## PRE-APPLICATION CONFERENCE

Thursday, September 7, 2023

Wést Linn

Willamette Room* City Hall<br>22500 Salamo Rd West Linn

| 11:00 am: | Proposed Water Resource Area Protection Permit |
| :--- | :--- |
| Applicant: | Boris Seroshtan |
| Property Address: | $\mathbf{1 1 7 5} \mathbf{1 2 S t r e e t}$ |
| Neighborhood Assn: | Willamette Neighborhood Association |
| Planner: | Chris Myers |



## Pre-Application Conference Request

For Staff to Complete:

PA 23-16 Conference Date: 9/7/23
Staff Contact: CHRIS MYERS

Time: 11:00am
Fee: \$420

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 $5: 00 \mathrm{pm}, 15$ 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:
Email: Boris Seroshtan $\quad$ seroshtanb@gmail.com
Phone \#: 503-740-1941
Address: 1175 12th St.
West Linn, OR 97068

## Applicant Information

Name:

## Email: Same as Owner

Phone \#:
Address:

## 1175 12th Street (TL 4601 Map 31E02BD)

## 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)
$\square$ Streets Abutting the property and width of right of way
- Location of creeks and/or wetlands (a wetland delineation is highly recommended)
$\square$ Property Dimensions, existing buildings, and building setbacks
$\square$ Slope map (if slope is $25 \%$ or more)
- Location of existing utilities (water, sewer, etc.)
- Conceptual layout, design, proposed buildings, building elevations, and setbacks
$\square$ Location of all easements (access, utility, etc.)
$\square$ 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.
$\square$ Proposed stormwater detention system with topographic contours

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


DATE:
812212023
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: $8(2212023$

# Pre-Application Conference Narrative 

## $117512^{\text {th }}$ Street

Boris Seroshtan
This project proposes the construction of an 888 sq. ft. Accessory Dwelling Unit (ADU), per the provisions of Chapter 34 of the Community Development Code, in the rear yard area of property located at 1175 $12^{\text {th }}$ Street in West Linn. Preliminary building plans for the ADU are included with the pre-application conference materials.

The subject property is presently developed with a single-family home fronting on $12^{\text {th }}$ Street. The project site measures approximately 52,365 square feet in area. It is irregularly shaped and runs the full block depth between $12^{\text {th }}$ Street on the west and $11^{\text {th }}$ Street on the east. The site is level, sloping west to east towards $11^{\text {th }}$ Street. All necessary public services are existing in $12^{\text {th }}$ Street and would be extended to service the proposed ADU.

There is a wetland on the subject property that covers approximately .48 acre of the eastern portion of the site. The applicant recently hired Schott \& Associates to perform a Wetlands Determination on the subject property. A copy of their determination letter is included with the pre-application conference materials. The Site Plan submitted with this application shows the 65 ' buffer area required by CDC Chapter 32. The proposed ADU building site is partially outside of the buffer, but does extend into it. Because there is not sufficient area outside of the buffer the application will propose that a reduction in the buffer be permitted either through the Alternative Review provisions of CDC 32.080 or the hardship provisions of CDC 32.110. The site is also located within the Willamette River Greenway. The project requires a Willamette River Greenway Area permit (CDC 28.030) and a Water Resource Area Protection permit (CDC 32.020). Both permits are proposed to be encompassed in a single land use application.

## Questions:

1. The Alternative Review process of CDC 32.080 would allow a reduction to the buffer distance if "The proposed WRA shall be, at minimum, qualitatively equal, in terms of maintaining the level of functions allowed by the WRA standards of CDC 32.060(D)." Does staff have any issues with an approach that would demonstrate that a $25^{\prime}$ buffer, with plantings to enhance the quality of the buffer, would have the effect of maintaining the required WRA standards?
2. The Hardship provisions of CDC 32.110 apply to lots in existence prior to Jan 1,2006 , which is the case with the subject property. The proposed disturbance area would be less than the maximum 5,000 sq. ft. allowed per this section. Would this approach be preferable to the Alternative Review process?

## SCHOTT \& ASSOCIATES

Ecologists \& Wetlands Specialists
21018 NE Hwy 99E • BO. Box 589 * Aurera, OR 97002 * (503)678-6007 * FAX: (303) 678-6017

July 31, 2023
Boris Seroshtan
1175 12th St
West Linn, OR 97068
seroshtanb@gmail.com
CC: Rick Givens; rickgivens@gmail.com
Re: Wetland determination for 1175 12th Street, West Linn, Clackamas County, Oregon (T3S, R1E, Sec.28B, TL 4601)

Dear Mr. Seroshtan,
Schott \& Associates (S\&A) was contracted to complete a wetland determination for the abovereferenced project site. Wetlands and waters may be regulated by the Oregon Department of State Lands (DSL) under the Removal-Fill Law and by the Army Corps of Engineers (Corps) under the Clean Water Act. Wetlands and buffers or "water resource areas" (WRAs) are subject to regulation by the City of West Linn in accordance with Chapter 32 of the West Linn Community Development Code (CDC).

S\&A conducted determination fieldwork on July 25, 2023, according to methods described in the 1987 Manual and the Regional Supplement to the Corps of Engineers Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0) to determine boundaries of wetlands subject to state, federal, and local jurisdiction. Sample plots were established to document the boundary of wetlands. WRA widths were applied according to Table 32-2 of the CDC.

One wetland was identified onsite, covering much of the eastern portion of the site and extending offsite to the north-northeast; 0.48 acre occurred onsite. The wetland occupied a broad, shallow basin with generally well-defined banks. It was assessed as a flats hydrogeomorphic class and a seasonally flooded palustrine forested (PFOC) Cowardin class. It was vegetated predominantly by Oregon ash (Fraxinus latifolia; FACW), Pacific willow (Salix lasiandra; FACW), redosier dogwood (Cornus sericea; FACW), reed canarygrass (Phalaris arundinacea; FACW), slough sedge (Carex obnupta; OBL), and creeping buttercup (Ranunculus repens; FAC). Soils met Corps hydric criteria for redox dark surface and depleted matrix. No direct hydrology was observed, typical during the summer dry season, but secondary hydrological indicators were present including FAC-neutral test and geomorphic position. The WRA width applied to wetlands with adjacent slopes less than $25 \%$ gradient is 65 feet.

According to Section 32.110 of the CDC, lots recorded with the County Assessor's Office before January 1, 2006, that are partially or completely within a WRA, may obtain a hardship allowance and
develop up to $5,000 \mathrm{sq}$. ft. of the WRA or $30 \%$ of the total area of the WRA, whichever is the greater. The applicant must demonstrate that the proposed development is the maximum practical distance from the water resource and results in the least square footage of encroachment into the WRA.

If development on the property is to proceed, a natural resource report must be prepared addressing Section 32.070 Alternate Review Process to establish the WRA width, as well as address the hardship provision in Section 32.110. Wetland functional analysis and a mitigation proposal wherein the remaining WRA is enhanced with invasive species removal and planting of native vegetation will be required. The City may also require a wetland delineation report to be prepared and submitted to DSL to obtain concurrence on the wetland boundary. At your request, a proposal covering the costs of reporting can be prepared. Please let me know if you have any questions.

Sincerely,

## Kim Cartwright

Wetland Ecologist and GIS Analyst
kim@schottandassociates.com
503-678-6028
Attachment: Preliminary Wetland Determination Map


Date: 7/27/2023

Data Source: ESRI, 2023;
Clackams County GIS Dept, 2023

DRAFT MAP: Not an official wetland map; Preliminary Wetland for planning purposes only




