

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
December 15, 2016

SUBJECT: Application for a 10 lot subdivision at 3350 Riverside Drive. Additional permits may include a Class II Variance for cul de sac length plus Willamette and Tualatin River Protection Area and Flood Management Area permits.

FILE: PA-16-29

ATTENDEES: Applicants: William Varitz, Rick Givens, Greg Sams
Staff: Peter Spir (Planning), Khoi Le, Erich Lais, Morgan Palmer, (Engineering)
Ty Darby (TVFR)

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.

SITE INFORMATION:

Site Address: 3350 Riverside Drive. (21E14AD tax lot 990)
Site Area: 138,326 square feet
Neighborhood: Robinwood N.A.
Comp. Plan: Low density residential
Zoning: R-10 (Single Family Residential Attached and Detached/Duplex / 10,000 square foot minimum lot size for detached homes)
Applicable code: CDC Chapter 11: R-10
CDC Chapter 27: Flood Management Area (FMA)
CDC Chapter 28: Willamette and Tualatin River Protection Area (WRG) permit
CDC Chapter 75: Variance
CDC Chapter 85: Land Division

PROJECT DETAILS: The applicant proposes a 10 lot subdivision. A shadow plat or potential layout of the adjacent lot to the east (tax lot 1000 Assessor's Map 21E 14AD), is needed to facilitate future development of that lot (also owned by the applicant) per CDC 85.120. CDC 85.200 (A) speaks to the need for street connectivity. Staff explained the appropriateness of linking this application with Robin View Court through tax lots 500 and 1000. As an interim solution, the proposed cul de sac design needs to be revised to provide a stub out to tax lot 1000 to facilitate that connection and future partitioning of that lot. A temporary TVFR approved turnaround would be required. If the applicant decided to stay with the initially proposed cul de sac design, a Class II Variance would be required. Tax lot 1000 and the eastermost portions of lots 5, 6 and 7 comprise "Medium" Habitat Conservation Areas (HCAs). Development of either areas would require Willamette and Tualatin River Protection Area permits (WRG). A storm water facility location in the 100-year floodplain (on tax lot 1000) would also trigger an FMA permit and also require a WRG permit.

Engineering/TVFR Comments: Contact Khoi Le at kle@westlinnoregon.gov for Engineering comments and Ty Darby at tdarby@tvfr.com for TVFR comments.

PROCESS: The application requires a neighborhood meeting per CDC 99.038. Please follow those requirements very carefully. The host neighborhood association is the Robinwood Neighborhood Association (RobinwoodNA@westlinnoregon.gov). Their president is James O’Toole.

The land use application will require fulfillment of the submittal requirements and approval criteria of Subdivision (Chapter 85) and R-10 (Chapter 11). The WRG (Chapter 28) submittal requirements and approval criteria must be addressed if the application involves the development (including storm water facilities) in HCAs on tax lots 990 and/or 1000. The FMA (Chapter 27) submittal requirements and approval criteria must be addressed if the application involves the development (including storm water facilities) in the 100-year floodplain. The Class II Variance submittal requirements and approval criteria would apply if the applicant goes with a cul de sac design (Chapter 75). The CDC is online at <http://westlinnoregon.gov/cdc>. Required specialist studies include an arborist’s tree inventory.

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 Manager and must identify the specific grounds for that waiver. The waiver may or may not be granted by the Planning Manager. Waivers may also be subsequently overruled by the decision making body.

Submit the application to the Planning Department, including an application form signed by the property owner. The deposit for a subdivision is \$4,200 plus \$200 per lot. The final plat fee is \$2,000. There is also a \$500 fee for final site inspection. The fee for a Class II Variance is \$2,900. The deposit fee for a WRG permit is \$1,700. The deposit fee for a FMA is \$1,050.

Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided. Once the submittal is deemed complete, staff will provide notice per CDC Chapter 99 and schedule a public hearing with the Planning Commission. Appeals of the Planning Commission’s decision are heard by City Council. An Expedited Land Division (ELD) is allowed under the provisions of Oregon Revised Statute (ORS) 197.360-380 as an alternative procedure for land division (minor partition and subdivision) applications. (See also CDC 99.060(E), which does not allow a Variance to be consolidated with an ELD application.) The applicant was advised of the ELD option and given an ELD acknowledgement form to sign. The ELD deposit fee is \$4,000 plus \$300 per lot plus any applicable referee fees. A signed ELD acknowledgement form declaring intent to apply for a standard subdivision is required at the time of application submittal. Otherwise, the application will be processed as an ELD.

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 **or provide any assurance of potential outcomes**. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. **A new pre-application conference would have to be scheduled after 18 months and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.**