

WEST LINN PLANNING COMMISSION

FINAL DECISION NOTICE

SUB-13-05

IN THE MATTER OF A 4-LOT SUBDIVISION AT 4997 SUMMIT STREET

At their meeting of February 19, 2014, the West Linn Planning Commission held a public hearing to consider the request by LF 10, LLC to approve a 4-lot subdivision. The proposed development required Subdivision approval. The approval criteria for Subdivision are found in Chapter 85 of the Community Development Code (CDC). 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. Andrew Tull of 3J Consulting, Inc. presented for the applicant. Alice Richmond provided testimony in support of the application. Janet Dalgaard provided testimony in opposition. Mr. Tull and Michael Robinson of Perkins Coie LLC provided the applicant's rebuttal. After deliberations, motions were made, seconded, and approved to amend Condition of Approval 4 and to eliminate Condition of Approval 5 respectively. A motion was made, seconded, and passed to approve the application with two new findings, with the amended conditions. The additional findings are as follows:

Additional Finding 1: Condition of Approval 4 should be amended to specifically require that both streets have street trees.

Additional Finding 2: As Condition of Approval 9 requires the development meet all Engineering standards including for street lighting, Condition of Approval 5 is not needed.

The approved conditions of approval are as follows, with conditions 6-9 re-numbered as 5-8:

1. Site Plan. With the exception of modifications required by these conditions, the project shall conform to the Subdivision Plat- Phase 1, Sheet C2.0, dated January 28, 2014, located on Page 47 of Exhibit PC-4. If proof of applicant ownership of the hiatus strip between this property and the property to the northeast is provided by the time of final platting, the final plat may then conform to the Subdivision Plat- Phase 2, Sheet C2.0A, dated January 28, 2014 located on Page 48 of Exhibit PC-4.
2. Fire Flow Test. The applicant shall perform a fire flow test to the satisfaction of TVFR.
3. Shared Driveway Width. The shared driveway pavement shall be 14 feet wide.

4. Street Trees. Street trees shall be provided on both Summit and Gloria. The applicant shall pay the appropriate amount towards street trees as determined by the City Parks and Recreation Department.
5. Significant Trees. The significant 36-inch fir tree proposed for removal at the south end of the proposed private street/shared driveway shall be mitigated for on an inch-per-inch basis on site. If that would result in excess trees on site at maturity, as determined by the City's Arborist, then the appropriate amount of mitigation may occur off-site in City-owned land. Required street trees shall not count towards mitigation.
6. Sanitary Sewer Easement. The final plat shall include a sanitary sewer easement on Lot 3 covering where Lot 4's sanitary sewer line traverses Lot 3.
7. Stormwater.
 - A) Prior to recording the final plat, the applicant shall record the proposed stormwater easement on the property at 2630 Woodsprite Court as shown on the Subdivision Plat Sheet C2.0 and Subdivision Plat Sheet C2.0A, Page 47-48 of Exhibit PC-4.
 - B) The applicant proposes a shared stormwater line located in the proposed shared driveway/private street and connecting downhill through the adjacent easements to the existing Woodsprite Court. This line shall be public.
8. Engineering Standards. All public improvements and facilities associated with public improvement including grading, onsite stormwater design, street lighting, easements, and easement locations are subject to the City Engineer's review, modification, and approval.

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 hearings, or signed in on an attendance sheet or testimony form at either of the hearings, 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 \$400 and a completed appeal application form together with the specific grounds for appeal to the Planning Director prior to the appeal-filing deadline.

Christine M Steel
 CHRISTINE STEEL, CHAIR
 WEST LINN PLANNING COMMISSION

2-27-14
 DATE

Mailed this 27th day of February, 2014.

Therefore, this decision becomes effective at 5 p.m., March 13, 2014.

Devrev/projects folder/projects 2013/ sub-13-05 4997 Summit St/SUB-13-05 Final Decision