

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
May 20, 2010

SUBJECT: Extension of previous approval for subdivision at 4111-4125 Elmran Drive

ATTENDEES: Applicants: Jack Hoffman, Melinda Retallack, Don Cushing
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 May 10, 2007, the Planning Commission approved Canyon Development's request for a 6-lot subdivision at 4111-4125 Elmran Drive in the Robinwood neighborhood. The subdivision request was to turn 2 existing parcels into 6 lots on a triangular shaped piece of land surrounded by Elmran Drive on the east and west and other residential parcels to the north, at the intersection of Elmran Drive and Cedaroak Drive. This was file number SUB-07-01. The decision became effective on June 6, 2007, and therefore the 3-year expiration date for the decision will be June 6, 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 set to occur on June 6, the applicant can still apply for the extension by June 30. The two-year extension, if approved, would be measured from the original expiration date. Therefore if the Extension application is approved, the expiration date would be June 6, 2012.

The two-year extension application would require the final plat to be recorded by June 6, 2012 as the two-year extension application is a new application to which all new code applies. 85.090 states "The final plat map shall be submitted to the Planning Director and recorded with the County within three years from the date of approval of the tentative

plan, or as approved under CDC Section 99.325. If the final plat is not recorded by that time, the approval expires.” Section 99.325 is the new section of the CDC regarding Extension applications.

The extension application must respond to all criteria that may have changed since the time of the original application, and comply with any necessary changes based on this.

Chapter 85 Land Division has not changed substantially since the original application. For responses to Chapter 85 criteria, the applicant needs to respond only to those that have changed due to code amendments since the original application (and any related to errors or omissions in the review of SUB-07-01, which are addressed below). Some of the changed code sections may not have changed in the context of what they require from this particular subdivision application, in which case the applicant shall respond to the criteria by explaining this. For any that do necessitate changes in the site plan or other aspects of the subdivision proposal, in order for the proposal to meet current code, this should be explained in the narrative and plans should be altered accordingly for the submittal of the Extension application. The criteria of Chapter 85.200 that appear to have undergone code changes since the original application are (A)(1) Streets (General), (A)(3) Street Widths, (A)(22) off-site improvements, (B)(2) Block Sizes, and 85.200(J)(10) Annexation and Street Lights. If changes instigated by these affect the nature of the submittal as it relates to other criteria in 85.200 as well, than those criteria should be responded to in the narrative also, even if these other criteria themselves have not changed since the original application.

Submittal requirements that have changed since the original application was made include 85.160(D)(1) (proposed street names). This may require or suggest, in this case, a change in the proposed private street name, depending on how the proposed name was chosen. CDC 85.160(F)(3) (Transportation System Plan-related infrastructure improvements) has also changed, as has 85.170(B)(2)(F), also regarding transportation improvements. If these necessitate changes in the submittal for the Extension application as compared to the original submittal, they should be reflected in the new submittal.

CDC 99.325 states that an extension may be granted if “there are no demonstrated material misrepresentations, errors, omissions, or changes in facts that directly impact the project, including, but not limited to, existing conditions, traffic, street alignment and drainage”. One apparent error in how the project was reviewed previously was that Elmran Drive was treated as a neighborhood street when it is classified as a collector street in the City’s Transportation System Plan. Since Elmran Drive is a collector street, one more foot of dedication along the entire project frontage will be required, compared to what has been proposed and approved until this point. This should be reflected in site plan submittals and lot size calculations in the Extension submittal. Because Elmran Drive was not treated as a collector street previously, the applicant should also respond to the sections of 85.200(A) (the streets section of 85.200) that address street width and street classification, in addition to the changed sections of 85.200(A) listed above. These are 85.200(A)(2), (4), (5), and (10).

Another apparent error in how this was proposed and reviewed previously is that the lot sizes appear to have been calculated as if the minimum lot size is allowed to be 10,000 square feet including access easements, when actually the 10,000 square foot minimum is required to be calculated excluding any access easements. CDC Chapter 2 defines lot area as “*The total area of a lot measured in a horizontal plane within the lot boundary lines exclusive of public and private roads, and easements of access to other property or the private driveway area of a flag lot.*” (Emphasis mine) It appears lot lines will have to be adjusted to ensure that the non-access-easement areas of each lot have at least 10,000 square feet. Because of this needed change, the applicant should respond also to the criterion 85.200(B)(3) Lot Size and Shape.

Process

The Extension permit is required.

A neighborhood meeting following the provisions of 99.038 is required for an Extension permit for a subdivision per 99.325(E)(2). Contact Thomas Boes, President of the Robinwood Neighborhood Association, at (503) 699-6112 or presidentrna@gmail.com. The applicant is required to provide the neighborhood association with conceptual plans and other material at least 10 days prior to the meeting. The Extension application cannot be accepted unless the neighborhood meeting provisions are fulfilled by the time the application is submitted.

Follow the instructions under Project Details above as to which selected Chapter 85 criteria should be responded to in a narrative. The CDC is online at <http://westlinnoregon.gov/planning/community-development-code-cdc>.

Follow the submittal requirements for Chapter 85. 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. Per above, the applicant should respond to the following criteria in 85.200 and any other criteria the applicant discovers to be necessary:

- 85.200(A)(1-5)
- 85.200(A)(10)
- 85.200(A)(22)
- 85.200(B)(2-3)
- 85.200(J)(10)

Also see the paragraph above in the Project Details section regarding which non-narrative submittal requirements have changed since the submittal of SUB-07-01.

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. The original application had a deposit of \$5,400 so the deposit for the Extension application will be \$2,700. 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.

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.

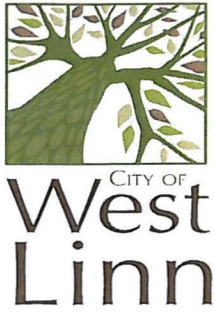
DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed.

NAME	ADDRESS	E-MAIL	AFFILIATION
MELYNDA PETALUACK	221 MORALA AVE SUITE 220 OC	mel@redsidedevelopment.com	CANYON DEVELOPMENT
JACK HOFFMAN	851 SW 6TH SUITE #1500 PDX	JHOFFMAN@DUNNCARNEY.COM	DUNN CARNEY
KHUI LE	CITY OF WEST LINN	KLE@WESTLINNOREGON.GOV	CITY OF WEST LINN
DON CUSHING	4677 SE PINEHURST AVE #201 Milwaukie, Oregon 97267	Don@cushing-engr.com	DON CUSHING ASSOCIATES

PLANNING TS

ENGINEERING KL

PARKS _____



LAND USE PRE-APPLICATION CONFERENCE

Thursday, May 20, 2010

City Hall
22500 Salamo Road

Willamette Conference Room

9:00am Extension of approval of (6) lot subdivision

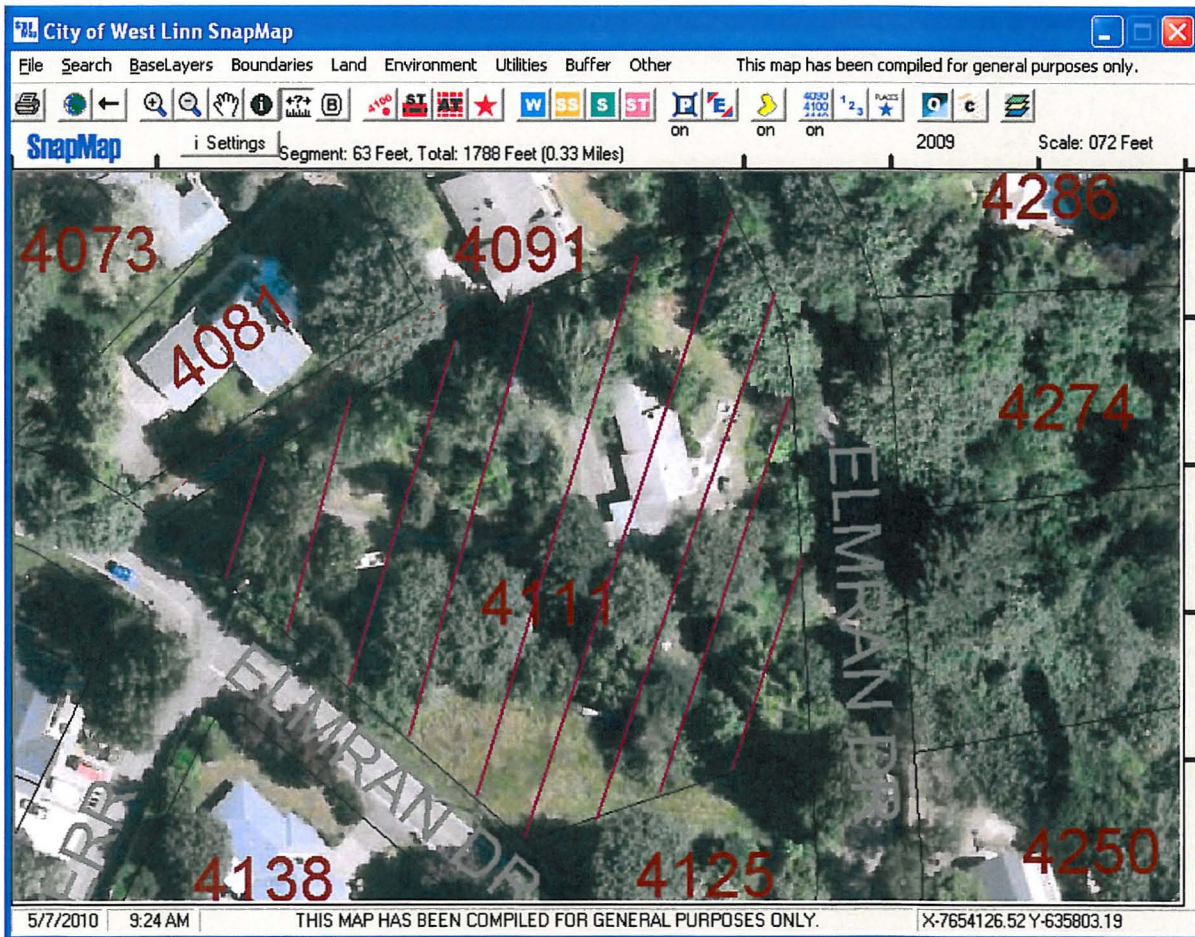
Applicant: Garrin Royer/Melynda Retallack

Address: PO Box 42310, Portland, OR 97045

Neighborhood Assn: Robinwood

PA-10-14

Planner: Tom Soppe





CITY OF
West Linn

Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068
Telephone 503.656.4211 • Fax 503.656.4106 • westlinnoregon.gov

RECEIVED

PRE-APPLICATION CONFERENCE

PLANNING & BUILDING
CITY OF WEST LINN
INT TIME

THIS SECTION FOR STAFF COMPLETION

CONFERENCE DATE:	5/20/10	TIME:	9AM	PROJECT #:	PA-10-14
STAFF CONTACT:	Tom Soppe			FEE:	\$1000 ⁰⁰

Pre-application conferences occur on the first and third Thursdays of each month. In order to be scheduled for a conference, this form including property owner's signature, the pre-application fee, and accompanying materials must be submitted at least 14 days in advance of the conference date. Twenty-four hour notice is required to reschedule.

Address of Subject Property (or map/tax lot): 4111 Elmran Drive

Brief Description of Proposal: Site development of the existing (2) lots into (6) lots including public improvements to Elmran Drive and addition of a private drive.

Applicant's Name: Garrin Royer/Melynda Retallack

Mailing Address: PO Box 42310 Portland, Oregon 97045

Phone No: (503) 239-2000

Email Address: mel@redsidedevelopment.com

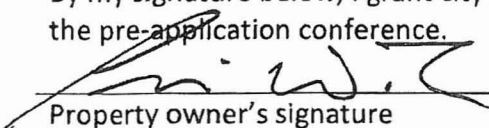
Please attach additional materials relating to your proposal including a site plan on paper up to 11 x 17 inches in size depicting the following items:

- North arrow
- Scale
- Property dimensions
- Streets abutting the property
- Conceptual layout, design and/or building elevations
- Access to and from the site, if applicable
- General location of existing trees
- Location of creeks and/or wetlands
- Location of existing utilities (water, sewer, etc.)
- Easements (access, utility, all others)

Please list any questions or issues that you may have for city staff regarding your proposal:

Please verify that only the following sections of the CDC have changed since 11/1/07: 85.160(F)(3), 85.170(F)-supplemental submittal requirements, 85.200(A)-the streets criteria section, has changed in (1-3) and (22), 85.200(2)(B), 85.200(J)(10)

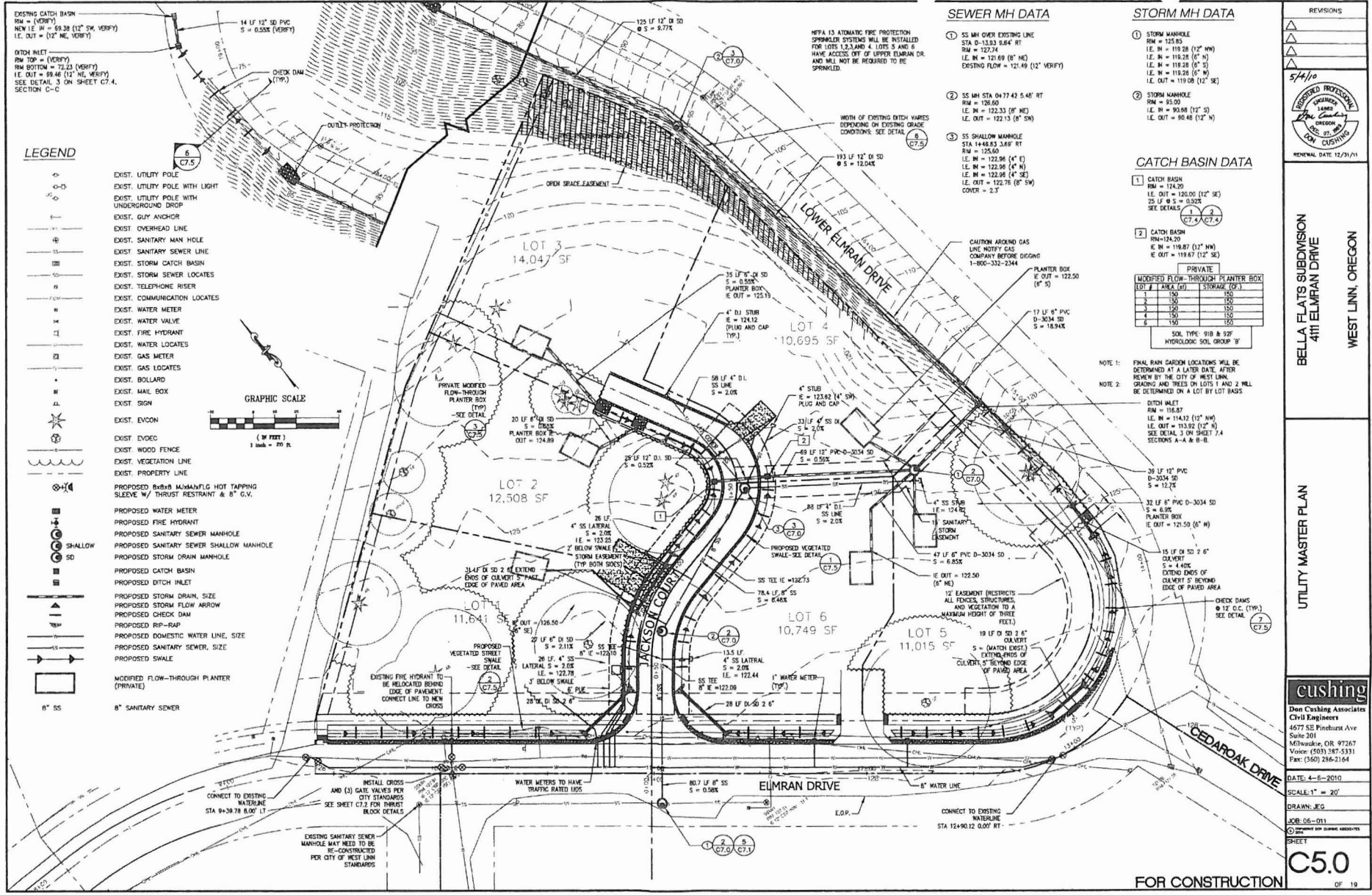
By my signature below, I grant city staff right of entry onto the subject property in order to prepare for the pre-application conference.


Property owner's signature

5/6/10

Date

Property owner's mailing address (if different from above)

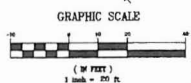


EXISTING CATCH BASIN
RM = (VERIFY)
NEW I.E. IN = 89.38 (12" SW VERIFY)
I.E. OUT = (12" NE VERIFY)

DITCH INLET
RM TOP = (VERIFY)
RM BOTTOM = 72.23 (VERIFY)
I.E. OUT = 89.46 (12" NE VERIFY)
SEE DETAIL 3 ON SHEET C7.4,
SECTION C-C

LEGEND

- EXIST. UTILITY POLE
- EXIST. UTILITY POLE WITH LIGHT
- EXIST. UTILITY POLE WITH UNDERGROUND DROP
- EXIST. GUY ANCHOR
- EXIST. OVERHEAD LINE
- EXIST. SANITARY MAN HOLE
- EXIST. SANITARY SEWER LINE
- EXIST. STORM CATCH BASIN
- EXIST. STORM SEWER LOCATES
- EXIST. TELEPHONE RISER
- EXIST. COMMUNICATION LOCATES
- EXIST. WATER METER
- EXIST. WATER VALVE
- EXIST. FIRE HYDRANT
- EXIST. WATER LOCATES
- EXIST. GAS METER
- EXIST. GAS LOCATES
- EXIST. BOLLARD
- EXIST. MAIL BOX
- EXIST. SIGN
- EXIST. EVCON
- EXIST. EVDEC
- EXIST. WOOD FENCE
- EXIST. VEGETATION LINE
- EXIST. PROPERTY LINE
- PROPOSED 8" x 8" ALUMINUM HOT TAPPING SLEEVE W/ THRUST RESTRAINT & 8" G.V.
- PROPOSED WATER METER
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER SHALLOW MANHOLE
- PROPOSED STORM DRAIN MANHOLE
- PROPOSED CATCH BASIN
- PROPOSED DITCH INLET
- PROPOSED STORM DRAIN, SIZE
- PROPOSED STORM FLOW ARROW
- PROPOSED CHECK DAM
- PROPOSED RIP-RAP
- PROPOSED DOMESTIC WATER LINE, SIZE
- PROPOSED SANITARY SEWER, SIZE
- PROPOSED SWALE
- MODIFIED FLOW-THROUGH PLANTER (PRIVATE)
- 8" SS
- 8" SANITARY SEWER



NEPA IS AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEMS WILL BE INSTALLED FOR LOTS 1,2,3 AND 4, LOTS 5 AND 6 HAVE ACCESS OUT OF UPPER ELMRAN DR. AND WILL NOT BE REQUIRED TO BE SPRINKLED.

SEWER MH DATA

- ① SS MH OVER EXISTING LINE
STA 0+15.3 8.64' RT
RM = 127.74
I.E. IN = 121.69 (8" NE)
EXISTING FLOW = 121.48 (12" VERIFY)
- ② SS MH STA 0+77.42 5.46' RT
RM = 126.60
I.E. IN = 122.33 (8" NE)
I.E. OUT = 122.13 (8" SW)
- ③ SS SHALLOW MANHOLE
STA 1+48.83 3.68' RT
RM = 125.50
I.E. IN = 122.96 (4" E)
I.E. IN = 122.96 (4" N)
I.E. IN = 122.96 (4" SE)
I.E. OUT = 122.76 (8" SW)
COVER = 2.3'

STORM MH DATA

- ① STORM MANHOLE
RM = 125.85
I.E. IN = 118.28 (12" NW)
I.E. IN = 118.28 (8" N)
I.E. IN = 118.28 (8" S)
I.E. IN = 118.28 (8" W)
I.E. OUT = 119.08 (12" SE)
- ② STORM MANHOLE
RM = 85.00
I.E. IN = 90.88 (12" S)
I.E. OUT = 90.48 (12" N)

CATCH BASIN DATA

- ① CATCH BASIN
RM = 114.20
I.E. OUT = 120.00 (12" SE)
25 LF 8" S = 0.50%
SEE DETAIL 1 (C7.4, C7.2)
- ② CATCH BASIN
RM = 124.20
I.E. IN = 116.87 (12" NW)
I.E. OUT = 119.87 (12" SE)

PRIVATE		
LOT #	AREA (SQ)	STORAGE (CF)
1	150	150
2	150	150
3	150	150
4	150	150
5	150	150
6	150	150

SOIL TYPE: S18 & S27
HYDROLOGIC SOIL GROUP: B'

NOTE 1: FINAL BARK GARDEN LOCATIONS WILL BE DETERMINED AT A LATER DATE. AFTER REVIEW BY THE CITY OF WEST LINN. GRASSING AND TREES ON LOTS 1 AND 2 WILL BE DETERMINED ON A LOT BY LOT BASIS.

NOTE 2:
DITCH WALET
RM = 116.87
I.E. IN = 114.12 (12" NW)
I.E. OUT = 113.92 (12" N)
SEE DETAIL 3 ON SHEET 7.4 SECTIONS A-A & B-B

REVISIONS

5/14/10

REGISTERED PROFESSIONAL ENGINEER
LANCE
CREEDON
NO. 27, 28
CITY CLUSTING
RENEWAL DATE: 12/31/11

BELLA FLATS SUBDIVISION
4111 ELMRAN DRIVE
WEST LINN, OREGON

UTILITY MASTER PLAN

cushing
Dan Cushing Associates
Civil Engineers
4677 SE Pinehurst Ave
Suite 201
McMinnville, OR 97367
Voice: (503) 387-5331
Fax: (503) 286-2164

DATE: 4-6-2010
SCALE: 1" = 20'
DRAWN: JEG
JOB: 06-011
SHEET
C5.0
OF 19

FOR CONSTRUCTION

PROJECT TIMELINE – Bella Flats Subdivision

Project: **Cedar Oak – Bella Flats Subdivision** *Meeting Date:* **May 5, 2010 Rev. 5/17/10**
Location: 4111 Elmran Drive *Owner:* **Canyon Development LLC**
West Linn, OR 97068 221 Molalla Ave. Suite 220
Oregon City, Oregon 97045
Distribution Garrin Royer, Canyon Development *Issued by:* Melynda Retallack 1 page
Jack Hoffman, Dunn Carney

Attachments: N/A

Project Timeline:

<i>Date:</i>	<i>Description:</i>
5/6/10	Pre-application Conference submittal
5/17/10	Submit draft of application for planning to review
5/17/10	Posted notice of extension application on site Mailed notice of neighborhood meeting
5/20/10	Pre-application Conference
6/8/10	7pm Neighborhood Association Mtg. (notice sent and posted minimum 20 days before – 5/19)
6/10/10	Extension Application Submittal
6/30/10	Extension Application Submittal (latest date per CDC, we will submit earlier)
6/10-7/1	Staff comments and responses
7/1/10	Completeness (can this be done in 2 weeks in lieu of 4?)
7/7/10	Planning Commission Mtg. (1 st and 3 rd Wednesday, sometimes 5 th Wed.)
7/21/10	14 day appeal period after Planning Commission Decision
7/30/10	Extension Approval
8/1/10	Sitework begins



END OF MEMO

C:\Documents and Settings\mel\My Documents\01 Mel-Redside\02Redside Development\Cedar Oak\Planning Extension\100505.BellaFlats-Ext.Timeline.doc

Canyon Development, LLC

DRAFT

City of West Linn, Subdivision Extension of Approval SUB-07-01

Bella Flats Subdivision

West Linn, Oregon 97068

May 14, 2010

Owner: Canyon Development, LLC
PO Box 42310
Portland, OR 97242-2310

Applicant: Garrin Royer, Member
Canyon Development, LLC
PO Box 42310
Portland, OR 97242-2310
503.239.2000
groyer@redsidedevelopment.com

Applicant's Representative: Melynda Retallack, Project Manager
Canyon Development, LLC
PO Box 42310
Portland, OR 97242-2310
503.239.2000
mel@redsidedevelopment.com

Site Address: 4111 Elmran Drive
West Linn, Oregon 97068

Legal Description: Tax Lots 3100 and 3201, Assessor's map #21E13CD

Zoning: R-10 Single Family Residential

Code / Standards Referenced

In Narrative: West Linn Community Development Code (CDC) Sections 85 and 99.

Proposal: The applicant is proposing to extend the land use approval for the development of a (6) lot subdivision comprising of an existing (2) lots on 1.7 acres.

Current Subdivision Approval includes a six-lot subdivision with access from the West, or upper leg of Elmran Drive by a private road (Jackson Court) for proposed lots 1 through 4 and by shared driveways for Lots 5 and 6.

Lot Areas:

- Lot 1 – 11,926 SF
- Lot 2 – 11,752 SF
- Lot 3 – 14,047 SF
- Lot 4 – 10,695 SF
- Lot 5 – 10,254 SF
- Lot 6 – 10,452 SF

The paved private drive access way serving Lots 1 – 4 is 18 feet wide with reciprocal and pedestrian access easement, it will include landscape swales to handle the storm water. Half street improvements will be included along the property frontage on the upper portion of Elmran Drive and will include a 5' asphalt paved walkway.

Subdivision Extension of Approval SUB-07-01

Bella Flats Subdivision

Consultants

Owner: Garrin Royer, Member
Canyon Development, LLC
PO Box 42310
Portland, OR 97242-2310
503.239.2000
groyer@redsidedevelopment.com

Civil Engineer: Don Cushing, Principal
Don Cushing Associates
6650 SW Redwood Lane Suite 235
Portland, Oregon 97224
503.620.7884

Surveyor: Bludot Group Land Surveying and Mapping
Mark J. Mayer, PLS
11700 SW 67th Ave.
Portland, Oregon 97223
503.624.0108

Geotechnical Engineer: Carlson Testing Inc.
8430 SW Hunziker
Tigard, Oregon 97223
503.684.3460

Subdivision Extension of Approval SUB-07-01

Bella Flats Subdivision

Table of Contents

Volume I

Section	Item
CDC Section 99.325	Extension of Approval
CDC Section 99.000	Procedural Requirements
CDC Section 85.200	Plan Submittal Requirements

Exhibits	Item
Civil	
C1.0	Cover Sheet
C1.1	General Notes
C1.2	Demolition and Tree Removal Plan
C2.0	Site Dimension Plan
C3.0	Erosion Control and Tree Protection Plan
C3.1	Erosion Control Details
C4.0	Grading Plan
C5.0	Utility Master Plan
C6.0	Plan and Profile – Jackson Court
C6.1	Plan and Profile – Elmran Drive 9+0.00 – 13+66.26
C6.2	Plan and Profile – Elmran Drive 13+66.26 – 17+50.00
C6.3	Plan and Profile – Elmran Drive 17+50.00 – 19+50.00
C7.0	Site Details – Sanitary
C7.1	Site Details – Sanitary
C7.2	Site Details – Water and Street
C7.3	Site Details – Water and Street
C7.4	Site Details – Misc.
C7.5	Site Details – Misc.
V1.0	Topographic Survey

Volume II

Appendices	Item
A	CD including PDF's of all Exhibits and Narrative
B	Preliminary Geotechnical Engineering Report dated xxxxxxx
C	Neighborhood Meeting Summary and Audiotape
D	

99.325 EXTENSIONS OF APPROVAL

A. The Planning Director may grant an extension from the effective date of approval of two years pertaining to applications listed in Section 99.060(A) upon finding that:

1. The applicant has demonstrated, and staff and the Planning Commission concur, that the application is in conformance with applicable CDC provisions and relevant approval criteria enacted since the application was initially approved; and

2. There are no demonstrated material misrepresentations, errors, omissions, or changes in facts that directly impact the project, including, but not limited to, existing conditions, traffic, street alignment and drainage; or

3. The applicant has modified the approved plans to conform with current approval criteria and remedied any inconsistency with subsection (A)(2) of this section, in conformance with any applicable limits on modifications to approvals established by the CDC.

Response: Please see Section 85.000 for response to approval criteria that has changed since the initial submittal.

B. The Planning Commission may grant an extension from the effective date of approval of two years pertaining to applications listed in Section 99.060(B), consistent with subsections (A)(1) through (3) of this section.

Response: This extension application requests a two year extension from the date of our approval expiration, June 6th, 2010.

C. The Historic Review Board may grant an extension from the effective date of approval of two years for applications listed in Section 99.060(D), consistent with subsections (A)(1) through (3) of this section.

Response: This section is not applicable to this project.

D. Eligibility for Extensions.

1. Only those applications approved between July 1, 2006, and December 31, 2009, shall be eligible for an extension.

2. Any application eligible for an extension under subsection (D)(1) of this section that would expire by June 30, 2010, shall be exempt from expiration pending a decision regarding the extension application; provided, that a complete application and deposit fee have been submitted to the Planning Director prior to that date. However, the extension shall begin on the date that the application's initial approval lapsed.

Response: This Subdivision was initially approved June 6th 2007 and therefore is eligible for an extension.

E. Extension Procedures.

1. The application for extension of approval may be submitted only after a pre-application meeting under Section 99.030(B).

Response: Pre-application conference was held May 20, 2010 at the City of West Linn per Section 99.030.

2. The application shall satisfy the neighborhood meeting requirements of Section 99.038 for those cases that require compliance with that section.

Response: Notice for a public neighborhood meeting was sent and the property posted with an 11" x 17" notification sign on May 19 2010 per CDC 99.038. A public neighborhood meeting was held on June 8th 2010 at 7pm at Emmanuel Presbyterian Church.

Site Information:

The applicant proposes a six lot subdivision on the site. The site is zoned Single Family Residential, R-10. Approximately 100 feet to the Southwest, on Cedar Oak Drive, is Cedaroak Park Primary School. On the Southeast side of Cedar Oak Drive are more single family detached houses. Approximately 700 feet to the East of the site is the Cedaroak Boat Ramp along the Willamette River. To the East, homes front along Nixon Drive. The rear portions of the two lots directly across from the site are vacant or heavily treed. One lot appears to contain a swimming pool. The related dwelling on the East portion of that site fronts on Nixon Street. The surrounding streets are improved only with side-strip paving. There are no sidewalks, shoulders or other street improvements on Elmran Drive, which wraps around the site from the East through the South and up the West side.

3. Applications for extensions must be submitted along with the appropriate deposit to the Planning Department.
4. Applications for extensions will be processed if the initial approval lapses prior to issuance of a decision, consistent with subsection (D)(2) of this section.
5. Notice of the decision shall be issued consistent with Section 99.080.
6. The decision shall not become effective until resolution of all appeal periods, including an opportunity for City Council call-up pursuant to this chapter. (ORD. 1589 § 1 (Exh. A), 2010)

85.000 GENERAL PROVISIONS

The following sections of the CDC have changed since our initial submittal November 7, 2007:

85.160(F)(3)

85.170(F)

85.200(A), the streets criteria section, has changed in (1-3) and (22).

85.200(B)(2)

85.200(J)(10)

85.160 SUBMITTAL REQUIREMENTS FOR THE TENTATIVE PLAN

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

3. Any proposed infrastructure improvements that address those identified in the City Transportation System Plan. (ORD. 1544)

Response: The pedestrian pathway that we are providing along Elmran Drive is part of a medium priority project listed on table 5-2 of the Transportation system plan. This is the only known infrastructure improvement included in this project that is addressed in the City Transportation System Plan.

85.170 SUPPLEMENTAL SUBMITTAL REQUIREMENTS FOR A TENTATIVE SUBDIVISION OR PARTITION PLAN

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. (ORD. 1442)

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 F(2) above.

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.

Response: The above requirements were addressed as part of the original Subdivision application. The storm water report shows that the storm facilities are designed to accommodate the 25-year design storm. The plan also shows that there will be no adverse impacts to the downstream conveyance system.

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, find that the following standards have been satisfied, or can be satisfied by condition of approval. (ORD 1544)

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 regards 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. (ORD. 1382; ORD. 1584)

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 and any adopted updated plans. (ORD. 1544)

An applicant may submit a written request for a waiver of abutting street improvements if the Transportation System Plan prohibits the street improvement for which the waiver is requested. Those areas with numerous (particularly contiguous) under-developed or undeveloped tracts will be required to install street improvements. When an applicant requests a waiver of street improvements and the waiver is granted, the applicant shall propose a fee amount that will be reviewed by the City manager or the Manager's designee. The City Manager or the Manager's designee will revise the proposed fee as necessary and establish the amount to be paid on a case by case basis. The applicant shall pay an in-lieu fee for improvements to the nearest street identified by the City Manager or Manager's designee as necessary and appropriate. The amount of the in-lieu fee shall be roughly proportional to the impact of the development on the street system as determined in the CDC 85.200 (A) (22) below. (ORD. 1442) (ORD.1544)

Streets shall also be laid out to avoid and protect clusters and significant trees, but not to the extent that it would compromise connectivity requirements per CDC Section 85.200(A)(1), or bring the density below 70 percent of the maximum density for the developable net area. The developable net area is calculated by taking the total site acreage and deducting Type I and II lands; then up to 20 percent of the remaining land may be excluded as necessary for the purpose of protecting significant tree clusters or stands as defined in CDC Section 55.100(B)(2). (ORD. 1408) (ORD.1544)

Response: This development includes a private street, Jackson Court and was designed to curve to preserve some existing trees. Jackson Court is not a through street because of the existing steep slope on the East side of the site. The private street and the half street improvement both include green street elements. Jackson Court's right of way includes a 16 foot paved roadway with a 1 foot gravel shoulder and a 7 foot vegetated storm water swale on each side. The half street improvements to upper Elmran Drive include public pedestrian path and bikeway, a vegetated storm water swale and 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). The exact width of the right-of-way shall be determined by the City Engineer or the approval authority. The following ranges will apply:

Street Classification	Right-of-Way
Highway 43	60-80
Major arterial	60-80
Minor arterial	60-80
Major collector	60-80
Collector	60-80
Local street	40-60
Cul-de-sac	40-60
Radii of cul-de-sac	48-52
Alley	16

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

3. Street Widths. Street widths shall depend upon which classification of street is proposed. The classifications and required cross sections are established in Chapter 8 of the adopted TSP. Streets are classified as follows. (ORD 1584)

Freeways are state or interstate facilities that provide regional travel connections. These routes have the highest capacity and the most restrictive access requirements. Two local freeway interchanges at 10th Street and at Highway 43 serve the entire city of West Linn. Interchanges are grade-separated facilities with arterial or principal arterial streets. No intermediate vehicular or pedestrian access is allowed.

Principal Arterials are typically state highways that provide the high level roadway capacity to local land uses. These routes connect over the longest distance (sometimes miles long) and are less frequent than other arterial or collectors. These highways generally span several jurisdictions and often have statewide importance (as defined in the ODOT State Highway Classification).

These facilities should provide for a high level of transit service and include transit priority measures to expedite bus travel.

Arterial Streets serve to interconnect the City. These streets link major commercial, residential, industrial and institutional areas. Arterial streets are typically spaced about one mile apart to assure accessibility and reduce the incidence of traffic using collectors or local streets

for through traffic in lieu of a well placed arterial street. Access control is the key feature of an arterial route. Arterials are typically multiple miles in length.

Collector streets provide both access and circulation within and between residential and commercial/industrial areas. Collectors differ from arterials in that they provide more of a citywide circulation function, do not require as extensive control of access and that they penetrate residential neighborhoods, distributing trips from the neighborhood and local street system. Collectors are typically greater than 0.5 to 1.0 miles in length.

Neighborhood Routes are usually long relative to local streets and provide connectivity to collectors or arterials. Since neighborhood routes have greater connectivity, they generally have more traffic than local streets and are used by residents in the area to access the neighborhood, but do not serve citywide/large area circulation. They are typically about a quarter to a half-mile in total length. Traffic from cul-de-sacs and other local streets may drain onto neighborhood routes to gain access to collectors or arterials. Because traffic needs are greater than a local street, certain measures should be considered to retain the neighborhood character and livability of these streets. Neighborhood traffic management measures are often appropriate (including devices such as speed humps, traffic circles and other devices – refer to later section in this chapter). However, it should not be construed that neighborhood routes automatically get speed humps or any other measures. While these streets have special needs, neighborhood traffic management is only one means of retaining neighborhood character and vitality.

Local Streets have the sole function of providing access to immediate adjacent land. Service to “through traffic movement” on local streets is deliberately discouraged by design.

The following table identifies appropriate street width (curb to curb) in feet for various street classifications. The desirable width shall be required unless the applicant or his engineer can demonstrate that site conditions, topography, or site design require the reduced minimum width. (ORD. 1584)

City of West Linn Roadway Cross-Section Standards

Street Element	Characteristic	Width/Options
Vehicle Lane Widths: (minimum widths)	Arterial	11 feet
	Collector	10 feet
	Neighborhood	10 feet
	Local	12 feet
	Turn Lane	10-14 feet
On-Street Parking	Arterials	Limited (in commercial areas)
	Collectors	Some (unstriped)
	Neighborhood	Some (8 feet)
	Local	Some (unstriped)

Bicycle Lanes (minimum widths)	New Construction Reconstruction	5 to 6 feet 5 to 6 feet
Sidewalks (minimum width) (See note below)	Arterial Collector Neighborhood/Local	6 feet 6 feet 6 feet
Landscape Strips	Can be included in all streets	6 feet
Medians:	5-Lane 3-Lane 2-Lane	Optional Optional Consider if appropriate
Neighborhood Traffic Mgmt	Arterials Collectors Neighborhood Local	Not Recommended Under Special Conditions Should consider if appropriate Should consider if appropriate
Transit	Arterial/Collectors Neighborhood Route Local	Appropriate Only in special circumstances Not Recommended

NOTE: Commercial/OBC zone development on arterials requires a 12-foot wide sidewalk which includes three feet for street trees, hydrants, street furniture, etc. Commercial/OBC zone development on local streets requires an 8-foot wide sidewalk with no planter strip, but shall include cut-outs for street trees. In both commercial and residential areas where site constraints exist, sidewalks and planter strips may be reduced to the minimum necessary (e.g., 4 feet for sidewalks and no planter strip) to accommodate walking and significant natural features such as mature trees, steep embankment, grade problems, and existing structures, or to match existing sidewalks or right-of-way limitations. These natural features are to be preserved to the greatest extent possible. Requests for this configuration shall require the endorsement of the City Engineer. City Engineer has the authority to require that street widths match adjacent street widths.

Sidewalk Location	Sidewalk Width
Arterial in GC/OBC zone	12 feet
Collector/Local in GC/OBC zone	8 feet
Storefront on arterial	12 feet
Storefront on collector/local	8 feet

Residential Development	6 feet (+6-foot planter strip)
-------------------------	--------------------------------

(GC = General Commercial; OBC = Office Business Center) (ORD.



1401)
(ORD. 1377)

Response: The private street, Jackson Court includes a 16 foot paved roadway with a 1 foot gravel shoulder and a 7 foot vegetated storm water swale on each side. Elmran Drive is considered a Local Street with a 50 foot right of way. The half street improvements increase the right of way to 56 feet, requiring a 3 foot dedication on the development side of Elmran Drive. The half street improvements include a 5 foot pedestrian path, 7 foot vegetated storm water swale, 2 foot gravel shoulder and 14 foot roadway.

22. Based upon the determination of the City Manager or the Manager's designee, the applicant shall construct or cause to be constructed, or contribute a proportionate share of the costs, for all necessary off-site improvements identified by the transportation analysis commissioned to address CDC 85.170.B.2.that are required to mitigate impacts from the proposed subdivision. Proportionate share of the costs shall be determined by the City Manager or Manager's designee who shall assume that the proposed subdivision provides improvements in rough proportion to identified impacts of the subdivision. Off-site transportation improvements will include bicycle and pedestrian improvements as identified in the adopted City of West Linn TSP. (ORD. 1526) (ORD. 1544) (ORD. 1584)

Response: No transportation analysis has been required by the City Engineer for this project, and no off-site improvements have been required. Based on the decision of the planning commission we are providing half street improvements along upper Elmran drive along with a wheel-chair assessable pedestrian pathway. The applicant is also providing a 12 foot easement at the intersection of Elmran and Cedar Oak to provide better sight distance around the corner.

B. Blocks and Lots

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 justify 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.

(ORD. 1584)

Response: Block size is not applicable to this development as this project site is not large enough to require multiple blocks. The approved intersection design is per the City Engineers specifications.

J. Supplemental Provisions

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. 1408; ORD. 1590 § 1, 2009)

Response: This criteria does not apply to this development. The street lights are already a part of the City of West Linn.

End of Subdivision Extension of Approval SUB-07-01 Narrative