

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
August 2, 2012

SUBJECT: 5-lot subdivision with possible variance for 5 houses on a private street, at 23112 Bland Circle

ATTENDEES: Applicants: Jeff Smith, John Wyland, Andrew Tull, Brian Feeney, Michael Robinson

Staff: Tom Soppe (Planning Department), Khoi Le (Engineering Division)

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 site is an approximately 1.16-acre parcel zoned R-7 in the Savanna Oaks neighborhood. It is located on Bland Circle and is a long, narrow property with its narrow side fronting the street. At the north end is the one existing house on the site. Just south of this is an existing garage. The site is heavily wooded. Theoretically it is large enough for 7 lots in the R-7 zone, but this is unlikely to be achieved since some of the site has to consist of public or private roadway, and this cannot be counted towards the size of any lot. Four to six lots is a more realistic result in maximizing the property's subdivision development potential. Across the street from the west end of the parcel, Falcon Drive heads south from Bland Circle. Currently this is a "T" intersection, but upon subdivision of the subject property, a private or public road would have to head north from here.



Existing house on site

The applicant presents two conceptual plans as to how the property could be subdivided. One conceptualizes 5 lots on a dead end public street, which would functionally be a continuation of Falcon Drive (whether or not it has the same name, although it would be preferable if it did in order to avoid confusion). The other conceptualizes 5 lots served by a private street also aligned with the Falcon/Bland intersection; this concept plan also includes an open space tract along Bland Circle. For either a public or private proposed street, the applicant should align the centerline as best as possible across from the centerline of existing Falcon Drive. If it cannot be reasonably straight across, a private drive would have to be 150 feet away and a public street 200 feet away from an existing intersection across the street. Due to existing site dimensions, neither of those is an option on this site. Therefore the applicant should just make the centerline of the private or public proposed street as aligned as possible with Falcon's existing centerline. Building 5 lots accessing from a private street requires a variances as private streets and shared driveways are limited to 4 lots.

If the applicant opts for any scenario involving private access easements for some lots across other lots, please note that the Chapter 2 definition of lot area excludes access easement areas from lot area calculation. Therefore each lot should be at least 7,000 square feet not counting the access easement. On the concept plan with the private street, this might only affect Lot 1, which could absorb part of Tract A if need be.

Section 55.100(B)(2) provides for significant tree preservation. The applicant should ensure that conceptual plans will be able to preserve 20% of the site for significant tree preservation, and should propose these areas to be in open space tracts or conservation

easements as required. The CDC provides for 20% of a site be set aside for significant tree preservation, or all significant tree areas if significant tree areas constitute less than 20% of a site. This 20% "saved" area can count, if need be, areas where trees are removed but mitigated for under 55.100(B)(2)(f). Only those trees need to be mitigated for per code, as trees removed in the non-20% areas can be removed without mitigation, although mitigation and/or preservation are always encouraged and extra mitigation can be conditioned. The applicant is encouraged to work with the City Arborist Mike Perkins (503-723-2554 or mperkins@westlinnoregon.gov) as soon as possible since the significant tree code is based on what he determines to be significant, and therefore subdivision layout may depend on this. The mitigation plan can be on site or on other land, or can be a fee-in-lieu based on how much buying and planting the trees would cost, if the Parks Department agrees to this.

The applicant has expressed interest in a variance or variances to ease public street width and sidewalk requirements in order to help preserve trees on site. Planter strip requirements can be waived by staff without a variance to preserve trees. Sidewalks can be reduced to as narrow as 4 feet without a variance to preserve trees. It would require a variance to eliminate the sidewalk, or to make the two-lane dead end street pavement any narrower than 20 feet. The latter may be unlikely to pass due to emergency access concerns and functionality concerns. Also, building a public street without a sidewalk, even for tree preservation, may run into significant legal justification problems due to ADA requirements. The applicant may find it easier to make the street and sidewalk as narrow as possible and avoid this variance unless further legal research shows that building the street without a sidewalk would be achievable under ADA standards.

There are other methods for working with the site to avoid significant tree removal as much as possible, including the lot size flexibility that would be available via applying for the subdivision as a Planned Unit Development (see CDC Chapter 24), and including proposing single-family attached units (no more than two attached to each other) as allowed by the R-7 zone.



Looking up at tall trees on site

Water service would be available to the subdivision as there are lines under Bland Circle that allow for the needed capacity. There are not known pressure issues in this general area.

For stormwater treatment, the City now standardly requires a raingarden on each individual lot. Regarding stormwater, 85.200(H)(2) states in part, "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 off-site impacts from increased intensity of runoff downstream or constriction causing ponding upstream. 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."

Subsection 85.170(B)(2)(c)(1) lists the circumstances that require a transportation impact analysis. The proposal involves no new points of Bland Circle right of way so the traffic study is not required related to the spacing scenarios listed in this subsection, or any of the other reasons. Subsection 48.025(B)(6) requires access driveways to meet the standards in Chapter 8 of the Transportation System Plan (TSP). Specifically, it states, "The access spacing standards found in Chapter 8 of the adopted Transportation System Plan (TSP) shall be applicable to all *newly established* public street intersections, private drives, and non-traversable medians." (staff's emphasis) If a private drive is proposed it would not be a newly established private drive, and therefore the TSP Chapter 8 standards would not be applicable despite the standard being 150 feet between driveways, which is not the case here. If a public street is proposed, this would

not be a newly established intersection as it would be an extension of the Falcon Drive intersection.

Proposing two driveways onto the site (i.e. a separate driveway for Lot 1) would require both a traffic study and a Class II Variance since it would be a case of a new driveway not meeting the 150-foot spacing standards from TSP Table 8-3 for collectors.



Bland Circle frontage along site, existing driveway on left and Falcon Drive entrance on right

The applicant inquired in their submittal about whether an expedited land division application could be processed concurrently with a variance or variances. Section 99.060(E) provides for expedited land division applications. Per 99.060(E)(1), these can be processed concurrently with certain other applications, but a variance is not one of them. If the applicant applies for any variances, expedited land division is not an option.

The minimum right of way width for collectors is 60 feet, and the right of way width along this section of Bland Circle is 40 feet, so the City will require 20 feet of dedication (the area across the street is already subdivided and will likely never provide any of the required extra 20 feet).

There is no plat pertaining to this area besides Bland Acres; on that plat the subject parcel was part of the same lot as three surrounding current taxlots. This may have been done legitimately as part of partitioning processes, before partitions were required

to have their own plats, or via another legitimate (or grandfathered-in) way. The applicant should be prepared to present proof that the site is a legal lot of record.

Engineering Notes

I. TRANSPORTATION

BLAND CIRCLE

	EXISTING CONDITIONS	POTENTIAL POST DEVELOPMENT CONDITIONS
Classification	Collector	Collector
Zone	R-7	R-7
Right of Way Width	38'-40'	60'
Full Pavement Width	21'-25'	18'
Curb and Gutter	On the opposite side	Curb and Gutter
Planter Strip	On the opposite side	5.5' Planter
Sidewalk	On the opposite side	6' Sidewalk
Street Light	None in front – Shoe Box Style	Yes
Street Tree	On the opposite side	Yes
ADA Ramps	At the intersection of Falcon Dr and Bland Cir	May be needed at end of sidewalk
Post Speed	25 MPH	25 MPH
Stripe	None in front – Double Yellow Line and Reflector	May be needed. Will be reviewed at construction phase

A. MINIMUM REQUIRED IMPROVEMENTS

1. Provide at least 20' of dedication for a complete full build out right of way width of 60'.
2. Provide a minimum 17' pavement improvement with the following sections:
 - 12" of 1-1/2"-0 Crush Rock
 - 2" of ¾" -0 Leveling Course
 - 5" of AC Pavement consisting of 2" Class "C" over 3" Class "B"
 - See Public Works Standards Section 5.0030 Pavement Design for design requirements.
3. Provide curb and gutter. See WL-501 Detail for technical and construction specifications. See Public Works Standards Section 5.0040 Concrete Curb for design requirements.
4. Provide 6' wide concrete sidewalk with sidewalk ramp at each end to allow access for disability. See WL-508 for sidewalk technical and construction

specifications. See WL-507A and WL-507B for ADA technical and construction specifications. See Public Works Standards Section 5.0050 Sidewalks and Section 5.0051 Sidewalk Ramps for design requirements.

5. 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 with existing surrounding lights – Shoe Box on Bronze Pole.
 - Bulb: Flat lens 100 watts maximum
6. Provide Street Trees. Coordinate with Parks Department for requirements.
7. In case the access road is determined to be a private road the driveway approach shall be designed with the following requirements:

Driveway Approach: 36' maximum width including wings. See WL-504A, 504B, and 505 for technical and construction specifications. Driveway approach is recommended to be lined up with Falcon Drive. Driveway approach serving 3 lots or more should be designed in accordance with Commercial Driveway Design Guidelines and Standards. Intersection of new driveway to existing roadway should be designed in accordance with Public Works Standards Section 5.0015 Intersections.

8. In case the access road is determined to be a public road, the road shall be designed with the following requirements:
 - 48' wide right of way
 - 24' wide pavement consisting of 4" AC, 2" leveling course, 10" of rock
 - Usual standard is 6' wide sidewalk and 6' wide planter strip on both sides- can apply for narrowed sidewalk and reduced or eliminated planter strip if this preserves trees, per Planning notes in this document.
9. Provide necessary striping.
10. All new and existing overhead utilities along the development must be placed underground.

B. CITY TRANSPORTATION MASTER PLAN

PEDESTRIAN MASTER PLAN

Bland Circle is indicated in the City Pedestrian Master Plan as one of the roadways with sidewalk deficiencies. Sidewalk project along Bland Circle from the North Limit to Salamo Road is identified as project number 47 with medium level of

priority on Pedestrian Master Plan Project list (See TSP page 5-7). Therefore sidewalk improvement shall be a “must” on any development along Bland Circle especially from the North Limit to Salamo Road.

BICYCLE MASTER PLAN

Bland Circle is not indicated in the City Bicycle Master Plan as one of the roadways with bicycle facility deficiency. No bicycle lane improvement was listed in the Bicycle Master Plan.

However being classified as a Collector, Bland Circle cross section must include 6’ wide bicycle lane for any development along Bland Circle.

MOTOR VEHICLE MASTER PLAN

Existing Operations Conditions

Salamo Road and Bland Circle intersection was analyzed in TSP Existing Operation Conditions Section. The intersection has a LOS A/B. No collision occurs at this intersection. Truck Freight section indicated there were 24 trucks drove by this intersection when data was collected.

Future Operations Conditions

Salamo Road and Bland Circle intersect will have LOS A/D in 2030. This intersection will be operated at adequate level up to 2030. No further analysis was done beyond 2030.

C. STREET SDC AND BIKE/PEDESTRIAN EFFECTIVE JULY 1ST 2012

Type of Use	Trip per Use	Factor	Reimbursement	Improvement	Admin.	Total
Per Factor of 1		1.00	\$2,146	\$4,597	\$175	\$6,918
Single Family	Per House	1.01	\$2,115	\$4,643	\$177	\$6,987

Type of Use	Trip per Use	Factor	Reimbursement	Improvement	Admin.	Total
Per Factor of 1		1.00	\$0	\$1,503	\$39	\$1,542
Single Family	Per House	1.00	\$0	\$1,503	\$39	\$1,542

II. STORM DRAINAGE

A. MINIMUM REQUIRED IMPROVEMENTS

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. Existing public storm drainage system is available on Falcon Drive for connection.
There is currently a 48” detention pipe located downstream of the potential

development. This detention pipe was only designed to detain run-off from Remington Ridge II Subdivision. Any additional runoff to the detention pipe will not be permitted. Detention capacity analysis on the detention pipe will be required.

5. As-Built: Remington Ridge II. Plat: Remington Ridge No. 2 and City GIS available per request.

B. SURFACE WATER SDC EFFECTIVE JULY 1ST 2012

Unit		Factor	Reimbursement	Improvement	Admin.	Total
Per Factor of 1		1.00	\$773	\$232	\$51	\$1,056
Single Family	Per House	1.00	\$773	\$232	\$51	\$1,056

III. SANITARY SEWER

A. MINIMUM REQUIRED IMPROVEMENTS

1. New sanitary sewer system installing to serve the development must be 8" main.
2. Existing public sanitary sewer system is available on Falcon Drive for connection.
3. As-Built: Remington Ridge II. Plat: Remington Ridge No. 2 and City GIS available for request.

B. SANITARY SEWER SDC EFFECTIVE JULY 1ST 2012

Unit	Meter Size	Factor	Reimbursement	Improvement	Admin.	Total
Per Factor of 1		1.00	\$597	\$2,325	\$108	\$3,030
Single Family	Per House	1.00	\$597	\$2,325	\$108	\$3,030

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

IV. WATER

A. PRESSURE ZONE

1. Zone: Horton
2. Overflow Elevation: 730 Upper Elevation: 620 Lower Elevation: 475
3. Sub pressure zone serves customer at ground elevation as low as 340.

B. RESERVOIR AND PUMP STATION

1. Reservoir: Horton is located at the intersection of Horton Rd and Santa Anita Dr. The reservoir usable capacity is approximate 1.5 million gallon. The reservoir is filled by Bolton Pump Station. Horton Reservoir also supplies water to Rosemont Reservoir through Horton Pump Station.
2. Pump Station: Horton Pump Station consists of 4 pumps. Two can pump 900 gpm and two can pump 1,300 gpm with total capacity of 4,400 gpm and a nominal capacity of 3,100 gpm. There is an emergency standby diesel generator onsite in case power failure.

C. EXISTING POPULATION AND PROJECTED POPULATION AT SATURATION

- Existing Population: 6,192
- Projected Population at Saturation: 7,843

D. WATER DEMAND AT SATURATION

Average Day Demand (mgd)	Maximum Day Demand (mgd)	Peak Hour Demand (mgd)
1.1	2.3	12.6

E. RESERVOIR AND PUMP STATION CURRENT OPERATING CONDITIONS

- In accordance with Water System Plan, both the reservoir and pump station are listed in good conditions.

F. HORTON 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)	Emergency Supply Deficit (mg)
Current	3.1	0.5	3.6	4.3	1.3	(0.7)	1.3
2015	3.2	0.5	3.7	4.3	1.3	(0.6)	1.4
2030	3.6	0.5	4.1	4.3	1.3	(0.2)	1.7
Saturation	3.8	0.5	4.3	4.3	1.3	0	1.8

- The table above indicates that there is a surplus in supply capacity during a normal condition.

G. HORTON 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	1.1	0	1.3	1.1	0.2
2015	0	1.1	0	1.4	1.1	0.3
2030	0	1.1	0	1.7	1.1	0.6
Saturation	0	1.1	0	1.8	1.1	0.7

- The table above indicates that there is no storage volume deficit during a normal condition.

H. HORTON PRESSURE ZONE MASTER PROJECT LIST

No.	Location	Ex. Diameter (in.)	Proposed Diameter (in.)	Priority	Length (ft)	SDC Allocation	Unit Cost (\$/lf)	Est. Project Cost (\$)
29	Weatherhill Rd. from Salamo Rd to S Bland Cir. and then South		8	4	2,312	100%	125	\$289,000
31	Sussex St. south of Sunset Ave.	4	8	5	248	0%	125	\$31,000
32	From River View Ave. to Falls View Dr.	4	8	5	213	0%	125	\$26,625
39	Clark St. south of Skyline	6	8	5	425	0%	125	\$53,125
42	North of Linn Ln.	6	8	5	369	0%	125	\$46,125
43	Parkview Ter. And Rosepark Dr.	6	8	5	765	0%	125	\$95,625
47	Apollo Rd. west of Athena Rd.	6	8	5	385	0%	125	\$48,125
48	Palomino Wy. from Saddle Ct. to Palomino Cir.	6	8	4	246	100%	125	\$30,750

1. The table above indicates that there is no improvement required along the proposed project frontage.

I. MINIMUM REQUIRED IMPROVEMENTS

1. New water system installing to serve the development must be 8" main.
2. Existing public water system is available on Bland Circle for connection.
3. As-Built: Remington Ridge II. Plat: Remington Ridge No. 2 and City GIS available per request.

J. WATER SDC EFFECTIVE JULY 1ST 2012

Unit	Meter Size	Factor	Reimbursement	Improvement	Admin.	Total
Per Factor of 1		1.00	\$571	\$6,793	\$191	\$7,555
5/8" Meter		1	\$571	\$6,793	\$191	\$7,555

Process

A subdivision approval is required. The applicant might also pursue a Class II Variance for public street width or for having 5 lots access a private street. Subdivisions and Class II Variances are both Planning Commission decisions.

A neighborhood meeting is required for a subdivision approval per 99.038. The site is within the Savanna Oaks neighborhood but is just across Bland Circle from the Willamette neighborhood. Contact Dave Rittenhouse, President of the Savanna Oaks Neighborhood Association, at 503-635-0800 or daver@europa.com, and Beth Smolens, President of the Willamette Neighborhood Association at (503) 503-722-1531 or willametteneighborhood@gmail.com. (See 99.038 for how to include the adjacent neighborhood.) The applicant is required to provide the neighborhood association with conceptual plans and other material at least 10 days prior to the meeting. While a meeting with Savanna Oaks is required, it is not required to have a meeting with neighboring Willamette (but it is always encouraged). Per 99.038 Willamette must be contacted about the meeting with Savanna Oaks regardless. See 99.038(C) for the proper procedure for this. If the two associations and the applicant all agree to officially make it a "combined" meeting, this is fine as well.

The criteria of 85.200 shall be responded to individually in a narrative. If the applicant applies for a variance or variances, the criteria of 75.060 should be responded to as well.

Prepare the application and submit to the Planning Department with a signed application form. The deposit for a Subdivision application is \$4,200, plus \$200 per lot, for a total initial deposit of \$5,200 in this case. There is also a \$500 fee for eventual final

inspection. The deposit for Class II Variance is \$2,900. (Any additional Class II Variance beyond the first one has a deposit of \$1,450.) **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 deposits cover, and therefore additional billing may be likely to occur.**

Follow 85.150-170 (and 75.050 if there is a variance) 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.

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>.

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.

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.