

### **PRE-APPLICATION CONFERENCE**

### Thursday, February 15, 2024

Willamette Room City Hall 22500 Salamo Rd West Linn

10:00 am:	Proposed Development in Riparian Corridor
Applicant:	Chi K Mung
Property Address:	2785 Arbor Drive
Neighborhood Assn:	Robinwood Neighborhood Association
Planner:	Darren Wyss

**Project #:** PA-24-01





## **Pre-Application Conference Request**

For Staff to Complet	e:			
<b>PA</b> 24-01	Conference Date:	2/15/24	Time: 10:00 am	
Staff Contact:	Darren Wyss		<b>Fee:</b> \$1,200	

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**

Chi K Mung Name: Email: becken.mung@gmail.com; mung.kenneth@gmail.com Phone #: 503-720-8235 Address: 2785 Arbor Dr, West Linn, OR 97068

#### Applicant Information

Name: Chi K Mung Email: becken.mung@gmail.com; mung.kenneth@gmail.com Phone #: 503-720-8235 Address: 2785 Arbor Dr, West Linn, OR 97068

Address of Subject Property (or tax lot): 2785 Arbor Dr, West Linn, OR 97068

#### **REQUIRED ATTACHMENTS:**

- A project narrative with a detailed description of the proposed project. Briefly describe the physical context of the Ŋ site.
- A list of questions or issues the applicant would like the City to address.
- A dimensional site plan that shows: **h** 
  - North arrow and scale
  - $\lambda$  Location of existing trees (a tree survey is highly recommended)
  - Streets Abutting the property and width of right of wav
  - Location of creeks and/or wetlands (a wetland delineation is highly recommended)
  - X 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: 8 January, 2024

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 January, 2024

# MUNG RESIDENCE

2785 ARBOR DR, WEST LINN, OR 97068

#### **PROJECT DESCRIPTION:**

The project involves dividing the existing property (2785 Arbor Dr) into two parcels (10,062 sf - front parcel, 15,798 sf - rear parcel) for a new single family residence to be built in the rear. The new 2-story house consists of 4 bedrooms, 3.5 bathrooms, with a total house area of 2680 sf (1655 sf - ground floor, 1035 sf - 2nd floor) and an attached 2-car garage (715 sf).

The house is proposed to be located primarily on the non-vegetated high ground of what is currently the backyard, minimizing the impact on the existing surrounding forest.

This project would take place within the Riparian corridor, and the owner seeks an exemption based on hardship provisions. The existing house on the property would remain untouched.

#### CONTENT:

- A 0 COVER SHEET
- A 1 SITE PLAN: DEMOLITION
- A 2 SITE PLAN: PROPOSED
- A 3 PROPOSED PLAN: BASEMENT
- A 4 PROPOSED PLAN: GROUND FLOOR
- A 5 PROPOSED PLAN: SECOND FLOOR
- A 6 PROPOSED BUILDING ELEVATIONS
- A 7 PROPOSED BUILDING ELEVATIONS

ARCHITECT:
SORA DESIGN
CONTACT: AKIKO ARAI E: AKIKO@SORA-DESIGN.INFO T: 414-369-0861
KATSUYA ARAI E: KATSUYA@SORA-DESIGN.INFO T: 917-790-9268
MUNG RESIDENCE
2785 ARBOR DR WEST LINN OR
DATE: SUBMISSION 01/18/2024 PRE-APPLICATION MEETING
DRAWING NAME:
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# Biological Report for Residential Development in Water Resource Area in West Linn, Oregon

2785 Arbor Drive

PREPARED FOR:	Ken Mung
PREPARED BY:	Turnstone Environmental Consultants, Inc.
DATE:	January 3, 2024

# **INTRODUCTION**

This technical memorandum was prepared by Turnstone Environmental Consultants, Inc. (Turnstone) to provide an assessment of the current status and restoration recommendations for a 0.60-acre property located 2785 Arbor Drive, West Linn, Oregon ("Subject Property"; **Error! Reference source not found.**). This biological report is supporting material for the permitting of a residential development and mitigation plan within a Water Resource Area.

# LOCATION INFORMATION

The Study Area is located in T2S, R1E, Section 14, Tax Lot #21E14DB00105 (Parcel Number #00304539) which includes an intermittent stream (Arbor Creek) and riparian corridor mapped by the West Linn Planning Department in the "Significant Riparian Corridors West Linn Goal 5 Inventory, January 2007" in a Water Resource Area (WRA).



#### **Goal 5 Significant Riparian Corridors\***

- **Significant Riparian Corridors**
- Streams
- **Ephemeral Stream**
- **Piped Segments**
- Upper Stream Reach of Fish Inventory 2003/2004 Survey

Figure 1. The Subject Property in the Significant Riparian Corridor of Arbor Creek

# DESCRIPTION THE RIPARIAN CORRIDOR

Stephanie James (Turnstone Ecologist) visited the Subject Property on December 5, 2023. Several native and non-native plants occur within the riparian areas, including Douglas fir (*Pseudotsuga menziesii*), red alder (*Alnus rubra*), cascara (*Rhamnus purshiana*), big leaf maple (*Acer macrophyllum*), black Cottonwood (*Populus balsamifera trichocarpa*), and trailing blackberry (*Rubus ursinus*). Non-native species, most notably Himalayan blackberry (*Rubus armeniacus*), cover approximately 55-percent of the riparian corridor.

The area where the proposed development is planned is a previously disturbed, level area, at least 15 feet from the top of the bank. The development area currently has high (>75%) canopy cover, dominated by Douglas fir with little to no understory; whereas, the riparian corridor outside of the proposed development area is dominated by native hardwood trees and dense cover of blackberries in the understory (Figure 2).



Figure 2. Existing Condition of the Development Area in PDA (left) and Non-PDA Area (right)

The Significant Riparian Corridor occurs on approximately 17,013 square feet (0.39 acre) of the Subject Property (Figure 3). Approximately 13,466 square feet of the Significant Riparian Corridor has previously been disturbed (PDA) and approximately 3,547 square feet of the Significant Riparian Corridor has not been disturbed (non-PDA).



Figure 3. Disturbed and Non-Disturbed Areas of the Significant Riparian Corridor

# **PROPOSED DEVELOPMENT**

The proposed development is approximately 4,581 square feet (0.11 acre), which includes a new house and associated new deck, new garage, new driveway, and new walkways (Figure 4).



Figure 4. New Development and Significant Riparian Corridor



Figure 5. Beehive Boxes and Chicken Coop in the PDA where Development is Proposed

The proposed development complies with the West Linn Municipal Code Chapter 32 Water Resource Protection as a Hardship Provision (32.110) and is a reasonable use of land. The maximum disturbed area (MDA) includes the footprints of all structures, including sidewalks, driveways, parking pads, paths, and patios. To limit any adverse impacts that may result from the development, the maximum disturbed area (MDA) of the WRA is as follows:

- Less than 5,000 square feet of the WRA on the Subject Property. The new disturbed area would be 4,581 square feet.
- Less than 30 percent (5,104 sq.ft.) of the total area of the WRA (17,013 sq.ft.).
- The MDA is located in a previously disturbed area that is the maximum practical distance and greater than 15 feet from Arbor Creek.
- The proposed new driveway is the minimum permitted width.

Mitigation and re-vegetation of disturbed WRAs will be completed per CDC 32.090 and 32.100, respectively.

# **MITIGATION PLAN**

A mitigation plan is required because the development is proposed within a WRA. The proposed new residential development is located on a previously disturbed area (PDA) which has been graded and cleared of vegetation within a fenced enclosure, and currently accommodates a chicken coop and beehives boxes. The mitigation plan does not include any in-stream work. Ken Mung, the applicant and homeowner, is the responsible party for work on the development site.

The amount of mitigation will follow the CDC 32.090 (C)(2) requirement of:

- For every 1 square foot of PDA that is disturbed within the WRA, on-site mitigation is 0.5 square foot of WRA vegetation to be enhanced. The disturbance area for the proposed new development includes 4,581 square feet of PDA. No non-PDA areas will be impacted.
- The applicant proposes to enhance approximately 2,312 square feet of the Significant Riparian Corridor area that will remain on the property, satisfying the provisions of CDC 32.090 (B)(1).
- Mitigation plan meets or exceeds the standards of CDC 32.100.

Trees and shrubs within the Significant Riparian Corridor create habitat for wildlife and promote water quality by stabilizing the soil, trapping sediment, recruiting downed wood, and providing shade to reduce stream temperature.

The mitigation plan describes the long-term management goals for the Significant Riparian Corridor, including the protection and enhancement of wildlife habitat and water quality, maintaining, or improving hydrologic conditions, and protecting the public health and safety from geologic hazards and erosion.

The mitigation plan includes a restoration action plan including a planting plan for native plants for replacement and enhancement and specific invasive removal techniques. The mitigation plan also includes a timeline for implementation, maintenance, and monitoring.

### **Ecological Goals**

The ecological goals of the mitigation plan are to remove non-native vegetation and replant 2,312 square feet of riparian buffer. Specifically, the goals of the mitigation plan are to:

- Remove all nuisance vegetation within the mitigation area, including invasive non-native or noxious vegetation area prior to planting
- Replant the disturbed area with native tree and shrub species

All trees, shrubs, and ground cover to be planted are native plants selected from the Portland Plant List. The mitigation area is 2,312 square feet; therefore, the required re-vegetation for plant coverage after nuisance plant removal is as follows:

- Install 23 native trees at least one-half inch in caliper, measured at six inches above the ground level for field grown trees or above the soil line for container grown trees.
- Install 115 native shrubs in at least a one-gallon container or the equivalent in ball and burlap and must be at least 12 inches in height.

Vegetation Layer	Species	Quantity	Acceptable Substitutes	Spacing (ft)
Tree	Western red cedar (Thuja plicata)	13	Osoberry (Oemleria cerasiformis)	10
Tree/shrub	Cascara (Rhamnus purshiana)	12	Saskatoon serviceberry (Amelanchier alnifolia)	9
Shrub	Salmonberry (Rubus spectabilis)	25	Black twinberry ( <i>Lonicera involucrata</i> )	4 to 6
Shrub	Red-flowering currant ( <i>Ribes sanguineum</i> )	30	Osoberry (Oemleria cerasiformis)	4 to 6
Shrub	Nootka rose (Rosa nutkana)	30	Red-flowering currant ( <i>Ribes sanguineum</i> )	4 to 6
Shrub	Snowberry (Symphoricarpos albus)	30	Red-flowering currant ( <i>Ribes sanguineum</i> )	4 to 6
Total			23 trees and 115 shrubs	

Table 1. Suggested Planting Plan in the Mitigation Area

The applicant will ensure that new plantings will be cared for using the following methods:

- Mulched with a minimum of 3 inches in depth and 18 inches in diameter to retain moisture and discourage weed growth.
- Water new plantings one inch per week between June 15th to October 15th, for the three years following planting.
- Remove, or control, non-native or noxious vegetation throughout maintenance period.
- Plant bare root trees between December 1st and February 28th, and potted plants between October 15th and April 30th.
- Use plant sleeves or fencing to protect trees and shrubs against wildlife browsing and resulting damage to plants.



Figure 6. Mitigation Area Map Relative to the Proposed Structures

### **Vegetation Management Schedule**

The vegetation management pre-planting and planting periods will entail invasive species control and installation of native plant materials. To the greatest extent possible, the nuisance vegetation will be mechanically removed, then a licensed applicator will apply aquatic-safe herbicide to treat the mitigation area.

The site will then be treated again in the fall of 2024 before planting begins. The timeline for vegetation management tasks, along with objectives are outlined in Table 2. Supplemental planting will occur as necessary to ensure adequate cover of native species throughout the impact minimization area.

Period	Activity	Date	Objective
Pre-planting	Noxious weed treatment	Fall 2024	Treat Himalayan blackberry and other nuisance plants
Pre-planting	Herbicide application	Spring- Summer 2025	Spot-treatment of aquatic-safe herbicide application across site to prepare for planting
Pre-planting	Noxious weed treatment	Fall 2025	Targeted aquatic-safe herbicide application to prepare for plantings
Planting	Woody plant installation	Winter 2026	Establish woody plant community dominated by natives
Maintenance Year 1	Irrigation	Summer 2026	Irrigate plants during the dry period
Monitoring Year 1	Woody plant replacement	Winter 2027	Spot spray noxious weeds with aquatic- safe herbicide and replace dead trees and shrubs, as needed
Maintenance Year 2	Irrigation	Summer 2027	Irrigate plants during the dry period
Monitoring Year 2	Woody plant replacement	Winter 2028	Spot spray noxious weeds with aquatic- safe herbicide and replace dead trees and shrubs, as needed

Table 2.	Vegetation	Management	Timeline
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Period	Activity	Date	Objective
Monitoring Year 3	Woody plant replacement	Winter 2029	Spot spray noxious weeds with aquatic- safe herbicide and replace dead trees and shrubs, as needed

### Adaptive Management

The adaptive management plan is a strategy that may be used to address foreseeable or unforeseen changes in site conditions or other components that adversely affect vegetation management success. This mitigation plan assumes that there may be up to 20-percent mortality in the first year and additional planting may be needed in the second year. Areas where plants have failed to establish at desired densities will be assessed to determine the cause of the deficiency and remedial actions will be implemented. Remedial actions would include replanting the area with species that are better suited for the microhabitat.

### **Monitoring Plan**

#### **Proposed Performance Standard**

The vegetation standard is tailored to set realistic goals for the mitigation effort for a 3-year monitoring period. There is one performance standard for this mitigation plan, survival after 3 years.

#### Performance Standard 1: Survival

Woody vegetation (tree and shrub species) shall have 80 percent survival at the end of the third year of monitoring. If 138 trees and shrubs are planted, then at least 111 need to survive.

#### **Monitoring and Reporting Schedule**

Vegetation monitoring will include the examination and counting of all planted specimens for survival and vigor. Following each examination, missing or dead plants will be replaced, and invasive species will be removed.

The mitigation area will be monitored for three years following clearing and replanting. Longterm maintenance needs will include weed management and garbage removal. Himalayan blackberry will be problem species that may need to be regularly addressed throughout the long-term maintenance period and beyond.