

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
October 16, 2014

SUBJECT: Proposed Water Resource Area (WRA) Permit, Design Review (DR) or Conditional Use Permit (CUP) for the development of three parcels at 2400 Willamette Falls Drive

FILE: PA-14-38

ATTENDEES: Applicant: David Milne, Martin Schott
Staff: Peter Spir, Associate Planner
ODOT: Douglas Baumgartner, Sandra Koike. Neighborhood Rep.: Elizabeth Rocchia

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.

Project Details

Site Address: 2400 Willamette Falls Drive
Tax Not No.: tax lots 2000, 3400 and 3500 of Assessor's Map 21E35D
Site Area: 65,847 square feet
Neighborhood: Willamette

Regulations

Comp. Plan: Commercial
Zoning: General Commercial (GC)
Environmental Overlays: WRA/Wetland

Criteria

CDC Chapter 32: Water Resource Area
CDC Chapter 55: Design Review
CDC Chapter 60: Conditional Use Permit (self-storage facility only)

Proposal: The applicant is considering a number of uses for this site on Willamette Falls Drive which may include a hotel, assisted living facility or self-storage facility. Hotels are listed as permitted uses in the GC zone. Self-storage facilities are allowed by CUP while assisted living facilities are not permitted in this zone. Design Review (DR) is required for any new commercial or similar development. According to City WRA map, Bernert Creek bisects the southern portion of the property running west to east. There are two wetlands within or contiguous to this creek corridor. The presence of a stream, wetlands and riparian area requires a WRA permit.

Engineering Division Comments

The applicant should contact Khoi Le of the Engineering Department to determine required improvements at Kle@westlinnoregon.gov. Applicable CDC provisions include Chapter 96.

Process

For the WRA permit, address the submittal requirements and responses to the criteria of 32.060, which is the standard process, or 32.080 which is the Alternative Review Process. The applicant may also consider using the hardship provisions of 32.110. The fee is \$2,600 plus a \$200 inspection fee. Wetland delineation by a wetland biologist or similarly accredited professional will be required. Department of State Lands (DSL) verification of the wetland delineation may be required as well as a DSL removal-fill permit and a US Army Corps of Engineer (USACE) Section 404 permit if the proposal involves work within, or adjacent to, the wetland areas.

For the Design Review permit, the application must address the submittal requirements and approval criteria of Chapter 55 plus related chapters (access, parking, landscaping, signs, etc.) For projects with a construction valuation (CV) over \$500,000, the deposit fee is \$4,000 plus 4% of the CV (\$20,000 maximum deposit).

For a CUP, the application must address the submittal requirements and approval criteria of Chapter 60. There is a deposit fee of \$4,500 plus a \$200 inspection fee.

Please refer to CDC 99.038 to determine if a neighborhood meeting is required.

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, the staff will schedule a Planning Commission hearing. Staff will send out public notice of the Planning Commission hearing at least 20 days before it occurs. Notice will be published in the newspaper, a sign posted on the site, and the staff report released at least 10 days prior to the meeting. The Planning Commission's decision may be appealed to City Council by the applicant or anyone with standing.

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.***