

CITY OF WEST LINN SUPPLEMENTAL NARRATIVE AND EXHIBITS FOR LAND USE REVIEW

MAPLETON DRIVE PARTITION

Location: 4120 Mapleton Drive

Tax Lot 2201, Tax Map 21E24BD Clackamas County, Oregon

Prepared by: Steve Kay, AICP

Prepared for: ESCM, Inc.

95 Foothills Road

Lake Oswego, OR 97034

November 1, 2017

SUPPLEMENTAL APPLICANT'S STATEMENT

PROJECT NAME:	Mapleton Drive Partition
REQUEST:	Tentative Plat Approval for a 2-Lot Partition in the R-10 Zoning District
LEGAL DESCRIPTION:	Tax Lot 2201 of Tax Map 21E24BD Clackamas County, Oregon
APPLICANT'S REPRESENTATIVE:	Steve Kay, AICP Cascadia Planning + Development Services P.O. Box 1920 Silverton, OR 97381 503-804-1089 steve@cascadiapd.com
APPLICANT:	ESCM, Inc. 95 Foothills Road Lake Oswego, OR 97034
PROPERTY OWNER:	Joan Swartz 4120 Mapleton Drive Lake Oswego, OR 97068
PROPERTY SIZE:	0.48 acres +/-
LOCATION:	4120 Mapleton Drive Lake Oswego, OR 97068

I. APPLICABLE REGULATIONS

- A. West Linn Comprehensive Plan
- B. Robinwood Neighborhood Plan
- C. West Linn Community Development Code

Chapter 11: Single-Family Residential Detached, R-10

Chapter 48: Access, Egress, and Circulation

Chapter 85: General Provisions

II. AFFECTED JURISDICTIONS

Domestic Water: City of West Linn

Fire Protection: Tualatin Valley Fire and Rescue

Electric: Portland General Electric

Police Protection: City of West Linn

School District: West Linn-Wilsonville, 3J
Sewer: Tri-City Service District

Streets: City of West Linn

III. BACKGROUND:

The applicant, ESCM Inc., is submitting this supplemental narrative in response to a letter dated October 30, 2017 from Associate Planner Darren Wyss at the City of West Linn. The letter includes a request for additional information for Case File MIP-17-05, a proposed 2-lot partition located at 4120 Mapleton Drive. The applicant is submitting additional information to allow the application to be deemed complete by the City and be processed under applicable provisions of the Community Development Code.

The applicant has attached revised Preliminary Development Plans to address items that were identified during the City's completeness review. A graphic scale bar has been added to Sheets P-2, P-3, and P-4. The existing public utility easements found in document PP1992-020 have also been added to Sheet P-3. In addition, existing buildings on adjoining properties have been added to Sheet P-2 (see Exhibit 1).

The following narrative provides responses to Community Development Code Chapter 48: Access, Egress, and Circulation. With submittal of this supplemental narrative and exhibits, all of the City's requested information has been addressed.

IV. SUPPLEMENTAL FINDINGS

C. WEST LINN COMMUNITY DEVELOPMENT CODE

CHAPTER 48: ACCESS, EGRESS AND CIRCULATION

Section 48.020: Applicability and General Provisions

A. The provisions of this chapter do not apply where the provisions of the Transportation System Plan or land division chapter are applicable and set forth differing standards.

COMMENT:

As identified by the City's letter to the applicant, dated October 30, 2017, the provisions of Chapter 48 apply to this partition application.

B. All lots shall have access from a public street or from a platted private street approved under the land division chapter.

COMMENT:

The attached Preliminary Site Plan demonstrates that Parcels 1 and 2 have direct frontage on Mapleton Drive, an existing public street (see Exhibit 1).

C. No building or other permit shall be issued until scaled plans are presented to the City and approved by the City as provided by this chapter, and show how the access, egress, and circulation requirements are to be fulfilled. Access to State or County roads may require review, approval, and permits from the appropriate authority.

COMMENT:

As required, scaled Preliminary Development Plans for the Partition application have been submitted to the City. The attached Preliminary Site Plan indicates that individual driveways meeting the standards of this chapter are proposed for Parcels 1 and 2 (see Exhibit 1).

D. Should the owner or occupant of a lot, parcel or building enlarge or change the use to which the lot, parcel or building is put, resulting in increasing any of the requirements of this chapter, it shall be unlawful and a violation of this code to begin or maintain such altered use until the provisions of this chapter have been met, and, if required, until the appropriate approval authority under Chapter 99 CDC has approved the change.

COMMENT:

The applicant's Tentative Plat and Preliminary Site Plan indicate that this proposal includes the removal of an existing dwelling and the partition of the site into two lots (see Exhibit 1). The applicant is not proposing any new development on the site at this time. When future building permits are submitted for construction of a dwelling and other site improvements on Parcels 1 and 2, the development will be reviewed for compliance with all applicable Code standards.

E. Owners of two or more uses, structures, lots, parcels, or units of land may agree to utilize jointly the same access and egress when the combined access and egress of both uses, structures, or parcels of land satisfies the requirements as designated in this code; provided, that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases, or contracts to establish joint use. Copies of said instrument shall be placed on permanent file with the City Recorder.

COMMENT:

The applicant is not proposing combined access for the 2-lot partition. Therefore, these standards do not apply.

F. Property owners shall not be compelled to access their homes via platted stems of flag lots if other driveways and easements are available and approved by the City Engineer.

COMMENT:

The proposed partition does not involve existing or proposed flag lots, therefore these standards do not apply.

Section 48.025: Access Control

A. Purpose. The following access control standards apply to public, industrial, commercial and residential developments including land divisions. Access shall be managed to maintain an adequate level of service and to maintain the functional classification of roadways as required by the West Linn Transportation System Plan.

COMMENT:

The applicant is proposing a land division of the site to create two single-family detached lots in the R-10 Zoning District, therefore access control standards apply to this application. As required, proposed access for the site meets applicable standards for Mapleton Drive, which is classified as a Local Residential Street in the West Linn Transportation System Plan (TSP).

B. Access control standards.

1. Traffic impact analysis requirements. The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also CDC 55.125, Traffic Impact Analysis.)

COMMENT:

During the applicant's Pre-Application Conference on August 17, 2017, City Staff determined that the proposed 2-lot Minor Partition will not create significant impacts to the transportation system. Therefore, this application does not require the submittal of a traffic impact analysis.

2. The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal easements (i.e., for shared access driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.

COMMENT:

The site fronts Mapleton Drive, which contains low traffic volumes and is classified as a Local Residential Street. At the applicant's Pre-Application Conference, the City did not indicate a requirement to consolidate access for the proposed partition. As demonstrated by the attached Preliminary Site Plan, the proposed driveways will include a turnaround area so that vehicles will not need to back into a public street (see Exhibit 1).

- 3. Access options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (planned access shall be consistent with adopted public works standards and TSP). These methods are "options" to the developer/subdivider.
 - a) Option 1. Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.
 - b) Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.
 - c) Option 3. Access is from a public street adjacent to the development lot or parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in subsection (B)(6) of this section.

The attached Preliminary Site Plan indicates that the applicant has elected to use Option 3 when providing access to the site (see Exhibit 1). Parcels 1 and 2 have direct access to Mapleton Drive and individual driveways are proposed for access to the Local Residential Street. Minimum spacing between driveways is not defined in the TSP, however the document does state that driveways should be clustered to maximize on-street parking. The submitted site plan indicates that the proposed driveways are clustered towards the center of the site, so that with future widening of Mapleton Drive, several on-street parking spaces will be available along the site's street frontage.

4. Subdivisions fronting onto an arterial street. New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots (e.g., includes flag lots and mid-block lanes).

The applicant is not requesting approval of a subdivision with access onto an arterial street, therefore these standards do not apply.

5. Double-frontage lots. When a lot or parcel has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. When a lot or parcel has frontage opposite that of the adjacent lots or parcels, access shall be provided from the street with the lowest classification.

COMMENT:

The attached Existing Conditions Plan indicates that the site does not have frontage onto two or more streets, therefore these standards do not apply (see Exhibit 1).

6. Access spacing.

- a. The access spacing standards found in the adopted Transportation System Plan (TSP) shall be applicable to all newly established public street intersections and non-traversable medians. Deviation from the access spacing standards may be granted by the City Engineer if conditions are met as described in the access spacing variances section in the adopted TSP.
- b. Private drives and other access ways are subject to the requirements of CDC 48.060.

COMMENT:

As mentioned above, the TSP does not specify a minimum spacing between driveways, however the document indicates that driveways should be clustered to maximize on-street parking. The submitted Preliminary Site Plan indicates that the proposed driveways are clustered towards the center of the site, so that with future street widening, several on-street parking spaces will be available along the site's frontage on Mapleton Drive (see Exhibit 1). As required, the applicant has addressed the provisions of CDC 48.060.

7. Number of access points. For single-family (detached and attached), two-family, and duplex housing types, one street access point is permitted per lot or parcel, when alley access cannot otherwise be provided; except that two access points may be permitted corner lots (i.e., no more than one access per street), subject to the access spacing standards in subsection (B)(6) of this section. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be

minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with subsection (B)(8) of this section, in order to maintain the required access spacing, and minimize the number of access points.

COMMENT:

The applicant is requesting Tentative Plat approval to permit the future development of two single-family detached dwellings on the subject site. As permitted, the attached Preliminary Site Plan indicates that the applicant is proposing to develop one street access point for each proposed parcel (see Exhibit 1).

- 8. Shared driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:
 - a. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent lot or parcel develops. "Developable" means that a lot or parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

COMMENT:

The subject site does not front a collector or arterial street, therefore these standards do not apply.

b. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

COMMENT:

Since the site fronts a Local Residential Street with low traffic volumes, the applicant is not proposing a shared driveway with this application. As a result, the standards provided above do not apply.

c. Exception. Shared driveways are not required when

existing development patterns or physical constraints (e.g., topography, lot or parcel configuration, and similar conditions) prevent extending the street/driveway in the future.

COMMENT:

The attached Existing Conditions Plan illustrates that two developed flag lots are located behind the subject site (see Exhibit 1). Due to the location of dwellings on these adjacent properties, a shared driveway cannot be extended south of the site.

- C. Street connectivity and formation of blocks required. In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:
 - 1. Block length and perimeter. The maximum block length shall not exceed 800 feet or 1,800 feet along an arterial.

COMMENT:

As mentioned above, the site does not front an arterial street, therefore these standards do not apply.

2. Street standards. Public and private streets shall also conform to Chapter 92 CDC, Required Improvements, and to any other applicable sections of the West Linn Community Development Code and approved TSP.

COMMENT:

Per the TSP, the City's recommended block length is 400 feet. Currently, the distance along Mapleton Drive, between Willamette Drive and Nixon Avenue, is 3,500 feet. However, due to the location of existing dwellings and Mary S. Young Park to the south of the site, it is not feasible to extend a new local street through the subject property to reduce this existing block length.

3. Exception. Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of CDC 85.200(C), Pedestrian and Bicycle Trails, or cases where extreme topographic (e.g., slope, creek, wetlands, etc.) conditions or compelling functional limitations preclude implementation, not just inconveniences or design challenges.

The location of existing dwellings to the south of the site is illustrated on the attached Existing Conditions Plan (see Exhibit 1). Since existing development precludes the ability to extend a pedestrian and bicycle trail south of the subject site, the applicant is not proposing to develop a trail facility with this application.

Section 48.030: Minimum Vehicular Requirements for Residential Uses

A. Direct individual access from single-family dwellings and duplex lots to an arterial street, as designated in the transportation element of the Comprehensive Plan, is prohibited for lots or parcels created after the effective date of this code where an alternate access is either available or is expected to be available by imminent development application. Evidence of alternate or future access may include temporary cul-de-sacs, dedications or stubouts on adjacent lots or parcels, or tentative street layout plans submitted at one time by adjacent property owner/developer or by the owner/developer, or previous owner/developer, of the property in question.

COMMENT:

The applicant is not proposing direct individual access from single-family dwellings onto an Arterial Street, therefore these standards do not apply.

- B. When any portion of any house is less than 150 feet from the adjacent right-of-way, access to the home is as follows:
 - One single-family residence, including residences with an accessory dwelling unit as defined in CDC 02.030, shall provide 10 feet of unobstructed horizontal clearance. Dualtrack or other driveway designs that minimize the total area of impervious driveway surface are encouraged.
 - Two to four single-family residential homes equals a 14- to 20-foot-wide paved or all-weather surface. Width shall depend upon adequacy of line of sight and number of homes.
 - 3. Maximum driveway grade shall be 15 percent. The 15 percent shall be measured along the centerline of the driveway only. Variations require approval of a Class II variance by the Planning Commission pursuant to Chapter 75 CDC. Regardless, the last 18 feet in front of the garage shall be under 12 percent grade as measured along the centerline of the driveway only. Grades elsewhere along the driveway shall not apply.
 - 4. The driveway shall include a minimum of 20 feet in length

between the garage door and the back of sidewalk, or, if no sidewalk is proposed, to the paved portion of the rightof-way.

COMMENT:

The applicant's Preliminary Site Plan demonstrates that each parcel will be developed with one single-family residence, and each driveway includes a minimum of 20-ft. between the garage door and the back of the future sidewalk (see Exhibit 1). As required, the proposed driveways will provide 10-ft. of unobstructed horizontal clearance. The applicant's previously submitted Preliminary Grading Plan demonstrates that the driveways will not exceed the maximum 15% grade standard.

C. When any portion of one or more homes is more than 150 feet from the adjacent right-of-way, the provisions of subsection B of this section shall apply in addition to the following provisions.

COMMENT:

The attached Preliminary Site Plan demonstrates that the rear of the homes on Parcels 1 and 2 will be located less than 150-ft. from the Mapleton Drive right-of-way (see Exhibit 1). Therefore, these standards do not apply.

D. Access to five or more single-family homes shall be by a street built to full construction code standards. All streets shall be public. This full street provision may only be waived by variance.

COMMENT:

The applicant is not proposing to develop access to five or more single-family homes, therefore this standard does not apply.

E. Access and/or service drives for multi-family dwellings shall be fully improved with hard surface pavement:

COMMENT:

The applicant is not proposing to develop multi-family dwellings with this application, therefore these standards do not apply.

F. Where on-site maneuvering and/or access drives are necessary to accommodate required parking, in no case shall said maneuvering and/or access drives be less than that required in Chapters 46 and 48 CDC.

COMMENT:

The attached Preliminary Site Plan illustrates that paved driveways will provide access to required parking spaces for the single-family dwellings. As such, the driveways meet the standards of Chapter 26 and 48.

G. The number of driveways or curb cuts shall be minimized on arterials or collectors. Consolidation or joint use of existing driveways shall be required when feasible.

COMMENT:

The subject site does not front an arterial or collector street, therefore these standards do not apply.

H. In order to facilitate through traffic and improve neighborhood connections, it may be necessary to construct a public street through a multi-family site.

COMMENT:

The applicant is not proposing a multi-family use for the subject site, therefore these standards do not apply.

I. Gated accessways to residential development other than a single-family home are prohibited.

COMMENT:

As demonstrated by the attached Preliminary Site Plan, the applicant is not proposing a gated accessway with this development.

Section 48.040: Minimum Vehicle Requirements for Non-Residential Uses

Access, egress, and circulation system for all non-residential uses shall not be less than the following:

COMMENT:

The applicant is not proposing a non-residential use for the subject site, therefore these standards do not apply.

Section 48.050: One-Way Vehicular Access Points

Where a proposed parking facility plan indicates only one-way traffic flow on the site, it shall be accommodated by a specific driveway serving the facility, and the entrance drive shall be situated closest to oncoming traffic, and the exit drive shall be situated farthest from oncoming traffic.

COMMENT:

The applicant is proposing to develop a parking facility with one-way traffic drives. Therefore, these standards do not apply.

Section 48.060: Width and Location of Curb Cuts and Access Separation Requirements

- A. Minimum curb cut width shall be 16 feet.
- B. Maximum curb cut width shall be 36 feet, except along Highway 43 in which case the maximum curb cut shall be 40 feet. For emergency service providers, including fire stations, the maximum shall be 50 feet.

As required, the applicant will install curb cuts on Mapleton Drive in accordance with the standards of this section.

- C. No curb cuts shall be allowed any closer to an intersecting street right-of-way line than the following:
 - 6. On a local street when intersecting any other street, 35 feet.

COMMENT:

The subject site fronts Mapleton Drive, which is designated as a Local Residential Street. The attached Preliminary Site Plan demonstrates that there are no intersecting streets within 35-ft. of the proposed driveways.

- D. There shall be a minimum distance between any two adjacent curb cuts on the same side of a public street, except for one-way entrances and exits, as follows:
 - 3. Between any two curb cuts on the same lot or parcel on a local street, 30 feet.

COMMENT:

The TSP indicates that there are no minimum spacing requirements between driveways on Local Residential Streets. The document does indicate however, that driveways should be clustered to maximize on-street parking. The submitted Preliminary Site Plan indicates that the proposed driveways are clustered towards the center of the site, so that with future street widening, several on-street parking spaces exceeding 30-ft. in length will be available along the site's frontage on Mapleton Drive (see Exhibit 1).

E. A rolled curb may be installed in lieu of curb cuts and access separation requirements.

COMMENT:

Due to the lack of curbs and sidewalks in the vicinity of the subject site, the applicant is proposing to pay a fee-in-lieu of installing required street frontage improvements. Therefore, the applicant is not proposing to install curb improvements with this partition application.

F. Curb cuts shall be kept to the minimum, particularly on Highway 43. Consolidation of driveways is preferred. The standard on Highway 43 is one curb cut per business if consolidation of driveways is not possible.

COMMENT:

The attached Preliminary Site Plan demonstrates that only one curb cut is proposed for each proposed parcel within the development (see Exhibit 1).

G. Adequate line of sight pursuant to engineering standards should be afforded at each driveway or accessway.

COMMENT:

The applicant's Existing Conditions Plan indicates that the existing trees along Mapleton Drive will be removed with development of the site (see Exhibit 1). With the proposed tree removal, adequate line of sight will be provided at the intersection of the proposed driveways and Mapleton Drive.

Section 48.070: Planning Director's Authority to Restrict Access Appeal Provisions

- A. In order to provide for increased traffic movement on congested streets and eliminate turning movement problems, the Planning Director and the City Engineer, or his or her designee, may restrict the location of driveways on said street and require the location of driveways on adjacent streets upon the finding that the proposed access would:
 - 1. Provide inadequate access for emergency vehicles; or
 - Cause or increase hazardous conditions to exist which would constitute a clear and present danger to the public health safety and general welfare.

COMMENT:

Mapleton Drive is a Local Residential Street with low traffic volumes. Therefore, it is not necessary to restrict access for the proposed 2-lot partition.

B. A decision by the Planning Director may be appealed to the Planning Commission as provided by CDC 99.240(B).

COMMENT:

The applicant is not anticipating the need to appeal a decision for this application to the Planning Commission.

Section 48.080: Bicycle and Pedestrian Circulation

A. Within all multi-family developments (except two-family/duplex

dwellings), each residential dwelling shall be connected to vehicular parking stalls, common open space, and recreation facilities by a pedestrian pathway system having a minimum width of six feet and constructed of an all-weather material. The pathway material shall be of a different color or composition from the driveway. (Bicycle routes adjacent to the travel lanes do not have to be of different color or composition.)

COMMENT:

The applicant is not proposing a multi-family development, therefore these standards do not apply.

B. Bicycle and pedestrian ways within a subdivision shall be constructed according to the provisions in CDC 85.200(A)(3).

COMMENT:

The applicant is not proposing to develop a bicycle and pedestrian way, therefore these standards do not apply.

C. Bicycle and pedestrian ways at commercial or industrial sites shall be provided according to the provisions of Chapter 55 CDC, Design Review.

COMMENT:

This proposal does not include a commercial or industrial use. Therefore, these standards do not apply.

V. SUMMARY AND CONCLUSIONS

Based upon the findings of this supplemental application narrative and exhibits, the applicant has demonstrated compliance with the requirements of relevant sections of the West Linn Community Development Code. Therefore, the applicant requests that the submitted application be approved.

VI. <u>SUPPLEMENTAL EXHIBITS</u>

1. Supplemental Preliminary Development Plans

Sheet P-2: Supplemental Existing Conditions Plan

Sheet P-3: Supplemental Tentative Plat

Sheet P-4: Supplemental Preliminary Site Plan

PRELIMINARY DEVELOPMENT PLANS





