

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**Notes**  
**February 16, 2012**

SUBJECT: Class I Design Review and Water Resource Area for new storm detention pond partially within water resource (creek) setback at Cedaroak Primary School at 4515 Cedaroak Drive

ATTENDEES: Applicant: Nancy Hubbard  
Staff: Tom Soppe (Planning Department)  
Neighborhood: Kevin Bryck (Robinwood NA)

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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 applicant, West Linn-Wilsonville School District, proposes a reconfiguration of some of the existing stormwater collection, detention, and treatment system at Cedaroak Park Primary School in the Robinwood Neighborhood. The changes include replacing a system of drywells (to be decommissioned) with new underground piping for the buildings' runoff, leading from collection points at the buildings. A new stormwater pond is proposed to be the destination for the proposed piping. The pond is proposed just south of the headwaters of an open channel in the north central area of the site, west of the buildings. A pipe and discharge are proposed to drain the pond into the open channel at the channel's initiation point. The open channel becomes classified as a stream/creek (albeit one that is not yet named) by City GIS north of Glen Terrace, which is along the north end of this part of the site.

The site is located in the R-10 zone, and has been approved as a Conditional Use with Class II Design Review in previous applications, as this is required for schools in the R-10 zone. Community Development Code (CDC) 55.020(M) requires Class I Design Review for "Minor modifications and/or upgrades of pump stations, reservoirs, and storm detention facilities." Therefore a Class I Design Review permit is needed. A Water Resources Area permit is also required because the pond is proposed partially within the 50-foot creek transition area as designated by CDC 32.050(E) (measured back from the headwaters as well as from the sides of the creek) and since the discharge pipe and apparatus connects to the headwaters itself.

A Conditional Use approval is viewed by staff as not needed to be applied for as part of this proposal. This because this proposal does not change major aspects of the site plan or make the conditional use on site more intense in terms of building additions, parking additions, new student activity areas, or increased levels of staff or students.

For the areas of the pipe, discharge facility, and stormwater detention facility within 50 feet of the creek, mitigation under the provisions of 32.070 will be required for areas permanently disturbed (including the area where a pipe is below ground). For these same areas within 50 feet of the creek, revegetation under the provisions of 32.080 will be required for areas temporarily disturbed during the construction and installation processes. One-to-one square footage mitigation can generally be done by adding to the resource area on the subject property, or by mitigating at another resource area in the City such as a park. For the square footage of the stormwater detention facility mitigation however must occur by adding to the resource area on site (e.g. widening the resource area along the creek and planting riparian plantings there), per the criterion 32.050(M). This criterion also allows detention facilities to come 25 feet into the 50-foot transition area. The site plan scale shows the facility will come less than 25 feet into the transition area (as more than 25 of the 50 feet lie between the proposed pond and the existing channel), so this location should be adequate in relation to this criterion. The applicant will possibly fencing around the pond. Fencing around new stormwater ponds is discouraged by the City, but depending on if the applicant can make a case for its aesthetics and necessity (i.e. safety), it could theoretically be approved.



**View from the gravel driveway that comes from Glen Terrace to the north. This is a view of the stream headwaters in the foreground, and the proposed pond location in the immediate background.**

## Process

A Class I Design Review and a Water Resource Area permit are required for the pond project.

A neighborhood meeting is not required for either of these approvals, but neighborhood meetings are always encouraged by staff nonetheless. Contact Tony Bracco, President of the Robinwood Neighborhood Association, at (503) 657-1773 or [anthonymbracco@yahoo.com](mailto:anthonymbracco@yahoo.com). Follow the provisions of 99.038 precisely. The applicant is required to provide the neighborhood association with conceptual plans and other material at least 10 days prior to the meeting.

Follow the submittal requirements of 55.070 and 32.040 strictly. These include a site plan complying with both 55.120 and 32.060, as well as a revegetation plan complying with 32.080 and a mitigation plan complying with 32.070. For the Water Resources Area permit, respond individually to the criteria of 32.050, 32.070, and 32.080 in a narrative. For the Class I Design Review, respond individually to the criteria of 55.090 in a narrative. 55.090(A)(1) applies since the pond and outfall are in a currently undeveloped area of the site; respond individually to the 55.100 criteria listed here. In responding to 55.090(A)(2) the applicant can explain that the criteria from 55.100 listed here do not apply since there are no new buildings or Design-Review-requiring remodeling proposed. Respond to 55.090(B) as an individual criterion on its own. 55.090(A)(3) allows staff to require other sections of 55.100 be responded to as necessary to the Class I Design Review project at hand. In which case, the applicant shall respond to the following 55.100 criteria:

- 55.100(A)(1) Stormwater
- 55.100(A)(6) Fences (if any are proposed)
- 55.100(A)(10) Landscaping
- 55.100(C) Compatibility, buffering, and screening
- 55.100(I)(2) Drainage

The deposit for the Class I Design Review permit is \$1,050, plus a \$300 inspection fee to cover staff time during eventual final inspection. The deposit for the Water Resources Area permit is \$1,850, plus a \$250 inspection fee to cover staff time during eventual final inspection. This would mean a combined initial deposit/fee of \$3,450. **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 the deposits cover, and therefore additional billing is likely to occur. The *fees* are not refundable regardless.**

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. Since the applicant is another City department, the Planning Department plans to waive application fees.

Once the submittal is deemed complete, the Planning Director will send out public notice of the pending decision then render a decision in two to four weeks. The decision may be appealed by the applicant or anyone with standing to City Council, requiring at least one City Council hearing.

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

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.

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.

A Public Works permit through said department will be necessary for the eventual Engineering review of the facility before it is built.

***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.