

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**June 7, 2007**

**SUBJECT:** Three lot minor partition or four lot subdivision, a zone change to R-20 or R-15 and possibly a planned unit development (PUD) at 22810 Weatherhill Road

**ATTENDEES:** Applicant: Craig Morrow  
Staff: Peter Spir (Planning Department); Dennis Wright (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 applicant is proposing a three-lot minor partition or four-lot subdivision of a 1.6-acre tract (71,776 square feet). The zoning is R-40. With a total square footage of 71,776 square feet, it is not possible to create three lots with a zoning designation that requires 40,000 square feet per lot. The reasonable solution would be to propose a zone change to R-20 or R-15. No amendment of the comprehensive plan would be needed.

If the applicant wants more lots, then a zone change to a higher density is required. The R-7 and R-10 zones would be appropriate. The downside is that this will trigger a comprehensive plan amendment. Such amendments are approved by City Council. It will add another one to two months to the process. There are also additional costs (\$3,000).

The site has roads on two sides. Weatherhill Road is to the north and Salamo Road is to the east. There is a steep slope down from Salamo Road so that the majority of the buildable site lies 20-30 feet below the Salamo Street grade. There is a similar transition in elevation relative to Weatherhill Road but not as severe. Although the contours within the site are consistent with a drainageway, the drainageway that ran through the lot was redirected years ago into storm facilities on Salamo Road.

The slope adjacent to Salamo Road is over 25%. It comprises much of the east edge of the site to the extent that these slopes could constitute more than 25% of the site. That would trigger a Planned Unit Development or PUD. (If over 25% of the site comprises slopes over 25% a Planned Unit Development (PUD) is required. It allows the applicant to transfer density from the forested/sloped areas at a rate of 75% of the square footage of the sloped areas (over 25% slope) to less steep areas.)

The applicant needs to show that 70% of the maximum density of the site has been attained (CDC 85.200(J)(7)), exclusive of type I and II lands (slopes over 25%).

Regarding trees there is a healthy inventory on the east slope area and a similar number on the west portion of the property. Most appear to be oak trees of considerable stature.

Some of the trees at the site appear to be significant. CDC Chapter 55 states that all significant trees on slopes over 25 percent shall be protected and that up to 20 percent of the area with slopes under 25 percent may be set aside for significant tree protection. The first step is for the applicant to provide a mapped tree inventory (by location, type and size (DBH)) to the City Arborist. (*Please note: No trees at this site may be removed without permit or land use application approval.*) Once the inventory is complete and trees mapped and tagged in the field, contact the City Arborist, Mike Perkins, at (503) 557-4700, to conduct a site visit and identify significant trees. No site clearing, grubbing, or grading is permitted without approval.

Access to the three or four lots shall come off Weatherhill Road with a single shared driveway at a point providing good lines of sight along Weatherhill Road. The terminus of the private driveway shall incorporate a hammerhead or other Tualatin Valley Fire and Rescue approved turnaround. The maximum number of lots served by private driveway is four. If over four lots are to be accessed then it must come in the form of a street built to City standards: specifically a 16 foot wide street section, two sets of six-foot wide planter strips and six-foot wide sidewalks. This would be contained in a 54 foot wide ROW.

Engineering comments are as follows:

Streets:

- Half-street improvements to Weatherhill including streetlights and stormdrainage.
- ROW dedication required along frontage to contribute to build-out configuration of Weatherhill (58-foot wide ROW and 32-foot pavement section).
- Street SDC based upon Trip Generation Manual.

Storm:

- Treatment and surface detention both required. After treatment and detention, discharge will be a challenge. No abutting drainageway. Nearest stormdrain facilities uphill in Salamo frontage. May need to work storm easement will property owner to the south. Location and manner of discharge must be in a location and manner as approved by the City Engineer.
- Stormdrainage from new impervious area in public ROW must be included in calculations and treated and detained through the site.
- City considers treatment options allowed by City of Portland Stormwater Manual.
- Stormwater SDC

Water:

- Water pressure zone: Horton.
- Worst-case scenario is tapping into 12-inch ductile iron waterline in Salamo and running an 8-inch ductile iron waterline across the properties Weatherhill frontage.
- Water storage capacity currently available to serve site but build-out capacity not in-place so available water meters available on a first come first served basis.
- Water SDC \$\$

Sanitary Sewer:

- Sanitary sewer is challenging. Possibly approach property owner to the south and obtain sewer easement across parcel and obtain gravity flow to downhill connection.
- If easement impracticable, must provide from two to four separate pumped sewer laterals connecting into sewer main in Weatherhill. Must also provide sewer main stubouts at south,

and wast property lines in a location as determined by the City Engineer to provide for future connections to gravity. System through subdivision site must be configured such that future gravity flow is easily obtainable once gravity connection available to the south.

- System capacity sufficient to serve development.
- SS SDC \$\$

**Other Utilities:**

- All overhead utilities along property frontages must be undergrounded or fee in-lieu paid to City for future undergrounding.
- No new overhead utility poles may be installed. If additional poles required, utility lines must be undergrounded. All new utilities shall be undergrounded.

**Process**

If a PUD is required or a subdivision is proposed then a neighborhood meeting with the Tanner Basin Neighborhood Association (TBNA) is also required per CDC Section 99.038. Contact David Rittenhouse at 635-0800. The TBNA meets on the first Wednesday of each month. Follow the instructions of that Code section **explicitly**. The submittal requirements and approval criteria of Community Development Code Chapter 85 must be addressed on a point-by-point basis for a minor partition. Chapter 24 applies to the PUD. Chapter 105 applies to a zone change.

Prepare the application and submit to the Planning Department with deposit fees. Deposit fees are 2,800 dollars for the preliminary minor partition. If a PUD is required or proposed then that deposit/fee is \$3,000 plus \$400/acre. A zone change has a deposit of 2,170 dollars. The City has 30 days to determine if the application is complete or not (most applications are incomplete). 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 prepares public notice and schedules the hearing. The first hearing is usually four weeks from the date the application is deemed complete. The Planning Commission holds a hearing and renders a final decision. The decision may be appealed to the City Council. If appealed, the City Council hearing is 6-8 weeks from the Planning Commission hearing date. Subsequent appeals go to LUBA. Once approved, the applicant has three years to record a final map and satisfy conditions of approval before approval lapses and is void.

***Typical land use applications can take 6-10 months from beginning to end. Street and utility improvements typically increase the amount of time required.***

**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. Please also note that these notes have a limited shelf life and as new codes are introduced the ability to develop per these provisions may no longer be possible.

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