

CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
March 2, 2023

SUBJECT: Proposed new sanitary sewer pump station at 3821 Calaroga Drive
FILE: PA-23-04
ATTENDEES: Applicant: Lance Calvert (West Linn City Engineer), CBurnett, ERosenthal, MSprick, SJulber
Staff: Chris Myers (Planning), Ben Gardner (Planning), Maryna Ascuncion (Engineering)
Public: No public in attendance

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: 3821 Calaroga
Tax Lot No.: 21E13CA01101
Site Area: .086 +/-
Neighborhood: Robinwood Neighborhood Association
Comp. Plan: Low Density Residential
Zoning: Residential, R-15
Zoning Overlays: Flood Management Area, Water Resource Area, Habitat Conservation Area, Riparian Corridor

Project Site and Proposed Project

Relevant details of the project and project site include the following:

- The proposed project is to construct a new sanitary sewer pump station
- The proposed project will need a new Conditional Use Permit (CUP) as allowed by Chapter 10 of the Community Development Code (10.060.9)
- A Class I Design Review is required
- The decision making authority for a CUP is the Planning Commission
- There are multiple environmental overlays on the subject property. Those include Flood Management Area, Water Resource Area, Habitat Conservation Area, and Riparian Corridor.
- The subject property is not within the Willamette River Greenway overlay zone
- Construction includes a new 7-foot diameter wet well, retaining wall, pull off area for maintenance vehicles and equipment.
- The proposed project will allow for all mechanical, electrical, and control infrastructure to be moved out of the floodplain thus providing safety for the facility from flooding

Planning Staff Comments

- Staff discussed each chapter that is applicable to the application with notations of relevant sub-chapters.

Planning staff has the following comments on the application:

- There are six applicable Community Development Code chapters
 - Chapter 10 Single-Family Residential Detached R-15

- Chapter 27 Flood Management Areas
- Chapter 32 Water Resource Area Protection
- Chapter 55 Design Review
- Chapter 60 Conditional Use
- Chapter 99 Procedures for Decision Making: Quasi-Judicial

Chapter 10 – Single-Family Residential Detached R-15

- Staff discussed each chapter that is applicable to the application with notations of relevant sub-chapters.
 - Chapter 10: Single-Family Residential Detached, R-15
 - 10.060.9 Major Utilities

Chapter 27 – Flood Management Areas

- Submittal requirements
- 27.060.B.1(c-d)
- 27.060.B.2(i)
 - 27.060.C.3
 - Need to supply surveyed location of base flood elevation (100-yr) in relation to proposed construction
 - Need to supply amount of proposed fill and associated cuts
- Responses to criteria 27.070 General Standards
 - Balanced cut and fill
 - K. Culverts/detention facilities
- Responses to criteria 27.080 Riverine Flood zones
 - Focused on habitable structures, but review to make sure nothing is applicable
- Responses to criteria 27.090 floodways
 - Confirm no encroachment in floodway (survey elevation)
- Responses to criteria 27.100 Standards for Floodways
 - Confirm no shallow flooding areas via Flood Insurance Rate Map (FIRM maps)

Chapter 32 Water Resource Area Protection

- Review (Table 32-2)
- Submittal requirements 32.050
 - Wetland boundary delineation/WRA delineation (F)
 - Inventory of vegetation/sq. ft. of disturbed area (F)
 - Significant trees (contact city arborist) (F)
 - Construction management plan (G)
 - Mitigation Plan (H) 32.090
 - Re-vegetation Plan (I) 32.100
- Approval Criteria
 - 32.080 Alt Review Process – respond to all criteria
 - Functional analysis report by consultant
 - Reduced buffer, with mitigation will result in better function Table 32-4
 - Mitigation plan 32.090
- Revegetation Plan

Chapter 55 Design Review

- Responses to 55.020 Class I Design Review
- Responses to 55.030 Administration and Approval Process
- Responses to 55.070 Submittal Requirements

- Pre-app
- Site analysis
- Site plan
- Responses to 55.090 Approval Standards – Class I Design Review
- Responses to 55.110 Site Analysis
- Responses to 55.120 Site Plan
- Responses to 55.130 Grading and Drainage Plans

Chapter 60 Conditional Use

- Responses to 60.060 Application
- Responses to 60.070.B Approval Standards and Conditions

Chapter 99: Procedures for Decision Making Quasi-Judicial

- 99.030 Application Process: Who May Apply, Pre-Application Conference, Requirements...
- 99.060 Approval Authority

Discussion and questions:

Applicant asked about balance cut and fill requirements. Specifically what to do if they cannot meet the fill requirement when digging out the site. Staff committed to looking at similar projects for clarification on how this has been handled in the past. Staff recommends applicant read Staff Findings 1-4 of MISC-22-13 ([Planning Manager Decision MISC-22-13](#)) for an example of a similar application that involved balance cut and fill.

Discussion also focused on the need for a Conditional Use Permit (CUP). An enlargement or alteration of an existing Conditional Use Permit is subject to a Design Review. The current pump station is operating under a previously approved CUP. Furthermore, A Conditional Use Permit must be approved by the Planning Commission.

The applicant asked for a copy of the original CUP approval. Staff do not have records that go back that far and therefore suggest a public records request would be the next step.

Engineering:

The Engineering department provided the following comments. For further details, please contact Maryna Asuncion at 503-722-3436 or MAasuncion@westlinnoregon.gov.

Building:

For building code and ADA questions, please contact Adam Bernert at abernert@westlinnoregon.gov or 503-742-6054 or Alisha Bloomfield at abloomfield@westlinnoregon.gov or 503-742-6053.

Tualatin Valley Fire & Rescue:

Please contact Jason Arn at jason.arn@tvfr.com or 503-259-1510 with any questions. **Note that a Service Provider Permit must be presented with the application in order for the application to be deemed complete.** <https://www.tvfr.com/399/Service-Provider-Permit>

Process:

For the proposal, address the submittal requirements and standards for decision making in the Community Development Code (CDC) chapters in the compliance narrative, plans, and other submittal requirements:

- Chapter 11: Residential, R-10
- Chapter 48: Access, Egress, and Circulation
- Chapter 75: Variances and Special Waivers (if needed)
- Chapter 92: Street Improvement Construction

- Chapter 99: Procedures for Decision Making: Quasi-Judicial

Compliance Narrative:

When preparing the compliance narrative, 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.

Fees:

The fee for a Class II Variance is \$2900.

Timelines: 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 complete, the City has 120 days from the date of completeness to make a final decision on the application.

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. Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required. Any changes to the CDC standards may require a different design or submittal.