



Memorandum

Date: October 21, 2009

To: West Linn Planning Commission (for October 21, 2009 hearing)

From: Tom Soppe, Associate Planner

Subject: PUD-09-01/SUB-09-01/WAP-09-02 (Suncrest Drive PUD) Proposed Revised Conditions and New Input

At the October 7 hearing the Planning Commission ruled that the record would be closed except for 7 days of public comments on the map showing tracts B and C, followed by rebuttal submittals for the applicant until noon on October 21, followed finally by the meeting tonight where the applicant could provide verbal rebuttal prior to the Commission's deliberation.

Attached is the new testimony regarding the application. In addition to a printout of the applicant's electronic submittal of the aforementioned map and the two citizen submittals regarding this map, there is a comment from a citizen received by the City before the October 7 hearing (but not received by Planning Staff specifically until after the hearing). Also attached is the map of the Proposed Park System from the City of West Linn 2007 Parks, Recreation, and Open Space plan submitted by Karie Oakes at the October 7 hearing.

Staff's position continues to be a recommendation of approval with conditions (see discussion of the conditions below).

Staff has analyzed the map submitted electronically by the applicant showing Tracts B and C and has found it to be compatible with the April 27, 2009 preliminary plat map except for a) the requested delineation of these tracts, b) the moving of the storm water treatment facility outfall out of the drainageway transition area as was to be required by formerly proposed Condition of Approval 18, and c) the moving of the street trees to the planter strip as was to be required by formerly proposed Condition of Approval 16.

Below is the list of currently recommended conditions. The adoption of the new map (dated October 8 and referenced several times in the conditions below) has prompted staff to remove conditions 16 and 18 from the list of recommended conditions as the new map renders them moot. Subsequent conditions have been renumbered accordingly. Conditions 14 and 15 have also been modified to reflect the delineation of tracts B and C. The substantive changes are shown in ~~strikeout~~ and underline below.

1. Tract A and the storm water facility in Tract A shall be private, and the applicant shall enter into a maintenance agreement with the City for the facility. The storm water line under the private street shall be private.
2. A 20-foot wide public trail easement extending north-to-south through the site shall be provided on the final plat within Tract B, east of Fern Creek. The exact location of the easement shall be

determined cooperatively between the applicant and the City. The city shall be responsible for maintenance of the trail easement.

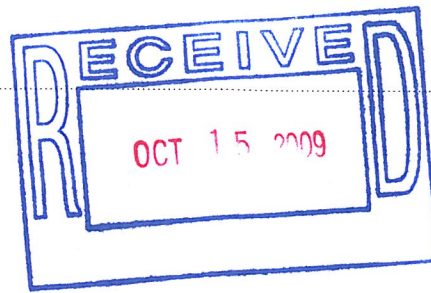
3. The applicant shall mitigate for the loss of the 5 trees determined to be significant by the City Arborist that are proposed for removal. These trees shall be mitigated for on an inch per inch basis per CDC Section 55.100(B) (2) (f), preferably on site. The City Arborist shall determine preferred on-site locations. If on site mitigation is not possible for all mitigation planting, the applicant shall work with the Parks and Recreation Department to mitigate at an appropriate city-owned site. Street trees shall not count towards the mitigation required in this condition.
4. The applicant shall underground all new and existing utilities.
5. Houses on lots 1-3 shall have front facades oriented to Suncrest Drive. This requirement shall be recorded on the deed for lots 1-3
6. Turning radii on the private street/shared driveway turnaround shall be at least 25 feet.
7. The applicant shall be responsible for funding waterline upsizing along the subject site's frontage. The upsizing requirement is a Capital Improvement Project in the 2008 Water System Master Plan and SDC eligible at 56%. It shall be the City's option whether to contract directly for the improvement or have the developer contract for the work. If the City decides to upsize a greater length of water line replacement than the site frontage, the applicant will still only be responsible for funding the portion along the site frontage.
8. The private street/shared driveway depict on the applicant's ~~Preliminary Street & Utility Plan dated April 27~~ site plan dated October 8, 2009 shall be built to City street structural standards.
9. The applicant shall commission a lighting study of the project's frontage, and provide this to the Engineering Department who will use it to determine the street lighting needed to meet the City's lighting standards. If needed, the applicant will install street lights that meet City lighting standards.
10. The applicant shall perform fire flow tests, install hydrants, and install "No Parking" signs to the satisfaction of TVFR.
11. Prior to recording of the subdivision plat, the applicant shall remove all Himalayan Blackberry, Garlic Mustard and English Ivy on the ground within proposed Tracts B and C.
12. The front yard setbacks of lots 1-3 shall be those of the underlying base zone R-10, which is 20 feet (15 feet to a porch) as measured from the front property line after the 10-foot ROW dedication.
13. The applicant shall provide 5-foot utility easement along the front and rear of each lot in areas not already covered by the proposed utility easements overlaid on the proposed private street.
14. On Tract B ~~east of Fern Creek~~, a conservation easement, in a form approved by the Planning Director, shall be established, subject to the requirements of ORS Chapter 271, for the benefit of the City of West Linn which forbids all development of any kind, except for a trail within the trail easement described in Condition of Approval 2. The City will be responsible for the maintenance of the area contained in the conservation easement. This conservation easement and the use limitation in this condition shall be placed on the final plat. In the event the City does not accept

the conservation easement, this condition shall be satisfied by dedication of a conservation easement in favor of the homeowners' association, which shall be responsible for maintenance outside of the trail easement, and subject to the use restriction in this condition. Tract B shall be dedicated to the homeowner's association.

15. A conservation easement, in a form approved by the Planning Director, shall be established for Tract C, identified on the proposed plat map dated ~~April 27~~ October 8, 2009 ~~as the portion of Tract B west Fern Creek~~, for the benefit of the homeowners' association. This conversation easement shall forbid development of any kind, with the exception of the construction and maintenance of the fence required below, and require the homeowners' association to maintain the area consistent with City standards. Homeowners shall be prohibited from storing materials, cutting or removal of trees (except hazard trees) or native vegetation and dumping yard waste or other debris in Tract C. The City shall have the right to enter and maintain the easement area, and/or to place a lien on the property, in the event the homeowners' association fails to maintain the area to City standards. A split-rail fence or a six-foot wooden fence, at the applicant's discretion, shall be constructed along the western boundary of Tract C. If the applicant chooses to construct a split rail fence, one or more signs, as necessary to be readily visible to the owners of abutting lots 4-6, shall be attached to the fence identifying the use restriction specified above. The homeowners association shall be responsible for the maintenance of the fence and any signs. This conservation easement and prohibition of development of any kind within Tract C shall be placed on the final plat. Tract C shall be dedicated to the homeowner's association.
16. The applicant shall preserve the laurel hedge along the border of the subject property and 1810 Carriage Way, and shall protect the health and root systems as best as possible throughout the construction process.
17. This approval shall expire 3 years from the effective date of this decision.
18. Half-street improvements shall include on-street parking on the east side of Suncrest Drive in lieu of a bike lane, without changing the proposed width of the street pavement.
19. The final plat shall be consistent with the approved preliminary plat dated ~~April 27~~ October 8, 2009, except as modified to comply with these conditions.

Soppe, Tom

From: [REDACTED]
Sent: Wednesday, October 14, 2009 5:01 PM
To: Soppe, Tom
Subject: 19650 Suncrest DR New Map



Dear Planning Commissioners:

I object to the new map that revises the original Tract B to two subtracts: Tract B and C because it divides the Water Resource Land that Mr. Handris agreed to dedicate to the City into two tracts unnecessarily.

Karie Oakes

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Soppe, Tom

From: [REDACTED]
Sent: Wednesday, October 14, 2009 1:54 PM
To: Soppe, Tom
Cc: [REDACTED]
Subject: 19650 Suncrest DR application

Mr. Soppe,

Would you please forward me any new evidence, arguments or testimony that has been received since the hearing on October 7, 2009?

Also, I recall at the hearing Ms. Van Loo stated that the map, with new evidence that she presented for the first time that evening and which she had not provided copies of for the City, Planning Commission or the public, would be submitted to the City on October 8.

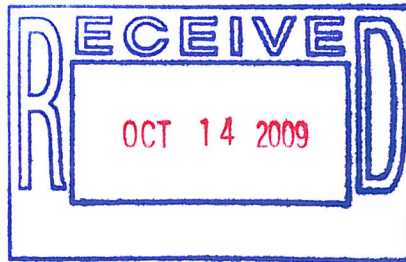
I understood the City would post the map on its website soon afterward, since it would be the public's only other method to review the new evidence aside from the inconvenience of going to City Hall to see it. When was the map posted?

Please confirm for me the date and time deadline for public comments to be received in time to be on record for the Planning Commission. Ms. Van Loo put members of the public in the difficult situation by unexpectedly presenting new evidence and I know some citizens, myself included, will be pressing to meet the deadline.

Please include this email in the PC record.

Thank you,

Karie Oakes



Soppe, Tom

From: Zak, Teresa
Sent: Thursday, October 08, 2009 12:15 PM
To: Soppe, Tom
Subject: FW: [City of West Linn Contact Form] Please add to the record re:19650 Suncrest Drive 6-lot PUD

-----Original Message-----

From: Lynch, Tina
Sent: Thursday, October 08, 2009 12:11 PM
To: Zak, Teresa
Subject: FW: [City of West Linn Contact Form] Please add to the record re:19650 Suncrest Drive 6-lot PUD

Don't know if you need this copy to add to the "record".

Tina



-----Original Message-----

From: Culpepper, Bridget
Sent: Thursday, October 08, 2009 12:06 PM
To: Lynch, Tina
Subject: FW: [City of West Linn Contact Form] Please add to the record re:19650 Suncrest Drive 6-lot PUD

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-----Original Message-----

From: Webmaster
Sent: Wednesday, October 07, 2009 4:40 PM
To: Wyatt, Kirsten; Culpepper, Bridget
Subject: FW: [City of West Linn Contact Form] Please add to the record re:19650 Suncrest Drive 6-lot PUD

From: webmaster@westlinnoregon.gov on behalf of pellett@cshawngroup.com[SMTP:PELLETT@CSHAWNGROUP.COM]
Sent: Wednesday, October 07, 2009 4:40:19 PM
To: Webmaster; teamaha@ahaconsulting.com
Subject: [City of West Linn Contact Form] Please add to the record re:19650 Suncrest Drive 6-lot PUD
Auto forwarded by a Rule

Carrie Pellett sent a message using the contact form at <http://westlinnoregon.gov/contact>.

I would like to have standing on all issues relative to this development, including the open spaces, the public trail, ownership and responsible parties, traffic, parking and privacy issues.

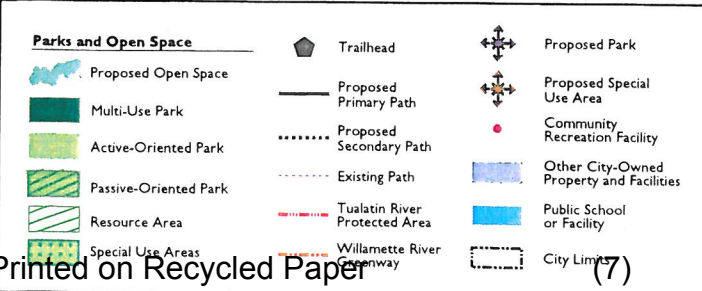
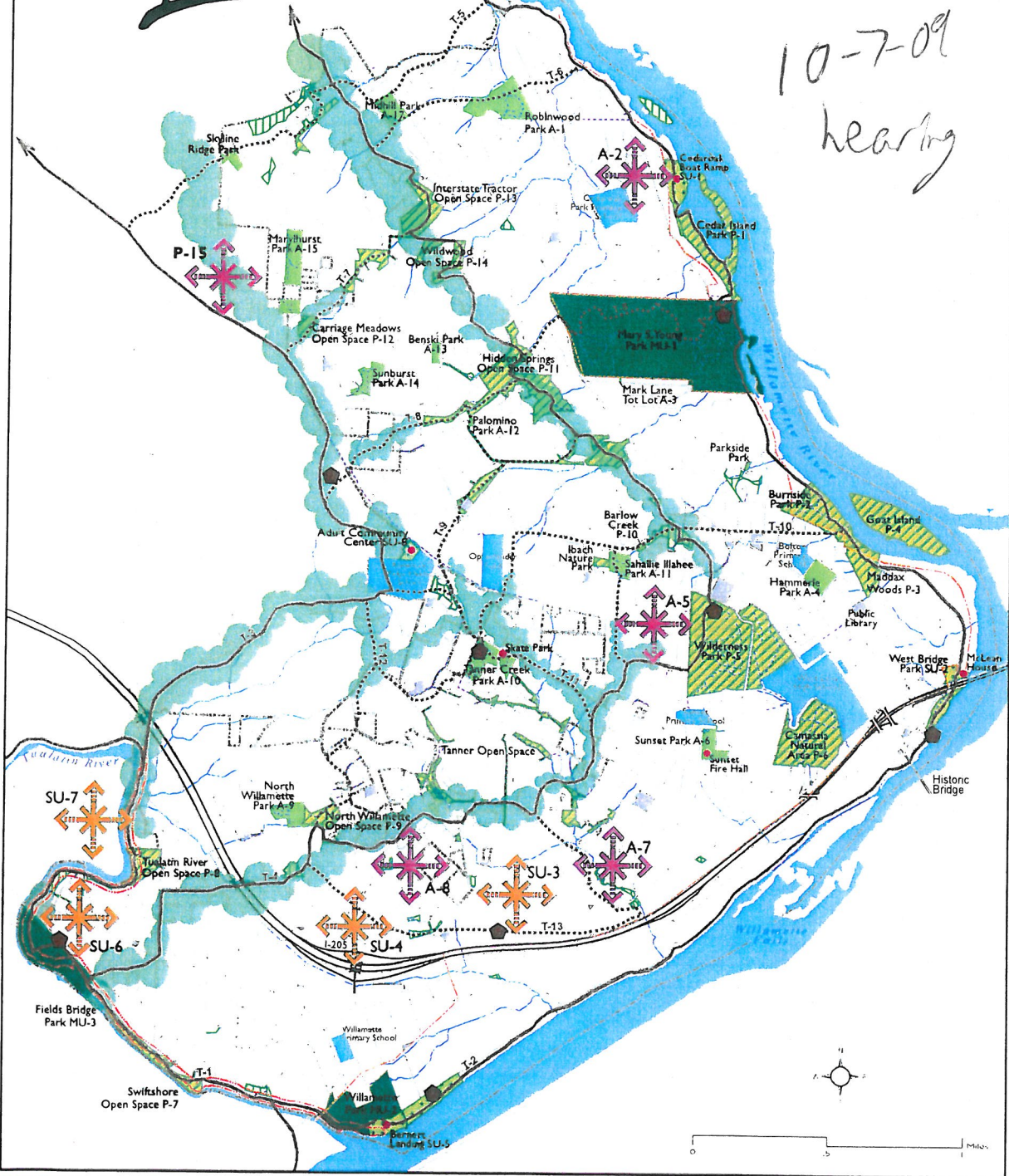
As i am unable to make the meeting tonight, please make this request part of the record.

Thanks so much.

West Linn

Rec'd

10-7-09
hearing



Park, Recreation & Open Space Plan Update
West Linn, Oregon

MIG
MOORE IACOFANO GOLTSMAN, INC.

Figure 6. Proposed Park System

Printed on Recycled Paper

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