

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**February 14, 2013**

SUBJECT: 3-lot minor partition at 960 Dollar Street.

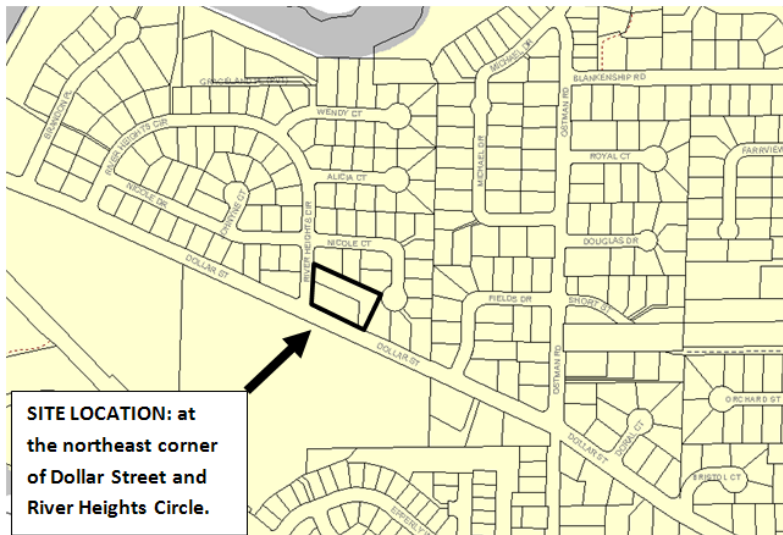
ATTENDEES: Applicants: Jeff Smith, Andrew Tull, Brian Feeney and John Wyland  
Staff: Peter Spir (Planning Department); Khoi Le (Engineering Division)

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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 0.87 acre (37,897 square foot) parcel is located along the northeast corner of Dollar Street and River Heights Circle. The zoning is R-10 (single family residential 10,000 square foot minimum lot size). The applicant proposes three lots. All lots will have to meet the size and dimensional standards of the R-10 zone.



The surrounding zoning is R-7 (single family residential 7,000 square foot minimum lot size) to the east, west and north and R-10 across Dollar Street to the south. The surrounding land use to the east, west and north is single family residential homes

within the River Heights subdivision. These lots range in size from 7,944 to 12,285 square feet. The property to the south is owned by the West Linn-Wilsonville School District. The most recent land use activity associated with that property was the approval of an 84 lot planned unit development. That permit has since lapsed; however, a similar development application in the future is a reasonable expectation.



### Site Analysis/Trees

The site topography is essentially flat. There are no natural hazards or environmental constraints (wetlands etc.) on this property.

The site is heavily treed. Most of the trees on the west half are deciduous trees and seemingly non-significant. The trees in the eastern half are dominated by mature firs and pines. Some of those trees may be “significant”.

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. The City Arborist will then determine which trees are significant. CDC Section 55.100(B)(2) requires that up to 20% of the relatively flatter non-type I and II lands shall be set aside to protect the “dripline plus 10 feet” of significant trees. That requirement can have an impact on this application. The applicant explained that any lot division and footprint of future homes will probably conflict with at least some of these trees. The applicant proposed mitigation for these trees.

Mitigation only works in the following circumstances, as explained in 55.100(B) (2) (f):

*f. If the protection of significant tree(s) or tree clusters is to occur in an area of grading that is necessary for the development of street grades, per City construction codes, which will result in an adjustment in the grade of over or under two feet, which will then threaten the health of the tree(s), the applicant will submit evidence to the Planning Director that all reasonable alternative grading plans have been considered and cannot work. The applicant will then submit a mitigation plan to the City Arborist to compensate for the removal of the tree(s) on an “inch by inch” basis (e.g., a 48-inch Douglas fir could be replaced by 12 trees, each four-inch). The mix of tree sizes and types shall be approved by the City Arborist.*

Since there is no street grading associated with this project and certainly not in the interior of the proposed lots the opportunity to use mitigation is not available.

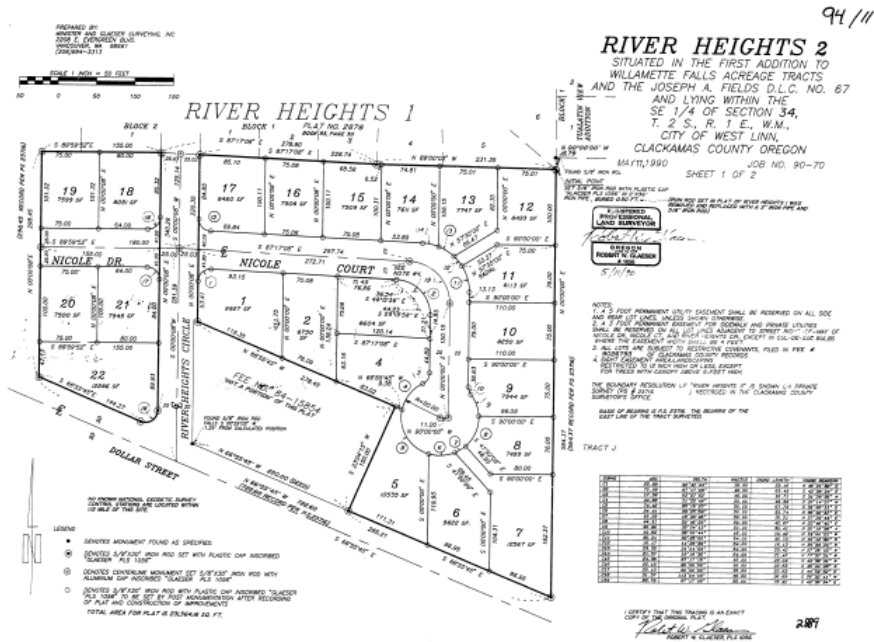
Recent land use applications that involved mitigation were for trees that were to be removed in excess of the “20 percent set aside”. The applicant must therefore protect up to 20 percent of the development site if there are enough qualifying significant trees to cover that much area or apply for a Class II Variance (Planning Commission).

Note: Preliminary site analysis by the City Arborist identified only one tree that may be significant. This will have to be confirmed after a complete tree inventory provided by the applicant.



Status of the two tax lots

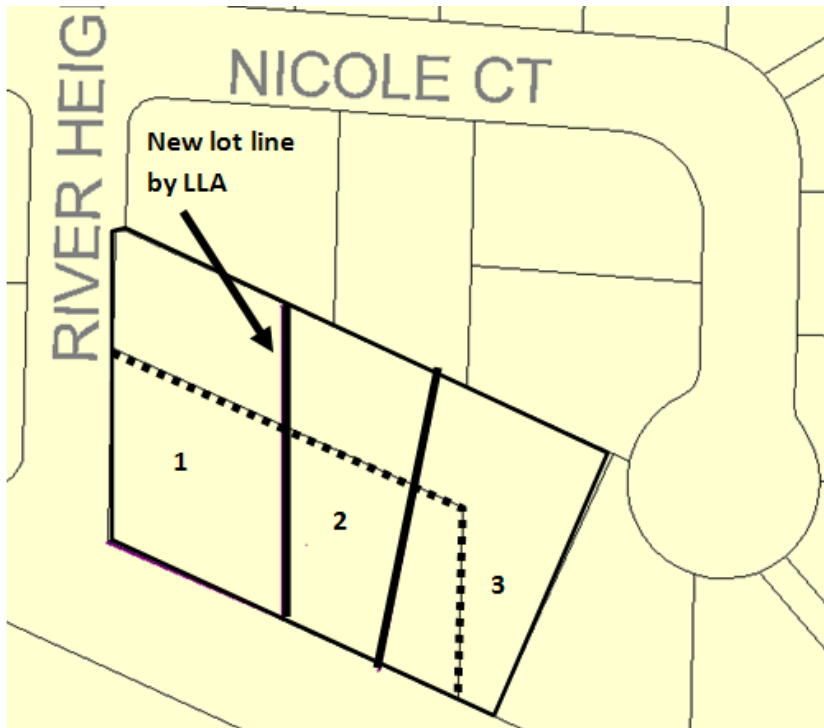
The property comprises two tax lots. However, it is not known if the two lots were just created for tax purposes (through the County Assessor's office) or if they are legal lots of record. The 1990 plat for the River Heights 2 subdivision (below), which encompassed this property, did not show two lot lines and we have no record of a partition subsequent to that plat. For that reason, the applicant should have a title search conducted to determine the origin of those lot lines and to demonstrate that two legal lots of record exist.



Lot line adjustment/minor partition option

Assuming the two lots were correctly established, the applicant could use a lot line adjustment to shift the existing lot line so that one lot (lot 1) would occupy the west 132 feet and the other lot would occupy the east 146 feet (as measured along the north property line). The applicant would then be able to apply for building permits on the two re-aligned lots (once the existing house is removed) and subsequently apply for a minor partition to divide the east 146 feet in half to yield two lots (lots 2 and 3) for a total of three lots. (Prior to recording the MIP plat, the existing house must be demolished.)

If the two lots are not platted lots of record then the application would be limited to a minor partition.



The dashed line is the existing tax lot line that could be moved by lot line adjustment (LLA) to create a new lot line and lot 1 on the west edge of the site. Once the LLA is final the eastern portion of the site could then be minor partitioned into lots 2 and 3.

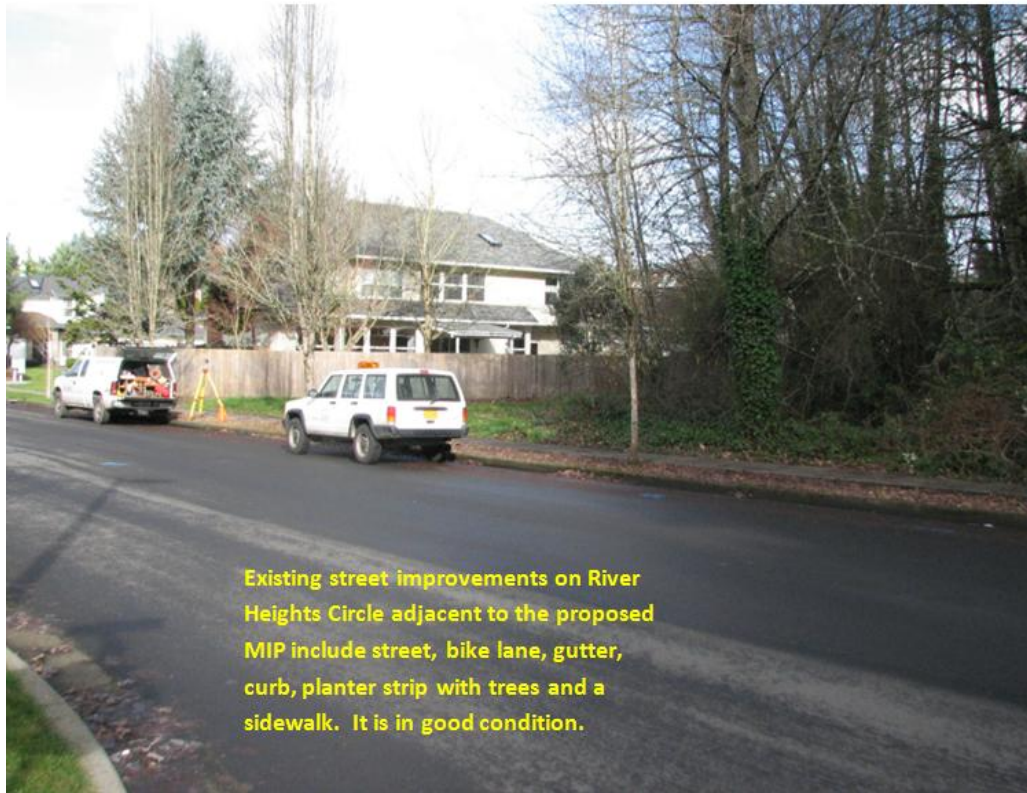
### Street improvements

Dollar Street is a Collector according to the Transportation System Plan (TSP). There is a 60 foot ROW on Dollar Street which is sufficient. Half street improvements were installed by the developer of River Heights subdivision for the frontage of this property since it represented the entry point to the subdivision and the developer felt that an attractive entryway and street section was important to the marketability of the subdivision. The existing street improvements on Dollar Street includes a travel lane, bike lane, curb, three foot wide planter strip (with no street trees) and a five foot wide sidewalk. The condition of the street, curb and sidewalk appears good. (See Engineering comments below.)





River Heights Circle (below) is a local street. The ROW is 45 feet which is below the width in the adjacent subdivision and the width prescribed by the TSP (see Engineering comments below). On River Heights Circle existing street improvements include travel lane, curb, four foot wide planter strip with street trees and a four foot wide sidewalk.





### Access

CDC subsection 48.025(B) (6) requires new access driveways to meet the access separation standards in Chapter 8 of the Transportation System Plan (TSP). Specifically, it states, “The access spacing standards found in Chapter 8 of the adopted TSP shall be applicable to all newly established public street intersections, private drives, and non-traversable medians”. Dollar Street is a collector and, as such, requires a 150 foot separation between the driveways on that street. Although the applicant could argue that the access standards do not apply to the existing driveway on Dollar Street and therefore one additional driveway could be added, staff recommends that the applicant use a single consolidated driveway to serve the two lots accessing Dollar Street.





Access to the west lot (“lot 1”) can be from River Height Circle. Engineering staff’s interpretation is that there is no separation standard in TSP table 8-3 between a driveway and an intersection. We can therefore defer to the CDC and the 35 foot setback for driveways from intersections per 48.060(C) (6).

As an alternative to these access points, the applicant discussed a single access point onto River Heights Circle for a driveway to serve all three lots. The driveway width would have to be 16 feet to serve two-three lots and could taper down to 12 feet where it only serves one lot.

Traffic Impact Analysis

According to 85.170 (B) (2), a Traffic Impact Analysis is not required because the two additional households will not trigger any of criteria of that section.

**ENGINEERING COMMENTS**

**I. TRANSPORTATION**

**DOLLAR STREET**

	EXISTING CONDITIONS	POTENTIAL POST DEVELOPMENT CONDITIONS
Classification	Collector	Collector
Zone	R-10	R-10
Right of Way Width	60’	60’
Full Pavement Width	25’	34’
Bike Lane	5’	5’
Curb and Gutter	Along the frontage. Not on the opposite.	Curb and Gutter
Planter Strip	Along the frontage. Not on the opposite	5.5’ Planter
Sidewalk	6’ wide along the frontage. Not on the opposite.	6’ Sidewalk
Street Light	None along the frontage – Shoe Box at the corner of River Height	Yes
Utility Pole	Yes	Underground
Street Tree	None along the frontage. Not on the opposite.	Yes
ADA Ramps	At the intersection of Dollar	Install truncated dome.

	and River Heights. No truncated dome.	
Post Speed	25 MPH	25 MPH
Stripe	Bike Lane – Double Center Line – Frog Line	No additional stripe needed.

### A. MINIMUM REQUIRED IMPROVEMENTS

1. Dedication: None.
2. Remove existing power pole.
3. 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
4. Provide Street Tree in needed. Coordinate with Parks Department for requirements.
5. Reference: River Heights 1 & 2.

### RIVER HEIGHTS CIRCLE

	EXISTING CONDITIONS	POTENTIAL POST DEVELOPMENT CONDITIONS
Classification	Local	Local
Zone	R-10	R-10
Right of Way Width	45'	57'
Full Pavement Width	36'	36'
Bike Lane	None	None
Curb and Gutter	Yes	Yes
Planter Strip	Yes – 4' including curb	6' including curb
Sidewalk	Yes - 4'	6' Sidewalk
Street Light	None along the frontage – Shoe Box at the corner of River Height	Yes
Utility Pole	None	Underground
Street Tree	Yes	Yes
ADA Ramps	At the intersection of Dollar	Install truncated dome.

	and River Heights. No truncated dome.	
Post Speed	25 MPH	25 MPH
Stripe	None	No additional stripe needed.

**B.**

**C. MINIMUM REQUIRED IMPROVEMENTS**

1. Dedication: 12’.
2. Pay fee in-lieu of difference between existing 4’ sidewalk and future 6’ sidewalk or replace existing with 6’ sidewalk.
3. 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
4. Provide Street Tree if needed. Coordinate with Parks Department for requirements.
5. 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 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 design in accordance with Public Works Standards Section 5.0015 Intersections.
6. All new and existing overhead utilities along the development must be placed underground.
7. Reference: River Heights 1 & 2.

**D. CITY TRANSPORTATION MASTER PLAN**

**PEDESTRIAN MASTER PLAN**

Dollar is indicated in the City Pedestrian Master Plan as one of the roadways with sidewalk deficient. Sidewalk project along Dollar from the River Heights Circle to Ostman Road and Ostman to Willamette Falls Drive is identified as project number 58 and 57 respectively with low level of priority on Pedestrian Master Plan Project list (See TSP page 5-8). These projects however are improvements related to the unimprovement along Dollar Street on the opposite side. No sidewalk improvement needed on along Dollar Street in front of the development frontage is needed since there is already 6' wide sidewalk provided.

**BICYCLE MASTER PLAN**

Dollar has already had bike lane installed on the north side of the roadway. No bicycle lane improvement was listed on Bicycle Master Plan at this time. Bicycle lane may be installed in the future once the opposite of the roadway improved. River Heights Circle was not listed as a street needed bike lane.

**MOTOR VEHICLE MASTER PLAN**

**Existing Operations Conditions**

Dollar Street and River Heights Circle intersection was not analyzed in TSP Existing Operation Conditions Section. Traffic Report will not be needed.

**E. STREET SDC AND BIKE/PEDESTRIAN EFFECTIVE JULY 1<sup>ST</sup> 2012**

Type of Use	Trip per Use	Factor	Reimbursement	Improvement	Administrative	Total
Per Factor of 1		1.00	\$2,167	\$4,644	\$177	\$6,988
Single Family	Per House	1.01	\$2,189	\$4,690	\$179	\$7,058

Type of Use	Trip per Use	Factor	Reimbursement	Improvement	Administrative	Total
Per Factor of 1		1.00	\$0	\$1,518	\$40	\$1,558
Single Family	Per House	1.00	\$0	\$1,533	\$40	\$1,573

**II. STORM DRAINAGE**

**A. EXISTING CONDITIONS**

There is no public storm main along the project frontage on either Dollar Street or River Heights Circle. There are catch basins located further downstream on River Heights Circle. The only other proper convey system is the gutter.

As-Built: River Heights 1 & 2.

**B. 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. If elevation does not allow discharge through weep hole at gutter line, a public storm main will be required on River Heights Cir for proper functionality.
4. Storm Drainage Analysis Report is required.

**C. SURFACE WATER SDC EFFECTIVE JULY 1<sup>ST</sup> 2012**

Unit		Factor	Reimbursemen t	Improvemen t	Administrativ e	Total
Per Factor of 1		1.00	\$780	\$234	\$52	\$1,066
Single Family	Per House	1.00	\$780	\$234	\$52	\$1,066

**III. SANITARY SEWER**

**A. EXISTING CONDITIONS**

There is no public sanitary sewer main along the project on Dollar Street. Existing sanitary sewer main on River Heights Circle is only 6" and ending with a clean-out.

**B. MINIMUM REQUIRED IMPROVEMENTS**

1. Provide analysis for existing 6" sanitary sewer main to see whether or not it can be able to handle additional flow.
2. Existing cleanout may have to be replaced with a main hole.
3. If the existing house is on septic, decommission the septic tank and drain field in accordance to DEQ requirements and submit the City with proper paper works.
4. If street is to cut for connection of new sewer laterals and water services, the street must be slurry seal back.
5. As-Built: River Heights 1 & 2.

**C. SANITARY SEWER SDC EFFECTIVE JULY 1<sup>ST</sup> 2012**

Unit	Mete r Size	Facto r	Reimbursemen t	Improvemen t	Administrativ e	Total
Per Factor of 1		1.00	\$603	\$2,348	\$109	\$3,060
Single Family	Per House	1.00	\$603	\$2,348	\$109	\$3,060

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

**IV. WATER**

**A. PRESSURE ZONE**



	Supply Deficit (mgd)	Storage Volume (mg)	Overall Deficit (mgd)	Supply Deficit (mgd)	Storage Deficit (mgd)	Overall Deficit (mgd)
Current	0.1	0.8	0	1.1	0.8	0.3
2015	0.2	0.8	0	1.2	0.8	0.4
2030	0.5	0.8	0	1.5	0.8	0.7
Saturation	0.6	0.8	0	1.6	0.8	0.8

1. The table above indicates that there is no storage volume deficit during a normal condition but deficient during emergency condition.

#### H. WILLAMETTE PRESSURE ZONE MASTER PROJECT LIST

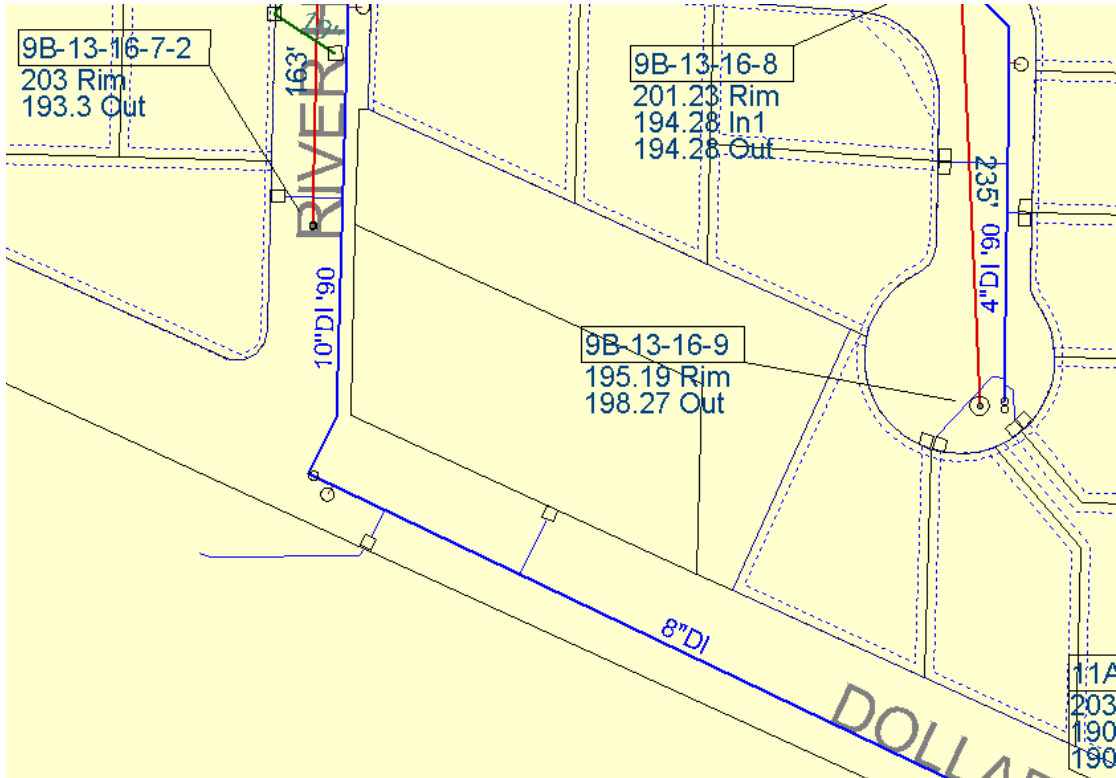
1. There are 34 water improvement projects listed in the City Water System Plan under the Willamette Pressure zone. However none of them is along the subject development frontage. Thus there is no improvement required along the proposed project frontage.

#### I. MINIMUM REQUIRED IMPROVEMENTS

1. Existing public water system is available on both Dollar Street and River Heights Circle for connection.
2. New water meter shall be set behind curb and out of driveway approaches.
3. As-Built: River Heights 1 & 2.

#### J. WATER SDC EFFECTIVE JULY 1ST 2012

Unit	Meter Size	Factor	Reimbursement	Improvement	Administrative	Total
Per Factor of 1		1.00	\$576	\$6,863	\$193	\$7,632
5/8" Meter		1	\$576	\$6,863	\$193	\$7,632



**PROCESS**

A formal meeting (e.g. section 99.038) with Willamette Neighborhood Association is **not** required for a minor partition. If you want to conduct an informal meeting at their regular meeting, that is your option. Contact the NA president, Beth Smolens at [WillametteNA@westlinnoregon.gov](mailto:WillametteNA@westlinnoregon.gov)

The first procedure to be undertaken is the lot line adjustment (LLA). Prepare the application and submit it to the Planning Department with fees. The application form must be signed by the property owner. A LLA has a fee of \$1,000 and a final review fee of \$200. The approval criteria are in section 85.210. A completed application form and fees are required. It is a ministerial decision by the Planning Director so no hearing or public notice is required. According to the Clackamas County Surveyors Office, the lot line adjustment document will have to be submitted in a replat format for recording. In the initial submittal of the lot line adjustment, a surveyed map is not required; however, the map must be drawn to scale and with sufficient detail (including the footprint of the existing house and accessory structures and setbacks to the proposed lot line) for the Planning Director to determine the appropriateness of the LLA.

Once the LLA has been completed, the minor partition (MIP) of the re-aligned east parcel can proceed. This requires a full and complete response to the submittal requirements and approval criteria of CDC Chapter 85 Land Division. 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 it to the Planning Department with deposit fees. The application form must be signed by the property owner.

An MIP has a deposit fee of \$2,800. There is an additional \$1,500 final plat review fee. 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. If the application is more complex and time consuming, the applicant will be billed above and beyond the deposit fee that has been received.

If a Class II Variance is needed for tree removal then Chapter 75 applies and the fee is \$2,900. The introduction of a Class II Variance would move the application from a Planning Director decision to a Planning Commission decision. We will not know if a variance is needed until after the significant tree inventory and site visit by Mike Perkins, the City Arborist.

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. Pre-application reviews are only valid for 18 months. A new pre-application conference would have to be scheduled once that period lapses.

Preap-sumry- 3 lot partition at Dollar and River Hts.