate area such as storm easement or tract to provide City employees access to the facility for annual inspection and maintenance.

All private stormwater treatment facilities shall be subject to maintenance agreement with the City of West Linn.

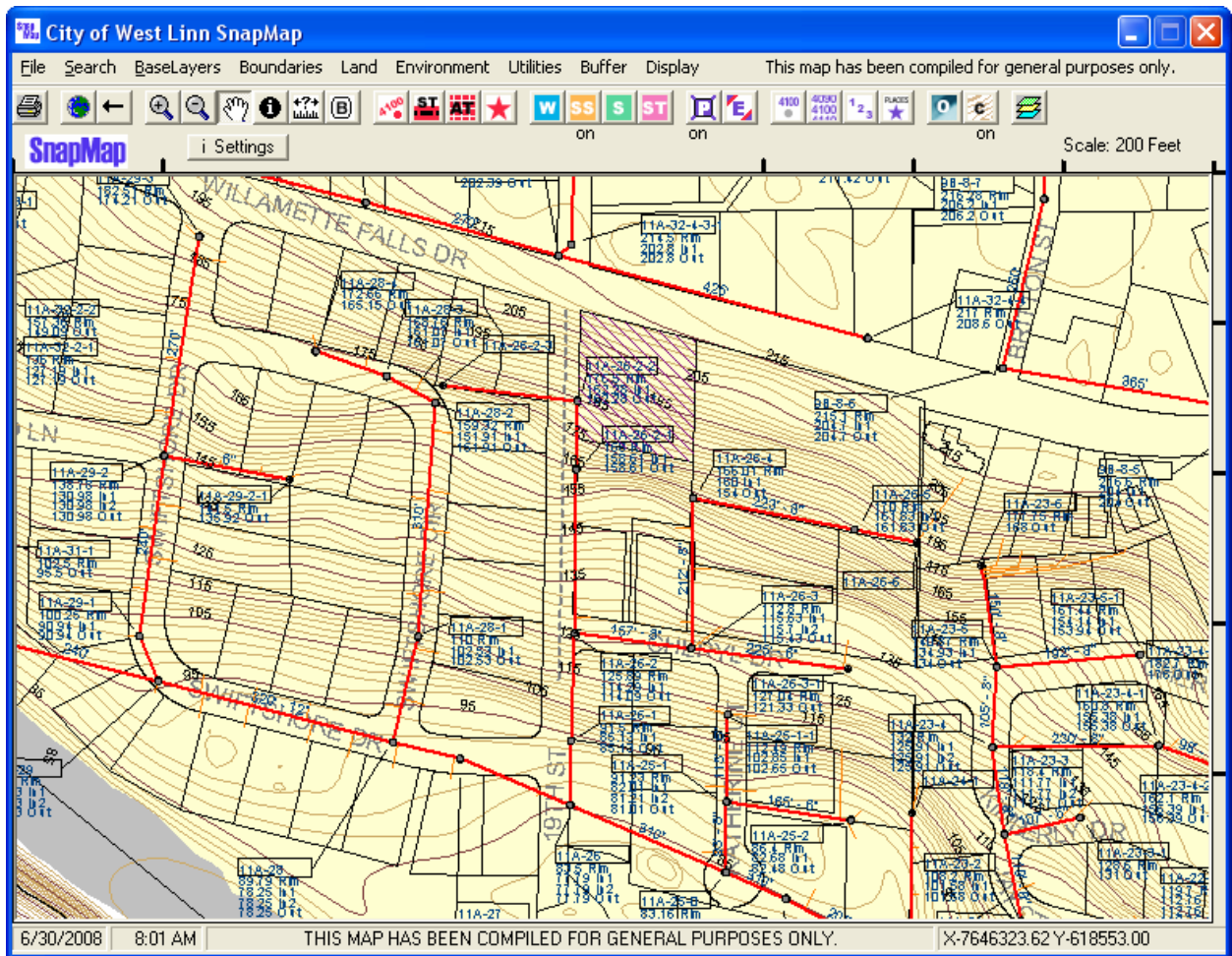
Proposed storm drainage system shall be designed and constructed per the current City of West Linn Design and Construction Standards.

Storm drainage service connections shall be subject to Storm SDC fee.

The PW Design and Construction Standards provide for flexibility on the part of the City Engineer to waive the requirement for detention. After discussions with staff and the consultant, the following criteria must be satisfied before the City Engineer will recommend a waiver of the detention requirement:

- The full stormwater analysis must be prepared and submitted in a manner and form acceptable to the City of West Linn; and
- The applicant must analyze and be able to demonstrate that downstream conveyance capacity exists, or will exist after proposed applicant-funded improvements, to handle the proposed flow; and
- The applicant must analyze and be able to demonstrate that there will be no downstream erosion; and
- The applicant must be able to demonstrate that there will exist adequate peak flow control on-site; and
- The site must be not more than 1/4 mile away from the river; and
- Additional treatment must be provided to ensure treatment of all stormwater associated with up to the 25-year storm.

## **SANITARY SEWER**



From the City record indicates that there is existing public sanitary sewer system available for connection.

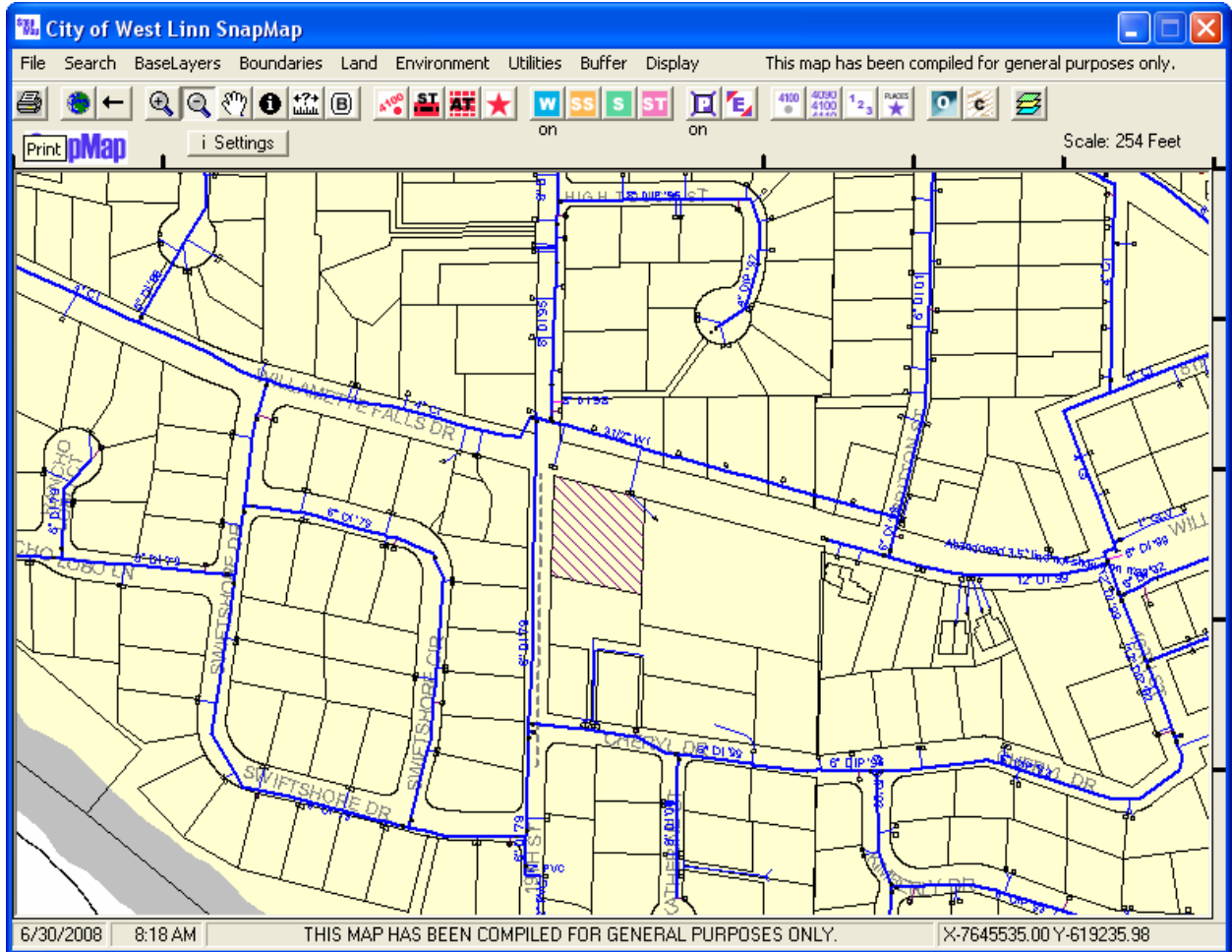
*The City Sanitary Sewer Master plan indicates that existing sanitary system around the proposed development is adequate for additional connections.*

*The existing down stream sanitary sewer system on Volpp Street starting from West of 4<sup>th</sup> Street is currently over capacity. This project is listed as one of the City Capital Improvement projects and it is 100% SDC funded. **However the developer will still be required to install sufficient sanitary sewer line upgrade to mitigate his impact on the deficient portion of the system.***

Proposed sanitary sewer system shall be designed and constructed per the City of West Linn current Public Works Design and Construction Standards.

Sanitary sewer service connections shall be subject to Sanitary Sewer SDC fee.

## WATER



This project site is located within the Willamette pressure zone.

From the City GIS snap map, there are existing public water mains surrounding the proposed project site for possible connection.

***Existing water meters shall be removed and plugged.***

***The existing 3.5\"***

Proposed water system shall be designed and constructed per the City of West Linn current Public Works Design and Construction Standards.

Water service connections shall be subject to SDC fee.



## **FIRE**

There are existing fire hydrants located around the proposed project site at the corner of Willamette Falls Drive and 19<sup>th</sup> Street as well as at the corner of Willamette Falls Drive and Britton Street. However the distance between these fire hydrants to the furthest point on the project site may exceed the allowed distance from the Fire Code, new hydrant(s) may be required.

In general, fire flow of 1,750 gpm or less the average spacing between fire hydrants shall be 500 feet.

The minimum required fire flow for one and two-family dwellings served by a municipal water supply shall be 1,000 gallon per minute. If structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to OFC Appendix B.

The minimum fire flow and flow duration for buildings others than one and two-family dwellings shall be determined according to OFC Appendix B. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi.

Within the boundaries of Lake Oswego Fire Department and TVF&R the maximum allowed fire flow is 3,000 gpm at 20 psi.

Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building. Access roads that is measured greater than 150 feet shall provide a fire turnaround.

Dead end fire apparatus access roads in excess of 500 feet in length shall have driving surface width of not less than 26 feet.

Fire apparatus access roadway grades shall not exceed 10 percent. Intersection and turnarounds shall be level (maximum 5 percent) with the exception of crowing for water run-off. When fire sprinklers are installed, a maximum grade of 15% may be allowed.

**Fire comments above are general comments. All designs and constructions related to fire shall be reviewed and approved by TVF&R Fire Marshal.**

## **FRANCHISED UTILITIES**

Existing overhead power line along the project frontage shall be underground. All new power lines shall be underground.

## **Process**

Meeting with the Willamette Neighborhood Association is required for a subdivision application. The applicant should schedule and conduct a neighborhood meeting



pursuant to CDC Section 99.038. Follow the requirements exactly. The Willamette Neighborhood Association meets on the second Wednesday of each month. Contact the NA president, Elizabeth Kieres, at [Willametteneighborhood@gmail.com](mailto:Willametteneighborhood@gmail.com).

The next step is full and complete response to the submittal requirements and approval criteria of CDC Chapter 85 Land Division (and 24 PUD if this is applied for, and 55 Design Review if this is applied for). N/A is not an acceptable response to the approval criteria. The 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. Prepare the application and submit to the Planning Department with deposit fees.

The deposit fee is \$4,200 + \$200/lot for a subdivision. The planned unit development deposit, if applicable, is \$3,000 plus \$400/acre. Class II Design Review, if applicable, is \$4,000 + 4% of C. V. (not to exceed \$20,000 total). Final subdivision plat deposit fees of \$1,520 plus city surveyor costs are also charged. Staff bills hours against the deposit fee and returns any surplus at the conclusion of the process, regardless of whether it is approved or denied.

The City has 30 days to determine if the application is complete or not. Most applications are incomplete, usually due to inadequate responses to approval criteria or lack of sufficient engineering information on the drawings. The applicant has 180 days to make it complete, although usually it is complete within three months of the original submittal. Once complete, the City has 120 days to exhaust all local review and appeals. Staff will schedule the Planning Commission hearing about 4-6 weeks after completeness determination. In the event of an appeal, the review body is the City Council. Subsequent appeals go to LUBA.

***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. Also note that these notes have a limited “shelf life” in that changes to the CDC standards may require a different design or submittal.