

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
March 4, 2010

SUBJECT: Extension of previous approval for variances and a Natural Drainageway Permit (now called Water Resources Area Permit) for new house at 19740 Wildwood Drive

ATTENDEES: Applicants: Bill and Cindy Perkins, Tony Weller
Staff: Tom Soppe (Planning Department), Khoi Le (Engineering Department)

*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

On March 1, 2007, the Planning Commission approved the applicant’s request for a Natural Drainageway Permit and a variances (Class II) for side yard setback and house height. This was file number VAR-06-04/MIS-06-47. The decision became final on March 19, 2007, and therefore the 3-year expiration date for the decision, as it has not been fulfilled, is March 19, 2010.

Community Development Code (CDC) 99.325(D)(1) states “Only those applications approved between July 1, 2006 and December 31, 2009 shall be eligible for an extension.” The previous application therefore qualifies the applicant to be able to apply for an extension. CDC 99.325(D)(2) allows applicants with applications that expire before June 30, 2010 to apply for extensions by June 30, 2010 even if the application has already passed its 3-year expiration by this date. Therefore, despite the 3-year expiration date occurring on March 19, the applicant must apply for the extension not by March 19 but by June 30.

In the original application the Natural Drainageway Permit was necessary as a creek traverses the north end of the site. Since the original application was initiated, changes have been made to Chapter 32 and Natural Drainageway permits were combined with Wetlands permits to be called Water Resource Area permits. If the original application was submitted now, it would be subject to no difference in the criteria of the Variance chapter (Chapter 75) of the CDC but would face a completely revamped Chapter 32, the water resource protection chapter.

Under the revamped Chapter 32, the entire lot is within the transition area of the creek as the entire lot consists of steep slopes that comprise the creek ravine. Chapter 75 does not necessarily need to be addressed as part of the extension application (except in describing what was previously applied for and approved). However the applicant should respond to all of the appropriate (see Process section below) criteria for Chapter 32 as the revamped chapter has changed greatly, particularly in its provisions for lots such as this one.

Building in the transition area now requires the applicant to apply for the Water Resources Area permit under the hardship provisions of 32.090. It also requires the applicant to submit a revegetation plan (see 32.080) for any temporarily disturbed areas and a mitigation plan (see 32.070) for any permanently disturbed areas (i.e. the house footprint and surrounding walkways, driveways, etc. The applicant will work with the Parks Department to mitigate for the permanently disturbed square footage by restoring disturbed square footage of a wetland or drainageway transition area on City owned property, or perhaps elsewhere in the city. 32.070 does not appear to limit the applicant to City-owned sites for mitigation, so the applicant apparently can use disturbed areas of his site next door to the project site for mitigation, if these currently are not compliant with 32.050(K). As with the areas of the project site that remain undeveloped, any mitigation area on the applicant's site next door will have to be placed in a conservation easement or dedicated to the City. Usually on sites this size it is more practical to do this via easement rather than fee simple dedication to the City (i.e. to ensure minimum lot size is still fulfilled). Disturbed area on the project site shall not consist of more than 5,000 square feet of the site per 32.090(A).

The applicant should submit a site plan that reflects only the setback variances that were approved by the Planning Commission, unless the applicant is now proposing changes to what was approved that will be reviewed as part of the extension process. Minor changes are permitted to achieve compliance with new regulations. Substantive changes (including any new variances, for example) will require a completely new application.

Engineering Comments

STREET IMPROVEMENT

Wildwood Drive

Current Street and Right of Way conditions:

Wildwood Street:	Local Street
Existing Right of Way Width:	50' (Per As-Built Hidden Spring Ranch 6 Phase 2)
Existing Pavement Width:	28' (Per As-Built Hidden Spring Ranch 6 Phase 2)
Sidewalk:	On the opposite site of the project
Planter:	None
Parking:	On the opposite site of the project
Bicycle Lane:	None

Requirement Improvement:

Right of Way Width:	No additional Right of Way is required
Pavement Width:	Provide pavement improvement
Sidewalk:	Provide sidewalk improvement
Planter Strip:	No

The existing subdivision was constructed in 1983. The pavement and sub-grade of the road do not meet the current City Standards structurally. Street improvement shall be required. Developer has an option to pay a fee-in lieu of the street improvement. Sidewalk was only installed on the opposite side of the street at the time the existing subdivision was constructed. Since the TSP does not indicate area in the City where sidewalk is not required, sidewalk improvement shall be required for this development. Again the developer has an option to pay a fee-in-lieu of the sidewalk improvement.

No on-street parking shall be allowed along the project frontage.

STORM DRAINAGE IMPROVEMENT

Development shall provide storm water treatment for newly created impervious area of more than 500 square feet.

Development shall provide storm water detention for newly created impervious area of more than 5000 square feet.

SANITARY SEWER IMPROVEMENT

Existing public sanitary sewer system is available on Wildwood Drive for connection.

WATER IMPROVEMENT

Existing 6" DI public water system is available on Wildwood Drive. It is the City Engineering Manager discretion to allow this development connecting the existing public water system on Wildwood Drive.

OTHER UTILITIES

Street light shall be required since there is not any street light along the project frontage.

All existing overhead utilities and new utilities must be placed under ground.

All existing anchor poles located in the right of way that are potentially located in the future sidewalk area must be relocated outside of sidewalk.

SDC REQUIREMENTS

Street, Storm Drainage, Sanitary Sewer, Water and Park SDC shall be required.

11. Systems Development Charges

11.1. General SDC Information

- West Linn SDC fees shall be indexed for inflation annually using the Engineering News – Record Construction Cost Index (20-city average).

11.2. Street SDC

- Reimbursement Fee: \$47.00
- Improvement Fee: \$4,628.00
- Administrative Fee: \$174.00

Type Of Use	Trips Per Use:	Factor	Reimbursement	Improvement	Administrative	Total
Single family	Per house	1.01	\$47.47	\$4,674.28	\$175.74	\$4,897.49
Multi-family	Per MF Unit	0.62	\$29.14	\$2,869.36	\$107.88	\$3,006.38
Retail	Per 1,000ft ²	2.536	\$119.19	\$11,736.61	\$441.26	\$12,297.06
Office	Per 1,000 ft ²	1.314	\$61.76	\$6,081.19	\$228.64	\$6,371.59
Public Park	Per Acre	0.223	\$10.48	\$1,032.04	\$38.80	\$1,081.33
Public School	Per Student	0.08	\$3.76	\$370.24	\$13.92	\$387.92

For Existing Lots of Record – Created Prior to July 12, 1999

Single family	Per house	\$9.55	\$41.28	\$2,052.78	\$79.79	\$2,173.85
Multi-family	Per MF Unit	\$6.47	\$27.97	\$1,390.73	\$54.06	\$1,472.76

11.3. Water SDC

- Reimbursement Fee: \$76.00
- Improvement Fee: \$4,389.00
- Administrative Fee: \$163.00

Size of Meter	Meter Equivalency	Reimbursement	Improvement	Administrative	Total
5/8"	1	\$76	\$4,389	\$163	\$4,628
3/4"	1.5	\$114	\$6,583.50	\$244.50	\$6,942
1"	2.5	\$190	\$10,972.50	\$407.50	\$11,570
1.5"	5	\$380	\$21,945	\$815	\$23,140
2"	8	\$608	\$35,112	\$1,304	\$37,024
3"	16	\$1,216	\$70,224	\$2,608	\$74,048
4"	25	\$1,900	\$109,725	\$4,075	\$115,700
6"	50	\$3,800	\$219,450	\$8,150	\$231,400
8"	80	\$6,080	\$351,120	\$13,040	\$370,240
10"	125	\$9,500	\$548,625	\$20,375	\$578,500

11.4. Storm SDC

- Based on impervious area, City stormwater per ESU (2,914ft²)
- Reimbursement Fee: \$671.00
- Improvement Fee: \$201.00
- Administrative Fee: \$44.00

Unit	Reimbursement	Improvement	Administrative	Total
Single Family	\$671.00	\$201.00	\$44.00	\$916.00

11.5. Park SDC

- Reimbursement Fee: \$0.00
- Improvement Fee: \$2,949.00
- Administrative Fee: \$81.00

Unit	Factor	Reimbursement	Improvement	Administrative	Total
Single Family	2.65	\$0.00	\$7,814.85	\$214.65	\$8,029.50
Multi-Family	1.8736	\$0.00	\$5,525.25	\$151.76	\$5,677.01

11.6. Sewer SDC

- Reimbursement Fee: \$519.00
- Improvement Fee: \$2,020.00
- Administrative Fee: \$93.00

Unit	Factor	Meter Size	Reimbursement	Improvement	Administrative	Total
Single Family	-	-	\$519.00	\$2,020.00	\$93.00	\$2,632.00
Multi-Family	-	-	\$289.08	\$1,125.14	\$51.78	\$1,466.00
Commercial	1	5/8"	\$519.00	\$2,020.00	\$93.00	\$2,632.00
Commercial	1.5	3/4"	\$778.50	\$3,030.00	\$139.50	\$3,948.00
Commercial	2.5	1"	\$1,297.50	\$5,050.00	\$232.50	\$6,580.00
Commercial	5	1.5"	\$2,595.00	\$10,100.00	\$465.00	\$13,160.00
Commercial	8	2"	\$4,152.00	\$16,160.00	\$744.00	\$21,056.00
Commercial	16	3"	\$8,304.00	\$32,320.00	\$1,488.00	\$42,112.00
Commercial	25	4"	\$12,975.00	\$50,500.00	\$2,325.00	\$65,800.00
Commercial	50	6"	\$25,950.00	\$101,000.00	\$4,650.00	\$131,600.00
Commercial	80	8"	\$41,520.00	\$161,600.00	\$7,440.00	\$210,560.00
Commercial	125	10"	\$64,875.00	\$252,500.00	\$11,625.00	\$329,000.00

Process

The Extension permit is required.

A neighborhood meeting is not required for this permit, but they are always encouraged. Contact Alex Kachirisky, President of the Hidden Springs Neighborhood Association, at (503) 343-4752 or alex.kachirisky@gmail.com, and Thomas Boes of the Robinwood Neighborhood Association at 503-699-6112 or PresidentRNA@gmail.com. The property is in Hidden Springs, but Robinwood is within 500 feet.

The following criteria shall be responded to in a narrative:

- 32.050
- 32.070
- 32.080
- 32.090(A)

The narrative shall explain that Chapter 75 has not changed since the original application, but the applicant is welcome to add narrative discussion to the criteria in Chapter 75 in light of how it may relate to the changed provisions of Chapter 32. The applicant should also submit their original plans and elevations, their Chapter 75 narrative, staff report, February 13, 2007 staff memo, and the Planning Commission final decision from the original file. The applicant should specify (particularly in the case of the site plan) which parts of the submittal are in from the original file. This file is available at the Planning Department. Copies can be made at the applicant's expense.

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.

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.

The deposit for an Extension is half the deposit of the original application, in this case half the deposit for the variance and Natural Drainageway Permit that were applied for and not withdrawn. Any cost overruns to the extension deposit will result in additional billings.

Once the submittal is deemed complete, the staff will schedule a hearing with the Planning Commission and will send out public notice of the 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.

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.