

**SoundCITY OF WEST LINN**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**April 6, 2023**

**SUBJECT:** Proposed improvements at Willamette Park relating to boat and pedestrian beach access, parking, and circulation.

**FILE:** PA-23-06

**APPLICANTS PRESENT:** Ken Warner, Parks Director; Catherine Corliss, MIG; Carrie Brenneckie, MIG; Jessica Zink, KPFF; and Cara Kniphuisen, KPFF.

**STAFF PRESENT:** John Floyd, Associate Planner; Ben Gardner, Assistant Planner; Erich Lais, Assistant City Engineer

**PUBLIC PRESENT:** Kathie Halicki, WNA President

*These pre-application summary notes have been prepared for the applicant to identify applicable code sections and critical issues for the proposed application and summarize the application process and fees\*. Pre-Application summary notes are based on preliminary information and may not include all considerations. Contact the assigned planner for additional information regarding the process, approval criteria, submittal requirements, questions, and clarifications. Pre-Application Conference summary notes are valid for eighteen months from the meeting date. Once a complete application is submitted, the final decision can take 6-10 months.*

**SITE INFORMATION:**

Site Address: Willamette Park

Legal Description: Lot 35, Willamette and Tualatin Tracts (City) and Section 02 Township 3S Range 1E TAX LOT 00500 (PGE)

Tax Lot No.: 31E02BD04200 and 31E0200500

Site Area: Not specified in application materials

Neighborhood: Neighborhood Association

Comp. Plan: Low Density Residential

Zoning: R-10

Zoning Overlays: Willamette River Greenway; Tualatin River Protection Area; Flood Management Area; Habitat Conservation Area

Park Classification: Special Use park at the confluence of the Tualatin and Willamette Rivers, containing both natural areas and formal park facilities for a broad variety of recreational uses.

Transit/Trails: Tri-met provides bus service along Willamette Falls Drive to the north. This segment of Volpp Street is identified in the 2013 Trails Master Plan for a Primary, On-Street Trail (Figure 6).

**PROJECT DESCRIPTION:**

The applicant proposes to the following improvements to Willamette Park:

- Replacement of the existing non-motorized boat ramp;
- Construction of an ADA access path to the beach, inclusive of an asphalt pad by the roadway and a concrete sidewalk on the beach;
- Replacement of existing gravel parking lot with a paved parking lot for 12 parking spots (inclusive of four trailer parking spaces) and perimeter planter;
- Repaving of an existing, paved ADA parking space;
- Construction of three new parking areas on the northern side of Volpp Street between 12th and Tualatin Avenue, adding a total of 13 new parking spaces;
- Addition of a curb and 6 foot wide sidewalk along the north side of Volpp Street, between the existing roadway and row of trees;

- New pedestrian ramps and a new driveway at the intersection of 12<sup>th</sup> Street and Volpp;
- A new, mid-block pedestrian crossing; and
- New pedestrian ramps at the intersection of Tualatin and Volpp.

**APPLICABLE COMMUNITY DEVELOPMENT CODE SECTIONS:**

Approval standards and criteria in effect when an application is *received* will be applied to the proposed development. The following Community Development Code (CDC) Chapters apply to this proposal:

- [Chapter 27: Flood Management Areas](#)
- [Chapter 28: Willamette and Tualatin River Protection](#)
- [Chapter 46: Off-Street Parking, Loading and Reservoir Areas](#) \*\*\*
- [Chapter 56: Parks and Natural Area Design Review](#)
- [Chapter 99: Procedures for Decision Making: Quasi-Judicial](#)

**KEY ISSUES & CONSIDERATIONS**

Staff has identified the following development issues, design considerations, or procedural issues that you should be aware of as you prepare your formal application for submittal. The identification of these issues or considerations here does not preclude the future identification of additional issues or considerations:

- Community recreation is a permitted use in the R-10 district.
- The Planning Director will be the decision-making authority for the Class I Parks Design review, Flood Management Area Permit, and Tualatin River Protection and Willamette River Greenway Permit.
- A substantial portion of the project is located within the floodway. Be particularly mindful of CDC 27.090 (Standards for Floodway)
- Elements of the project may qualify for exemptions from particular chapters and standards, pursuant to the following sections:
  - CDC 28.040.BB-DD – public pathways, new docks, and public docks, gangways, and other water related accessory facilities
  - CDC 56.025.A - ADA facilities outside of resource areas
- A substantial portion of the project is located within the “High” and “Moderate” Habitat Conservation Area designations. Be particularly mindful of applicable criteria in 28.110(D) and (T). This includes the use of water permeable paving surfaces for parking lots and paths within these areas.
- No minimum parking is required for Willamette Park per recent [CFEC rulemaking](#) and [OAR 660-012-0440](#), effective January 1, 2022. However, new and altered parking areas shall comply with design standards in [CDC 46.150 \(Design and Standards\)](#).
- The proposed sidewalk and new parking clusters are located in areas that may have significant impacts to the root structure of multiple tree clusters located along the northern side of Volpp Street. An arborist report will be required pursuant to CDC 56.085 to address the standards of 56.100(C)(1) to aid the city arborist in determining which trees are considered significant, and appropriate protection and mitigation measures to ensure significant trees and tree clusters are not adversely impacted. Consideration should also be given to alternative alignments to reduce tree impacts, such as (1) relocation of the sidewalk to the south side of the street, or (2) expanding access to the existing internal pedestrian network within the park that roughly parallels the proposed sidewalk.

**RESPONSE TO APPLICANT QUESTIONS:**

At the meeting, a question arose regarding the validity period of a phased project under Class I Parks Review. Validity dates for such projects are governed by CDC Section 56.040 and CDC Chapter 02 as excerpted below:

***56.040 EXPIRATION OR EXTENSION OF APPROVAL***

*If substantial construction, as defined in Chapter 02 CDC, has not occurred within three years from the date of approval of the development plan, the approved proposal will be void unless an extension is*

*granted under CDC 99.325. Phased improvements to a park or natural area, with clearly stated timeline, are permitted under the provisions of CDC 56.060. However, substantial construction of the final phased improvement must be begun within five years of the original approval date.*

**Substantial construction.** *An approved application shall have undertaken substantial construction when any of the following have taken place: utilities have been installed to serve the project; approved grading has been undertaken representing at least 25 percent of all the required preliminary grading; foundation excavation has occurred; foundation or building construction has occurred; street improvements are being installed; or a major physical improvement, required as part of the approved permit, has clearly begun. Substantial construction is not satisfied by simply having approved pre-construction plans or building permits, or by site clearing and grubbing. Actual physical improvements as identified above must have taken place.*

**PUBLIC COMMENT:**

Questions arose regarding the project timeline and were discussed at the meeting.

**ENGINEERING:**

The Engineering department comments are attached. For further details, contact Maryna Asuncion at 503-722-3436 or [Masuncion@westlinnoregon.gov](mailto:Masuncion@westlinnoregon.gov).

**BUILDING:**

For building code and ADA questions, contact Adam Bernert at [abernert@westlinnoregon.gov](mailto:abernert@westlinnoregon.gov) or 503-742-6054 or Alisha Bloomfield at [abloomfield@westlinnoregon.gov](mailto:abloomfield@westlinnoregon.gov) or 503-742-6053.

**TUALATIN VALLEY FIRE & RESCUE:**

A Service Provider Permit must be provided with this application - <https://www.tvfr.com/399/Service-Provider-Permit>. Contact Jason Arn at [jason.arn@tvfr.com](mailto:jason.arn@tvfr.com) or 503-259-1510 with any questions.

**TREES:**

For information on the tree requirements for this proposal, contact the Ron Jones, City Arborist at [rjones@westlinnoregon.gov](mailto:rjones@westlinnoregon.gov) or 503-722-4728.

**PROCESS:**

Class I Parks Design review, Flood Management Area Permit, and Tualatin River Protection and Willamette River Greenway Permit are all a Planning Director's decision subject to Type A noticing. No public hearing is required.

Once the application is declared complete, staff will review the application, send a 20-day public comment notice, and post a notice sign on the property. When the public comment period closes, the Planning Director will prepare a decision. A final decision can take 6-10 months.

There is a 14-day appeal period after the decision. If the decision is not appealed, the applicant may proceed with the development.

**NEIGHBORHOOD MEETING:**

Pursuant to CDC 99.038, a neighborhood meeting is not required for this project.

### **HOW TO SUBMIT AN APPLICATION:**

Submit a complete application in a single PDF document through the [Submit a Land Use Application](#) web portal. A complete application should include the following items:

1. A completed and signed [development application form](#);
2. A project summary outlining the scope of the project;
3. A compliance narrative that includes full written responses to all approval criteria in the identified CDC chapters (see below);
4. A Service Provider Letter from Tualatin Valley Fire and Rescue;
5. Project plans that include the following:
  - Site Analysis (i.e. Existing Conditions Plan) meeting minimum requirements of CDC 56.110
  - Site Plan meeting minimum requirements of CDC 56.120, 27.060(C)(2), 28.110 (U), and 28.120
  - Grading and Drainage Plans meeting minimum requirements of CDC 56.130 and 28.130
  - Landscape, revegetation, and mitigation plans meeting the minimum requirements of 28.150 and 27.160
6. Certification by a registered professional engineer meeting the requirements of 27.090(A) regarding development in the floodway.
7. A determination by the City Arborist or designated expert as to whether the vegetation on site is “unhealthy or disturbed” pursuant to 28.110(U).
8. A report prepared by a certified Arborist that inventories all trees within the project vicinity, identifies all trees meeting the criteria for significance, identifies trees proposed for removal, and includes recommended tree protection measures during construction pursuant to CDC 56.110(C)(2) and 28.110(U). The report is being required by the Planning Director pursuant to CDC 56.085.

### **COMPLIANCE NARRATIVE:**

Written responses supported by substantial evidence must address all applicable approval standards and criteria. Written materials must explain how and why the proposed application will meet each applicable approval criteria. “Not Applicable” is not an acceptable response to the approval criteria.

Submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in writing, that the Planning Manager waive the requirement. The applicant must identify the specific grounds for the waiver. The Planning Manager will respond with a written determination about the waiver request before applying.

### **APPLICATION FEES & DEPOSITS:**

The Planning Division Fee Schedule can be found on our website: <https://westlinnoregon.gov/finance/current-fee-schedule>

- Deposit for a Tualatin & Willamette River Greenway Permit = \$1,700
- Deposit for a Flood Management Area Permit = \$1,050
- Fee for a Class 1 Design Review = \$2,100

Applications with deposits will be billed monthly for time and materials. Please provide the name and address of the party responsible for the final invoice in your application.

### **Timelines:**

Once the application and payment are received, the City has 30 days to determine if the application is complete. If the application is incomplete, the applicant has 180 days to complete it or provide written notice to staff that no other information will be provided. Once complete, the City has 120 days from the completeness determination to make a final decision on the application. Typical land use applications can take 6-10 months from beginning to end.

**\* DISCLAIMER:** *These pre-application notes have been prepared per [CDC Section 99.030.B.7](#). The information provided is an overview of the proposal considerations and requirements. Staff responses are based on limited*

*material presented at the pre-application conference. New issues and requirements can emerge as the application is developed. Failure to provide information does not constitute a waiver of the applicable standards or requirements. The applicant has the burden of proof to demonstrate that all approval criteria have been satisfied. These notes do not constitute an endorsement of the proposed application or assure project approval.*



# PRE-APPLICATION CONFERENCE

Thursday, April 6, 2023

Willamette Room  
City Hall  
22500 Salamo Rd

10:00 am: **Proposed Flood Management Area (FMA) and Willamette and Tualatin River Greenway (WRG) Protection permits for work to improve access, parking and the paddle craft launch access adjacent to Willamette Park on Volpp Street.**

Applicant: **COWL Parks**  
Property Address: **Willamette Park Volpp Street**  
Neighborhood Assn: **Willamette Neighborhood Association**  
Planner: **John Floyd**

Project #: **PA-23-06**



\*The pre-application conference will be conducted in-person.



### Pre-Application Conference Request

For Staff to Complete:		
PA <b>23-06</b>	Conference Date: <b>4-6-23</b>	Time: <b>10:00am</b>
Staff Contact: John Floyd		Fee: <b>Ø</b>

Pre-application conferences are held on the first and third Thursdays of the month between 9:00 am and 1:00 pm. Appointments must be made by 5:00 pm, 15 days before the meeting date. The applicant has a choice of an in-person or virtual meeting. To schedule a conference, submit this form, a site plan, and accompanying materials through the Submit a Land Use Application web page. The City will contact you to collect payment. Pre-application notes are valid for 18 months.

#### Property Owner Information

Name: **City of West Linn**  
Email: **RWarner@westlinnoregon.gov**  
Phone #: **503-742-6047**  
Address: **22500 Salamo Rd**

#### Applicant Information

Name: **Ken Warner**  
Email: **same**  
Phone #: **same**  
Address: **same**

Address of Subject Property (or tax lot):

#### REQUIRED ATTACHMENTS:

- A project narrative with a detailed description of the proposed project. Briefly describe the physical context of the site.
- A list of questions or issues the applicant would like the City to address.
- A dimensional site plan that shows:
  - North arrow and scale
  - Location of existing trees (a tree survey is highly recommended)
  - Streets Abutting the property and width of right of way
  - Location of creeks and/or wetlands (a wetland delineation is highly recommended)
  - Property Dimensions, existing buildings, and building setbacks
  - Slope map (if slope is 25% or more)
  - Location of existing utilities (water, sewer, etc.)
  - Conceptual layout, design, proposed buildings, building elevations, and setbacks
- Location of all easements (access, utility, etc.)
- Vehicle and bicycle parking layout (including calculation of required number of spaces, based on use and square footage of building), if applicable
- Location of existing and proposed access and driveways. Include the proposed circulation system for vehicles, pedestrians, and bicycles, if applicable.
- Proposed stormwater detention system with topographic contours

I certify that I am the owner or authorized agent of the owner:

APPLICANT:

DATE: **3/7/23**

The undersigned property owner authorizes the requested conference and grants city staff the **right of entry** onto the property to review the application.

PROPERTY OWNER:

DATE: **3/7/23**

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**December 16, 2020**

**SUBJECT:** Proposed Flood Management Area (FMA) and Willamette and Tualatin River Greenway (WRG) Protection permits for work to improve access, parking and the paddle craft launch access adjacent to Willamette Park on Volpp Street.

**FILE:** PA-20-16

**ATTENDEES:** Applicant: West Linn Parks Department  
Staff: Jennifer Arnold, Associate Planner; Amy Pepper, Development Review Engineer

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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.*

**Site Information**

Site Address: Willamette Park (no situs address)  
Tax Not No.: Tax lot 4200 of Assessor's Map 31E 02BD  
Site Area: 3.8 Acres  
Zoning: R-10 (Single-family residential, 10,000 sq. ft. minimum lot size)  
Environmental Overlays: FMA, HCA, WRG

**Project Details**

The applicant proposes to replace the existing gravel parking lot on Volpp Street with Grasscrete, improve paddle craft launch access, add ADA pathway to launch area, and remove asphalt access and restore habitat at the mouth of the Tualatin River (adjacent to Willamette Park). Part of this work has been completed and no parks and natural area design review is required for this application.

**Discussion**

The area of work adjacent to Willamette Park is entirely encompassed by the 100-year floodplain and parts of the area are in what is considered the floodway. A Flood Management Area (FMA) permit is required. Elevation certificates (pre & post) by a licensed Surveyor are required. The property is also within the Tualatin River Greenway which also identifies Habitat Conservation Areas within the area of work. A WRG permit is required to address the greenway and HCA requirements. There are no application fees for this proposal as West Linn Parks Department is the applicant.

**Engineering Division Comments:** The applicant should contact Amy Pepper of the Engineering Department at [apepper@westlinnoregon.gov](mailto:apepper@westlinnoregon.gov) for requirements within the right-of-way. Contact Jason Arn of TVFR at [jason.arn@tvfr.com](mailto:jason.arn@tvfr.com) for comments or questions regarding any TVFR requirements.

**Process**

For the FMA permit, address the submittal requirements of CDC Chapter 27.050 (including a topographic survey of the property) and respond to the criteria of 27.060 and 27.080 (the applicant must also address CDC Chapter 11.070). Pre and post construction elevation certificates will be required. Address the submittal requirements of CDC Chapter 27.050 (including a topographic survey of the property) and respond to the criteria of 27.060 and 27.080. Any net fill proposed within the floodplain will require a HEC RAS "no rise" certificate stamped by a certified



engineer. You should contact the Federal Emergency Management Agency (FEMA) regarding any additional permits. For the WRG permit, address the submittal requirements of CDC Chapter 28.090 (28.120-28.150) and the approval criteria of 28.110. A 1:1 on-site vegetative mitigation plan is required for any development within the HCA per 32.090 and 32.100.

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.

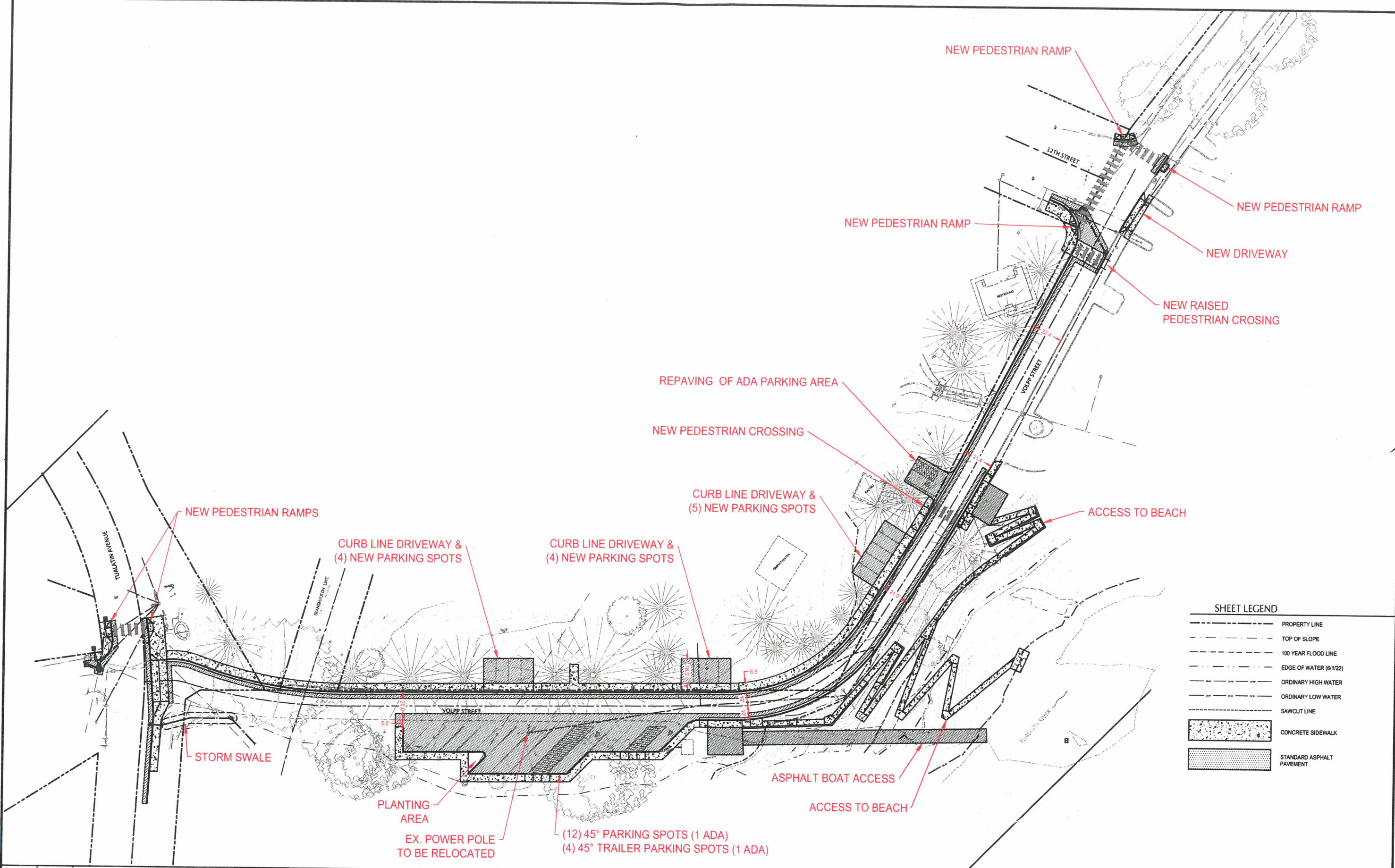
Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided. Once the submittal is deemed complete, staff will send out public notice of the Planning Manager Decision at least 20 days before it occurs.

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.

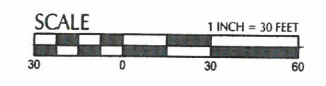
*Typical land use applications can take 6-10 months from beginning to end.*

**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 one that period lapses and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.*

File: \\volpp\projects\2023\12\00067-Willamette-Park-Water-Access-imp\CAD\PLT\00067-EXH-Alt.dwg TAB:ALT2  
 24x36 Plotted: 2/8/23 at 11:02am By: ckniphuisen



REVISION	DATE	DESCRIPTION	BY



FOR INFORMATION ONLY

JOB No.:	2100067
DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	XXX
PLOT DATE:	2/8/23 11:02am
PLOTTED BY:	ckniphuisen
DWG NAME:	2100067-EXH-Alt.dwg
TAB NAME:	ALT2

1100 12TH ST., WEST LINN, OR 97068

WILLAMETTE PARK  
 WATER ACCESS IMPROVEMENTS

**VOLPP STREET ROAD & PARKING DESIGN  
 ALTERNATIVE 2**

SHEET NO.	ALT2
SHEET OF	
RECORD NO.	