

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**Notes**  
**October 3, 2013**

**SUBJECT:** Proposed partition plat to create two lots at 23000 Horizon Drive. The north lot will be 3.3 acres and include the existing Tanner Springs assisted living facility. The south lot will be 1.3 acres and is undeveloped. No specific use for the 1.3 acre lot is proposed at this time although it is a potential site for independent living facilities.

**ATTENDEES:** Applicants: Mitch Duryea, Duryea & Associates, Jillian Bohrer, (Tanner Springs Assisted Living and Memory Care)  
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.*

### **General Overview and Discussion**

The site address is 23000 Horizon Drive in the Savanna Oaks Neighborhood Association. The tax lot number is 21E 35B tax lot 100 and comprises 194,396 square feet or 4.46 acres. The zoning is R-3 (multi-family residential/ 3,000 square foot minimum lot size).

The north lot will comprise the existing Tanner Springs Assisted Living Facility and associated parking areas, driveways and landscaping. The proposed southern lot is south of the parking lot and comprises a landscaped area of lawns, curvilinear pathways and at least seven mature trees; some of which may be significant.

It is important to note that, at the present time, the applicant is just pursuing a two lot partition. At some time in the future, the applicant may propose an independent living facility or similar use for the south lot. At that time, the applicant will be required to apply for further land use permits, as required by the CDC.

The proposed lots are all well over 3,000 square feet in size and all meet the dimensional requirements of the R-3 zone. (The 70% minimum density rule which requires that development exceed 70% of the maximum number of allowed lots does not apply to minor partitions.)



The paved portion of Weatherhill Road adjacent to the site is 18-20 feet wide and in varied condition. There are no curbs or sidewalks. The only pedestrian facilities in the area comprise a footpath constructed on top of the embankment and generally parallel to Weatherhill Road. The footpath extends from the west edge of the care facility to Salamo Road to the east.

## Previous Applications

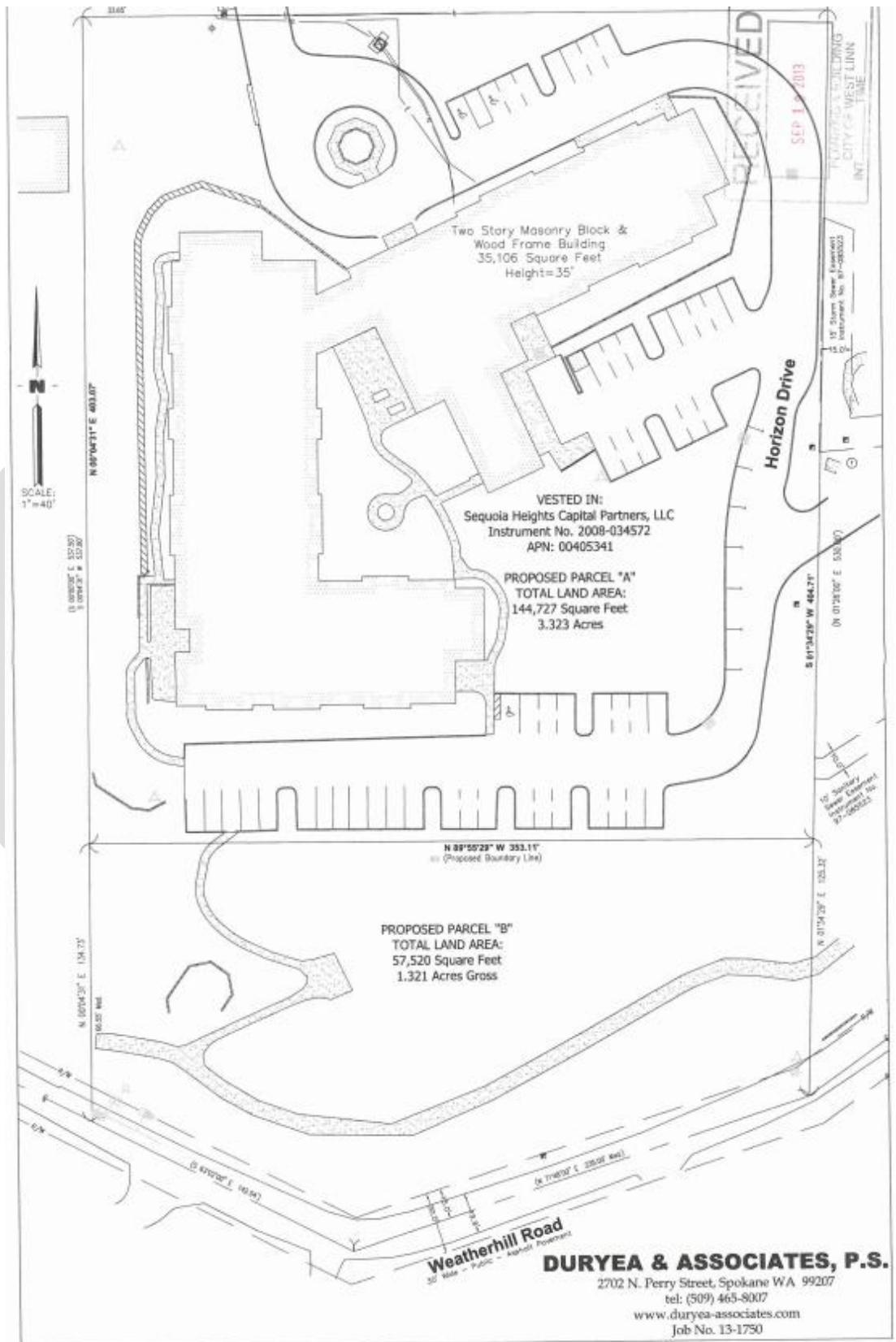
Previous applications have been approved for this property; most recently, CUP-07-03/DR-07-09. That application was for an addition to the assisted living facility. Although the addition was not built, the construction of seven parking spaces, which were part of the approved plan, vested the project so it is still valid. Whatever is proposed on the southern lot should consider how it integrates with the approved 2007 plan. The applicant should also anticipate conditions of approval (COAs) similar to the COAs of the 2007 approval (see attachment) at such time that the actual development of the southern lot is proposed. Please see also “Issues and Probable Conditions”.

## Surrounding Land Uses and Zoning

To the north and east, the site is flanked by multi-family apartment units. To the west is an un-annexed farm property. The southern border is defined by Weatherhill Road.

Table 1: Surrounding Land Use and Zoning

DIRECTION FROM SITE	LAND USE	ZONING
North	Multi-family/ residential	R-3
East	Multi-family/residential	R-3
West	Single family residential /Farm	Unincorporated
South	Low density residential/also Weatherhill Road	Unincorporated





## Site Analysis

### Slopes

The majority of the property is relatively flat with a 0-5% slope. The southern 30 feet of the site drops six feet down to Weatherhill Road yielding a slope of about 25%. No geotechnical report is required.

### Trees and Vegetation

There are about seven, potentially significant, mature trees in the proposed southern lot. There are additional small decorative trees and bushes. The groundcover is well groomed grass. The vegetation changes to invasive blackberry bush between Weatherhill Road and the parallel footpath.

Section 55.100(B)(2) provides for significant tree preservation and can require that up to 20 percent of the non-type I and II lands be set aside for their protection. Significant trees on Type I and II lands (e.g. slopes over 25%) are given complete protection. The code makes accommodation for the removal of trees in anticipated street alignments (see 55.100(B)(2) exemptions) but the applicant should anticipate being required to mitigate for their loss on an inch by inch basis exclusive of normal street tree requirements. The mitigation can be on or off-site, or can be satisfied by a fee-in-lieu payment, if the Parks Department agrees to this.

The applicant's arborist should contact City Arborist Mike Perkins (503-723-2554 or [mperkins@westlinnoregon.gov](mailto:mperkins@westlinnoregon.gov)) once the preliminary tree inventory is complete to verify which trees, if any, are significant.

### Water Resource Areas

There are no streams, wetlands or other Goal 5 resources on the property.

## Expected Development Pattern/Street Connectivity

The following discussion applies to future development of the property only and not to this partition application.

Whether the new south lot is developed for housing or for a facility that is supportive of, or similar to, the assisted living facility, it is expected that three access points are available:

1. Via an access easement across the existing driveways/Horizon Drive through the care facility property. (The square footage of the access easement must be deducted from the lot it traverses.)
2. Direct access to Weatherhill Road.
3. The property west of the site is unincorporated but once it has been annexed it is expected to be rezoned to R-3. With that development potential in mind, the access and street pattern in the southern lot could facilitate connectivity between the two lots.

## Traffic Impact Analysis (TIA)

Subsection 85.170(B) (2) (c) (1) lists the circumstances that require a traffic impact analysis (TIA).

*c. When required. A Traffic Impact Analysis may be required to be submitted to the City with a land use application, when the following conditions apply:*

*1) The development application involves one or more of the following actions:*

*(A) A change in zoning or a plan amendment designation; or*

*(B) Any proposed development or land use action that ODOT states may have operational or safety concerns along a State highway; and*

*(C) The development shall cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis or study, field measurements, crash history, Institute of Transportation Engineers Trip Generation manual; and information and studies provided by the local reviewing jurisdiction and/or ODOT:*

*(1) An increase in site traffic volume generation by 250 average daily trips (ADT) or more (or as required by the City Engineer); or*

*(2) An increase in use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by 10 vehicles or more per day; or*

*(3) The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State highway, creating a safety hazard; or*

*(4) The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or*

*(5) A change in internal traffic patterns that may cause safety problems, such as backup onto the highway or traffic crashes in the approach area.*

The proposal does not meet any of the criteria that trigger a TIA. To meet connectivity and Transportation Planning Rule requirements the applicant should anticipate access as described earlier to Weatherhill Road, the property to the west or a connection to the care facility property. Even if the property is fully built out at R-3 density, the 15 units or lots would only produce 150 trips per day which is well below the 250 trips per day. (Per the Institute of Traffic Engineers (ITE) tables, single family homes are expected to generate 9-10 trips per weekday.) The PM peak hour (5-6 PM) trip generation of 1.01 per home will yield 15.15 trips. If the site is developed as an assisted living facility, trip generation would be even lower.

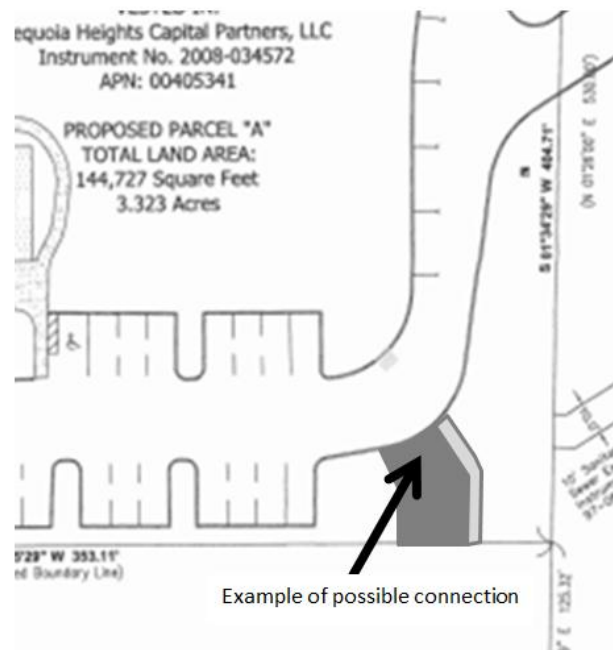
No traffic studies will be required.



*Weatherhill Road. Subject property is on the right.*

## Issues and Probable Conditions

- Note the water line laterals that traverse the southern lot. These would need to be relocated if a structure was proposed on top of them.
- The applicant needs to demonstrate that the Chapter 54 requirement that 25% of the site will comprise landscaping will not be compromised with the removal of the landscaping in the southern lot.
- The north edge of the southern lot must be at least five feet from the parking lot to accommodate a five foot wide landscaped buffer.
- Blanket utility easements for mutual benefit must be created on each lot to the benefit of the other lot.
- At the development phase, (not at this time), the applicant may be required to construct a 24 foot wide driveway with a curb flush six foot wide sidewalk between the southern parking lot of the northern lot and the southern lot.
- At time of the partition, an access easement document conveying unrestricted access across the northern lot for the benefit of the southern lot may be required.



- At such time that development of the southern lot is proposed, (not at this time) the applicant will be required to construct improvements on Weatherhill Road. Those improvements may be similar to the improvements listed in Condition of



Approval #6 of the CUP-07-03 application. These improvements will probably include 16 feet of pavement, curb, 6 foot planter and 6 foot planter strip.

- The path may be relocated and brought down to Weatherhill Road and rebuilt per standard half street design (not at this time).
- As part of this minor partition application, the applicant shall provide sufficient right of way as needed to achieve a 56 foot ROW (e.g. 13-18 feet) on Weatherhill Road.

## Process

A minor partition is required. No neighborhood meeting is required per 99.038. If you want to meet with the neighborhood association, the property is within the Savanna Oaks neighborhood. Contact Ed Schwarz, President of the Savanna Oaks Neighborhood Association, at [SavannaoaksNA@westlinnoregon.gov](mailto:SavannaoaksNA@westlinnoregon.gov)

Follow 85.150-170 strictly and completely regarding submittal requirements (including plans, maps, etc.). A re-division plan per section 85.180 will be required to demonstrate that the new parcel could be further partitioned in a reasonable fashion consistent with the allowable (R-3) density and provisions of Chapter 85. (If the plan is to ultimately construct independent living facilities then a request to waive the re-division plan would be considered.)

Submittal requirements may be waived but the applicant must first identify the specific submittal requirement and request, in writing, 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. Waivers may also be subsequently overruled by the decision making body.

The approval criteria of 85.200 shall be fully responded to in a narrative.

Submit the application to the Planning Department with an application form signed by the property owner. The deposit for a partition is \$2,800. The final plat fee is \$1,500. There is also a \$500 fee for final site inspection.

**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.

Once the submittal is deemed complete, the staff will schedule a Planning Director decision date. Staff will send out public notice of the Planning Commission hearing at least 20 days before the decision. The Planning Director'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>.

Pre-application notes are void after 18 months and 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.

Pre-app2013/Pre-app Oct 3 2013-Pre-app notes ALF MIP

**ATTACHMENT:**

*Final Decision Notice for the 2007 CUP*

**WEST LINN PLANNING COMMISSION  
FINAL DECISION NOTICE  
CUP-07-03/DR-07-09**

IN THE MATTER OF THE PROPOSAL OF A 9,050-SQUARE FOOT MEMORY CARE ADDITION TO THE TANNER SPRING ASSISTED LIVING FACILITY AT 23000 HORIZON DRIVE, REQUIRING A CONDITIONAL USE PERMIT AND CLASS II DESIGN REVIEW

At their meeting of February 20, 2008, the West Linn Planning Commission held a public hearing to consider the request by Canyon Creek Development and Kasa Architects, Inc., to approve a Conditional Use Permit and Class II Design Review for a proposed memory care (Alzheimer’s Disease care) addition to Tanner Spring Assisted Living Facility at 23000 Horizon Drive. Conditional Use Permit criteria are found in Community Development Code (CDC) Chapter 60. Class II Design Review criteria are found in CDC Chapter 55. The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The hearing commenced with a staff report presented by Tom Soppe, Associate Planner. Kevin Saxton of Kasa Architects, Inc., spoke representing the application. No one else spoke regarding the application.

A motion was made, seconded, and passed to approve the application adopting staff's findings, the findings of the proportionality analysis contained in the staff report as Exhibit PC-4, and staff's recommended conditions of approval. The conditions of approval are as follows:

1. The new walkways in the parking areas and connecting the parking areas to the building shall be 8 feet wide.
2. The further west of the two existing disabled spaces shall be moved just to the west, far enough for the aisle to its east to be widened to 96 inches.
3. The area of the driveway accessing the 6 new parking spaces at the southwest corner of the building shall be widened to 24 feet.
4. Applicant shall submit plans to Tualatin Valley Fire & Rescue to be approved before construction.
5. Applicant shall submit stormwater plans and impervious surface area calculations to the satisfaction of the Engineering and Public Works departments.
6. **The applicant shall complete the following improvements to Weatherhill Road to the satisfaction of the Engineering and Public Works departments:**
  - Dedicate a 13-foot-wide stretch along the frontage of Weatherhill Road to provide for a standard right of way, and additional width to accommodate the horizontal curve renovation. This will provide the City with the opportunity to obtain the full 56-foot ROW, which will allow the City to make future improvements to the street as necessary.
  - Widen the pavement to provide 12 feet on the northern half of the street along the project frontage. The new pavement should extend to the centerline of the street. This will provide for the smallest pavement width allowable.
  - Widen the pavement on the southern side of the street as needed to provide a minimum 10-foot travel lane.
  - Provide curbs and gutters on the northern half of the street along the project frontage. This will require storm drainage improvements on the street which should be constructed to City design standards.
  - Reconfigure the existing horizontal curve on Weatherhill Rd. along the project frontage to allow for a 25-mph speed limit. The curve radius at the centerline will need to be a minimum of 165 feet.

- Provide street lighting along the project frontage.
- Provide a Local Improvement District (LID) waiver of remonstrance for future street improvements, including pavement, sidewalk and street lighting, along Weatherhill Road.

This decision will become effective 14 days from the date of mailing of this final decision as identified below. Those parties with standing (i.e., those individuals who submitted letters into the record, or provided oral or written testimony during the course of the hearing, or signed in on the attendance sheet at the hearing, or who have contacted City Planning staff and made their identities known to staff) may appeal this decision to the West Linn City Council within 14 days of the mailing of this decision pursuant to the provisions of Chapter 99 of the Community Development Code. Such appeals would require a fee of \$2500 and a completed appeal application form together with the specific grounds for appeal to the Planning Director prior to the appeal-filing deadline.

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MICHAEL BABBITT, CHAIR  
WEST LINN PLANNING COMMISSION

\_\_\_\_\_  
DATE

Mailed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Therefore, this decision becomes final at 5 p.m., \_\_\_\_\_, 2008.

Devrev/Finaldecisions/CUP-07-03



DRAFT



