22500 Salamo Road
West Linn, OR 97068

STAFF REPORT
FOR THE PLANNING COMMISSION

FILE NUMBER: MISC-10-12

HEARING DATE: August 18, 2010

REQUEST: Extension of subdivision approval and a wetlands permit (now Water Resource Area permit) approval at 2929 Parker Road.

APPROVAL CRITERIA: Chapter 85, Land Division; Chapter 32, Water Resource Area Protection; 99.325, Extensions of Approval; Chapter 11 Single-Family Residential Detached R-10.

STAFF REPORT PREPARED BY: Tom Soppe, Associate Planner

Planning Director's Initials _____ City Engineer's Initials _____

EXECUTIVE SUMMARY

The applicant proposes a two-year extension of the approval of a 6-lot subdivision with a Wetlands Permit (now called a Water Resources Area Permit) at 2929 Parker Road. The Planning Commission approved the project, effective November 8, 2006, subject to 15 conditions of approval (file SUB-06-03/MISC-06-12). The requested two-year extension, if granted, would expire November 8, 2011. Most of the infrastructure for the subdivision has been built, but the project expired before all of the required work was completed. CDC Section 99.325 allows extensions of approval provided the application is in conformance with applicable CDC provisions and relevant approval criteria enacted since the application was initially approved; there are no demonstrated material misrepresentations, errors, omissions, or changes in facts that directly impact the project, including, but not limited to, existing conditions, traffic, street alignment and drainage; or the applicant has modified the approved plans to conform with the above criteria. Water Resource Area regulations have been adopted since the original approval that affect the proposal (see findings 2-16). Staff also found an error in the original lot dimensions which has been corrected in this application (see Finding 20). Staff finds that the proposal, coupled with the conditions listed under the recommendation on pages 7-8, meets all applicable criteria; therefore, staff recommends approval.

TABLE OF CONTENTS

STAFF ANALYSIS AND RECOMMENDATION

EXECUTIVE SUMMARY 1
GENERAL INFORMATION 3
BACKGROUND 3
ANALYSIS 6
RECOMMENDATION 7

ADDENDUM

APPLICABLE REGULATIONS AND ASSOCIATED SUPPLEMENTAL FINDINGS 9

EXHIBITS

PC-1 FINAL DECISION SUB-06-03/MISC-06-12 23
PC-2 AFFIDAVIT OF NOTICE 25
PC-3 NOTICE MAILING PACKET 26
PC-4 APPLICANT SUBMITTAL 32

GENERAL INFORMATION

APPLICANT: Mel Lee, 15746 S. Hatten Road, Oregon City, OR 97045

REPRESENTATIVE: Ben Altman/Brent Fitch, SFA Design Group, LLC, 9020 SW Washington Square Rd., Ste. 350, Portland, OR 97223

SITE LOCATION: 2929 Parker Road

LEGAL DESCRIPTION: Clackamas County Assessor's Map 2-1E-25CD, Tax Lot 3900

SITE SIZE: 2.3 acres

ZONING: R-10

COMP PLAN DESIGNATION: Low Density Residential

120-DAY PERIOD: The application was complete upon the submittal of materials on July 9, 2010. Therefore, the 120-day application processing period ends on November 6, 2010.

PUBLIC NOTICE: Public notice was mailed to the Parker Crest and Sunset neighborhood associations and to affected property owners on July 21, 2010. The property was posted with a sign on July 23, 2010. In addition, the application has been posted on the City's website. Therefore, notice requirements have been satisfied.

BACKGROUND

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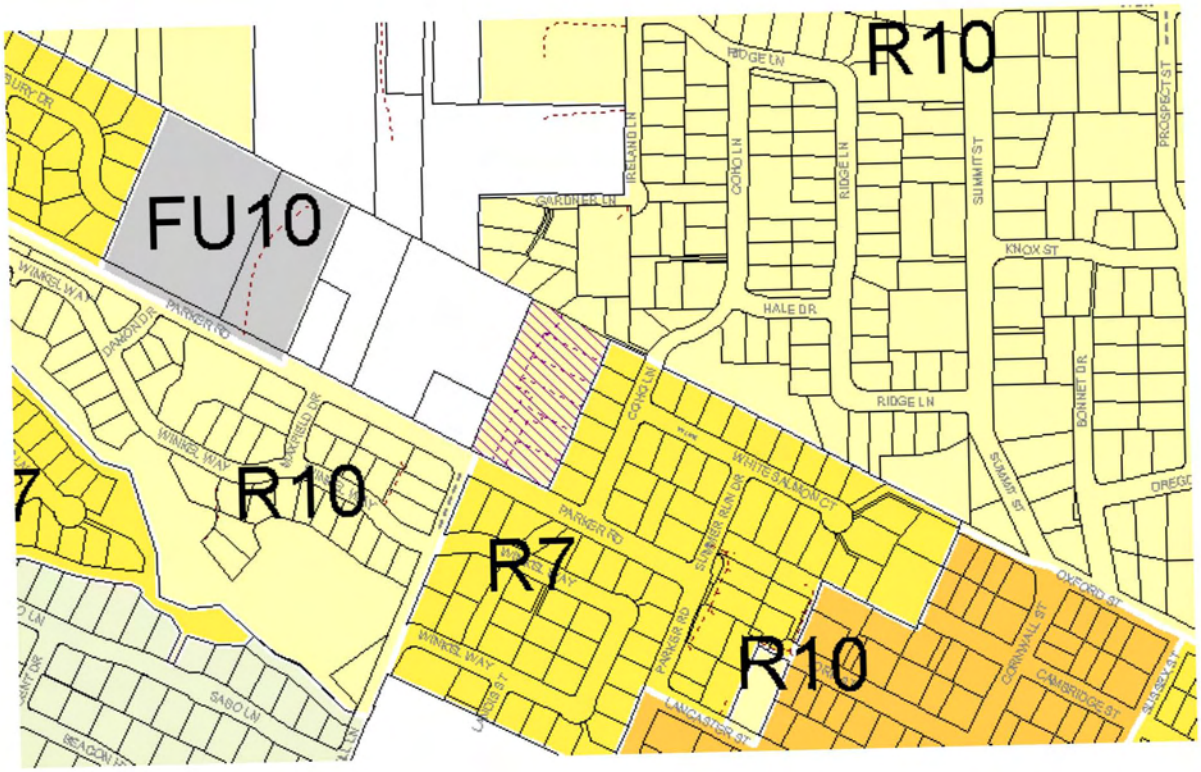
Surrounding Land Use and Zoning:

The subject property is shown in red hatch lines on the following map. As can be seen on the map, the site is in the R-10 zone (light yellow).



The following table conveys the land uses and zoning surrounding the site.

DIRECTION FROM SITE	LAND USE	ZONING
North	Rosemont Pointe subdivision, where houses are still being built. Acreage lots to the northwest, some in and some out of the City.	R-10 and some Clackamas County FU-10 to the northwest.
East	Parker Summit, an established subdivision is immediately to east. Recently platted Sienna Estates is southeast of this. Older neighborhoods in Sunset lie to the east of these.	R-7 immediately east, R-5 east of this with one R-10 parcel between these two zones.
South	Recently developed and developing subdivisions, more established but relatively new subdivisions a few blocks south.	R-7 and R-10, R-20 two blocks to the south.
West	Acreage lots, some in and some out of the City limits, established residential a few blocks west.	County and City FU-10 and R-7 a few blocks to the west.

Site Conditions:
The site is located in the Parker Crest neighborhood along the north side of Parker Road. The site stretches uphill from Parker Road and has been graded for the six lots approved by the original application. The infrastructure found on site reflects the development that has already taken place to fulfill the original approval that expired. To complete this development and allow final platting and construction of houses, the requested extension

of approval is required. The following aerial photograph shows the site and its current level of development.

The lots are numbered from 1 at the bottom of the hill bordering Parker Road to number 6 at the highest area of the site. The street proposed in the original application has been built. It is called Chinook Court, in keeping with the salmon-related street names found immediately to the east (Coho Lane, White Salmon Court, and Summer Run Drive). Chinook Court terminates in a fire truck turnaround adjacent to the boundary between lots 2 and 3, and a shared driveway for the other lots has been constructed from the north end of this turnaround to the boundary between lots 5 and 6. Utilities have been extended to each lot and a storm drainage facility for the site has been built at the northwest corner of Chinook Court and Parker Road. There are trees at the northwest corner of the site, bordering the woods on the residential acreage to the west. The only other trees on site line the border between the site and the lot for the single family house at 4700 Coho Lane, adjacent to the southeast corner of the site. There are no trees where the development of houses and driveways would occur on site. Sidewalks have been built along the north side of Parker Road and along the west side of Chinook Court. The sidewalk along Chinook Court turns into an asphalt path exiting the site to the north to connect to the Rosemont Pointe subdivision.

A wetland and drainageway lie along the west side of the site. The drainageway extends downhill from the Rosemont Pointe subdivision to the north. The wetland formerly had a section located towards the south end of the site that extended to the east where the street has been built. This wetland impact was mitigated by an extension of the wetland further

north on the site, under the provisions of former Chapter 30 in effect at the time of the original approval.

Project description:
As previously noted, in 2006 a six-lot subdivision and Wetlands Permit was approved for the site subject to 10 conditions of approval file (SUB-06-03/MIS-06-12). The current application is for a two-year extension of that approval. Consistent with the original application, the applicant proposes a public street named Chinook Court having direct frontage on three of the proposed lots, connecting to a shared driveway with a shared access easement which would connect the street to the other three lots further north. The lots are in the central and eastern area of the site, lining up with lots containing single family homes in the Parker Summit subdivision to the east. The west end of the site consists of a long, narrow open space tract containing the wetland and drainageway. This tract is proposed to be dedicated to the City. Chinook Court and the shared driveway separate the residential lots from this tract.

Since the approval of the original application became effective on November 8, 2006, site grading, street, path and shared driveway construction, and other project components have been largely completed. However, some required work was not completed prior to the expiration of the approval (November 8, 2009).

Public comments:
No public comments have been received at the time of the publishing of the staff report.

Comments from outside agencies: TVFR told City staff on the phone that they approve the project due to the turnaround provided and the width of the shared driveway north of the turnaround. Also see their April 16, 2010 letter on Page 142-143 of Exhibit PC-4 submitted during the pre-application phase for this project.

ANALYSIS

The original project was approved under former CDC chapters 30 and 32 which were combined and revised in 2007 as the current Chapter 32, Water Resource Area Protection. As part of this overhaul, many regulations regarding wetland, stream and drainageway protection were modified, including an increase in development setbacks. Both a wetlands and a drainageway exist on site and although they were governed by separate permits under separate chapters at the time of the original application, only a Wetlands Permit was applied for and approved. A May 9, 2006 letter from then Senior Planner Gordon Howard to the applicant's consultant states, "A natural drainageway permit would normally be required; however in this situation all facets of the natural drainageway permit are discussed in the Chapter 30 Wetlands analysis." Regardless, the current Chapter 32 provisions must be met by the current application regarding both the wetlands and the drainageway.

The development that has been completed on site, and the modification of the wetland (including mitigation) to accommodate the development, were done in keeping with the

CDC provisions that applied at the time of the original application. Therefore, staffs position is that the current setback provisions of Chapter 32 and their associated mitigation provisions of Chapter 32 should be applied with respect to the lawfully established development on site and the water resources as they exist today. In practical terms, this means that pavement that has already been placed in what is now considered to be the water resource development setback (transition area) by Chapter 32 should not have to be mitigated for, and the original boundary of the wetland that extends further east than the current boundary is not considered relevant (as it is not an existing condition and because it has been property mitigated for under the then-provisions of Chapter 30).

While mitigation is required for the anticipated new pavement within the current Chapter 32 transition area of the wetlands, the hardship provisions of Section 32.090 do not need to be addressed because approval criterion in Subsection 32.050(F) allows for driveways to be built through parts of a transition area if no other practical alternative exists. However, also per 32.050(F), mitigation does need to occur for the square footage of driveways built in the transition area and revegetation needs to occur for any temporarily disturbed areas of the transition area, so 32.070 Mitigation Plan and 32.080 Revegetation Plan Requirements apply.

Chapter 11 provides for residential lots in the R-10 zone if they meet certain dimensional and access requirements and if they comprise more than 10,000 square feet independent of access easements. In the applicant's initial submittal for the extension, two of the six lots had depths of more than 2.5 times their average width, which is forbidden per CDC Subsection 11.070(4). The applicant's final site plan on Page 32 of Exhibit PC-4 reflects a change to address this problem and is found to be compliant with this and other provisions in Chapter 11.

Chapter 85 applies to the application. The criteria of Chapter 85.200 that have undergone code changes since the original application are (A)(1) Streets (General), (A)(3) Street Widths, (A)(22) off-site improvements, and (B)(2) Block Sizes. The changes to these sections do not result in the need to change what is proposed and/or already built on site.

RECOMMENDATION

Staff recommends approval of the requested extension subject to the following conditions:

1. Site Plan. With the exception of modifications required by these conditions, the project shall conform to the site plan (Updated Tentative Plat, Sheet 1 of 5, date stamped received July 20, 2010) located in Exhibit PC-4 on Page 32.

2. Previous Approval. Unless modified by these conditions, the project shall conform to the conditions of original approval (file SUB-06-03/MIS-06-12).

3. Tracts and Easements Containing Water Resources and Transition Area. To ensure protection of water resources on site and their transition areas as currently delineated pursuant to CDC Section 32.050(E), all of the transition area that is not in

tracts A and B or the proposed Chinook Court public right-of-way as delineated on the applicant's site plan (Updated Tentative Plat, Sheet 1 of 5, date stamped received July 20, 2010) located in Exhibit PC-4 on Page 32, shall be placed in a conservation easement. The easement shall not include areas where the driveways for lots 5 and 6 are to be built.

4. Vegetative Improvements. The applicant shall demonstrate to Planning staff whether the water resource areas and transition area on site contain native plants on more or less than 80% of their area. If they contain native plants on less than 80% of their area, the applicant shall submit and implement a revegetation plan pursuant to CDC Section 32.080 that results in 80% or more of the upland water resources areas and transition area on site being covered with native plants.

5. Revegetation of Transition Area. The applicant shall revegetate any area of the water resource transition area that is disturbed during the construction of the driveways for lots 5 and 6 consistent with CDC Section 32.080.

Notes to applicant:

1. As an extension, approval of this application will expire two years after the expiration date of the original application -November 8, 2011.

2. All conditions of approval are required to be fulfilled and all public improvements finished before the City accepts the submission of the final plat. The final plat will have to be recorded with Clackamas County before a building permit for each lot will be accepted.

APPLICABLE REGULATIONS AND ASSOCIATED
SUPPLEMENTAL FINDINGS

APPROVAL CRITERIA

CHAPTER 11, SINGLE-FAMILY DETACHED R-10 DISTRICT

Chapter 11, the R-10 zone, provides use regulations and development standards that apply to the site. Single-family detached residential units are allowed outright in this zone with a minimum lot size of 10,000 square feet. Lots are required to be at least 35 feet wide along the street frontage with average widths above 50 feet. Lot depths are required to be at least 90 feet and 2.5 times deep as wide. Access ways are required to be a minimum of 15 feet wide.

FINDING NO. 1:
In keeping with the provisions of Chapter 11, all of the lots have front widths above the 35-foot minimum, average widths above the 50-foot minimum, and average depths above the zone's 90-foot minimum. No lot is more than 2.5 times deep as it is wide. The access to each lot not on a public street is 15 feet wide. The proposal is compliant with Chapter 11.

CHAPTER 32 WATER RESOURCE AREA PROTECTION

32.050 APPROVAL CRITERIA

No application for development on property containing a water resource area shall be approved unless the decision-making authority finds that the following standards have been satisfied, or can be satisfied by conditions of approval.

A. Proposed development submittals shall identify all water resource areas on the project site. The most currently adopted Surface Water Management Plan) shall be used as the basis for determining existence of drainageways. The exact location of drainageways identified in the Surface Water Management Plan, and drainageway classification (e.g., open channel vs. enclosed storm drains), may have to be verified in the field by the City Engineer. The Local Wetlands Inventory shall be used as the basis for determining existence of wetlands. The exact location of wetlands identified in the Local Wetlands Inventory on the subject property shall be verified in a wetlands delineation analysis prepared for the applicant by a certified wetlands specialist. The Riparian Corridor inventory shall be used as the basis for determining existence of riparian corridors.

FINDING NO. 2:
The applicant has submitted plans showing the wetland on site and showing the drainageway west of the wetland. The criterion is met.

B. Proposed developments shall be so designed as to maintain the existing natural drainageways and utilize them as the primary method of stormwater conveyance through the

project site unless the most recently adopted West Linn Surface Water Management Plan calls for alternate configurations (culverts, piping, etc.). Proposed development shall, particularly in the case of subdivisions, facilitate reasonable access to the drainageway for maintenance purposes.

FINDING NO. 3:
The street, driveway and storm facilities for the site were constructed consistent with the original approval. The street and shared driveway are partly in what is now the transition area for the wetland and the drainageway. There is a water quality swale along the street and adjacent ped/bike path that drains to a detention facility at the south end of the site, which drains to the same pipe the drainageway flows to. This pipe eventually drains to Tanner Creek. There will be no interbasin transfer. Since the wetland is west of the street and lots, and since the drainageway is west of the wetland, the swale on site and the detention facility are a practical way to ensure the site runoff drains to the same pipe as the drainageway, while disturbing the wetland on site as little as possible. As part of the original approval, part of the wetland was removed and mitigated for on site to make room for the street. This has already been fulfilled under the provisions of Chapter 30 in place at the time of the original application submittal. The street is next to the drainageway and wetland, so there is reasonable access to the water resources for maintenance purposes. The criterion is met.

C. Development shall be conducted in a manner that will minimize adverse impact on water resource areas. Alternatives which avoid all adverse environmental impacts associated with the proposed action shall be considered first. For unavoidable adverse environmental impacts, alternatives that reduce or minimize these impacts shall be selected. If any portion of the water quality resource area is proposed to be permanently disturbed, the applicant shall prepare a mitigation plan as specified in CDC 32.070 designed to restore disturbed areas, either existing prior to development or disturbed as a result of the development project, to a healthy natural state.

FINDING NO. 4:
The street, the ped/bike path, stormwater facilities, and utilities for the project are already installed consistent with former Chapter 30. Due to the location of the street and shared driveway, the driveways for lots 5 and 6 are proposed to be built through the edge of the transition area as it is now designated by current Chapter 32 provisions. Because of the configuration of the subdivision and the need to space driveways in the most practical manner possible, the applicant expects the driveways for lots 5 and 6 to be at the north end of their respective lots, hence the particular anticipated paved area as shown on the final version of the Updated Mitigation Plan (Page 33 of Exhibit PC-4). Mitigation for these sections of the lot 5 and 6 driveway, and revegetation in any surrounding part of the transition area disturbed by construction, are both required. See findings 15 and 16 below.

D. Water resource areas shall be protected from development or encroachment by dedicating the land title deed to the City for public open space purposes if either: 1) a finding can be made that the dedication is roughly proportional to the impact of the development; or,

2) the applicant chooses to dedicate these areas. Otherwise, these areas shall be preserved through a protective easement. Protective or conservation easements are not preferred because water resource areas protected by easements have shown to be harder to manage and, thus, more susceptible to disturbance and damage. Required 15-foot wide structural setback areas do not require preservation by easement or dedication.

E. The protected water resource area shall include the drainage channel, creek, wetlands, and the required setback and transition area. The setback and transition area shall be determined using the following table:

FINDING NO. 5:
Tract B is proposed to be dedicated fee simple to the City, fulfilling Section 32.050 D above for the existing water resources on site and for the portions of the transition area that are within Tract B. Tract A is within the transition area but it is already developed as the detention facility. Likewise the street, shared driveway, and ped/bike path area developed under the original approval are partly within the transition area. Also, as it is the only practical solution, the driveways for lots 5 and 6 will traverse part of the transition area by a) continuing the pavement from the end of the shared driveway at the boundary between lots 5 and 6, to provide for a Lot 6 driveway, and b) by paving a small area just south of this off the existing shared driveway to be the entrance to the Lot 5 driveway. See the Updated Mitigation Plan (Page 33 of Exhibit PC-4). The sections of these driveways in the transition area will be mitigated for per Section 32.070 and any area disturbed around it by construction in the transition area will be revegetated per Section 32.080. See findings 15 and 16 below.

To protect the transition area as delineated pursuant to Section 32.050 E above and the accompanying table, the proposed Tract B could to be expanded to the east, or another tract could be created to the east of proposed Tract B. If this occurred, it would require a reconfiguration and redesign of the entire proposed project as some lots would then have less than the minimum 10,000 square feet in size, and the subdivision would have to be redesigned to have 5 lots or fewer. Also, the portions of the transition area outside Tract B are partly full of and otherwise surrounded by pavement, as they mainly consist of areas containing or along the edge of the street, shared driveway, proposed lot 5 and 6 driveways, and the ped/bike trail. Therefore, staff believes that it would be better to protect the still-vegetated portions of the transition area east of Tract B in an easement rather than in a new or expanded open space tract. Condition of Approval 3 would require such an easement.

F. Roads, driveways, utilities, or passive use recreation facilities may be built in and across water resource areas when no other practical alternative exists. Construction shall minimize impacts. Construction to the minimum dimensional standards for roads is required. Full mitigation and revegetation is required, with the applicant to submit a mitigation plan pursuant to CDC Section 32.070 and a revegetation plan pursuant to CDC Section 32.080. The maximum disturbance width for utility corridors is as follows:

a. For utility facility connections to utility facilities, no greater than 10 feet wide.
b. For upgrade of existing utility facilities, no greater than 15 feet wide.
c. For new underground utility facilities, no greater than 25 feet wide, and disturbance of no more than 200 linear feet of Water Quality Resource Area, or 20% of the total linear feet of Water Quality Resource Area, whichever is greater.

FINDING NO. 6:
As previously noted, parts of the shared driveway for lots 4 through 6, parts of the street, and the ped/bike pathway have already been constructed in the transition area under the provisions of the CDC that were in place at the time of the original application submittal. Part of the wetland on site was removed for development of the street and path, but this has been mitigated for as an addition to the wetland in the northwest area of the site, under the provisions of the CDC that were in place at the time of the original submittal. The developed facilities that conform to the provisions of the CDC in place at that time do not have to be mitigated for. The driveways for lots 5 and 6 are the only proposed undeveloped facilities on site that will traverse part of the transition area. They will be mitigated and revegetated for per sections 32.070 and 32.080 respectively. See findings 15 and 16 below. The criterion is met.

G. Prior to construction, the water resource area shall be protected with an anchored chain link fence (or approved equivalent) at its perimeter and shall remain undisturbed except as specifically allowed by an approved water resource area permit. Such fencing shall be maintained until construction is complete. The water resource area shall be identified with City-approved permanent markers at all boundary direction changes and at 30- to 50-foot intervals that clearly delineate the extent of the protected area.

FINDING NO. 7:
The applicant is compliant with the requirement to use this fencing and these markers during the construction phase.

H. Paved trails, walkways, or bike paths shall be located at least 15 feet from the edge of a protected water feature except for approved crossings. All trails, walkways, and bike paths shall be constructed so as to minimize disturbance to existing native vegetation. All trails, walkways, and bike paths shall be constructed with a permeable material and utilize Low Impact Development (LID) construction practices.

FINDING NO. 8:
The paved ped/bike path constructed on site is usually over 15 feet from the wetland but it is closer than this at the north end of the site (approximately 3 feet at the closest point). This path was constructed compliant to the provisions of the CDC in place at the time of the original application and therefore does not need to be moved. No other trails, walkways, or paths are proposed within 15 feet of the wetland or drainageway.

I. Sound engineering principles regarding downstream impacts, soil stabilization, erosion control, and adequacy of improvements to accommodate the intended drainage through the drainage basin shall be used. Storm drainage shall not be diverted from its natural watercourse. Inter-basin transfers of storm drainage shall not be permitted.

J. Appropriate erosion control measures based on CDC Chapter 31 requirements shall be established throughout all phases of construction.

FINDING NO. 9:
Staff adopts the applicant's findings on Page 75 of Exhibit PC-4 to find that these criteria are met.

The applicant's finding for Section I states, "The development does not involve any inter-basin transfer of storm water. And, the storm design and construction techniques employed are consistent with the provisions of this chapter. However, sound engineering principles were employed in the design and construction of the storm system."

The applicant's finding for Section J states, "Appropriate erosion control measures have been addressed under responses to Chapter 31, above." The applicant's finding for Chapter 31, found on Page 63 of Exhibit PC-4 states the following:

> The Erosion Control Plan, Grading Plan, and erosion prevention practices remain consistent with the originally approved plans, which were found to be designed consistent with the guidelines of the Erosion Prevention and Sediment Control Plans, technical Guidance Handbook (Clackamas County Department of Utilities most current edition) and consistent with the provisions of this chapter. Erosion control fencing was installed prior to construction, and will remain in place until all site work is completed per the City's punch list.

K. Vegetative improvements to areas within the water resource area may be required if the site is found to be in an unhealthy or disturbed state, or if portions of the site within the water resource area are disturbed during the development process. "Unhealthy or disturbed" includes those sites that have a combination of native trees, shrubs, and groundcover on less than 80% of the water resource area and less than 50% tree canopy coverage in the water resource area. "Vegetative improvements" will be documented by submitting a revegetation plan meeting CDC Section 32.080 criteria that will result in the water resource area having a combination of native trees, shrubs, and groundcover on more than 80% of its area, and more than 50% tree canopy coverage in its area. Where any existing vegetation is proposed to be permanently removed, or the original land contours disturbed, a mitigation plan meeting CDC Section 32.070 criteria shall also be submitted. Interim erosion control measures such as mulching shall be used to avoid erosion on bare areas. Upon approval of the mitigation plan, the applicant is responsible for implementing the plan during the next available planting season.

FINDING NO. 10:
Staff visits during the analysis of this extension application reveal that Himalayan Blackberry have infested or are beginning to sprout in portions of the wetland and water resource transition area. Due to this, proposed Condition of Approval 4 requires the applicant to demonstrate what percentage of the water resource area and transition area currently consists of native plants, and requires a mitigation plan specific to this problem if less than 80% of the area is found to be covered with natives. Although mitigation and revegetation has occurred previously on the site as part of the fulfillment of the prior approval (see applicant's finding on Page 76 of Exhibit PC-4) the site needs to be evaluated per its existing conditions as part of the Extension application, as discussed in other findings in this staff report regarding the street.

L. Structural Setback area: where a structural setback area is specifically required, development projects shall keep all foundation walls and footings at least 15 feet from the edge of the water resource area transition and setback area if this area is located in the front or rear yard of the lot, and 7 ¾ feet from the edge of the water resource area transition and setback area if this area is located in the side yard of the lot. Structural elements may not be built on or cantilever over the setback area. Roof overhangs of up to three feet are permitted in the setback. Decks are permitted within the structural setback area.

FINDING NO. 11:
Despite the increased transition area required by Section 32.050 E, there is plenty of room on each proposed lot for structures to respect the setback required above. At the time of building permit review for each lot, staff will ensure that structures meet the structural setback in Section 32.050 L.

M. Stormwater Treatment Facilities may only encroach a maximum of 25 feet into the outside boundary of the water resource area; and the area of encroachment must be replaced by adding an equal area to the water quality resource area on the subject property. Facilities that infiltrate storm water onsite, including the associated piping, may be placed at any point within the water resource area outside of the actual drainage course so long as the forest canopy and the areas within ten feet of the driplines of significant trees are not disturbed. Only native vegetation may be planted in these facilities.

FINDING NO. 12:
The stormwater treatment facilities on site are within the transition area but were constructed under the original approval. They are now existing conditions that do not have to be changed or mitigated for under the Extension application. The criterion is not applicable.

O. The decision-making authority may approve a reduction in applicable front yard setbacks abutting a public street to a minimum of fifteen feet and a reduction in applicable side yard setbacks abutting a public street to 7 ¾ feet if the applicant demonstrates that the reduction is necessary to create a building envelope on an existing or proposed lot of at least 5,000 square feet.

FINDING NO. 13:
The building envelopes will be able to be outside the transition area, despite that the increased transition area required by the current Section 32.050 E extends the transition area onto the edges of some of the lots. Section 32.050 O applies to situations where houses have to be built at least partly in the transition area, which will not need to occur on site as there is plenty of area in the lots that is outside the transition area.

P. Storm Drainage Channels not identified on the Surface Water Management Plan Map, but identified through the development review process, shall be subject to the same setbacks as equivalent mapped storm drainage channels.

FINDING NO. 14:
No additional channels have been identified.

32.070 MITIGATION PLAN

A mitigation plan shall be required if any portion of the water resource area is proposed to be permanently disturbed by development.

A. All mitigation plans must contain an alternatives analysis demonstrating that:

1. No practicable alternatives to the requested development exist that will not disturb the water resource area; and,

2. Development in the water resource area has been limited to the area necessary to allow for the proposed use; and,

3. An explanation of the rationale behind choosing the alternative selected, including how adverse impacts to the water resource area will be avoided and/or minimized.

B. A mitigation plan shall contain the following information:

1. A description of adverse impacts that will be caused as a result of development.

2. An explanation of how adverse impacts to resource areas will be avoided, minimized, and/or mitigated in accordance with, but not limited to, the revegetation provisions of CDC Section 32.050(K).

3. A list of all responsible parties including, but not limited to, the owner, applicant, contractor, or other persons responsible for work on the development site.

4. A map showing where the specific mitigation activities will occur.

5. An implementation schedule, including timeline for construction, mitigation, mitigation maintenance, monitoring, reporting, and a contingency plan. All in-stream work in fish-bearing streams shall be done in accordance with the Oregon Department of Fish and Wildlife water work periods.

6. Assurances shall be established to rectify any mitigation actions that are not successful. This may include bonding or other surety.

7. Evidence that a Joint Permit Application (to the U.S. Army Corps and OR DSL) if impacts to wetlands are greater than 0.10 acres, has been submitted and accepted for review.

C. Mitigation of any water resource areas that are not wetlands that are permanently disturbed shall be accomplished by creation of a mitigation area equal in size to the area being disturbed. Mitigation areas may be land that is either

1. On-site, not within the water resource area, and is characterized by existing vegetation qualifying that does not meet the standard set forth in CDC Section 32.050(K), or

2. Off-site, and is characterized by existing vegetation that does not meet the standard set forth in CDC Section 32.050(K).

The applicant shall prepare and implement a revegetation plan for the mitigation area pursuant to CDC Section 32.080, and which shall result in the area meeting the standards set forth in CDC Section 32.050(K). Adequacy of off-site mitigation areas on city property must be consistent with and meet approval of the City Department of Parks and Recreation. Any off-site mitigation occurring on privately-owned land shall be protected with a conservation easement.

D. The Mitigation Plan for any wetland area to be disturbed shall be 1) prepared and implemented with the guidance of professionals with experience and credentials in wetland areas and values, and 2) be consistent with requirements set forth by regulatory agencies (U.S. Army Corps and OR DSL) in a Joint Permit Application, if such an Application is necessary for the disturbance. Where the alternatives analysis demonstrates that there are no practicable alternatives for mitigation on site, off-site mitigation shall be located as follows:

1. As close to the development site as is practicable above the confluence of the next downstream tributary, or if this is not practicable;

2. Within the watershed where the development will take place, or as otherwise specified by the City in an approved wetland mitigation bank.

E. To ensure that the mitigation area will be protected in perpetuity, proof that the area has been dedicated to the City or a conservation easement has been placed on the property where the mitigation is to occur is required.

FINDING NO. 15:
Sections of the street, path, shared driveway and the entire stormwater treatment pond and swale have been built within what is now designated as water resource area transition area under Section 32.050 E. The transition area was delineated as a smaller area by the CDC when the original application was submitted and approved. The facilities that have been developed within the transition area since then were developed to fulfill the original application. These are now considered to be existing conditions on site, and do not need to be mitigated for. The driveways for lots 5 and 6 are the only facilities on site that are still planned to be built in what is now delineated as the transition area. These driveways need to be partially built in the transition area due to the location of the street and shared driveway that have already been built. The applicant has agreed to a mitigation plan, wherein which mitigation will occur off site in Fields Bridge Park, compliant with Subsection (C)(2) above. (See map on Page 39 of Exhibit PC-4.)

Because small, isolated native plant restoration areas used for mitigation can be quickly overrun by non-natives, the City is pursuing pooling the mitigation square footage of each mitigation-requiring application into larger areas where restoration is needed, including in Fields Bridge Park. In such cases the applicant pays the City for all of the resources, labor, and other expenses that it will take for the City to implement mitigation per the provisions above at Fields Bridge Park. This practice makes the mitigation implementation process smoother for both the applicant and the City Parks and Recreation Department, and it is expected to produce more long-lasting results environmentally because larger, pooled mitigation areas are not as quickly and easily overrun by non-natives after restoration occurs. The applicant has agreed to implementing mitigation via this practice as shown by their finding regarding Section 32.070 on Page 80-81 of Exhibit PC-4.

On the final Updated Mitigation Plan submitted for this application (see Page 33 of Exhibit PC-4), the applicant shows areas to be mitigated for on lots 5 and 6, and gives the square footages of these areas, the sum of which will match the size of the area where mitigation will take place for this application at Fields Bridge Park.

32.080 REVEGETATION PLAN REQUIREMENTS

Metro's native plant list is incorporated by reference as a part of CDC Chapter 32, and all plants used in revegetation plans shall be plants found on the Metro native plant list. Performance standards for planting upland, riparian and wetland plants include the following:

A. Native trees and shrubs will require temporary irrigation from June 15 to October 15 for the three years following planting.

B. Invasive non-native or noxious vegetation shall be removed within the area to be revegetated prior to planting.

C. Replacement trees must be at least one-half inch in caliper, measured at 6 inches above the ground level for field grown trees or above the soil line for container grown trees (the one-half inch minimum size may be an average caliper measure, recognizing that trees are not uniformly round) unless they are oak or madrone, which may be one gallon size. Shrubs must be in at least a one-gallon container or the equivalent in ball and burlap and must be at least 12 inches in height.

D. Trees shall be planted between 8 and 12 feet on-center and shrubs shall be planted between 4 and 5 feet on-center, or clustered in single species groups of no more than 4 plants, with each cluster planted between 8 and 10 feet on center. When planting near existing trees, the dripline of the existing tree shall be the starting point for plant spacing requirements.

E. Shrubs must consist of at least two different species. If 10 trees or more are planted, then no more than 50% of the trees may be of the same species.

F. The responsible party shall provide an appropriate level of assurance documenting that 80 percent survival of the plants has been achieved after three years, and shall provide annual reports to the Planning Director on the status of the revegetation plan during the three year period.

FINDING NO. 16:
As discussed in multiple findings above, only the driveway installation for lots 5 and 6 will require new development in the water resource transition area, as can be seen in the final Updated Mitigation Plan, Page 33 of Exhibit PC-4. As can be seen in their finding on Page 82 of Exhibit PC-4, the applicant will ensure that any plantings planted as part of the previous revegetation plan that have died will be replaced. The applicant shall also revegetate any areas of the water resource transition area that are disturbed during the construction of the driveways of lots 5 and 6. Proposed Condition of Approval 5 requires this.

CHAPTER 85 LAND DIVISION

85.200 APPROVAL CRITERIA

No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, find that the following standards have been satisfied, or can be satisfied by condition of approval. (ORD 1544)

A. ***Streets***

1. General. The location, width and grade of streets shall be considered in their relation to existing and planned streets, to the generalized or reasonable layout of streets on adjacent undeveloped parcels, to topographical conditions, to public convenience and safety, to accommodate various types of transportation (automobile, bus, pedestrian, bicycle), and to the proposed use of land to be served by the streets. The functional class of a street aids in defining the primary function and associated design standards for the facility. The hierarchy of the facilities within the network in regards to the type of traffic served (through or local trips), balance of function (providing access and/or capacity), and the level of use (generally measured in vehicles per day) are generally dictated by the functional class. The street system shall assure an adequate traffic or circulation system with intersection angles, grades, tangents, and curves appropriate for the traffic to be carried. Streets should provide for the continuation, or the appropriate projection, of existing principal streets in surrounding areas and should not impede or adversely affect development of adjoining lands or access thereto.

To accomplish this, the emphasis should be upon a connected continuous pattern of local, collector, and arterial streets rather than discontinuous curvilinear streets and cul-de-sacs. Deviation from this pattern of connected streets should only be permitted in cases of extreme topographical challenges including excessive slopes (35 percent plus), hazard areas, steep drainageways, wetlands, etc. In such cases, deviations may be allowed but the connected continuous pattern must be reestablished once the topographic challenge is passed. Streets should be oriented with consideration of the sun, as site conditions allow, so that over 50 percent of the front building lines of homes are oriented within 30 degrees of an east-west axis. (ORD. 1382; ORD. 1584)

Internal streets are the responsibility of the developer. All streets bordering the development site are to be developed by the developer with, typically, half-street improvements or to City standards prescribed by the City Engineer. Additional travel lanes may be required to be consistent with adjacent road widths or to be consistent with the adopted Transportation System Plan and any adopted updated plans. (ORD. 1544)

An applicant may submit a written request for a waiver of abutting street improvements if the Transportation System Plan prohibits the street improvement for which the waiver is requested. Those areas with numerous (particularly contiguous) under-developed or undeveloped tracts will be required to install street improvements. When an applicant requests a waiver of street improvements and the waiver is granted, the applicant shall propose a fee amount that will be reviewed by the City manager or the Manager's designee. The City Manager or the Manager's designee will revise the proposed fee as necessary and establish the amount to be paid on a case by case basis. The applicant shall pay an in-lieu fee for improvements to the nearest street identified by the City Manager or Manager's designee as necessary and appropriate. The amount of the in-lieu fee shall be roughly proportional to the impact of the

development on the street system as determined in the CDC 85.200 (A) (22) below. (ORD. 1442) (ORD.1544)

Streets shall also be laid out to avoid and protect clusters and significant trees, but not to the extent that it would compromise connectivity requirements per CDC Section 85.200(A)(1), or bring the density below 70 percent of the maximum density for the developable net area. The developable net area is calculated by taking the total site acreage and deducting Type I and II lands; then up to 20 percent of the remaining land may be excluded as necessary for the purpose of protecting significant tree clusters or stands as defined in CDC Section 55.100(B)(2). (ORD. 1408) (ORD.1544)

3. Street Widths. Street widths shall depend upon which classification of street is proposed. The classifications and required cross sections are established in Chapter 8 of the adopted TSP. Streets are classified as follows. (ORD 1584).

…

***Collector streets** provide both access and circulation within and between residential and commercial/industrial areas. Collectors differ from arterials in that they provide more of a citywide circulation function, do not require as extensive control of access and that they penetrate residential neighborhoods, distributing trips from the neighborhood and local street system. Collectors are typically greater than 0.5 to 1.0 miles in length.*

…

***Local Streets** have the sole function of providing access to immediate adjacent land. Service to "through traffic movement" on local streets is deliberately discouraged by design.*

22. Based upon the determination of the City Manager or the Manager's designee, the applicant shall construct or cause to be constructed, or contribute a proportionate share of the costs, for all necessary off-site improvements identified by the transportation analysis commissioned to address CDC 85.170.B.2.that are required to mitigate impacts from the proposed subdivision. Proportionate share of the costs shall be determined by the City Manager or Manager's designee who shall assume that the proposed subdivision provides improvements in rough proportion to identified impacts of the subdivision. Off-site transportation improvements will include bicycle and pedestrian improvements as identified in the adopted City of West Linn TSP. (ORD. 1526) (ORD. 1544) (ORD. 1584)

B. ***Blocks and Lots***

2. Sizes. The recommended block size is 400 feet in length to encourage greater connectivity within the subdivision. Blocks shall not exceed 800 feet in length between street lines, except for blocks adjacent to arterial streets or unless topographical conditions or the layout of adjacent streets justify a variation. Designs of proposed intersections shall demonstrate adequate sight distances to the City Engineer's

specifications. Block sizes and proposed accesses must be consistent with the adopted TSP.
(ORD. 1584)

FINDING NO. 17:
Staff finds that the above modified sections of Section 85.200 do not require changes to the original plans as submitted for the extension application. The new street and the street improvements to Parker Road, both already implemented, are compliant with the above sections, and the "block" for the subdivision as already proposed and implemented is still appropriate. The criteria are met.

99.325 EXTENSIONS OF APPROVAL

A. The Planning Director may grant an extension from the effective date of approval of two years pertaining to applications listed in Section 99.060(A) upon finding that:

1. The applicant has demonstrated, and staff and the Planning Commission concur, that the application is in conformance with applicable CDC provisions and relevant approval criteria enacted since the application was initially approved; and

FINDING NO. 19
As demonstrated by findings 1-17, the application is in conformance with applicable CDC provisions and relevant approval criteria enacted since the original application was initially for, upon the fulfillment of the proposed conditions of approval. Finding 1 shows the application is compliant with all R-10 zoning district regulations provided by Chapter 11. Findings 2-17 show how the application complies with the water resource area provisions that were completely revamped since the original application.

2. There are no demonstrated material misrepresentations, errors, omissions, or changes in facts that directly impact the project, including, but not limited to, existing conditions, traffic, street alignment and drainage; or

3. The applicant has modified the approved plans to conform with current approval criteria and remedied any inconsistency with subsection (A)(2) of this section, in conformance with any applicable limits on modifications to approvals established by the CDC.

FINDING NO. 20
Staff analysis of the applicant's initial submittal of the extension application revealed that two of the lots did not conform to Section 11.070(4) of the R-10 zoning district that states, "The lot depth… shall be less than two and one half times the width". This error was corrected on the site plan for the final submittal, seen on Page 32 of Exhibit PC-4.

As discussed throughout this staff report, the street and other development that has been completed on site to fulfill the subdivision entitlements under the previous decision and

the previous CDC language are being treated as existing conditions. The applicant's mitigation plan provides appropriate off-site mitigation for the two driveways that will be partly built in the transition area. Condition of Approval 3 requires all parts of the site in the current transition area that are not developed (or slated to be developed) for streets and driveways be placed in a conservation easement. This remedies any inconsistency with the current provisions of Chapter 32 with their larger setbacks than were required at the time of the original application.

Himalayan Blackberry have infested portions of the water resource area and are beginning to sprout in other portions of the water resource area and its transition area. This change in fact affects the site's compliance with Section 32.050.K regarding the health of these areas. Proposed Condition of Approval 4 requires the applicant to revegetate these areas to the level required by 32.050.K

The criteria are met.

B. The Planning Commission may grant an extension from the effective date of approval of two years pertaining to applications listed in Section 99.060(B), consistent with subsections (A)(1) through (3) of this section.

C. The Historic Review Board may grant an extension from the effective date of approval of two years for applications listed in Section 99.060(D), consistent with subsections (A)(1) through (3) of this section.

D. Eligibility for Extensions.

1. Only those applications approved between July 1, 2006, and December 31, 2009, shall be eligible for an extension.

2. Any application eligible for an extension under subsection (D)(1) of this section that would expire by June 30, 2010, shall be exempt from expiration pending a decision regarding the extension application; provided, that a complete application and deposit fee have been submitted to the Planning Director prior to that date. However, the extension shall begin on the date that the application's initial approval lapsed.

FINDING NO. 21
This is not an application in a historic district or on a historic landmark property, so the Planning Commission is the proper body to consider the extension application. The original application's approval became effective November 8, 2006, so the application is eligible for an extension per Subsection 1 above. The original application's approval expired November 8, 2009, but the extension application was applied for on June 3, 2010, so the application is eligible per Subsection 2 above. The criteria are met.

WEST LINN PLANNING COMMISSION

FINAL DECISION NOTICE

SUB 06-03/MISC 06-12

IN THE MATTER OF A 6-LOT SUBDIVISION AND WETLANDS PERMIT AT 2929 PARKER ROAD

At their regular meeting of October 12, 2006, the West Linn Planning Commission held a public hearing to consider the request by Renaissance Development to approve a 6-lot subdivision and wetlands permit. The site is located at 2929 Parker Road. The approval criteria for a subdivision are found within Chapter 85 of the Community Development Code (CDC), and the wetland permit was judged based upon the criteria found in CDC Chapter 30. The hearing was conducted pursuant to the provisions of CDC, Chapter 99.

The hearing commenced with a staff report presented by Gordon Howard, Senior Planner. The applicant provided a presentation. No additional public testimony was received. The public hearing was closed.

A motion was made and seconded to adopt the findings presented in the staff report and approve the proposed subdivision and wetland permit, with the following conditions of approval.

1. The approved tentative plat is that shown on Sheet 1 of the applicant's revised submittal, dated September 2006.
2. The applicant shall adjust the boundaries of the lots and access easements so that each lot has at least 10,000 square feet of area exclusive of any access easements.
3. The new public street shall be dedicated with a width of 40 feet, a pavement width of 28 feet, and 6-foot sidewalks on each side, to the point where the hammerhead turnaround begins. No sidewalks shall be required in the hammerhead area.
4. A pedestrian access easement shall be placed over portions of the pedestrian pathway not within the publicly dedicated tract, and shall begin at the termination of the sidewalk on the east side of the proposed public street.
5. The applicant shall submit a proposed street name for the new public street, to be approved by the Planning Director.
6. Prior to commencement of any site clearing or grading, the applicant shall place anchored and secured chain link fencing at the location as shown on the tentative plan to protect the trees at the southeast corner of the site. The city arborist shall inspect and approve this location prior to the start of work. The fencing shall remain in place throughout the development of the site and construction of the homes, to be removed only upon the completion of all construction activity.
7. Prior to commencement of any site clearing or grading, the applicant shall place anchored and secured chain link fencing along the entire eastern boundary of the riparian and wetland transition area and at the boundary of the storm detention pond located adjacent to Parker Road. City staff shall inspect and verify the proper location prior to the start of work. The fencing shall remain in place throughout the development of the site and

construction of the homes, to be removed only upon the completion of all construction activity.

8. The applicant shall implement the proposed mitigation and revegetation plan for the wetland and riparian area. The plan must be completed, except for any ongoing maintenance activities, prior to the recordation of the final plat.

9. Once the protective fencing is removed, the protected wetland and riparian area shall be identified with City-approved permanent markers at all boundary direction changes and at 30- to 50-foot intervals that clearly delineate the extent of the protected area.

10. The applicant must pay contribution towards future traffic signal at intersection of Salamo/Rosemont/Santa Anita. Applicant's traffic engineer must determine trips contributed to the intersection by applicant's proposed subdivision. Contribution has been established at $1,071.43/PM peak hour trip.

11. All public improvements must comply with the City of West Linn Public Works Design and Construction Standards.

12. The six-inch water main serving subdivision must be looped between Parker Road and Coho Lane through a public easement.

13. No retaining walls shall be constructed in public utility easements unless approved by the City Engineer.

14. All required City, State, and Federal permits must be obtained prior to working in the natural drainageway, wetland area, and transition area.

15. Public improvements in Parker Road must match and coordinate with Maxfield and Parker Crest subdivisions.

This decision will become effective 14 days from the date of mailing of this final decision as identified below. Those parties with standing (i.e., those individuals who submitted letters into the record, or provided oral or written testimony during the course of the hearing, or signed in on the attendance sheet at the hearing, or who have contacted City Planning staff and made their identities known to staff) may appeal this decision to the West Linn City Council within 14 days of the mailing of this decision pursuant to the provisions of Chapter 99 of the Community Development Code. Such appeals would require a fee of $400 and a completed appeal application form together with the specific grounds for appeal to the Planning Director prior to the appeal-filing deadline.

J. Kovash — Oct 25, 2006

JOHN KOVASH, CHAIR — DATE
WEST LINN PLANNING COMMISSION

Mailed this 25 day of October, 2006.

Therefore, this decision becomes final at 5 p.m., November 8, 2006.

Devrev/Finaldecisions/SUB 06-03-2929 Parker Road

AFFIDAVIT OF NOTICE

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

GENERAL
File No. MISC-10-12 Applicant's Name Mel Lee
Development Name 2929 Parker Road
Scheduled Meeting/Decision Date 8-18-10

NOTICE: Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. **(check below)**

TYPE A X

A.	The applicant (date)	7/21/10	(signed) SK
B.	Affected property owners (date)	7/21/10	(signed) SK
C.	School District/Board (date)		(signed)
D.	Other affected gov't. agencies (date) DSL, COE, DF&W	7/21/10	(signed) SK
E.	Affected neighborhood assns. (date) all	7/21/10	(signed) SK
F.	All parties to an appeal or review (date)	7/21/10	(signed) SK

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted:

Tidings (published date) 8-5-10 (signed) TJ
City's website (posted date) 8-21-10 (signed) TJ

SIGN

At least 10 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

(date) 7-23-10 (signed) [signature]

NOTICE: Notices were sent at least 14 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. **(check below)**

TYPE B _____

A.	The applicant (date)		(signed)
B.	Affected property owners (date)		(signed)
C.	School District/Board (date)		(signed)
D.	Other affected gov't. agencies (date)		(signed)
E.	Affected neighborhood assns. (date)		(signed)

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: _____ (signed) _____

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.

(date) _____ (signed) _____

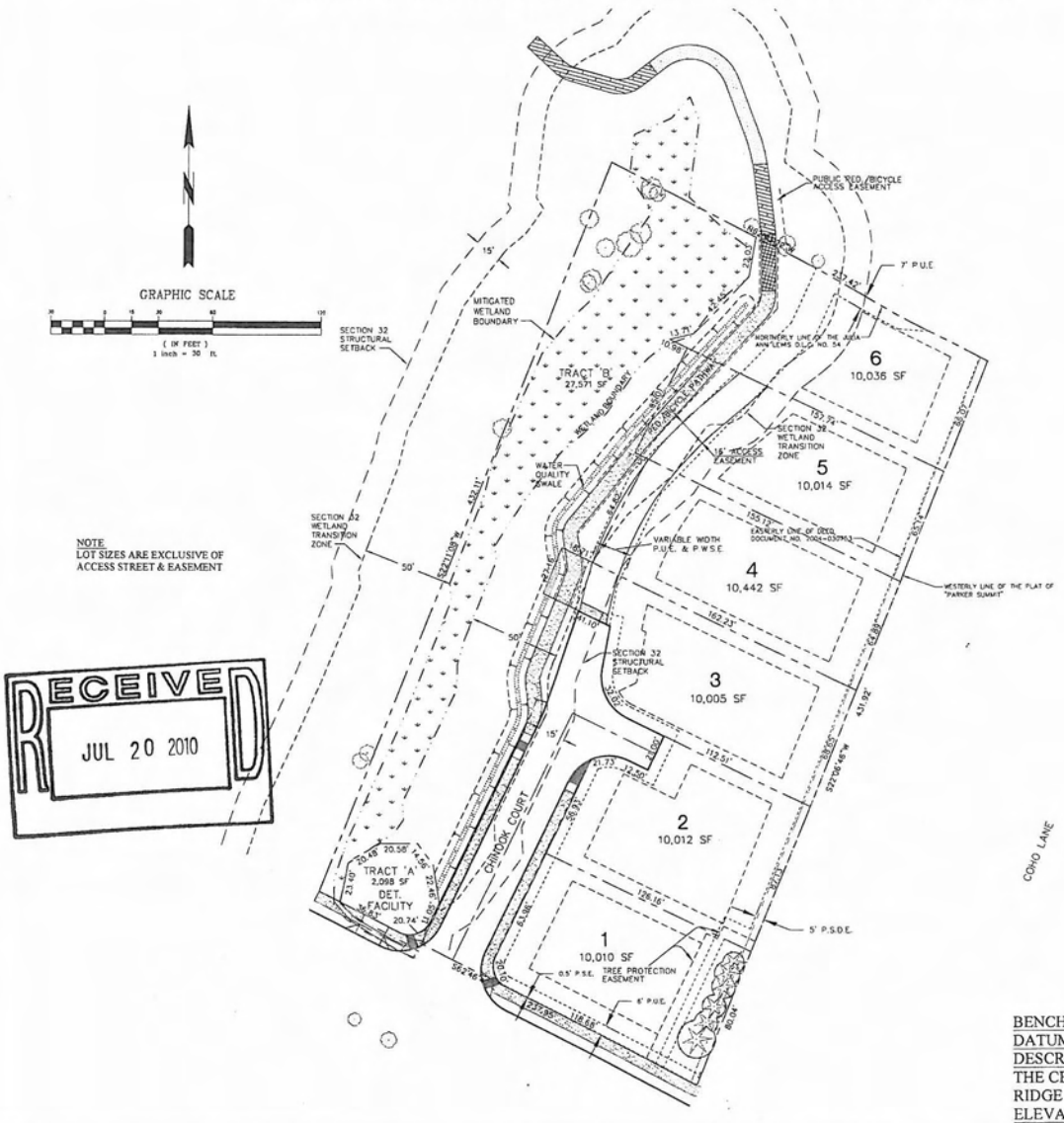
FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

(date) _____ (signed) _____

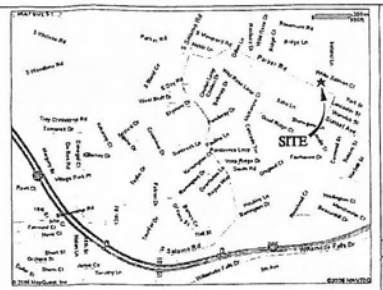
p:\devrvw\forms\affidvt of notice-land use (9/09)

PARKER ROAD

A 6-LOT SUBDIVISION OF TAX MAP 21E25CD, TAX LOT 3900



NOTE
LOT SIZES ARE EXCLUSIVE OF ACCESS STREET & EASEMENT



VICINITY MAP
N.T.S.

APPLICANT:

MEL LEE
15746 S. HATTEN RD.
OREGON CITY, OR 97045
PHONE: (503)631-2479

PLANNING / ENGINEERING/SURVEYING:

SFA DESIGN GROUP, LLC
9020 SW WASHINGTON SQUARE DR., SUITE 350
PORTLAND, OR 97223
PHONE: (503)641-8311 / FAX: (503)643-7905
CONTACTS: MATTHEW SPRAGUE

SITE INFORMATION:

SITE AREA:	2.28 ACRES
ZONING:	R-10
TAX MAP:	T2 R1E SEC 25CD
TAX LOTS:	3900
NUMBER OF LOTS:	6

UTILITIES AND SERVICES:

WATER:	CITY OF WEST LINN
STORM:	CITY OF WEST LINN
SEWER:	CITY OF WEST LINN
POWER:	PGE
GAS:	NORTHWEST NATURAL
CABLE:	VERIZON
FIRE:	TVF&R
POLICE:	CITY OF WEST LINN
SCHOOL:	CITY OF WEST LINN
ROADS:	CITY OF WEST LINN
PARKS:	CITY OF WEST LINN

SHEET INDEX - PLANNING APPROVAL

1	UPDATED TENTATIVE PLAT
2	ORIGINAL EXISTING CONDITIONS
3	UPDATED EXISTING CONDITIONS
4	UPDATED MITIGATION PLAN
5	APPROVED & CONSTRUCTED WETLAND REVEGETATION PLAN
L1	APPROVED & CONSTRUCTED WATER QUALITY, DETENTION & WETLAND PLAN
L2	APPROVED & CONSTRUCTED WATER QUALITY, DETENTION & WETLAND PLAN

BENCHMARK: SALAMO (NGS GEODETIC CONTROL MONUMENT)
DATUM: CITY OF WEST LINN (THIRD ORDER CLASS II VERTICAL NAVD 88)
DESCRIPTION: 2-1/2" BRONZE DISK IN CONCRETE INSIDE A MONUMENT BOX, LOCATED IN THE CENTERLINE OF SALAMO ROAD NEAR THE SOUTHEAST CORNER OF THE ROSEMONT RIDGE MIDDLE SCHOOL PROPERTY, 0.2 MILES NORTHERLY OF PARKER ROAD.
ELEVATION: 693.00'

SFA Design Group, LLC
9020 SW Washington Square Dr. Suite 350
Portland, Oregon 97223
p: (503) 641-8311 f: (503) 643-7905

APPROVED SUB 06-03 / MIS 06-03
UPDATED TENTATIVE PLAT
PARKER ROAD

REGISTERED PROFESSIONAL ENGINEER — OREGON — JULY 12, 2005 — BRENT E. FOLTZ — 54427PE — RENEWAL: 12-31-11
REGISTERED PROFESSIONAL LAND SURVEYOR — OREGON — JULY 19, 2005 — MATTHEW L. SPRAGUE — 70084LS — RENEWAL: 12-31-11
VALID THROUGH 12-31-11

NO.	DATE	REVISION	BY

DESIGNED BY MLS DATE 8/06
DRAWN BY AS DATE 8/06
REVIEWED BY MLS DATE 8/06
PROJECT NO. 306-05 REF
SCALE HORZ: 1"=30' VERT: N/A
06TP-LAY.dwg

SHEET 1 OF 5
PROJECT PARKER ROAD
NO. 207-05
TYPE Planning

AMBORN WILLIAM G & SHEN C
2993 WINKEL WAY
WEST LINN OR 97068

AXELROD ANDREW L & KATHY A
4722 IRELAND LN
WEST LINN OR 97068

CHANG FREMONT E & JENNIFER
2900 WHITE SALMON ST
WEST LINN OR 97068

CHRISMAN L OWEN
4705 COHO LN
WEST LINN OR 97068

CHRISTIANSON MATTHEW & KATIE
2942 WINKEL WAY
WEST LINN OR 97068

CHUN PETER HONGKUK TRUSTEE
4750 COHO LN
WEST LINN OR 97068

COX VERNE E & SHIRLEY B
4512 MAXFIELD DR
WEST LINN OR 97068

DAVIDSON ROBERT
3140 PRARIE SMOKE
BOZEMAN MT 59719

DENNING CHARLES E TRUSTEE
4822 COHO LN
WEST LINN OR 97068

DOBLIE THOMAS
2858 HALE DR
WEST LINN OR 97068

DOWNS AARON & JESSICA
2974 WINKEL WAY
WEST LINN OR 97068

DR HORTON INC-PORTLAND
4386 SW MACADAM AVE STE 102
PORTLAND OR 97239

DUMBROW JOEL
2973 WINKEL WAY
WEST LINN OR 97068

EGLAND AARON
3250 WILD ROSE LOOP
WEST LINN OR 97068

ERNE JAMES D & KAREN L
2998 WINKEL WAY
WEST LINN OR 97068

EVANS JOHN G
4000 S RIDGE LN
WEST LINN OR 97068

FARVAN FAMILY TRUST
2890 WHITE SALMON CT
WEST LINN OR 97068

FIELDER JEFF A
2905 WHITE SALMON ST
WEST LINN OR 97068

FRANK DONALD H & ANNE S
4700 COHO LN
WEST LINN OR 97068

FROST JEFFREY G & SUSAN J
2910 WHITE SALMON ST
WEST LINN OR 97068

FULMER JAMES D & AMY H
4823 IRELAND LN
WEST LINN OR 97068

GARDNER DAVID L & CYNTHIA
4740 GARDNER LN
WEST LINN OR 97068

HARBAOUI MOEZ
2945 WINKEL WAY
WEST LINN OR 97068

HERR DAVID M
2918 WINKEL WAY
WEST LINN OR 97068

JAIN DINESH
4782 COHO LN
WEST LINN OR 97068

JONES MARK
2997 WINKEL WAY
WEST LINN OR 97068

KIM ROK SANG
2977 WINKEL WAY
WEST LINN OR 97068

KORAN WILLIAM E & CAROL J
3945 S PARKER RD
WEST LINN OR 97068

LANE DALE & JENNIFER
4700 SUMMER RUN DR
WEST LINN OR 97068

LAO SAN & LY CHHEAU
PO BOX 483
LAKE OSWEGO OR 97034

LEE MELVIN D
15746 S HATTAN RD
OREGON CITY OR 97045

LUCESCU BENIAMIN L &
GEORGETTA
4647 SUMMER RUN DR
WEST LINN OR 97068

M & T BANK
5285 MEADOWS RD STE 290
LAKE OSWEGO OR 97035

MANN ANTHONY B
4730 COHO LN
WEST LINN OR 97068

MANN ROBERT F TRUSTEE
4785 COHO LN
WEST LINN OR 97068

MASTERS RODNEY E & NICOLE F
2736 RIDGE LN
WEST LINN OR 97068

MAZIARZ MARK P & CHRISTY
BAKER
2914 WINKEL WAY
WEST LINN OR 97068

MCANDREW JAMES F
2941 WINKEL WAY
WEST LINN OR 97068

MOORE WILLIAM E TRUSTEE
4798 COHO LN
WEST LINN OR 97068

MORGAN JANET E & CHRISTOPHER
3800 S RIDGE LN
WEST LINN OR 97068

NESS PETER & LISA
4796 COHO LN
WEST LINN OR 97068

NEWMAN PAUL D & JUDITH E
2842 HALE DR
WEST LINN OR 97068

OLEARY TIM & MICHELLE
4790 COHO LN
WEST LINN OR 97068

PARSON RICHARD A & KATHERINE
A
4880 S IRELAND LN
WEST LINN OR 97068

PATTERSON JEFFREY & KARINA
2961 WINKEL WAY
WEST LINN OR 97068

PETERSON CHERYL A & STEVEN M
2906 WINKEL WAY
WEST LINN OR 97068

PINA LAWRENCE G
2920 WHITE SALMON ST
WEST LINN OR 97068

PRICE NOELL H & CAROL F
3015 S PARKER RD
WEST LINN OR 97068

RENAISSANCE CUSTOM HOMES
LLC
16771 BOONES FERRY RD
LAKE OSWEGO OR 97035

RIGGS ANNETTE V
2966 WINKEL WAY
WEST LINN OR 97068

ROSEMONT POINTE HOMEOWNERS
ASSN
NO MAILING ADDRESS
AVAILABLE

SCHOENHEIT JOSEPH W
2922 WINKEL WAY
WEST LINN OR 97068

SCOTT PATRICK D
4794 COHO LN
WEST LINN OR 97068

SHEN DANBO & LING XU
2902 WINKEL WAY
WEST LINN OR 97068

SIENNAS ESTATES HOMEOWNERS
ASSN
NO MAILING ADDRESS
AVAILABLE

SPITZER EUGENA ANN
2946 WINKEL WAY
WEST LINN OR 97068

STEVENSON CINDY K
4710 SUMMER RUN DR
WEST LINN OR 97068

STEWART BRANDON
2982 WINKEL WAY
WEST LINN OR 97068

SUN SUSAN S & BENEDICT H
2919 WHITE SALMON ST
WEST LINN OR 97068

SUPPERSTEIN SCOTT M & SUZAN M
4740 COHO LN
WEST LINN OR 97068

SUTTON GERARD & APRIL
2916 WHITE SALMON ST
WEST LINN OR 97068

TAMERLANO TONNE S TRUSTEE
4715 COHO LN
WEST LINN OR 97068

TRAN ANDREW
2986 WINKEL WAY
WEST LINN OR 97068

TSUKAMOTO GEORGE KIYOSHI &
4720 COHO LN
WEST LINN OR 97068

VARGA JASON
2915 WHITE SALMON ST
WEST LINN OR 97068

WALSH LARRY & SHERYL
2985 WINKEL WAY
WEST LINN OR 97068

WANG YIZHI & JIANJI YANG
2978 WINKEL WAY
WEST LINN OR 97068

WEISSERT JOSH & DANELLE
2965 WINKEL WAY
WEST LINN OR 97068

WICKERT MARK R & LISA M
4788 COHO LN
WEST LINN OR 97068

WILSON JOHN G & LEE K
2895 WHITE SALMON CT
WEST LINN OR 97068

YAO MENG & SHANG CAO
2925 WHITE SALMON ST
WEST LINN OR 97068

MEL LEE
15746 S HATTAN RD
OREGON CITY OR 97045

TAMI HUBERT
OREGON DEPT OF STATE LANDS
775 SUMMER ST NE
SALEM OR 97301-1279

BILL DAVIS
US ARMY CORPS OF ENGINEERS
PO BOX 2946
PORTLAND OR 97208

HABITAT BIOLOGIST
OREGON DEPT OF FISH & WILDLIFE
18330 NW SAUVIE ISLAND RD
PORTLAND OR 97231

BEN ALTMAN/BRENT FITCH
SFA DESIGN GROUP
9020 SW WASHINGTON SQUARE DR
PORTLAND OR 97223

STEVE GARNER
BHT NA PRESIDENT
3525 RIVERKNOLL WAY
WEST LINN OR 97068

SALLY MCLARTY
BOLTON NA PRESIDENT
19575 RIVER RD # 64
GLADSTONE OR 97027

ALEX KACHIRISKY
HIDDEN SPRINGS NA PRESIDENT
6469 PALOMINO WAY
WEST LINN OR 97068

JEFF TREECE
MARYLHURST NA PRESIDENT
1880 HILLCREST DR
WEST LINN OR 97068

BILL RELYEA
PARKER CREST NA PRESIDENT
3016 SABO LN
WEST LINN OR 97068

THOMAS BOES
ROBINWOOD NA PRESIDENT
18717 UPPER MIDHILL DR
WEST LINN OR 97068

DEAN SUHR
ROSEMONT SUMMIT NA PRESIDENT
21345 MILES DR
WEST LINN OR 97068

DAVE RITTENHOUSE
SAVANNA OAKS NA PRESIDENT
2101 GREENE ST
WEST LINN OR 97068

KRISTIN CAMPBELL
SKYLINE RIDGE NA PRESIDENT
1391 SKYE PARKWAY
WEST LINN OR 97068

TROY BOWERS
SUNSET NA PRESIDENT
2790 LANCASTER ST
WEST LINN OR 97068

BETH KIERES
WILLAMETTE NA PRESIDENT
1852 4TH AVE
WEST LINN OR 97068

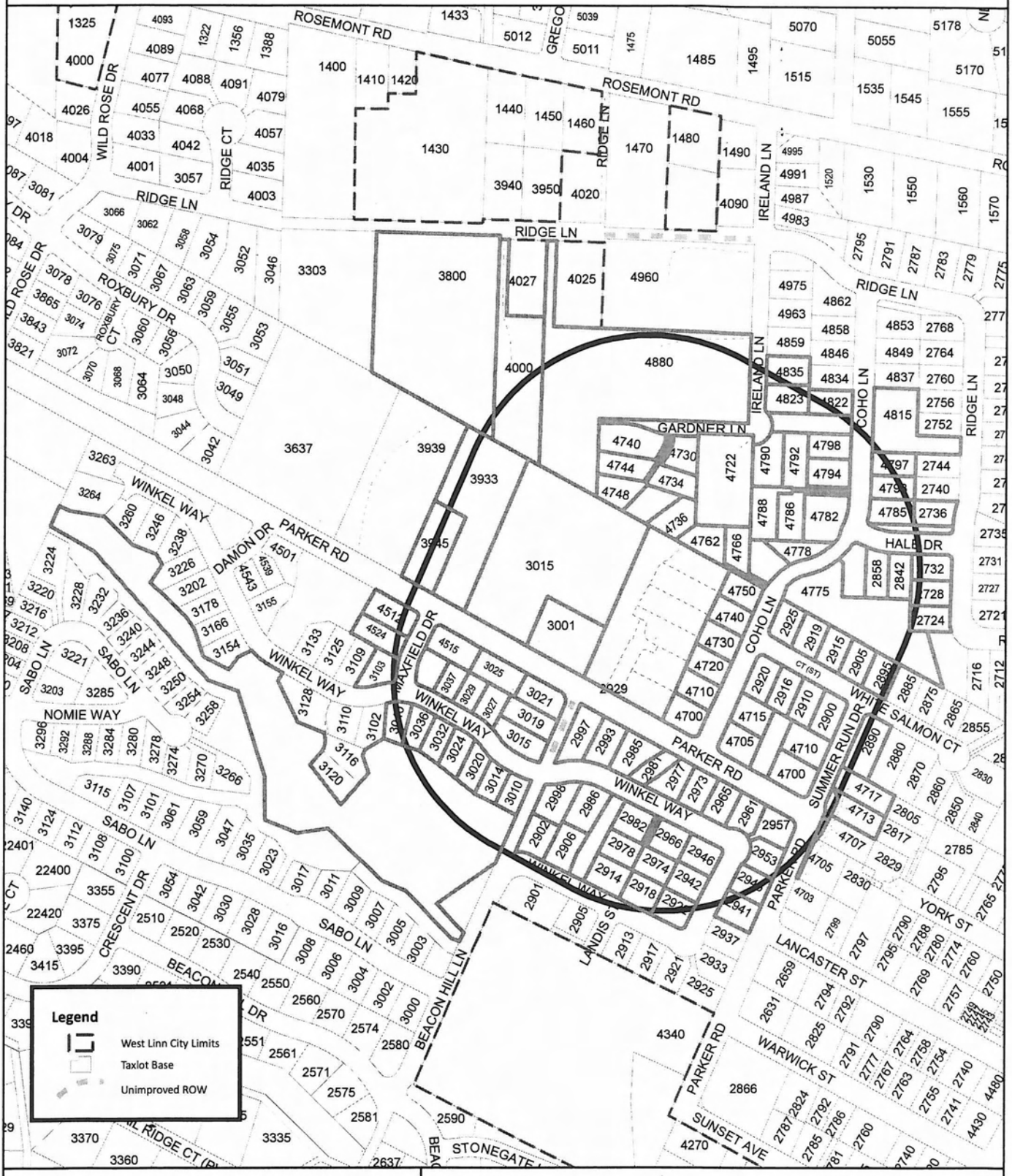
ALMA COSTON
BOLTON NA DESIGNEE
PO BOX 387
WEST LINN OR 97068

SUSAN VAN DE WATER
HIDDEN SPRINGS NA DESIGNEE
6433 PALOMINO WAY
WEST LINN OR 97068

KEVIN BRYCK
ROBINWOOD NA DESIGNEE
18840 NIXON AVE
WEST LINN OR 97068

DOREEN VOKES
SUNSET NA SEC/TREAS
4972 PROSPECT ST
WEST LINN OR 97068

MISC-10-12 2929 Parker Road



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Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Taxlot Base Source: Metro RLIS

NOT TO SCALE

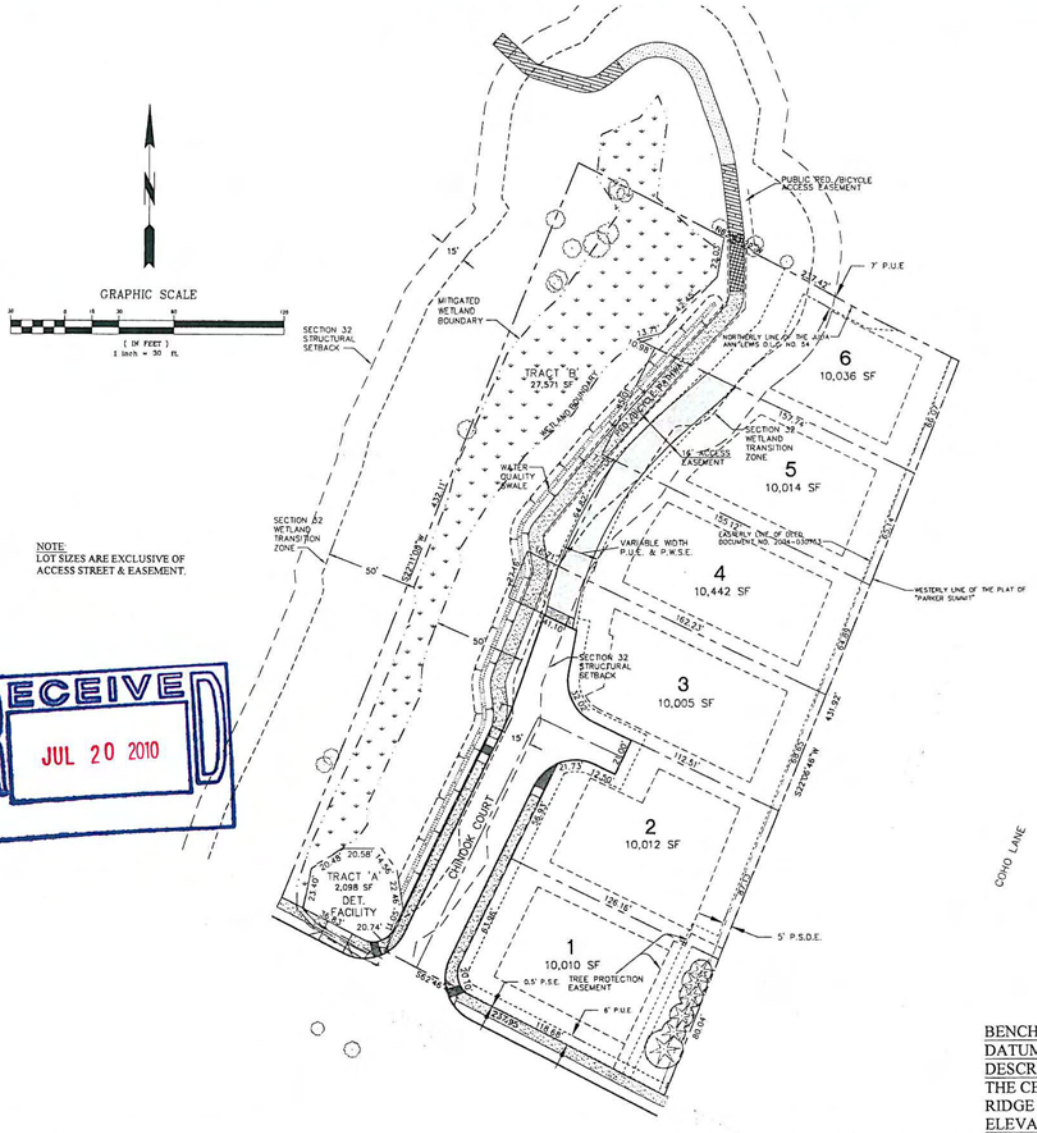
SNAPNOTIFY.MXD / AHA APP 6-16-09

West Linn GIS GEOGRAPHIC INFORMATION SYSTEMS

User Name: T Zak
Map Creation Date: Jul 21, 2010

PARKER ROAD

A 6-LOT SUBDIVISION OF TAX MAP 21E25CD, TAX LOT 3900



VICNITY MAP
N.T.S.

APPLICANT:

MEL LEE
15746 S. HATTEN RD.
OREGON CITY, OR 97045
PHONE: (503)631-2479

PLANNING / ENGINEERING/SURVEYING:

SFA DESIGN GROUP, LLC
9020 SW WASHINGTON SQUARE DR., SUITE 350
PORTLAND, OR 97223
PHONE: (503)641-8311 / FAX: (503)643-7905
CONTACTS: MATTHEW SPRAGUE

SITE INFORMATION:

SITE AREA:	2.28 ACRES
ZONING:	R-10
TAX MAP:	T2 R1E SEC 25CD
TAX LOTS:	3900
NUMBER OF LOTS:	6

UTILITIES AND SERVICES:

WATER:	CITY OF WEST LINN
STORM:	CITY OF WEST LINN
SEWER:	CITY OF WEST LINN
POWER:	PGE
GAS:	NORTHWEST NATURAL
CABLE:	VERIZON
FIRE:	TVF&R
POLICE:	CITY OF WEST LINN
SCHOOL:	CITY OF WEST LINN
ROADS:	CITY OF WEST LINN
PARKS:	CITY OF WEST LINN

SHEET INDEX - PLANNING APPROVAL

1	UPDATED TENTATIVE PLAT
2	ORIGINAL EXISTING CONDITIONS
3	UPDATED EXISTING CONDITIONS
4	UPDATED MITIGATION PLAN
5	APPROVED & CONSTRUCTED WETLAND REVEGETATION PLAN
L1	APPROVED & CONSTRUCTED WATER QUALITY, DETENTION & WETLAND PLAN
L2	APPROVED & CONSTRUCTED WATER QUALITY, DETENTION & WETLAND PLAN

BENCHMARK: SALAMO (NGS GEODETIC CONTROL MONUMENT)
DATUM: CITY OF WEST LINN (THIRD ORDER CLASS II VERTICAL NAVD 88)
DESCRIPTION: 2-1/2" BRONZE DISK IN CONCRETE INSIDE A MONUMENT BOX, LOCATED IN THE CENTERLINE OF SALAMO ROAD NEAR THE SOUTHEAST CORNER OF THE ROSEMONT RIDGE MIDDLE SCHOOL PROPERTY, 0.2 MILES NORTHERLY OF PARKER ROAD.
ELEVATION: 693.00'

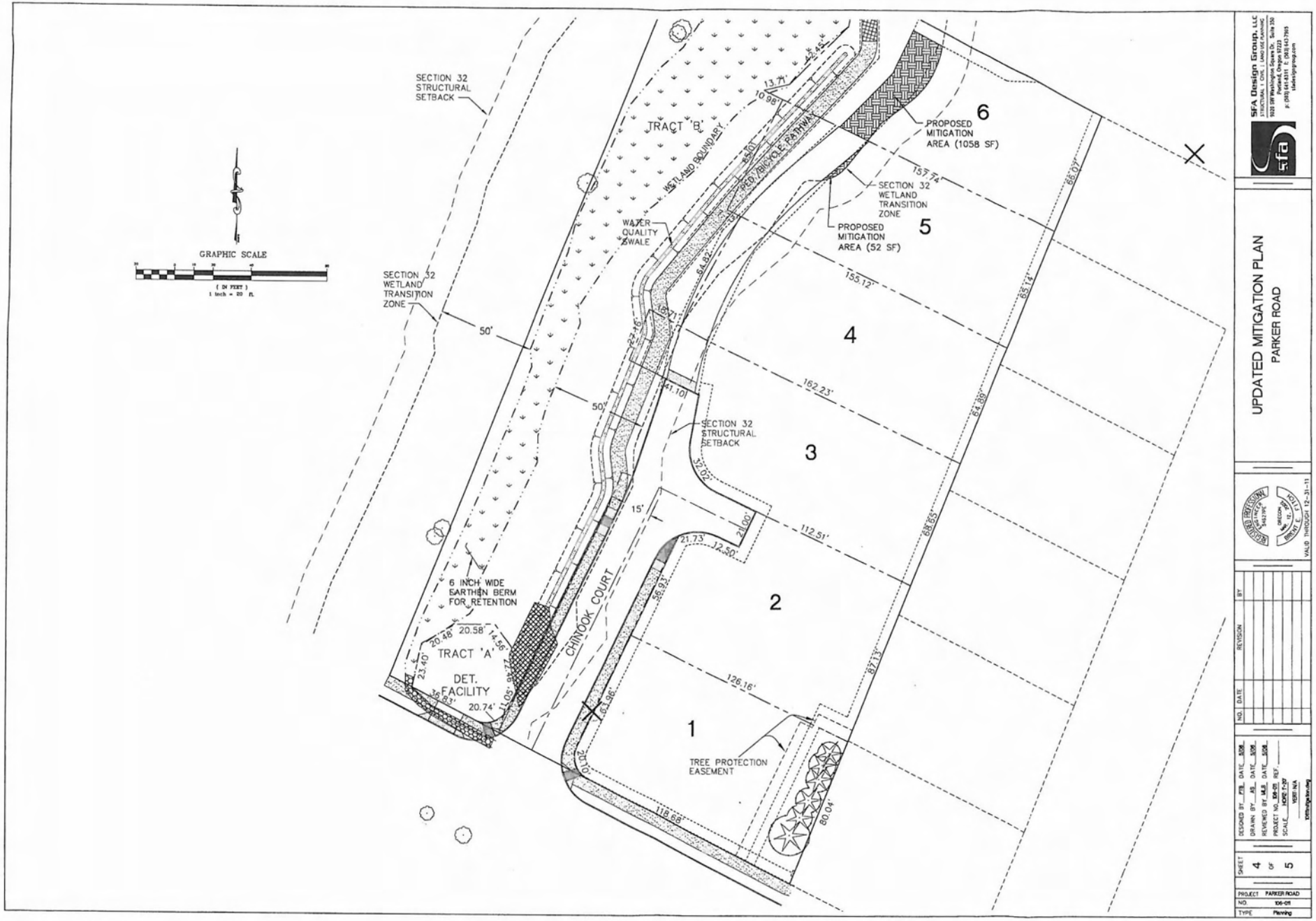
SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING
9020 SW Washington Square Dr., Suite 350
Portland, Oregon 97223
P: (503)641-8311 F: (503)643-7905
sfadesigngroup.com

APPROVED SUB 06-03 / MIS 06-03
UPDATED TENTATIVE PLAT
PARKER ROAD

REGISTERED PROFESSIONAL ENGINEER — OREGON — 54427PE — BRIAN E. FRANCIS — VALID THROUGH 12-31-11

NO.	DATE	REVISION	BY

DESIGNED BY MLB DATE 8/06
DRAWN BY AS DATE 8/06
REVIEWED BY MLB DATE 8/06
PROJECT NO 06-05 REF
SCALE HOR 1"=30' VERT N/A
SHEET 1 OF 5
PROJECT PARKER ROAD
NO 207-005
TYPE Planning


SECTION 32
STRUCTURAL
SETBACK
TRACT 'B'
WETLAND BOUNDARY
PED./BICYCLE PATHWAY
PROPOSED
MITIGATION
AREA (1058 SF)
SECTION 32
WETLAND
TRANSITION
ZONE
PROPOSED
MITIGATION
AREA (52 SF)
WATER
QUALITY
SWALE
SECTION 32
WETLAND
TRANSITION
ZONE
50'
50'
SECTION 32
STRUCTURAL
SETBACK
15'
6 INCH WIDE
EARTHEN BERM
FOR RETENTION
TRACT 'A'
DET.
FACILITY
CHINOOK COURT
TREE PROTECTION
EASEMENT
GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.
1
2
3
4
5
6
155.12'
162.23'
112.51'
126.16'
118.68'
157.74'
87.13'
68.55'
64.89'
55.14'
66.07'
80.04'
UPDATED MITIGATION PLAN
PARKER ROAD
SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING
SHEET 4 OF 5
PROJECT PARKER ROAD
NO. 106-01
TYPE Planning

Soppe, Tom

From: Ben Altman [baltman@sfadg.com]
Sent: Monday, July 12, 2010 2:55 PM
To: Soppe, Tom
Subject: RE: Updated Mitigation Plan
Attachments: Revised Mitigation Plan sht4.pdf

Tom, you are correct as to the mitigation area covering pending paving to lot driveways. The area on Lot 5 was included, because the driveway will most likely be at the north end of the lot, and we wanted to cover mitigation.

For Lot 6, I now see, we show the wrong width for the driveway, as we did not actually cover the entire transition area, which was intended.

As for extending the Lot 6 driveway, it was not our intent to connect through to Rosemont Pointe. On the revised Mitigation Plan, we will pull the driveway back to the PUE line. I am not aware of any Condition require emergency access. The driveway will only serve Lot 6. We are covering the entire extended transition area on Lot 6, to make sure all paving, including any turn-around needed will be properly mitigated for.

I have attached a pdf of the revised Mitigation Plan. I will get you a revised full-sized drawing. The corrected square footage of impact is 1,110 square feet.

Thanks,
Ben Altman

SFA Design Group, LLC
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9020 SW Washington Square Dr., Ste. 350
Portland, OR 97223
P (503) 641-8311
F (503) 643-7905
www.sfadesigngroup.com

From: Soppe, Tom [mailto:tsoppe@westlinnoregon.gov]
Sent: Monday, July 12, 2010 1:44 PM
To: 'Ben Altman'
Subject: Updated Mitigation Plan

Ben,

A couple of questions on the updated mitigation plan. I assume the "proposed mitigation areas" are where pavement is to now go, that will be mitigated for in Fields Bridge Park? If so, why is the small new area of pavement on Lot 5 needed when the driveway already goes through there. And does the driveway go all the way through Lot 6 to connect to the shared driveway on the Rosemont Pointe lots to the north? Was that part of the plan all along for emergency access or another purpose? If so is there a condition or finding about this in the original file or the Rosemont Pointe file that I haven't found?

Thanks,

Tom Soppe
Associate Planner
City of West Linn
22500 Salamo Road
West Linn, OR 97068
ph. (503) 742-8660
fax (503) 656-4106
tsoppe@westlinnoregon.gov

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Portland, Oregon 97223
p: (503) 641-4175 f: (503) 643-7595
sfadesigngroup.com

UPDATED MITIGATION PLAN
PARKER ROAD

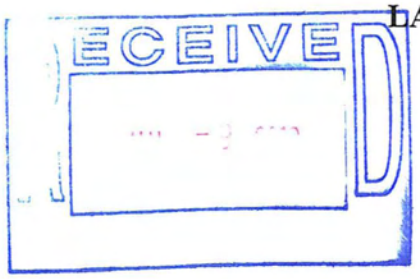
NO	DATE	REVISION	BY

DESIGNED BY PTH DATE 5/06
DRAWN BY AS DATE 5/06
REVIEWED BY MLS DATE 5/06
PROJECT NO. 106-01 REF
SCALE HORZ: 1"=20' VERT: N/A
106mitigation.dwg

SHEET 4 OF 5

PROJECT PARKER ROAD
NO 106-01
TYPE Planning

CITY OF WEST LINN
LAND USE REVIEW APPLICATION FOR:



PARKER ROAD

6-LOT SUBDIVISION

TWO-YEAR EXTENSION OF PRIOR APPROVAL SUB-06-03 AND MIS-06-12

June 2, 2010
Revised for Completeness July 9, 2010

APPLICANT/ OWNER:
Mel Lee
15746 S Hatten Road
Oregon City, OR 97045
Tel. (503) 631-2459

APPLICANT'S REPRESENTATIVE:
SFA Design Group, LLC
9020 SW Washington Square Rd., Suite 350
Portland, Oregon 97223
Ben Altman or Brent Fitch
Tel. (503) 641-8311
Fax (503) 643-7905
Email baltman@sfadg.com or bfitch@sfadg.com

SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING

July 9, 2010

Tom Soppe, Associate Planner
City of West Linn
22500 Salamo Road
West Linn, OR, 97068

RE: Second Response to Incomplete Application – Parker Road Extension MI-10-12

Dear Tom:

I have made revisions to the Narrative and Plan Set to address the new Code sections listed in your June 28, 2010 letter. I also included a photo of the Neighborhood Meeting Notice Sign, which is needed to complete our application. The following items are included:

1. CD, with Revised Narrative and Plan Set;
2. Revised Narrative
3. Revised Plan Set:
    a. Updated Tentative Plat, showing Section 32 transition and structural setbacks;
    b. Original Existing Conditions;
    c. Updated Existing Conditions;
    d. Updated Mitigation Plan, showing Section 32 transition and structural setbacks, and new impact area of Lot 6 driveway;
    e. Approved and Constructed Plans:
        i. Wetland Revegetation;
        ii. Water Quality Landscaping; and
        iii. Wetland/Resource Area Landscaping

I am providing 3 sets of all documents.

If you have any questions, or need additional information, please give me a call, or just respond by email.

Sincerely,
SFA Design Group

Ben Altman
Senior Planner/Project Manager
503-641-8311
baltman@sfadg.com

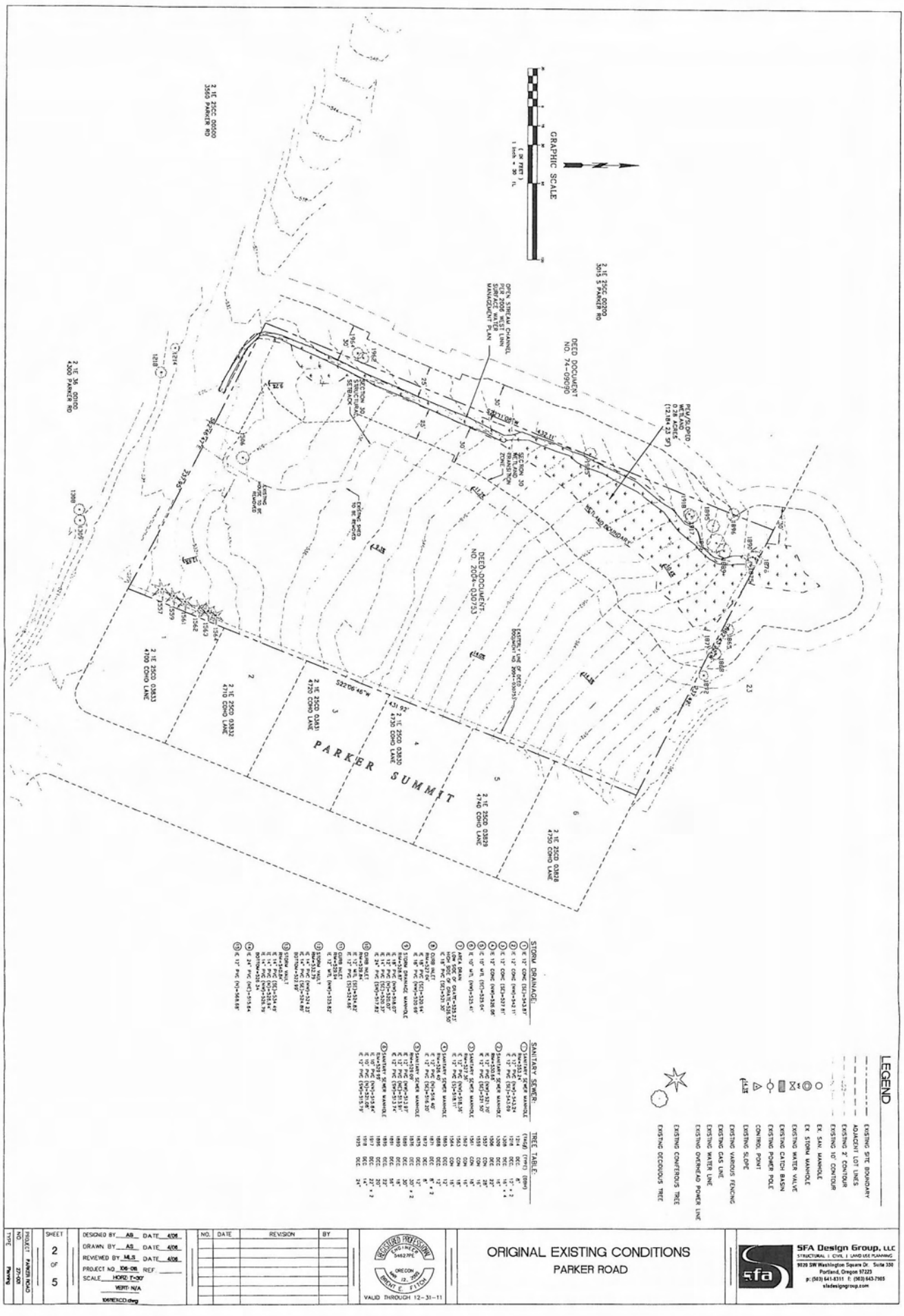

MEETING NOTICE
Type Meeting NEIGHBORHOOD
Proposal EXTENSION OF
APPROVAL - 6-LOT SUBDIVISION
Meeting Date MAY 26, 2010
Time 7:00 PM
Place CITY HALL
22500 SALAMO Rd.
Contact Person BEN ALTMAN
Phone 503-641-8311

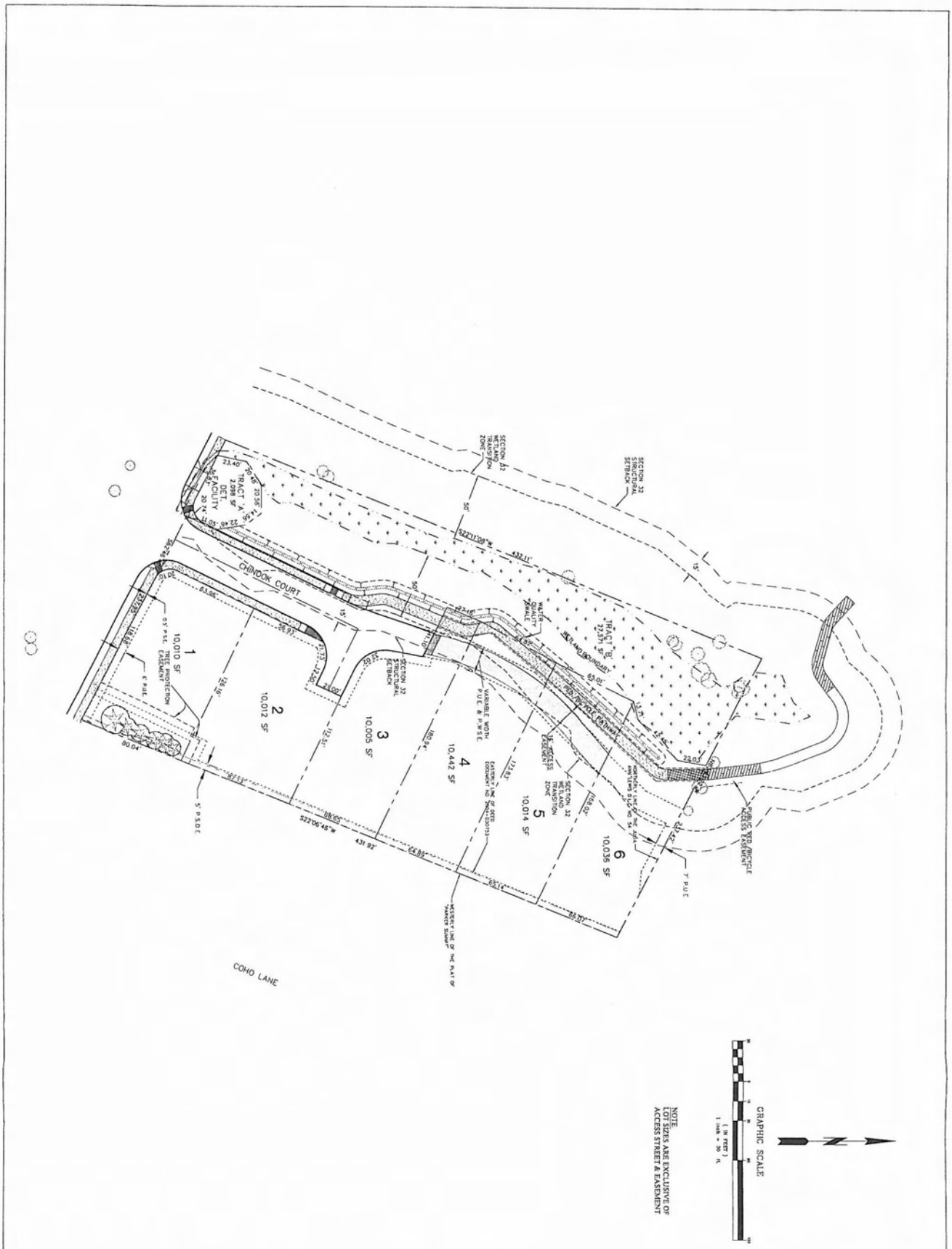
Restoration Area - Field's Bridge Park

City of West Linn GIS (Geographic Information System), SnapMap Date: 5/6/2010

Scale: 140 Feet

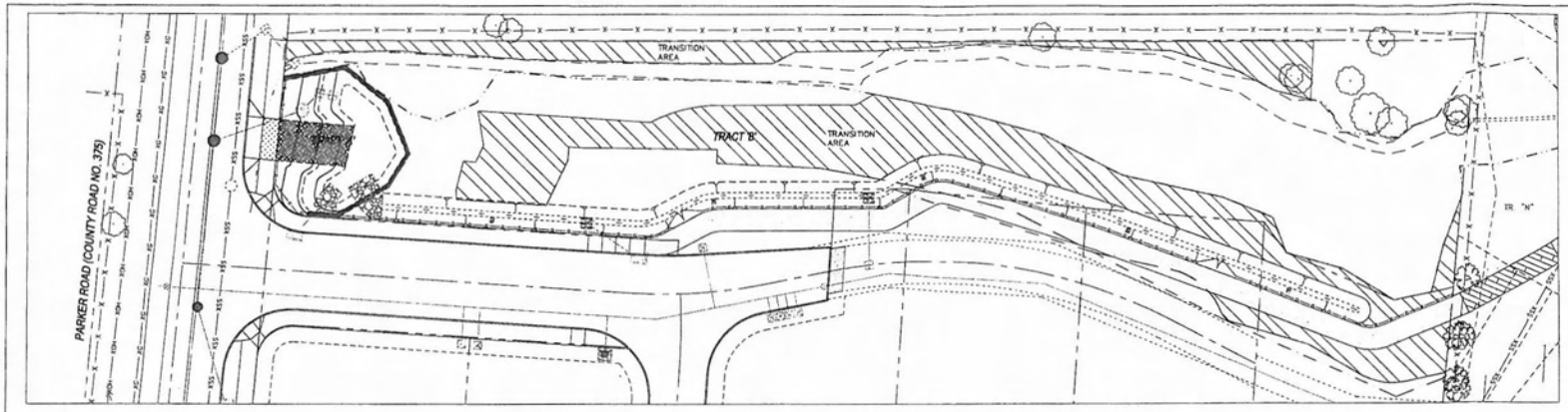
MAP DISCLAIMER:
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.


GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.
PARKER SUMMIT
DEED DOCUMENT NO. 74-09090
DEED DOCUMENT NO. 2004-030753
OPEN STREAM CHANNEL PER 2006 WEST LINN STORMWATER MANAGEMENT PLAN
REGULATED WETLAND 0.28 ACRES (12184.23 SF)
WETLAND BOUNDARY
SECTION 30 STRUCTURAL SETBACK
SECTION 30 TRANSITION ZONE
EXISTING ROAD TO BE REMOVED
EXISTING HOUSE TO BE REMOVED
2.1E 25CD 03833 4700 COHO LANE
2.1E 25CD 03832 4710 COHO LANE
2.1E 25CD 03831 4720 COHO LANE
2.1E 25CD 03830 4730 COHO LANE
2.1E 25CD 03829 4740 COHO LANE
2.1E 25CD 03828 4750 COHO LANE
2.1E 25CC 00600 3660 PARKER RD
2.1E 25CC 00200 3015 S PARKER RD
2.1E 36 00100 4300 PARKER RD
S22°06'46"W 431.92'
LEGEND
EXISTING SITE BOUNDARY
ADJACENT LOT LINES
EXISTING 2' CONTOUR
EXISTING 10' CONTOUR
EX. SAN MANHOLE
EX. STORM MANHOLE
EXISTING WATER VALVE
EXISTING CATCH BASIN
EXISTING POWER POLE
CONTROL POINT
EXISTING SLOPE
EXISTING VARIOUS FENCING
EXISTING GAS LINE
EXISTING WATER LINE
EXISTING OVERHEAD POWER LINE
EXISTING CONIFEROUS TREE
EXISTING DECIDUOUS TREE
STORM DRAINAGE
SANITARY SEWER
TREE TABLE
ORIGINAL EXISTING CONDITIONS
PARKER ROAD
SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING
9020 SW Washington Square Dr. Suite 330
Portland, Oregon 97223
p: (503) 641-8311 f: (503) 643-7985
sfadesigngroup.com
DESIGNED BY AB DATE 4/08
DRAWN BY AS DATE 4/08
REVIEWED BY MLS DATE 4/08
PROJECT NO. 106-08 REF.
SCALE HORZ: 1"=30'
VERT: N/A
106EXCD.dwg
NO. DATE REVISION BY
REGISTERED PROFESSIONAL ENGINEER
OREGON JULY 12, 2005
BRENT E. FITCH
54621PE
VALID THROUGH 12-31-11
TYPE Planning
NO. 27-08
PROJECT PARKER ROAD
SHEET 2 OF 5



TYPE: Planning	NO: 207-001	PROJECT: PARKER ROAD	SHEET 3 OF 5	DESIGNED BY MLS DATE 9/06 DRAWN BY AS DATE 9/06 REVIEWED BY MLS DATE 9/06 PROJECT NO 106-01 REF. ____ SCALE HORZ: 1"=30' VERT: N/A 106TUP_EXCD.dwg	NO. / DATE / REVISION / BY	REGISTERED PROFESSIONAL ENGINEER 14627PE OREGON JULY 12, 1977 BRENT E. FITCH VALID THROUGH 12-31-11	APPROVED SUB 06-03 / MIS 06-03 UPDATED EXISTING CONDITIONS PARKER ROAD

SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING
9020 SW Washington Square Dr. Suite 350
Portland, Oregon 97223
p: (503) 641-8311 f: (503) 643-7965
sfadesigngroup.com



PART 1 GENERAL

1.01 DESCRIPTION: Furnish all materials, equipment, and labor necessary for the completion of planting as indicated on drawings and specified hereinafter. Work includes, but is not limited to site preparation, planting and seeding, fertilizing, mulching, maintenance and guarantee of planted areas.

1.02 QUALITY ASSURANCE/GUARANTEE: All plant material and planting locations are to be approved by a wetland biologist or mitigation specialist from Schott & Associates (hereinafter referred to as Schott) prior to planting. During planting, Schott is to be on-site.

Plant substitution is not permitted. The seed mix specified in the plant schedule is to be adhered to and used for all areas designated.

All plant material is to be guaranteed for a full year from the date of planting. Any planted material (woody, herbaceous, or seeded) which proves to be other then specified or is not in vigorous condition within a period of one year from acceptance of the work will be replaced by the Contractor without cost to the Owner. An 80% minimum survival rate is expected after five years.

Furnish certificate of compliance with indicated seed mixture and any certificates of inspection and compliance as required by Federal and State laws and regulation for plant and soil additives.

1.03 SITE CONDITIONS/DAMAGE/CLEANUP: A filter fabric fence is also to be placed between the existing wetlands and construction areas. The fence will remain in place until planted vegetation is established as determined by Schott and/or the permitting agency. Once the vegetation is established the filter fabric fence shall be removed.

Locate all underground utilities prior to digging or driving stakes.

Any existing buildings, equipment, underground utilities, walks, roads, and/or fences damaged by the Contractor are to be replaced and/or repaired at the Contractor's expense, in a manner satisfactory to the Owner's Representative before final payment is made.

The Contractor is to be responsible for keeping planted areas free of debris, rock, and sand throughout the course of the work. Upon completion of the contract, the Contractor's to remove all surplus material, equipment, and debris from the site. All planted areas are to be rake-clean.

1.04 MAINTENANCE: Maintenance is to include regular visits at least monthly to the project site for the purpose of weeding, supplemental watering, and other items necessary to maintain planted areas in a healthy condition. Weeding is to consist only of cleared and mulched areas maintained around each woody plant, and removal of exotic species such as blackberries, Scot's Broom, or others as determined from the resorted or created wetland areas. No spraying of herbicides or other chemicals, or application of fertilizer (other than noted on the plan), is to occur within the mitigation wetland areas without specific direction from Schott. No pruning is to occur unless authorized by Schott and/or the permitting agency. The maintenance period shall be for two years following the completion date of planting as determined by Schott and/or the permitting agency.

1.05: Irrigation shall be done on an as needed basis. Any temporary irrigation system will be removed following the second growing season.

1.06 SCHEDULE: Any earth-work must be approved by the project representative prior to commencement of such work. At that time, it will be determined what extra measures, if any, should be taken to prevent damage due to earthwork in saturated soils.

Planting is to occur during the cool season months (November to March) to take advantage of seasonal rains and the greater availability of plant material. Other planting time, if authorized, may require plant substitutions and supplemental irrigation.

1.06 EXISTING VEGETATION: Protect all existing vegetation designated to remain. Any existing vegetation damaged by Contractor will be replaced with plants of equal or better size and condition at contractor's expense.

PART 2 PRODUCTS

2.01 PLANT MATERIALS: Plant materials are to conform to Standards and Regulations as specified. Rooted plants are to be first quality, well-foliated, with well-developed root systems, and normal well-shaped trunks, limbs, stems, and heads. Schott will approve for quality conformance. All rooted plant material is to be labeled by genus, species and variety. Plants deemed unsuitable may be rejected before or after delivery. All plant material is to be free from damage, disease, insects, insect eggs and larvae.

2.02 SOIL AMENDMENTS: Soil amendment is to consist of screened mill-run fir and/or hemlock sawdust blended with composted manure or air digested sewage sludge. The blended ingredients are to be composted to a minimum of one year. Bassett Western Fertil - Mulch or approved equal.

Mulch is to consist of shredded wood and/or bark.

Fertilizer for tree and shrub plantings is to be in 21 - gram tablet form and contain 20% nitrogen, 10% phosphoric acid and 5% potash.

2.03 SEEDING MATERIALS: If hydroseeding, use seed mix as indicated in specifications, wood cellulose fiber from Douglas Fir or Western hemlock dyed to facilitate placement, and non-toxic, biodegradable J-TAC or approved equal.

If broadcast seeding, use seed mix as directed.

PART 3 EXECUTION

3.01 PREPARATION FOR PLANTING: Remove topsoil to 12-inch depth from upland and wetland areas to be disturbed to wetland mitigation. Stockpile the topsoil, which does not have reed canary grass, and remove the reed canary grass contaminated topsoil from the wetland area.

3.02 EARTHWORK: Perform earthwork as necessary to achieve elevations as described, with sufficient excavation to allow placement of 12 inches of stockpiles topsoil.

Following major earthwork, confirm with Schott the subgrades are approved before redistributing stockpiled soils over the restored wetland area.

Rotorill or use other approved means, thoroughly blending topsoil and subsoil to reduce interface, to a minimum depth of six inches into subgrade. Compact soils to 75-85% density. Remove all surface rocks over 6 inches in any dimension. Grades must be even and smooth, and relate to adjacent surfaces as indicated.

3.03 PLANT INSTALLATION: Plant per specified scheduling and after all major construction is complete. Orient plants as directed for best appearance. Plant as shown on detail drawings.

3.04 SCALPING: A 30 inch diameter circle will be scalped for each woody plant. The plant will be installed in the middle of the circle. For non-root sprouting species some form of weed barrier will be installed around each plant. 2-4 inches of mulch will be placed on top of the weed barrier. For the root sprouting species the weed barrier shall not be installed, but the mulch layer is required.

3.05 STAKING: Since the survivorship of each woody species needs to be determined, a color coded stake shall be placed adjacent to each plant, or planting group. The number of plants per grouping shall be noted and provided to Schott. In addition, the color codes shall be provided to Schott to assist with the monitoring efforts. The larger trees will be staked to provide support.

3.07 SEEDING: For hydroseeding or broadcast seeding of the wetland mitigation and buffer areas, use the rate specified on the mitigation plans of the seed mix per acre.

3.08 IRRIGATION: The woody plants within the mitigation area shall be irrigated for the first growing season following planting. The irrigation can be by hand, drip or sprinklers.

3.09 FINAL ACCEPTANCE AND INSPECTION: Following completion of all the above items and with Schott's approval, a pre-warranty acceptance of the project will be granted. From this date forward, for a period of one year, the landscape planting warranty will be in effect. All maintenance as indicated of seeded and planted areas during the guarantee period will be by the contractor and will include items as indicated to fully establish all seeded and planted areas to a healthy vigorous state.

VEGETATED CORRIDOR LEGEND

TRANSITION AREA (7,665 SF)

PLAN IS BASED UPON THE REPORT DONE BY SCHOTT AND ASSOCIATES, 9/8/06

TRANSITION AREA (7,665 SF/0.18 ACRES)

	COMMON TREE NAME / SCIENTIFIC NAME	WATER REQUIREMENTS	LIGHT REQUIREMENTS	MIN. ROOTING SIZE	MIN. PLANT HEIGHT	ON CENTER/ SEEDING RATE	SPACING FORMAT
25	DOUGLAS FIR PSEUDOTSUGA MENZIESII	DRY	SUN	2 GAL.	3'	12'	SINGLE
25	RED ALDER ALNUS RUBRA	MOIST	SUN	2 GAL.	2'	12'	SINGLE
20	BIG-LEAF MAPLE ACER MACROPHYLLUM	DRY	SUN	2 GAL.	3'	12'	SINGLE
	SHRUBS						
50	HAZELNUT CORYLUS CORNUTA	DRY	PART	1 GAL.	2"	8'	CLUSTER
140	SNOWBERRY SYMPHORICARPOS ALBA	DRY	PART	1 GAL.	1.5'	4'	CLUSTERS OF 15
24	INDIAN PLUM OEMLERIS CERASIFORMIS	MOIST	SHADE	2 GAL.	2'	8'	SINGLE
215	SALAL GAULTHERIA SHALLON	MOIST	PART	1 GAL.	4"	VARIABLE	CLUSTERS OF 5
	SEED MIXTURE						
N/A	NATIVE CALIFORNIA BROME BROMUS CARINATUS	DRY	SUN	SEEDS	N/A	15-30 LBS /ACRE	MASS
N/A	BLUE WILDRYE ELYMUS GLAUCUS	DRY	PART	SEEDS	N/A	15-30 LBS /ACRE	MASS
N/A	LUPINE LUPINUS ALBICAULUS	DRY	SUN	SEEDS	N/A	15-30 LBS /ACRE	MASS
N/A	WESTERN YARROW ACHILLEA MILLEFOLIUM	DRY TO MOIST	PART	SEEDS	N/A	15-30 LBS /ACRE	MASS

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING
3925 SW Washington Square Dr. Suite 350
Portland, Oregon 97221
P (503) 641-4311 F (503) 643-7365
sfadesign@msn.com

APPROVED AND CONSTRUCTED
WETLAND REVEGITATION PLAN
PARKER ROAD

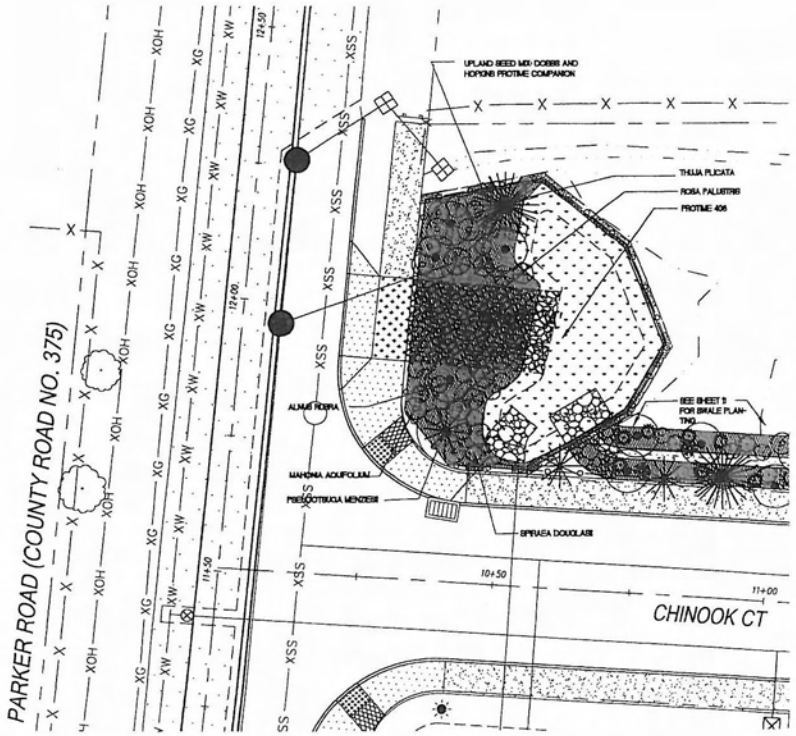
OREGON JULY 12, 2005 KEVIN A. SCHOTT 54427PE
RENEWAL DATE: 6-30-12
VALID THROUGH 12-31-11

NO.	DATE	REVISION	BY

DESIGNED BY AS DATE 4/08
DRAWN BY AS DATE 4/08
REVIEWED BY M.S DATE 4/08
PROJECT NO. 06-05 REF. ____
SCALE HOR: 1"=30' VERT: N/A
KSWetMit2.dwg

SHEET 5 OF 5

PROJECT PARKER ROAD
NO. 271-001
TYPE Planning



WATER QUALITY AREA PLANTING PLAN

1" = 10'-0"

DTREE	COMMON & BOTANICAL NAME	SIZE & CONDITION
1	WESTERN RED CEDAR THUJA PLICATA	5'-6" CONT./10' O.C.
1	DOUGLAS FIR PSEUDOTSUGA MENZIESII	5'-6" CONT./10' O.C
4	RED ALDER ALNUS RUBRA	1-1/2" CAL.
5	SWAMP ROSE ROSA PALUSTRIS	2 GAL. @ 4' O.C.
10	DULL OREGON GRAPE BERBERIS NERVOSA	2 GAL. @ 4' O.C.
14	DOUGLAS SPIRAEA SPIREA DOUGLASII	2 GAL. @ 36" O.C.

WET AREA SEED MIX - SEE NOTE FOR LOCATION- PROTIME 406

952 SF	AMERICAN SLOUGHGRASS/BECKMANNIA SYZIGIACHNE	45%
	WESTERN MANNAGRASS/GLYCERIA OCCIDENTALIS	45%
	COMMON RUSH /JUNCUS BALTICUS	5%
	SLOUGH SEDGE/CAREX OBNUPTA	5%

UPLAND SEED MIX - HOBBS & HOPKINS PROTIME COMPANION MIX SEE NOTE FOR LOCATION

952 SF	DWARF PERENNIAL RYE GRASS LOLIUM PERENNE	80%
	CREEPING RED FESCUE FESTUCA RUBRA	20%

NOTES:

1. CONTRACTOR IS RESPONSIBLE FOR CHECKING QUANTITIES OF PLANT MATERIAL. IF DISCREPANCIES OCCUR, DESIGN INTENT PREVAILS OVER QUANTITIES SHOWN.
2. STAGGER PLANTINGS SO THAT GROWTH LOOKS NATURAL.
3. TO ALL DISTURBED AREAS: APPLY UPLAND SEED MIX EXCEPT AS SHOWN ON PLAN.
4. WATER QUALITY AREA PLANTS AND PLANTING SHALL CONFORM TO WEST LINN STORM WATER QUALITY AND DETENTION STANDARDS 33.000. ALL OTHER PLANTINGS TO CONFORM TO AMERICAN NURSERY STANDARDS ANS 1200.1. PLANT IN ACCORDANCE TO STANDARDS ADOPTED BY OREGON LANDSCAPE CONTRACTORS BOARD OLCB.
5. SEE CIVIL ENGINEERING DRAWINGS FOR STORMWATER POND ELEVATIONS, FENCE LINE, AND OTHER SPECIFIC INFORMATION.
6. MAINTAIN DURING THE FULL WARRANTY PERIOD OR UNTIL PLANTS ARE ESTABLISHED WHICHEVER IS FIRST.
7. AREA TO BE WATERED BY TEMPORARY IRRIGATION FED FROM WATER METER. PROVIDE DOUBLE CHECK VALVE. FINAL HEAD AND PIPE LAYOUT TO BE INCLUDED WITH FINAL PLANS.
8. WET AREA SEED MIX SHALL BE SUBSTITUTED WITH PLUGS AND CONTAINERS WHEN AREA IS SATURATED AND/OR FROM OCTOBER 1-MARCH 15. PLANTS TO BE SPACED AT 12" TO 24" O. C.

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

PLANNING
VISIONING
LANDSCAPE
ARCHITECTURE

APPROVED FOR CONSTRUCTION

SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING
3320 SW Washington Square Dr. Suite 330
Portland, OR 97224-3700
P: (503) 643-3317 F: (503) 643-7506
sfadesigngroup.com

WATER QUALITY, DETENTION & WETLAND
PLANTING PLAN
PARKER ROAD SUBDIVISION
WEST LINN, OREGON

REGISTERED
ROBERT P. PERRON
OREGON
LANDSCAPE ARCHITECT

NO.	DATE	REVISION	BY

DESIGNED BY RPP DATE 10/16/07
DRAWN BY JK DATE 10/16/07
REVIEWED BY RPP DATE 10/16/07
PROJECT NO. 100-011 REF.
SCALE 1"=10' N/A

SHEET L1 OF L2

PROJECT PARKER ROAD
NO. 100-011
TYPE ENGINEERING

QTIES	COMMON & BOTANICAL NAME	SIZE & CONDITION
8	DOUGLAS FIR PSEUDOTSUGA MENZIESII	5'-6" CONT./16' O. C.
16	WESTERN RED CEDAR THUJA PLICATA	5'-6" CONT./16' O. C.
31	RED ALDER ALNUS RUBRA	1-1/2" CAL.
21	SWAMP ROSE ROSA PALUSTRIS	2 GAL. @ 4' O.C.
14	DULL OREGON GRAPE BERBERIS NERVOSA	2 GAL. @ 4' O.C.
34	DOUGLAS SPIRAEA SPIREA DOUGLASII	2 GAL. @ 36" O.C.
61	SWORD FERN POLYSTICUM MUNITUM	1 GAL. @ 36" O.C.
13	SCOULER WILLOW SALIX SCOULERIANA	5 GAL. @ 36" O.C.

WET AREA SEED MIX - SEE NOTE FOR LOCATION- PROTIME 405

780 SF	AMERICAN SLOUGHGRASS/BEOKMANNIA SYZIGIACHNE	45%
	WESTERN MANNAGRASS/GLYCERIA OCCIDENTALIS	45%
	COMMON RUSH /JUNCUS BALTICUS	5%
	SLOUGH SEDGE/CAREX OBNUPTA	5%

UPLAND SEED MIX - HOBBS & HOPKINS PROTIME COMPANION MIX SEE NOTE FOR LOCATION

3,780 SF	DWARF PERENNIAL RYE GRASS LOLIUM PERENNE	80%
	CREEPING RED FESCUE FESTUCA RUBRA	20%

NOTES:
1. CONTRACTOR IS RESPONSIBLE FOR CHECKING QUANTITIES OF PLANT MATERIAL. IF DISCREPANCIES OCCUR, DESIGN INTENT PREVAILS OVER QUANTITIES SHOWN.
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3. TO ALL DISTURBED AREAS: APPLY UPLAND SEED MIX EXCEPT AS SHOWN ON PLAN.
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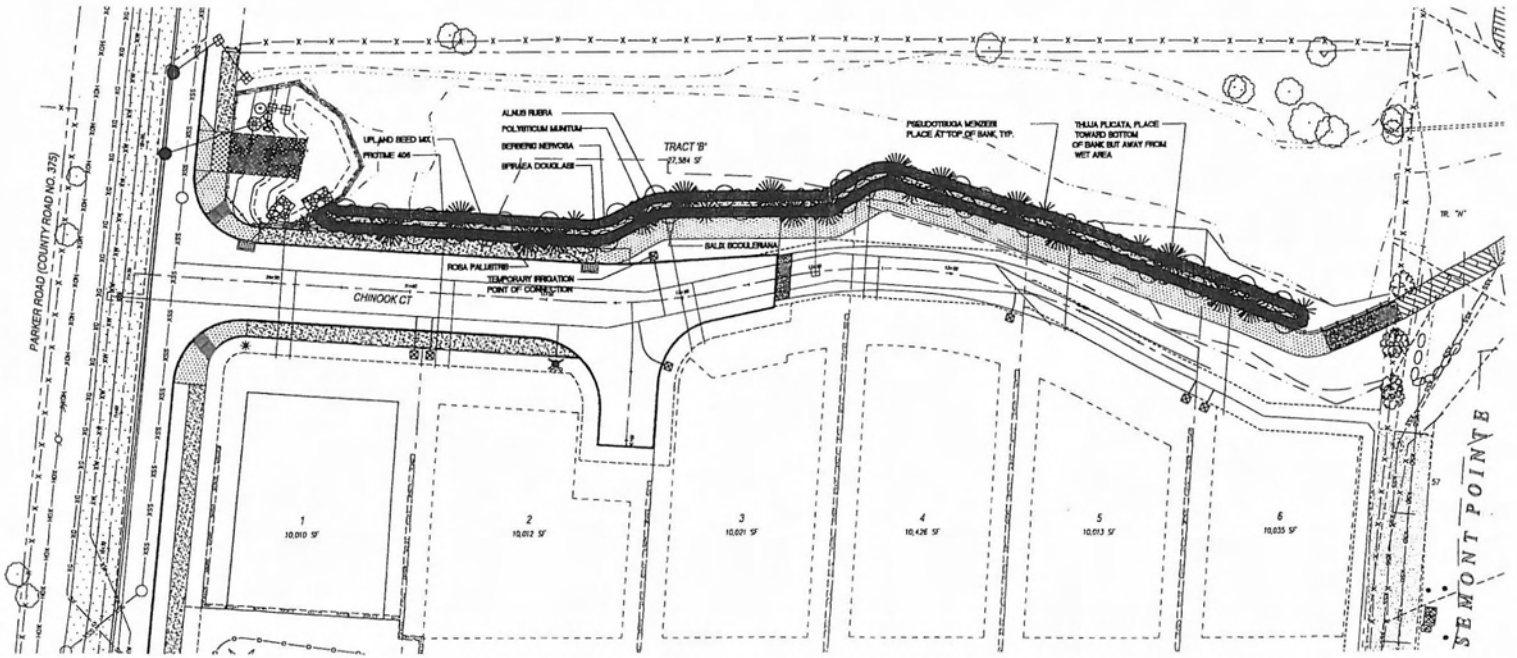
5. SEE CIVIL ENGINEERING DRAWINGS FOR STORMWATER POND ELEVATIONS, FENCE LINE, AND OTHER SPECIFIC INFORMATION.
6. MAINTAIN ALL PLANTINGS DURING THE FULL WARRANTY PERIOD OR UNTIL PLANTS ARE ESTABLISHED WHICHEVER IS FIRST.
7. AREA TO BE WATERED BY TEMPORARY IRRIGATION FED FROM WATER METER. PROVIDE DOUBLE CHECK VALVE. FINAL HEAD AND PIPE LAYOUT TO BE INCLUDED WITH FINAL PLANS.
8. WET AREA SEED MIX SHALL BE SUBSTITUTED WITH PLUGS AND CONTAINERS WHEN AREA IS SATURATED AND/OR FROM OCTOBER 1-MARCH 15. PLANTS TO BE SPACED FROM 12" TO 24" O. C.

PLANNING VISIONING LANDSCAPE ARCHITECTURE



SWALE AREA PLANTING PLAN

1" = 20'-0"

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

APPROVED FOR CONSTRUCTION

WATER QUALITY, DETENTION & WETLAND
PLANTING PLAN
PARKER ROAD SUBDIVISION
WEST LINN, OREGON

REGISTERED
ROBERT P. PERRON
OREGON
LANDSCAPE ARCHITECT

NO.	DATE	REVISION	BY

DESIGNED BY ___ DATE ___
DRAWN BY ___ DATE ___
REVIEWED BY ___ DATE ___
PROJECT NO. 106-011 REF. ___
SCALE 1"=20' ___

SHEET L2 OF L2

PROJECT PARKER ROAD
NO. 106-011
TYPE ENGINEERING

SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING
3925 SW Washington Square Dr., Suite 350
Tigard, OR 97223
p (503) 941-9311 f: (503) 643-7555
sfadesigngroup.com

CITY HALL 22500 Salamo Rd. West Linn Oregon 97068 telephone: (503) 657 0331 fax: (503) 650 9041

CITY OF West Linn

June 28, 2010

Mel Lee
15746 S. Hatten Rd.
Oregon City, OR 97045

SUBJECT: MIS-10-12 Extension of 6-lot subdivision at 2929 Parker Road

Dear Mr. Lee:

You submitted this application on June 3, 2010. The Planning and Engineering departments find that this application is **incomplete**. You have 180 days from your submittal date (until November 30, 2010) to make this application complete.

Remaining completeness item- Section 99.038(5)(c)
Submit actual copy of posted notice (can be reduced in size or whatever works)- can't read what is on notice with the picture.

The Following are not completeness items but will need to be addressed for a recommendation of approval:

Section 32.040(G)
Submit this regarding percentages and description for water resource and transition area, based on the increased setback that is now in the code.

Section 32.040(H)
Submit a new one of these if the increased setbacks require it.

Section 32.050(A)
Channel to west is open channel on 2006 West Linn Surface Water Management Plan, per Figure 4.5 Surface Water Collection System, not an intermittent channel. This should be labeled and treated as such.

Section 32.050(C)
Address how increased setback effects northern part of site, i.e. driveways to lots, and whether this needs mitigation.

Section 32.050(D) & (E)
30 foot transition areas no longer exist per code, regardless of previous approval, if you are getting the Extension. The transition area is 50 feet, plus a 15 foot structural setback. Please respond in this context.

Section 32.050(F)
Address whether driveways will have to cross part of new larger setback.

Section 32.060(A)
Have new applicant's information on site plans.

Section 32.060(B)(5)
Show new larger transition area setback (50 feet).

Section 32.060(B)(7)
Show where upper lot driveways will be and how this relates to new larger transition area setback.

Section 32.070
Adjust mitigation plan to reflect new transition area setback, i.e. driveway area, for northern lots and anything else that may be affected. May require off-site mitigation, work with Mike Perkins of the Parks Dept. for off-site area maps.

Section 32.080
Address whether this will be affected by the new transition area setback and discuss any such changes accordingly.

Section 85.200(A)(2-3) & (B)(2)
You appear to have listed the old wording of the criteria. Print the new wordings, and change responses accordingly if needed.

Section 85.200- Throughout
If changes you make regarding the new transition area setback that must be addressed in your second submittal affect any Chapter 85, be sure to modify these accordingly.

Please remember also that all submittals require 3 copies.

Please contact me at 503-742-8660, or by email at tsoppe@westlinnoregon.gov if you have any questions or comments, or if you wish to meet with Planning and Engineering staff regarding these issues.

Sincerely,

Tom Soppe
Associate Planner

C: Ben Altman/Brent Fitch, SFA Design Group, LLC, 9020 SW Washington Square Rd., Ste. 350, Portland, OR 97223

p:/devrvw/projects folder/projects 2010/MIS-10-12/incompl-mis-10-12

SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING

June 25, 2010

Tom Soppe, Associate Planner
City of West Linn
22500 Salamo Road
West Linn, OR, 97068

RE: Response to Incomplete Application – Parker Road Extension MI-10-12

Dear Tom:

We are re-submitting with the items you listed, which are necessary to complete our application for the Parker Road Extension request. The following items are included:

1. CD, with application documents;
2. Email to Sunset NH, and waiver request to mailed notice;
3. Photo of Posted NH Meeting notice;
4. Replacement Plan Sheets, with corrected Developer Information.
    a. Tentative Plat;
    b. Construction Plans, Cover Sheet
        i. Engineering Department Plat Punch List

If you have any questions, or need additional information, please give me a call, or just respond by email.

Sincerely,
SFA Design Group

Ben Altman
Senior Planner/Project Manager
503-641-8311
baltman@sfadg.com

Parker Rd. Subdivision
Engineer's Punch-list

Inspector: Joe Ficek; SFA Design Group
Date of Inspection: November 8, 2007

The following items were recorded during a walk-through inspection:

1) Install chain-link fence at WQ facility; including access gate.
2) Landscape WQ facility.
3) Install fence between Swale and sidewalk; including 2 access gates.
4) Landscape swale.
5) Clean debris from Flow Control manhole inside WQ facility.
6) Cut concrete form ties from retaining wall inside WQ facility.
7) Clean garbage from WQ facility.
8) Clean rip-rap storm laterals.
9) Install signage and striping.
10) Clean sand from Chinook Ct.
11) Fill/grade depression at top pedestrian pathway; right hand side as you enter first bridge.
12) Place erosion control straw over lot #1; include any other exposed areas onsite.
13) Install sidewalk barricade at west end of sidewalk along Parker Rd.
14) Place bollards at entrance to pedestrian pathway; requested by city.

Department of Planning and Building Services
380 A Avenue
Post Office Box 369
Lake Oswego, OR 97034
503-635-0270
www.ci.oswego.or.us

CHECKLIST FOR LAND USE APPLICATION SUBMITTALS

This checklist is to be completed by the applicant and included with the land use application submittal.

Please submit FOUR collated application sets with one copy in each set of the following items:	**check if included**
Land Use Application form signed by the property owner(s) (original signature required on one copy)	✓
Narrative addressing each applicable standard identified in the pre-application notes	✓
A scaled survey map prepared, stamped and signed by a licensed surveyor illustrating all existing structure(s) on the site (including any components over 30" above grade), 2-foot contour lines, easements, and location, size and type of all trees 5" or greater in diameter on the site. The survey shall also show the nearest walls of dwellings on all abutting lots (there are four lots abutting the site), the height (from grade to the ridge of the highest gable) of all these dwellings, and location of existing driveways on the site and the abutting lots on Washington Court. **(Note: fold to approximately 8½" x 11" size.)**	✓
A scaled survey map illustrating the size and type of all trees 5" or greater in diameter on the site, the delineated RC district boundary, proposed RCPA boundary, and square-footage of each.	✓
A list of all trees 5" or greater in diameter within the delineated RC district ranked by size. Identify the median tree diameter on the list.	✓
Site plan illustrating all trees designated for removal on the site as a result of the proposed development. Be sure to address the Type II tree removal criteria [LOC 55.02.080] if trees are to be removed and include a mitigation plan. Tag trees requested for removal with a yellow ribbon.	✓
Preliminary Partition Plan – illustrate lot size and dimensions, setbacks, lot coverage, and FAR on each lot.	✓
Detailed grading, utility, lighting, landscaping and street tree plans. The grading plan shall show trees, and existing and proposed contours at 2-foot intervals. The utility plan shall show profiles of all new utilities and public right of way.	✓

Please submit TWO copies (separate from the four collated application sets) of the following items:	**check if included**
Sticky-back mailing labels with the names and mailing addresses of the owners of all properties within a 300-foot radius of the site. (Note: At least 50 properties, excluding the site and City-owned properties, must be included in the mailing labels. If necessary, expand the radius in 10-foot increments until at least 50 properties are included.)	✓
Neighborhood Meeting Information listed on page 2 of this report as required by LOC 50.77.025 (ONE SET).	✓
8½" x 11" reductions of all oversized plans	✓
Proof of ownership, such as a copy of a deed or title report	✓

Please note: Each item in this checklist **must be submitted** in the quantities specified. Additional information not listed, above, may be required after submittal.

I have read and understood the requirements listed, above.

Ben Altman
Signature

6-1-10
Date

DEVELOPMENT REVIEW APPLICATION

MI-10-12

RECEIVED
PLANNING & BUILDING
CITY OF WEST LINN
INT. ____ TIME ____

TYPE OF REVIEW (Please check all boxes that apply):

[ ]	Annexation	[ ]	Non-Conforming Lots, Uses & Structures
[ ]	Appeal and Review *	[ ]	One-Year Extension *
[ ]	Conditional Use	[ ]	Planned Unit Development
[ ]	Design Review	[ ]	Pre-Application Meeting *
[ ]	Easement Vacation	[ ]	Quasi-Judicial Plan or Zone Change
[ ]	Extraterritorial Ext. of Utilities	[ ]	Street Vacation
[ ]	Final Plat or Plan	[X]	Subdivision
[ ]	Flood Plain Construction	[ ]	Temporary Uses *
[ ]	Hillside Protection and Erosion Control	[ ]	Tualatin River Greenway
[ ]	Historic District Review	[ ]	Variance
[ ]	Legislative Plan or Change	[X]	Water Resource Area Protection/Wetland
[ ]	Lot Line Adjustment * /**	[ ]	Willamette River Greenway
[ ]	Minor Partition (Preliminary Plat or Plan)	[X]	Other/Misc EXTENSION of APPROVAL

Home Occupation, Pre-Application, Sidewalk Use Application *, Permanent Sign Review *, Temporary Sign Application require different application forms available in the forms and application section of the City Website or at City Hall.

TOTAL FEES/DEPOSIT $3,625.00

OWNER (PRINT)	ADDRESS	CITY	ZIP	PHONE & /OR E-MAIL
MEL LEE	15746 S. HATTEN Road	OREGON CITY,	OR 97045	503-631-2459

APPLICANT (PRINT)	ADDRESS	CITY	ZIP	PHONE &/OR E-MAIL
SAME AS OWNER				

CONSULTANT (PRINT)	ADDRESS	CITY	ZIP	PHONE &/OR E-MAIL
BEN ALTMAN SFA DESIGN GROUP	9020 SW WASHINGTON SQ. OR #350	PORTLAND,	OR 97223	503-241-8311

SITE LOCATION/ADDRESS 2979 S. PARKER Road

Assessor's Map No.: 2S1E25CD **Tax Lot(s):** 3900 **Total Land Area:** 2.284 ACRES

1. **All application fees are non-refundable (excluding deposit).**
2. **The owner/applicant or their representative should be present at all public hearings.**
3. **A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.**
4. **Four (4) complete hard-copy sets (single sided) of application materials must be submitted with this application. One (1) complete set of digital application materials must also be submitted on CD in PDF format.**
   *** No CD required / ** Only one copy needed**

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application.

SIGNATURE OF PROPERTY OWNER(S)
X Mel Lee Date 5/7/10

SIGNATURE OF APPLICANT(S)
X _____ Date _____

ACCEPTANCE OF THIS APPLICATION DOES NOT INFER A COMPLETE SUBMITTAL. THE APPLICANT WAIVES THE RIGHT TO THE PROVISIONS OF ORS 94.020. ALL AMENDMENTS TO THE COMMUNITY DEVELOPMENT CODE AND TO OTHER REGULATIONS ADOPTED AFTER THE APPLICATION IS APPROVED SHALL BE ENFORCED WHERE APPLICABLE. APPROVED APPLICATIONS AND SUBSEQUENT DEVELOPMENT IS NOT VESTED UNDER THE PROVISIONS IN PLACE AT THE TIME OF INTIAL APPLICATION.
CONTACT: PLANNING AND BUILDING; 22500 SALAMO RD #1000; WEST LINN, OR 97068; PHONE: 656-4211 FAX: 656-4106
PLANNING@WESTLINNOREGON.GOV

CITY OF WEST LINN
22500 Salamo Rd.
West Linn, OR. 97068
(503) 656-4211

PLANNING RECEIPT
Receipt: # 935768
Date : 06/03/2010
Project: #MI-10-12
BY: JN

NAME : MELVIN LEE - MEL LEE HOMES

ADDRESS : 15746 S HATTAN RD

CITY/STATE/ZIP: OREGON CITY OR 97045

PHONE # : 631-2459

SITE ADD. : **2929 PARKER RD**

TYPE I HOME OCCUPATIONS		HO	$
PRE-APPLICATIONS	Level I ( ), Level II ( )	DR	$
HISTORIC REVIEW	Residential Major ( ), Minor ( ), New ( )	DR	$
	Commercial Major ( ), Minor ( ), New ( )		
SIGN PERMIT	Face ( ), Temporary ( ), Permanent ( )	DR	$
SIDEWALK USE PERMIT		DR	$
APPEALS	Plan. Dir. Dec. ( ), Subdivsion ( ), Plan Comm./City Coun. ( ), Nbhd ( )	DR	$
LOT LINE ADJUSTMENT		LA	$
CITY/METRO BUSINESS LICENSE		BL	$

The following items are paid by billing against the up-front deposit estimate. If the amount of time billed to your project exceeds the amount coverered by the deposit, additional payment may be required.

DESIGN REVIEW	Class I ( ), Class II ( )			RD	$
VARIANCE	Class I ( ), Class II ( )			RD	$
SUBDIVISION	Standard ( ), Expedited ( )			RD	$
ANNEXATION	"Does Not Include Election Cost"			RD	$
CONDITIONAL USE				RD	$
ZONE CHANGE				RD	$
MINOR PARTITION				RD	$
MISCELLANEOUS PLANNING				RD	$ 3625.00
Boundry Adjustments	( )				
Modification to approval	( )	Water Resource			
Code Amendments	( )	Area Protection	( )		
Comp. Plan Amendments	( )	Street Vacations	( )		
Temporary Permit Admin.	( )	Easement Vacations	( )		
Temporary Permit Council	( )	Will. River Greenway	( )		
Flood Management	( )	Tualatin River Grwy.	( )		
Inter-Gov. Agreements N/C	( )	Street Name Change	( )		
Alter Non-Conforming Res.	( )	Code Interpretations	( )		
Alter Non-Conforming Comm.	( )	Type II Home Occ.	( )		
Measure 37 Claims	( )	Planned Unit Dev. PUD	( )		
TOTAL REFUNDABLE DEPOSIT				RD	$ 3625.00
GENERAL MISCELLANEOUS Type:				PM	$

TOTAL Check # 14965 Credit Card ( ) Cash ( ) $ 3625.00

DEVELOPMENT REVIEW APPLICATION

TYPE OF REVIEW (Please check all boxes that apply):

[ ]	Annexation	[ ]	Non-Conforming Lots, Uses & Structures
[ ]	Appeal and Review *	[ ]	One-Year Extension *
[ ]	Conditional Use	[ ]	Planned Unit Development
[ ]	Design Review	[ ]	Pre-Application Meeting *
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[ ]	Extraterritorial Ext. of Utilities	[ ]	Street Vacation
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[ ]	Flood Plain Construction	[ ]	Temporary Uses *
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SAME AS OWNER				

CONSULTANT(PRINT)	ADDRESS	CITY	ZIP	PHONE &/OR E-MAIL
BEN ALTMAN SEADESIGN GROUP	9020 SW WASHINGTON SQ. DR. #350	PORTLAND, OR	97223	503-641-8311

SITE LOCATION/ADDRESS 2979 S. PARKER Road

Assessor's Map No.: 2S1E25CD **Tax Lot(s):** 3900 **Total Land Area:** 2.28 ACRES

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   *** No CD required / ** Only one copy needed**

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application.

SIGNATURE OF PROPERTY OWNER(S)
X Mel Lee Date 5/7/10

SIGNATURE OF APPLICANT(S)
X _____ Date _____

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CONTACT: PLANNING AND BUILDING; 22500 SALAMO RD #1000; WEST LINN, OR 97068; PHONE: 656-4211 FAX: 656-4106
PLANNING@WESTLINNOREGON.GOV

CITY OF WEST LINN
LAND USE REVIEW APPLICATION FOR:

PARKER ROAD

6-LOT SUBDIVISION

TWO-YEAR EXTENSION OF PRIOR APPROVAL SUB-06-03 AND MIS-06-12

June 2, 2010
Revised for Completeness July 9, 2010

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I. FACT SHEET

Project Name:	Parker Road
Proposed Action(s):	Two-Year Extension of Prior Approval 6-Lot Subdivision (SUB06-03 AND MIS-06-12)
Tax Map:	2S 1E 25CD
Tax Lots:	3900
Site Address:	2929 S. Parker Rd.
Location:	Directly north of Parker Road / west of Coho Lane.
Site Size:	2.28 acres (99,317 square feet)
Zoning:	R-10
Neighborhood Association:	Parker Crest, Bill Relyea - President
Applicant/ Owner:	Mel Lee 15746 S Hatten Road Oregon City, OR 97045 Tel. (503) 631-2459
Applicant's Representative:	SFA Design Group, LLC 9020 SW Washington Square Rd., Suite 350 Portland, Oregon 97223 Ph: (503) 641-8311 Fax: (503) 643-7905 Contact: Ben Altman baltman@sfadg.com

II. INTRODUCTION

Under the provisions of Section 99.325(D)(1)& (2) the applicant requests approval of a Two- Year Extension of the prior Approval for a six-lot subdivision (SUB-06-03) and Wetland and Riparian Area permit (MIS-06-12) on property located at 2929 S. Parker Road.

The subject site, specifically identified as Tax Lot 3900 on Tax Map 2S 1E 25CD, is approximately 2.28 acres in size and zoned R-10 (10,000 square foot minimum lot size) by the City of West Linn.

The following narrative and supplemental materials demonstrate that the requested extension of the prior approval is in compliance with the originally approved subdivision, and conditions of approval. There are two Plan Sets included with this application, including: The basic Planning Set and the Approved Engineered Construction Plan Set. In addition, to compliance with the original approval, this narrative specifically addresses how the Plans maintain compliance with applicable provisions of the City of West Linn Community Development Code, which have been revised subsequent to the 2006 approval.

III. PROJECT DESCRIPTION

The applicant has acquired a substantially completed subdivision of 2.28 acres into six lots, one open space tract, one public street, with access and utilities easement, and a stormwater facility. The lots created range in size from 10,005 to 10,442 square feet, exclusive of the access street and easement. The lots are developed for single-family detached homes.

A variety of features will provide access to the proposed subdivision. Consistent with the adopted Conditions of Approval, access to all 6 lots is provided from Parker Road. Primary access is provided via Chinook Court, a public street, constructed within a 40 foot right-of-way width, up to the hammerhead turn-around, then, the width tapers to a 22-37 foot access and utilities easement. The public portion of Chinook Court provides access to Lots 1, 2, and 3, with the easement portion providing access to Lots 4, 5, and 6. The paved travel lane varies from 28 feet for the public street to 16 feet within the access easement. There are curbs along both sides of the public street portion. The easement portion is designed with a V-center drain.

Improvements have also been made along the site's southern boundary along the Parker Road frontage. The improvements included a 6-foot wide sidewalk, 5.5-foot wide planter strip, curb, and 6-foot wide bicycle lane.

Pedestrian circulation is provided by improvements made including a six foot wide sidewalk along the site's Parker Rd. frontage. This sidewalk will then extend onto the site in an easement along the west side of the Chinook Court. This sidewalk has been extended as a six foot wide pedestrian path completing a connection to the pathway in the Rosemont Pointe subdivision.

Public sewer and water have been extended to the each lot from existing lines in Parker Road. The storm drainage system has also been installed, including a water quality/detention facility (Tract A), consistent with the approved 2006 plans.

The site contains 0.28 acres (12,184 square feet) of PEM/Sloped wetland habitat and a man-made drainageway (see Revised Wetland Delineation Report section of this application packet). The entire drainageway and majority of the wetland and transition areas will be preserved within an open space tract (Tract B). A small portion of the wetland will be impacted for construction of the private street and sidewalk. The applicant proposes to provide all compensatory mitigation on the subject site. The request for extension of approval does not alter the previously approved plans.

The site contains some deciduous and coniferous trees located mainly in the northwestern and southeastern corners. The trees were all previously inventoried and are shown on the existing conditions plan. The City Arborist previously reviewed the trees on the site and determined that six of the existing trees are significant and ten additional trees are not significant but should still be preserved. These sixteen trees will all be preserved as identified by the City Arborist. The request for extension of approval does not alter the previously approved plans.

This application specifically relates to the request for extension of the 2006 approval of the Tentative Plat (SUB06-03 AND MIS-06-12). The applicant will proceed to complete items listed on the Engineering Punch List, (see Pre-Application Conference Notes, for work started but not completed by the prior developer.

Once the extension is granted and the construction punch list items are satisfied, the applicant will, under a separate application, submit for Final Plat approval.

IV. COMPLIANCE WITH THE COMMUNITY DEVELOPMENT CODE

Under the provisions of Section 99.325(D)(1)& (2) the applicant requests approval of a Two-Year Extension of the prior Approval for The Parker Road six-lot subdivision (SUB-06-03) and Wetland and Riparian Area permit (MIS-06-12) on property located at 2929 S. Parker Road.

99.325 EXTENSIONS OF APPROVAL

A. The Planning Director may grant an extension from the effective date of approval of two years pertaining to applications listed in Section 99.060(A) upon finding that:

1. The applicant has demonstrated, and staff and the Planning Commission concur, that the application is in conformance with applicable CDC provisions and relevant approval criteria enacted since the application was initially approved; and

2. There are no demonstrated material misrepresentations, errors, omissions, or changes in facts that directly impact the project, including, but not limited to, existing conditions, traffic, street alignment and drainage; or

3. The applicant has modified the approved plans to conform with current approval criteria and remedied any inconsistency with subsection (A)(2) of this section, in conformance with any applicable limits on modifications to approvals established by the CDC.

B. The Planning Commission may grant an extension from the effective date of approval of two years pertaining to applications listed in Section 99.060(B), consistent with subsections (A)(1) through (3) of this section.

C. The Historic Review Board may grant an extension from the effective date of approval of two years for applications listed in Section 99.060(D), consistent with subsections (A)(1) through (3) of this section.

D. Eligibility for Extensions.

1. Only those applications approved between July 1, 2006, and December 31, 2009, shall be eligible for an extension.

2. Any application eligible for an extension under subsection (D)(1) of this section that would expire by June 30, 2010, shall be exempt from expiration pending a decision regarding the extension application; provided, that a complete application and deposit fee have been submitted to the Planning Director prior to that date. However, the extension shall begin on the date that the application's initial approval lapsed.

E. Extension Procedures.

1. The application for extension of approval may be submitted only after a pre-application meeting under Section 99.030(B).

2. The application shall satisfy the neighborhood meeting requirements of Section 99.038 for those cases that require compliance with that section.

3. Applications for extensions must be submitted along with the appropriate deposit to the Planning Department.

4. Applications for extensions will be processed if the initial approval lapses prior to issuance of a decision, consistent with subsection (D)(2) of this section.

5. Notice of the decision shall be issued consistent with Section 99.080.
6. The decision shall not become effective until resolution of all appeal periods, including an opportunity for City Council call-up pursuant to this chapter. (ORD. 1589 § 1 (Exh. A), 2010)

RESPONSE

The Parker Road six-lot subdivision was approved November 8, 2006. Construction plans were approved, permits were issued, and the majority of the public improvements, including street and utilities, were completed, except for Punch List Items. However the former developer experience financial difficulties and was not able to complete the work and record the Final Plat.

The current applicant has acquired the property and intends to complete the work and record the plat. However, the 2006 approval has expired. Therefore and extension is required, prior to completion of the punch list items and recording of the plat.

Since the original approval was in November 2006, this development is eligible for an extension under Section 99.325.D. And, the applicant has or will satisfy the extension approval criteria as follows:

1. The Plan Set provided, together with this Narrative demonstrates for staff and Planning Commission concurrence, that the application conforms to the original approval, including Conditions of Approval, as addressed under Chapter 85 below; and further conforms to revisions to applicable CDC provisions and relevant approval criteria enacted since the application was initially approved.

2. To the applicant's knowledge there are no material misrepresentations, errors, omissions, or changes in facts that directly impact the project, including, but not limited to, existing conditions, traffic, street alignment and drainage, except to the extent addressed herein relative to subsequent code revisions.

3. As addressed within this narrative and shown on the Plan Set, the applicant has modified the approved plans to conform to current approval criteria.

4. The applicant conducted a new Pre-Application Conference with City staff on April 15, 2010, as documented in the submittal packet.

5. The applicant has satisfied the neighborhood meeting requirements of Section 99.038. A neighborhood meeting was held on May 26, 2010, as documented in the submittal packet.

6. The application includes all required information and plans and was extensions must be submitted along with the appropriate deposit to the Planning Department, as specified in the Pre-Application Conference.

Therefore all of the approval criteria for an Extension under Section 99.325 are satisfied. Compliance with the other applicable provisions of the CDC are all addressed below. For the most part, the responses are the same as originally submitted for the 2006 approval. However, we have specifically provided new responses where code revisions have been adopted subsequent to the 2006 approval.

11.000 Compliance with the R-10 Zoning District

11.020 Procedures and Approval Process

RESPONSE:

The approved preliminary plat was found to be consistent with the provisions of Section 11.000. The extension request remains consistent, as the platted lots are for (single-family detached dwellings), which are a permitted use outright in the R-10 Zoning District.

11.030 Permitted Uses

RESPONSE:

The applicant proposes single-family detached dwellings which are a permitted use in the R-10 Zoning District.

11.070 Dimensional Requirements

1. *Minimum Lot Size* *10,000 square feet*

RESPONSE:

The proposed lots will all exceed 10,000 square feet in size, <u>exclusive of the access easement</u>, consistent with Condition of Approval #2 (see attached Final Plat). Therefore, this criterion is met.

2. *Minimum Front Lot Line Length or Width* *35 feet*

RESPONSE:

The proposed lots will all have a front lot line width which exceeds the 35 foot minimum (see Preliminary Plat in this application packet). Therefore, this criterion is met.

3. *Average Minimum Lot Width* — *50 feet*

RESPONSE:

The proposed lots all have an average width that exceeds 50 feet (see attached Final Plat). Therefore, this criterion is met.

4. *Lot Depth* — *less than 2.5 times the width*

RESPONSE:

The depth of the proposed lots will be less than 2.5 times the width (see attached Final Plat). Therefore, this criterion is met.

5. *Required Yard Setbacks*

a.	*Front*	*20 feet*
b.	*Side (Detached Structures)*	*7.5 feet*
c.	*Street Side*	*15 feet*
d.	*Rear*	*20 feet*

RESPONSE:

The lots are all designed to comply with these setback standards. The builder/ developer will be responsible for meeting these standards during the development/construction of the homes.

6. *Building Height* — *35 feet*

RESPONSE:

The builder/owner will be responsible for meeting the building height requirements of this section.

7. *Max. Building Coverage* — *35%*

RESPONSE:

The lots are all designed to comply with this standard. The builder/owner will be responsible for meeting this standard during the development/construction of the homes.

8.	*Minimum Width of Accessway to a Flag Lot*	*15-feet for single, 8 feet each for double*

RESPONSE:

The proposed subdivision does not include flag lots. Therefore, this criterion does not apply.

30.000 Wetland and Riparian Area

RESPONSE

The original application was reviewed and approved under the provisions of Section 30.000. However, the City subsequently adopted Code revisions and combined Section 30.000 with the new Section 32.00, which now addresses all water resources, not just wetlands. Compliance with the new Section 32.000 is addressed below under Water Resource Area Protection.

31.000 Erosion Control

31.060 Approval Criteria

The City Engineer or designee shall make a written finding, as applicable, with respect to the following criteria when approving, approving with conditions, or denying an Erosion Control Permit.

- *A. The Erosion and Sediment Control plan shall follow the guidelines of the Erosion Prevention and Sediment Control Plans, Technical Guidance Handbook (Clackamas County Department of Utilities most current edition).*
- *B. All developments shall be designed to minimize the disturbance of natural topography, vegetation, and soils.*
- *C. Designs shall minimize cuts and fills.*
- *D. The plan shall prevent erosion by employing prevention practices such as non-disturbance, construction phasing, seeding and mulch covers.*
- *E. The plan shall be designed to allow no more than 10 percent cumulative increase in natural stream turbidities, as measured relative to a control point immediately upstream of the turbidity causing activity. However, limited duration activities necessary to address an emergency or to accommodate essential dredging, construction, or other legitimate activities, and that cause the standard to be exceeded, may be authorized provided all practicable turbidity control techniques have been applied.*
- *F. The applicant shall actively manage and maintain erosion control measures and utilize techniques described in the permit to prevent erosion and control sediment during and following development. Erosion prevention and sediment control measures required by the permit shall remain in place until disturbed soil areas are permanently stabilized by landscaping, grass, approved mulch, or other permanent soil stabilizing measure.*

G. *No mud, dirt, rock, or other debris shall be deposited upon a public street or any part of the public stormwater system, surface water system, Water Quality Resource Area, or any part of a private stormwater system or surface water system that drains or connects to the public stormwater or surface water system.*

H. *Projects with a minimum development size of one acre, including subdivisions, apartments, commercial and industrial, shall meet the following requirements:*

1. *The Erosion Prevention and Sediment Control plan is designed by a certified erosion control specialist; and,*
2. *The developer enters into an agreement with the City stating that in the event an erosion emergency occurs and is not repaired within 24 hours of the time the City notifies the developer, the City may hire a contractor or employ City staff to repair the erosion problem and bill the developer 125% of the cost to the City.*

RESPONSE:

The Erosion Control Plan, Grading Plan, and erosion prevention practices remain consistent with the originally approved plans, which were found to be designed consistent with the guidelines of the *Erosion Prevention and Sediment Control Plans, technical Guidance Handbook* (Clackamas County Department of Utilities most current edition) and consistent with the provisions of this chapter.

Erosion control fencing was installed prior to construction, and will remain in place until all site work is completed per the City's punch list.

32.000 Water Resource Area Protection

RESPONSE TO CODE REVISIONS

The original application was reviewed and approved under the provisions of previous applicable Section 30.000 Wetland and Riparian Area. However, the City subsequently adopted Code revisions and combined elements of the old Section 30.000 within the new Section 32.000, Water Resource Area Protection, as addressed in the following responses.

32.020 Applicability

A. *This section applies to properties upon which a natural drainageway, wetland, riparian corridor, and/or associated transition and setback area, is located. For example, the subject property may be defined as one property that contains a wetland or creek plus an adjacent property of different ownership that includes the transition area or setback area.*

RESPONSE:

The requested approval extension involves a six lot subdivision on property which contains a delineated water resource area, including a manmade drainageway and wetland habitat. The resource boundary was delineated by a Resource Biologist, and shown on the submitted Plan Set. The subdivision creates lots for detached single family, which are a permitted use in the base R-10 zone applied to the property. The number and placement of the approved lots, streets, and improvements was designed to conform to the then applicable requirements of Section 30.000, together with required mitigation for wetland and transition zone impacts.

The submitted Plan set includes the original Existing Conditions and Mitigation Plan Sheets. These plans reflect the prior approval, based on the old Section 30.000, including the associated 30 foot wetland transition and 15 foot structural setback boundaries along both sides of the resource. The Plan Set also includes Updated Existing Conditions and Mitigation Sheets. These updated plans show the mitigated resource boundary, together with the new Section 32.000 standard, which now requires a 50 foot Transition Zone and 15 foot Structural Setback.

B. The provisions of this chapter apply to all zones and uses within the City limits. No person, unless excepted by Section 32.020(C) or (D), may clear, fill, build in, or alter existing water resource areas without having obtained a permit from the Planning Commission.

RESPONSE:

The applicant understands that the provisions of this revised chapter do not apply to the existing improvements, which now are reflected as Existing Conditions. But, because the subject site contains identified water resources, the new standards do apply to any new impact within the Transition Zone.

The development plan did not and will not include clearing, filling, or building within the drainageway along the northern property line. However, as originally approved frontage improvements for Parker Road, did impact a .02 acre area of the delineated wetland boundary, and well as minor impacts within the transition zone. In addition, construction of the on-site street, storm facility, and pathway occurred within the transition and setback area, as originally approved. Therefore a permit was required to provide mitigation for limited impacts to the resources. These improvements were constructed as approved and completed prior to the amendments to the Code establishing the new Water Resource Protection standards. Therefore under the new regulations, these improvements, including the mitigation provided, actually represent Existing Conditions.

However, final construction of driveways will also encroach into the transition area, as reflected in the Updated Mitigation Plan. These pending improvements will be within the new wider Transition Zone, and therefore must be addressed as part of this Extension request, as discussed below.

The approved and constructed mitigation provided wetland enhancement adjacent to the delineated resource. It is noted that any plantings that have died will be replaced consistent with the prior approval, in order to maintain compliance.

C. *The provisions of this chapter shall apply to development proposals that have water resource areas within their project boundary. Therefore, the actual wetland, creek, open channel, or stream does not have to be on the subject property under review. This chapter shall not apply to designated enclosed storm drains that appear in the most recently adopted West Linn Water Management Plan, unless the enclosed storm drain is opened as a result of the proposed development. The provisions shall also not apply to small man-made open roadside drainage swales in residential areas, even if such roadside swales are identified as open channels by the most recently adopted West Linn Water Management Plan. The provisions of this chapter also do not apply to drainage ditches and open channel improvements created in the interior of individual residential lots that are not identified on the Surface Water Management Plan Map.*

RESPONSE:

The subject property contains a man-made drainageway along the western boundary of the site. This drainageway is identified as an open channel on the 2006 West Linn Surface Water Management Plan, Figure 6. The development avoids all impacts to this channel and it remains open. There is also a wetland area, and associated transition and structural setback areas. The Updated Existing Conditions Plan Sheet reflects the new mitigated wetland boundary, together with the new 50 foot transition zone and 15 foot structural setback. It also reflects all existing improvements, within the old 30 foot transition zone, for which mitigation has already been provided.

The applicant has discussed the new regulations with staff and understands the degree to which the provisions, including sub-sections C &D, Exceptions apply. The Updated Mitigation Plan Sheet shows planned improvements which will occur within the new Transition Zone. And, the required square footage of mitigation has been calculated as discussed below. But, the applicant also understands that all new transition impact mitigation will be provided by fee in-lieu, and constructed off-site by the City.

32.025 PERMIT REQUIRED

No person shall be permitted to fill, strip, install pipe, undertake construction, or in any way alter an existing water resource area without first obtaining a permit to do so from the decision making authority, paying the requisite fee, and otherwise complying with all applicable provisions of this ordinance.

RESPONSE:

To the degree that a permit was required for new impacts, this application and narrative addresses the permit requirements and approval criteria and compares the old requirements to the new standards. The fee was appropriately paid as part of the submittal.

32.040 The Application

A. An application for development on property containing a water resource area shall be initiated by the property owner, or the owner's authorized agent, and shall be accompanied by the appropriate fee.

B. A pre-application conference shall be a prerequisite to the filing of the application.

C. The application shall include a site plan and topographic map of the parcel pursuant to Section 32.060. The applicant shall include three copies of all maps and diagrams at original scale and three copies reduced to a paper not greater than 11 x 17 inches, and an electronic copy of all maps on a compact disc. The Planning Director may require the map to be prepared by a registered land surveyor to ensure accuracy.

D. The site plan map shall be accompanied by a written narrative addressing the approval criteria in Section 32.050 and if necessary, addressing the reason why the owner wishes to alter the natural drainageway.

E. All proposed improvements to the drainageway channel or creek which might impact the storm load carrying ability of the drainageway shall be designed by a registered civil engineer.

F. The applicant shall present evidence in the form of adopted utility master plans or transportation master plans, or findings from a licensed engineer to demonstrate that the development or improvements are consistent with accepted engineering practices.

G. The applicant shall prepare an assessment of the existing conditions of the water resource area consisting of an inventory of vegetation, including percentage ground and canopy coverage.

H. If necessary, the applicant shall also submit a mitigation plan pursuant to CDC 32.070, and a revegetation plan pursuant to CDC 32.080.

RESPONSE:

The original pre-application conference with the City of West Linn was held on Nov. 17th, 2005. The new owner also held a pre-application conference with the City of West Linn on April 15, 2010, as reflected in the pre-application conference summary contained within this application packet.

This Narrative and supporting Plan Set contain the required elements affected by the new Water Resource Protection requirements. Copies of the original approved Tentative Plat and Construction Plans have been provided. In addition, updated Plan Sheets showing the new applicable transition area and setbacks have also been provided, together with an updated Mitigation Plan. The applicant has also paid the requisite fees for the permit with this submittal.

Materials submitted address the requirements in Sub-Sections A-H listed above. More specifically, in response to Staff's request for supplemental information, the applicant is providing more detail relative to items D, G, & H as follows:

1. *Item (D):* As part of the original application, an inventory was completed of the water resource area, including vegetative ground cover and tree canopy cover. The prior

applicant/developer also completed substantial construction of the development based on the approved Preliminary Plat and Mitigation Plan. Mitigation was provided for a minor alteration (.02 acres) made within the delineated wetland, as addressed in the original Biologist's report. This alteration was approved, together with associated mitigation involving a 1,532 square foot created wetland adjacent to the east side of the stream channel. In addition, mitigation was provided for street, pathway and utilities impacts within the transition area, as reflected in the Approved Mitigation Plan and Landscaping Plans.

For this current application for Approval Extension, an Updated Existing Conditions Plan Sheet has been provided, which reflects the entire 27,571 square foot Water Resource Area (Tract B). Within Tract B wetland enhancement and mitigation plantings have been completed including the following:

- 1,532 square foot created wetland;
    i. 12 existing trees
        1. 760 square feet of wet area seed mix
- 7,665 planted transition area;
    i. 25 Douglas Fir
    ii. 25 Red Alder
    iii. 20 Big Leaf Maple
        1. 50 Hazelnut
        2. 140 Snowberry
        3. 24 Indian Plum
        4. 215 Salal
            a. 3,780 square feet of upland seed mix

As reflected in Table 1, at the time of planting, the updated vegetation inventory provided about 1,000 square (3.6 %) of tree canopy cover; 362 square feet (1.3 %) of shrubbery cover; and 4,540 square feet (16.5%) of grassy ground cover. Total ground coverage of plantings at the time of planting was about 5,940 (21.5%).

However as these trees and plantings mature their coverage will increase to around 34.4 % in 10 years, and to around 55% over 20 years.

Table 1
Tree Canopy and Planting Coverage

Tree/Plant Species	Canopy Cover @ Planting Square Feet	10 year Canopy Cover Square Feet	20 year Canopy Cover Square Feet
Doug Fir	7 x 25 = 175	65 x 25 = 1,625	96 x 25 = 2,400
Red Alder	21 x 25 = 525	145 x 25 = 3,625	246 x 25 = 6,150
Big Leaf Maple	15 x 20 = 300	51 x 20 = 1,020	96 x 20 = 1,380
Total Tree Cover	1,000	4,230	9,930
Percent of Cover	3.6	15.5	36
Hazelnut	.8 X 50 = 40		
Snowberry	.8 X 140 = 112		
Indian Plum	1.6 X 24 = 38		
Salal	.8 X 215 = 172		
Total Shrub Cover	362	362 X 2 = 724	
Percent of Cover	1.3	2.6	
Wet Area Seed Mix	760	760	
Upland Seed Mix	3,780	3,780	
Total Seed Cover	4,540	4,540	
Percent of Cover	16.5%	16.5%	
TOTAL COVER	**5,902 or 21.5%**	**9,494 or 34.4%**	**15,194 or 55.1%**

2. Because the new Section 32 requires a larger transition area (50 feet versus 30 feet), some remaining site improvements, such as driveways, will encroach into the new wider transition area, as reflected in the Updated Existing Conditions Plan Sheet. These existing improvements are exempt from the new standards.

   Given the fact that the site improvements are substantially complete, except minor punch list items, the applicant understands that all existing improvements shall be considered as the new applicable "Existing Conditions", and that only new encroaching improvements are required to comply with the new requirements under Section 32. The Updated Mitigation Plan shows the new transition and structural setbacks, and reflects all new encroaching improvements, for which new mitigation is required.

   An Updated Existing Conditions Plan Sheet has been provided reflecting the improvements completed under the original approval. The Updated Preliminary Plat and Updated Mitigation Plan reflect the new transition area and structural setback standards, as well as the planned improvements, such as driveways.

The original delineated resource boundary has been modified slightly by the constructed wetland mitigation. The new delineated boundary is shown on the Updated Plans. The Updated Plans also show the new wider 50 foot transition area. And, consequently, the 15 foot structural setback also moves out farther into the street and lots.

The new transition/setback area effects the development as follows:

1. The driveway serving Lot 6 will be within the wider Transition Zone. Since the exact location of the driveway is not known, we have estimated the maximum impact area. A driveway section is shown on the Updated Mitigation Plan to define the square footage of impact, for which mitigation is required. The maximum area impacted will be 859 square feet. This new impact area will occur on the east side of the existing improvements, so new impacts to the resource area are minimized.

2. Driveways for the other 5 lots can be constructed outside of the new Transition Zone.

3. The available Building Envelopes for each lot have been adjusted to accommodate the new Structural Setback, but the overall lot dimensions are not changed.

3. *Item (G):* The existing conditions surrounding the Water Resource Area have technically changed as a result of improvements completed based on the approved Preliminary Plat. As noted above, the existing improvements made under the approved plat are now considered as Existing Conditions relative to the new standards. Therefore the Updated Plans only show new impacts that will occur within the new Transition Zone, see response related to *Item H*. The approved and constructed mitigation plans established new tree cover and vegetative ground cover within the protected resource and transition areas, as reflected in Table 1. The planting included 70trees, and 429 shrubs, and 4,540 square feet of seeded ground cover.

4. *Item (H):* An Updated Mitigation Plan pursuant to CDC 32.070 has been provided. Based on discussions with staff, it is understood that a new revegetation plan is not required. The applicant will pay a fee in-lieu based on the impacted area, and the City will construct the mitigation off-site.

   The identified impact area is 859 square feet, created by the driveway for lot 6. Therefore the applicant will pay the fee in-lieu based on this impact area.

32.050 Approval Criteria

No application for development on property containing a water resource area shall be approved unless the decision-making authority finds that the following standards have been satisfied, or can be satisfied by conditions of approval.

A. Proposed development submittals shall identify all water resource areas on the project site. The most currently adopted Surface Water Management Plan shall be

used as the basis for determining existence of drainageways. The exact location of drainageways identified in the Surface Water Management Plan, and drainageway classification (e.g., open channel vs. enclosed storm drains), may have to be verified in the field by the City Engineer. The Local Wetlands Inventory shall be used as the basis for determining existing of wetlands. The exact location of wetlands identified in the Local Wetlands Inventory on the subject site shall be verified in a wetlands delineation analysis prepared for the applicant by a certified wetlands specialist. The Riparian Corridor inventory shall be used as the basis for determining existence of riparian corridors.

RESPONSE:

This narrative addresses the new code provisions as compared to the prior approval and provides the basis for the required findings for the decision-making authority to approve the requested extension.

The requested approval extension involves a six lot subdivision on property which contains water resource areas, including an open drainageway and wetland habitat as delineated by a Resource Biologist, and shown on the submitted Plan Set. Consistent with the prior inventory the Plan Set shows the location of the man-made drainageway and indicates that it is an open channel.

B. Proposed developments shall be so designed as to maintain the existing natural drainageways and utilize them as the primary method of stormwater conveyance through the project site unless the most recently adopted Surface Water Management Plan calls for alternate configurations (culverts, piping, etc.). Proposed development shall, particularly in the case of subdivisions, facilitate reasonable access to the drainageway for maintenance purposes.

RESPONSE:

Consistent with the prior approval, including mitigation plan, the site improvements were constructed for the development. These site improvements did not alter the open drainageway, maintaining it in its existing location. All of the new storm drainage improvements associated with the street and pathway have been installed, subject only to the City's final acceptance. The new site related storm systems maintains separation from the open drainageway to protect its natural flow.

3. Development should be conducted in a manner that will minimize adverse impact on water resource areas. Alternatives which avoid all adverse environmental impacts associated with the proposed action shall be considered first. For unavoidable adverse environmental impacts, alternatives which reduce or minimize these impacts shall be selected. If any portion of the water quality resource area is proposed to be permanently disturbed, the applicant shall prepare a mitigation plan as specified in CDC 32.070 designed to restore disturbed areas, either existing prior to development or disturbed as a result of the development project, to a healthy natural state.

RESPONSE:

As part of the original 2006 planning, the applicant considered alternative designs for the proposed subdivision, as reflected in the Revised Resource Report prepared by Schott & Associates (9-8-06). At that time the selected alternative was the one presented herein as the approved tentative plat. It was determined that this design minimized environmental impacts, while maximizing the buildable portion of the site.

The approved design preserves the vast majority of the wetland and entire open drainageway within the 27,571 square foot open space tract (Tract B). The development has been and will continue to be constructed in a manner that minimizes adverse impact on the water resource area. Impacts are minimized by physical separation, together with separated storm drainage to protect the natural hydrology, and the approved and constructed mitigation as described herein for the unavoidable impacts. As discussed below, driveway access to be constructed for Lot 6 will be a new unavoidable impact, for which mitigation is required.

D. Water resource areas should be protected from development or encroachment by dedicating the land title deed to the City for public open space purposes if either: 1) a finding can be made that the dedication is roughly proportional to the impact of the development; or, 2) the applicant chooses to dedicate these areas. Otherwise, these areas shall be preserved through a protective easement. Protective or conservation easements are not preferred because water resource areas protected by easements have shown to be harder to manage and, thus, more susceptible to disturbance and damage. Required 15-foot wide structural setback areas do not require preservation by easement or dedication.

E. The protected water resource area shall include the drainage channel, creek, wetlands, and the setback and transition area. The setback and transition area shall be determined using the following table:

RESPONSE

The 2006 approval was based on the old standards in Section 30.000, and provided for appropriate protection of the open drainageway and the majority of the adjacent wetland and transition area via Tract B dedicated to the City (27,571 square feet) as public open space area. A portion of the Parker Road improvements, as well as a portion of Chinook Court created minor encroachments into the delineated wetland and transition area, but there was no impact to the drainageway. Mitigation in the form of on-site wetland enhancement was approved and constructed.

It is noted that the Resource Preservation setbacks and transition area standards, as shown in Table 32-1, have changed since the 2006 approval. The 2006 tentative plat was approved under the old Chapter 30. The changes to the resource protection setbacks are reflected in Table 2R, below.

However, as shown in Table 2R, the criteria from the old code for slopes ranging from 10-25% actually matches the new code section 32 criteria for slopes ranging from 0-25%, which was the basis for the 2006 approval.

Table 32-1. Required Widths of Setback and Transition Area.

Protected Water Feature Type (see CDC Chapter 2 Definitions)	*Slope Adjacent to Protected Water Feature*	*Starting Point for Measurements from Water Feature*	*Width of Setback and Transition Area on each side of the water feature*
Wetland, Major Drainageway, Minor Drainageway	*0% - 25%*	• *Edge of bankful flow or 2-year storm level;* • *Delineated edge of wetland*	*50 feet plus structural setback.*
Wetland, Major Drainageway, Minor Drainageway	*≥ 25% to a distinct top of ravine*[1]	• *Edge of bankful flow or 2-year storm level;* • *Delineated edge of wetland*	*Distance from starting point of measurement to top of ravine*[1] *(30 foot minimum), plus an additional 50-foot setback, plus structural setback.*
Wetland, Major Drainageway, Minor Drainageway	*≥ 25% for more than 30 feet, and no distinct top of ravine for at least 150 feet*	• *Edge of bankful flow or 2-year storm level;* • *Delineated edge of wetland*	*200 feet, plus structural setback*
Riparian Corridor	*any*	• *Edge of bankful flow or 2-year storm level*	*100 feet or the setback required under major and minor drainageway provisions, whichever is greater., plus structural setback*
Formerly Closed Drainage Channel Reopened (see 32.050(N)	*n/a*	• *Edge of bankful flow or 2-year storm level*	*Variable: See CDC 32.050(N)*

[1]*Where the protected water feature is confined by a ravine or gully, the top of ravine is the location where the slope breaks at least 15% and the slope beyond the break remains less than 25% for at least 50 feet.*

At least three slope measurements along the water feature, at no more than 100-foot increments, shall be made for each property for which development is proposed. Depending upon the width of the property, the width of the protected corridor will vary.

TABLE 2R

Table 32-1. Required Widths of Setback and Transition Area.
Compared to Old Section 32.050. Criteria

Protected Water Feature Type (see CDC Chapter 2 Definitions)	Slope Adjacent to Protected Water Feature	Starting Point for Measurements from Water Feature	Width of Setback and Transition Area on each side of the water feature
Wetland, Major Drainageway, Minor Drainageway	0% - 25%	• Edge of bankful flow or 2-year storm level; • Delineated edge of wetland	50 feet plus structural setback.
Old Criteria Intermittent or Seasonal Stream	0% - 10%		30 feet, plus structural setback; 15 feet, plus structural setback;
Man-Made			25 feet, plus structural setback
Wetland, Major Drainageway, Minor Drainageway	≥ 25% to a distinct top of ravine1	• Edge of bankful flow or 2-year storm level; • Delineated edge of wetland	Distance from starting point of measurement to top of ravine1 (30 foot minimum), plus an additional 50-foot setback, plus structural setback.
Old Criteria	10-25%		a. 50 feet, plus structural setback; or b. To point where slope tapers to less than 10% for more than 30 feet, whichever is less. If b applies, the transition shall be a minimum of 30 feet.
Wetland, Major Drainageway, Minor Drainageway	≥ 25% for more than 30 feet, and no distinct top of ravine for at least 150 feet	• Edge of bankful flow or 2-year storm level; • Delineated edge of wetland	200 feet, plus structural setback
Riparian Corridor	any	• Edge of bankful flow or 2-year storm level	100 feet or the setback required under major and minor drainageway provisions, whichever is greater., plus structural setback
Formerly Closed Drainage Channel Reopened (see 32.050(N)	n/a	• Edge of bankful flow or 2-year storm level	Variable: See CDC 32.050(N)

F. Roads, driveways, utilities, or passive use recreation facilities may be built in and across water resource areas when no other practical alternative exists. Construction shall minimize impacts. Construction to the minimum dimensional standards for roads is required. Full mitigation and revegetation is required, with the applicant to submit a mitigation plan pursuant to CDC Section 32.070 and a revegetation plan pursuant to CDC Section 32.080. The maximum disturbance width for utility corridors is as follows:

a. For utility facility connections to utility facilities, no greater than 10 feet wide.

b. For upgrade of existing utility facilities, no greater than 15 feet wide.

c. For new underground utility facilities, no greater than 25 feet wide, and disturbance of no more than 200 linear feet of Water Quality Resource Area, or 20% of the total linear feet of Water Quality Resource Area, whichever is greater.

RESPONSE

As approved in 2006, the Wetland Transition Zone was set at 25-30 feet from the original resource boundary (Tract B), with minor encroachments from the street improvements and (Tract A) Storm facility. The Structural Setback was set at 15 feet from the Transition Zone, as shown on the Approved Tentative Plat. The lots and building envelopes were designed to accommodate these protective setbacks. The improvements constructed to date complied with the old code standards and criteria, and provided the required mitigation.

Consistent with the originally 2006 approval, approximately 40 feet of frontage improvements for Parker Road occurred within the delineated wetland boundary. In addition, construction of the on-site street, storm facility and pathway also occurred within the old transition and setback area.

Full mitigation and revegetation, as approved, and has been provided. But some plantings have since died, so replacement plantings will be required, as addressed prior to Final Plat approval, consistent with the approved Mitigation Plan, and pursuant to CDC Section 32.070 and a Revegetation Plan pursuant to CDC Section 32.080.

The new Section 32 Water Resource Protection standards increase the protective transition zone from 30 feet to 50 feet. The Updated Existing Conditions Plan and the Updated Tentative Plat show the new mitigated Resource Boundary, together with the new wider 50 foot transition zone and 15 foot structural setback. This change is standards actually only affects Lot 6, relative to construction of the driveway, at the time the house is built. Mitigation for this encroachment is addressed below.

> *G. Prior to construction, the water resource area shall be protected with an anchored chain link fence (or approved equivalent) at its perimeter and shall remain undisturbed except as specifically allowed by an approved water resource area permit. Such fencing shall be maintained until construction is complete. The water resource area shall be identified with City-approved permanent markers at all boundary direction changes and at 30- to 50-foot intervals that clearly delineate the extent of the protected area.*

RESPONSE

All required protective fencing was previously installed, and the applicant will ensure that it remains or is re-installed until all improvements are completed and accepted by the City. The applicant further understands that all transition area boundaries must be permanently staked prior to final approval with City approved markers at all boundary direction changes and at 30- to 50-foot intervals.

> *H. Paved trails, walkways, or bike paths shall be located at least 15 feet from the edge of a protected water feature except for approved crossings. All trails, walkways, and bike paths shall be constructed so as to minimize disturbance to existing native vegetation. All trails, walkways, and bike paths shall be constructed with a permeable material and utilize Low Impact Development (LID) construction practices.*

RESPONSE

Consistent with the 2006 approval, the pathway, within Tract B is located at the outer edge of the Transition Area. Construction was managed in a manner to minimize disturbance of native vegetation, utilizing Low Impact Development practices. In addition, mitigation planting was installed, as addressed below.

I. Sound engineering principles regarding downstream impacts, soil stabilization, erosion control, and adequacy of improvements to accommodate the intended drainage through the drainage basin shall be used. Storm drainage shall not be diverted from its natural watercourse. Inter-basin transfers of storm drainage shall not be permitted.

RESPONSE

The development does not involve any inter-basin transfer of storm water. And, the storm design and construction techniques employed are consistent with the provisions of this chapter. However, sound engineering principles were employed in the design and construction of the storm system.

J. Appropriate erosion control measures based on CDC Chapter 31 requirements shall be established throughout all phases of construction.

RESPONSE

Appropriate erosion control measures have been addressed under responses to Chapter 31, above.

K. Vegetative improvements to areas within the water resource area may be required if the site is found to be in an unhealthy or disturbed state, or if portions of the site within the water resource area are disturbed during the development process. "Unhealthy or disturbed" includes those sites that have a combination of native trees, shrubs, and groundcover on less than 80% of the water resource area and less than 50% tree canopy coverage in the water resource area. "Vegetative improvements" will be documented by submitting a revegetation plan meeting CDC Section 32.080 criteria that will result in the water resource area having a combination of native trees, shrubs, and groundcover on more than 80% of its area, and more than 50% tree canopy coverage in its area. Where any existing vegetation is proposed to be permanently removed, or the original land contours disturbed, a mitigation plan meeting CDC Section 32.070 criteria shall also be submitted. Interim erosion control measures such as mulching shall be used to avoid erosion on bare areas. Upon approval of the mitigation plan, the applicant is responsible for implementing the plan during the next available planting season.

RESPONSE

As part of the 2006 application and approval, the applicant at that time provided an alternative analysis that demonstrated that development completely outside of the wetland was not possible. Thus, the compensatory mitigation for the unavoidable impacts was proposed, approved, and constructed, entirely within the subject site.

The original applicant did not propose trimming or removal of trees from the transition area on the site. However, the prior applicant did propose the trimming and removal of non-native shrubs and ground cover to assist in reestablishing native vegetation. The prior applicant also proposed the trimming and removal of a small number of shrubs and ground cover to construct a portion of the street, sidewalk, and stormwater facility (utilities).

The Alternatives Analysis (See Revised Schott & Associates Report included herein) determined that the locations for the site improvements were not practicable since there was also a requirement to maximize separation of intersecting streets on S. Parker Road, an arterial street. The approved subdivision design utilizes a combination of a public street and access easement to access the 6 lots, as shown on the Approved Tentative Plat.

Replacement plantings for the prior installed mitigation and revegetation will be provided, as needed, consistent with the approved Mitigation Plan, and pursuant to CDC Section 32.070 and a Revegetation Plan pursuant to CDC Section 32.080.

> *L. Structural Setback area: where a structural setback area is specifically required, development projects shall keep all foundation walls and footings at least 15 feet from the edge of the water resource area transition and setback area if this area is located in the front or rear yard of the lot, and 7 ¾ feet from the edge of the water resource area transition and setback area if this area is located in the side yard of the lot. Structural elements may not be built on or cantilever over the setback area. Roof overhangs of up to three feet are permitted in the setback. Decks are permitted within the structural setback area.*

RESPONSE

The applicant understands these setback requirements, which will be addressed and confirmed through the Building Permit review process. The front yard setback (building envelope) for all the lots have been adjusted to meet these criteria, as reflected on the Updated Tentative Plat and Updated Mitigation Plan.

> *M. Stormwater Treatment Facilities may only encroach a maximum of 25 feet into the outside boundary of the water resource area; and the area of encroachment must be replaced by adding an equal area to the water quality resource area on the subject property. Facilities that infiltrate storm water onsite, including the associated piping,*

may be placed at any point within the water resource area outside of the actual drainage course so long as the forest canopy and the areas within ten feet of the driplines of significant trees are not disturbed. Only native vegetation may be planted in these facilities.

RESPONSE

The on-site storm system, including treatment facility (Tract A) was designed and constructed consistent with the old code standards, and is now under Section 32 it is considered to be an "existing condition". However, its design actually complies with this new criterion. Appropriate mitigation was provided as previously required.

N. As part of any proposed land division or Class II Design Review application, any covered or piped drainageways identified on the Surface Water Quality Management Plan Map shall be opened, unless the City Engineer determines that such opening would negatively impact the affected storm drainage system and the water quality within that affected storm drainage system in a manner that could not be reasonably mitigated by the project's site design. The design of the reopened channel and associated transition area shall be considered on an individualized basis, based upon the following factors:

1. *The ability of the reopened storm channel to safely carry storm drainage through the area.*
2. *Continuity with natural contours on adjacent properties*
3. *Continuity of vegetation and habitat values on adjacent properties.*
4. *Erosion control*
5. *Creation of filters to enhance water quality*
6. *Provision of water temperature conducive to fish habitat*
7. *Consideration of habitat and water quality goals of the most recently adopted West Linn Surface Water Management Plan.*
8. *Consistency with required site Mitigation Plans, if such plans are needed.*

The maximum required setback under any circumstance shall be the setback required as if the drainage way were already open.

RESPONSE

There are no identified piped drainageways or channels associated with the subject site. The drainageway along the western boundary is open and will remain so. Therefore this section does not apply.

O. The decision-making authority may approve a reduction in applicable front yard setbacks abutting a public street to a minimum of fifteen feet and a reduction in applicable side yard setbacks abutting a public street to 7 ¾ feet if the applicant demonstrates that the reduction is necessary to create a building envelope on an existing or proposed lot of at least 5,000 square feet.

RESPONSE

The applicant is not requested any reduced setbacks. The Updated Tentative Plat and Updated Mitigation Plan show the revised setbacks and net building envelope for each lot.

P. Storm Drainage Channels not identified on the Surface Water Management Plan Map, but identified through the development review process, shall be subject to the same setbacks as equivalent mapped storm drainage channels.

RESPONSE

The existing drainage channel along the western boundary was previously identified, and is shown on the 2006 West Linn Surface Water Management Plan as an open channel, Figure 4.5. The applicant is not aware of any other storm channels not previously identified. Therefore this criterion does not apply.

32.060 SITE PLAN

A. All site plans and maps shall include the name, address, and telephone number of the applicant, the scale of the plan, a north arrow, and a vicinity map.

B. The applicant shall submit a site plan drawn to a 1"=10' to 1"=30' scale, which contains the following information:

1. *Existing and proposed contour lines at the following minimum intervals:*
   a. *Two foot intervals for slopes from 0-25 percent; and,*
   b. *Five-foot intervals for slopes in excess of 25 percent.*
2. *A slope map delineating areas greater than and less than 25% slope.*
3. *Location of the water resource areas on the site.*
4. *Location of proposed stormwater facilities;*
5. *Location of all existing natural features including, but not limited to, delineation of water resource areas. The widths of the transition and setback areas described in Table 32-1 shall be shown on the site plan.*
6. *Location of all trees measured at six inches diameter at breast height (DBH) or greater and a description of existing vegetation species. Where only a portion of a water quality resource area is to be disturbed, the tree inventory need only apply to the impacted area. The remaining treed area shall be depicted by outlining the canopy cover.*
7. *Detailed site plans of the proposed development outlining total disturbance area, including proposed building footprints, site property improvements, grading plans, accessways, utilities, and landscaping.*
8. *The presence of wetlands shown on site plans shall be based on wetlands delineations conducted following methods accepted by the U.S. Army Corps of Engineers and the Oregon Division of State Lands. Written concurrence by the Oregon Division of State Lands DSL with the wetlands delineation must be obtained and submitted as part of the development application. The delineation shall be prepared by a certified wetlands specialist.*

RESPONSE

The applicant has submitted all required information as set forth in this section, which are also consistent with the original application documents. Therefore this criterion is met.

32.070 MITIGATION PLAN

A mitigation plan shall be required if any portion of the water resource area is proposed to be permanently disturbed by development.

A. All mitigation plans must contain an alternatives analysis demonstrating that:

1. No practicable alternatives to the requested development exist that will not disturb the water resource area; and,

2. Development in the water resource area has been limited to the area necessary to allow for the proposed use; and,

3. An explanation of the rationale behind choosing the alternative selected, including how adverse impacts to the water resource area will be avoided and/or minimized.

B. A mitigation plan shall contain the following information:

1. A description of adverse impacts that will be caused as a result of development.

2. An explanation of how adverse impacts to resource areas will be avoided, minimized, and/or mitigated in accordance with, but not limited to, the revegetation provisions of CDC Section 32.050(K).

3. A list of all responsible parties including, but not limited to, the owner, applicant, contractor, or other persons responsible for work on the development site.

4. A map showing where the specific mitigation activities will occur.

5. An implementation schedule, including timeline for construction, mitigation, mitigation maintenance, monitoring, reporting, and a contingency plan. All in-stream work in fish-bearing streams shall be done in accordance with the Oregon Department of Fish and Wildlife water work periods.

6. Assurances shall be established to rectify any mitigation actions that are not successful. This may include bonding or other surety.

7. Evidence that a Joint Permit Application (to the U.S. Army Corps and OR DSL) if impacts to wetlands are greater than 0.10 acres, has been submitted and accepted for review.

C. Mitigation of any water resource areas that are not wetlands that are permanently disturbed shall be accomplished by creation of a mitigation area equal in size to the area being disturbed. Mitigation areas may be land that is either

1. On-site, not within the water resource area, and is characterized by existing vegetation qualifying that does not meet the standard set forth in CDC Section 32.050(K), or

2. Off-site, and is characterized by existing vegetation that does not meet the standard set forth in CDC Section 32.050(K).

The applicant shall prepare and implement a revegetation plan for the mitigation area pursuant to CDC Section 32.080, and which shall result in the area meeting the standards set forth in CDC Section 32.050(K). Adequacy of off-site mitigation areas on city property must be consistent with and meet approval of the City Department of Parks and Recreation. Any off-site mitigation occurring on privately-owned land shall be protected with a conservation easement.

D. The Mitigation Plan for any wetland area to be disturbed shall be 1) prepared and implemented with the guidance of professionals with experience and credentials in wetland areas and values, and 2) be consistent with requirements set forth by regulatory agencies (U.S. Army Corps and OR DSL) in a Joint Permit Application, if such an Application is necessary for the disturbance. Where the alternatives analysis demonstrates that there are no practicable alternatives for mitigation on site, off-site mitigation shall be located as follows:

1. As close to the development site as is practicable above the confluence of the next downstream tributary, or if this is not practicable;

2. Within the watershed where the development will take place, or as otherwise specified by the City in an approved wetland mitigation bank.

E. To ensure that the mitigation area will be protected in perpetuity, proof that the area has been dedicated to the City or a conservation easement has been placed on the property where the mitigation is to occur is required.

RESPONSE

A original Mitigation Plan was submitted, approved, and constructed, a reflected in the Engineering Plan Set and documents submitted with this application. For this current application, an Updated Mitigation Plan has been provided to address new pending and unavoidable impacts within the new wider Transition Zone, as addressed above. The driveway will be on the east side of the existing improvements so the new impacts will be minimized.

The drainageway and wetland habitat, as delineated by a Resource Biologist (Schott & Associates), are shown on the submitted Plan Set, with the Resource Boundary adjusted to reflect the enhanced wetland area, as well as the new wider transition zone. The existing wetland and wetland values were identified on the Plan Set and in the Biologist's Wetland Delineation report, and are unaltered by this application.

The Mitigation Plan, as approve and constructed, provided the compensatory mitigation so that there was no overall net loss of resource area or values. In fact, the wetland resource has been enhanced. The Wetland Delineation report re-submitted with this application was previously submitted for jurisdictional determination to the Oregon Department of State Lands (DSL). A joint permit application for cut and fill activities was also submitted to and approved by DSL and the U.S. Army Corp of Engineers as required. Nothing is this current application alters this prior approval.

The compensatory mitigation was installed, as designed and permitted, as part of the site development work already completed. However, plant materials have died, so replacement plantings will be required, prior to Final Plat approval, as listed in the Engineering Department Plat Punch List. This work was previously permitted, so the City had indicated that the Engineering Department Punch List work can be completed at anytime, subject only to final inspection and acceptance.

Mitigation for the new driveway impact area will be provided by fee in-lieu. The City will install plantings on publicly owned property as defined by the Parks Department.

Therefore these criteria have been satisfied or will be met through completion of the Engineering Department Punch List items prior to Recording of the Final Plat.

32.080 REVEGETATION PLAN REQUIREMENTS

Metro's native plant list is incorporated by reference as a part of CDC Chapter 32, and all plants used in revegetation plans shall be plants found on the Metro native plant list. Performance standards for planting upland, riparian and wetland plants include the following:

A. Native trees and shrubs will require temporary irrigation from June 15 to October 15 for the three years following planting.

B. Invasive non-native or noxious vegetation shall be removed within the area to be revegetated prior to planting.

C. Replacement trees must be at least one-half inch in caliper, measured at 6 inches above the ground level for field grown trees or above the soil line for container grown trees (the one-half inch minimum size may be an average caliper measure, recognizing that trees are not uniformly round) unless they are oak or madrone, which may be one gallon size. Shrubs must be in at least a one-gallon container or the equivalent in ball and burlap and must be at least 12 inches in height.

D. Trees shall be planted between 8 and 12 feet on-center and shrubs shall be planted between 4 and 5 feet on-center, or clustered in single species groups of no more than 4 plants, with each cluster planted between 8 and 10 feet on center. When planting near existing trees, the dripline of the existing tree shall be the starting point for plant spacing requirements.

E. Shrubs must consist of at least two different species. If 10 trees or more are planted, then no more than 50% of the trees may be of the same species.

F. The responsible party shall provide an appropriate level of assurance documenting that 80 percent survival of the plants has been achieved after three years, and shall provide annual reports to the Planning Director on the status of the revegetation plan during the three year period.

RESPONSE

The originally approved Revegetation Plan is included in the Engineering Plan Set, and is integral to the Mitigation Plan. As with the Mitigation Plan, much of the approved plan has already been installed, as designed and permitted. Any items remaining on the City's punch list will be corrected prior to Final Plat approval.

The applicant will ensure that any plantings that have died will be replaced, prior to Final Plat approval, as listed in the Plat Punch List. This work was previously permitted, so the City had indicated that the Punch List work can be completed at anytime, subject only to final inspection and acceptance.

As addressed above, the new wider Section 32 transition zone now affects driveway improvements required for Lot 6. The encroachment area has been defined and will be mitigated by fee in-lieu, as specified by Staff. Therefore, except for any necessary replacement plantings this application does not alter the previously approved mitigation plan.

Therefore these criteria have been or will be met through compliance with approved plans and Conditions of Approval prior to Final Plat approval. As addressed above, the applicant has demonstrated full compliance with Section 32 requirements.

33.000 Storm water Quality and Detention

33.020 Applicability

CDC Chapter 33 applies to all new development and redevelopment sites, as required by the City's Public Works Design Standards, except one- and two-family dwellings that do not involve a land division.

33.030 The Application

RESPONSE:

As originally approved, the project involves new development and therefore this chapter applies.

The original application packet contained all material as required by this Section, and the current applicant is not proposing any changes from the approved plans. Applicable Conditions of Approval remain in affect to ensure compliance with the approval criteria.

The design includes provisions for maintenance and access in compliance with the Public Works Design Standards. These standards were reviewed during the engineering plan review stage ensuring compliance. The majority of the site work has been completed, and the applicant will complete all Punch List items in the near future, as required for approval of the Final Plat.

The landscape plan for the proposed water quality facility was prepared by a professional landscape architect and includes a table listing the scientific names, sizes and quantity of plants to be planted. The applicant will ensure that any plantings that have died will be replaced, as will be required prior to Final Plat approval.

Therefore these criteria are met.

38.000 Additional Yard Area Required; Exceptions to Yard Requirements; Storage in Yards; Projections into Yards

38.30 Setback from Street Centerline Required
38.060 Projections into Required Yards

RESPONSE:

As originally approved, access is provided via a combination of a public street and access easement. The public street right-of-way and easement widths comply with the adopted Conditions of Approval. Consistent with the approved Tentative Plat the distance between the walls of any structure to the centerline of the street will not be less than 25-feet plus the yard setback identified in this narrative.

The applicant is not proposing any specific floor plans at this time. However, the lots have been designed according to all dimensional standards of the base zone, as reflected on the Tentative Plat. The future owner/ builder of the homes will be responsible for complying with the criteria in this section, and compliance will be confirmed through the Building Permit process.

40.000 Building Height Limitations, Exceptions

40.010 Projections Not Used for Human Habitation

RESPONSE:

The lots have been rough graded or terraced consistent with the approved grading plan. The future homes on the site will comply with the height limitation of the base zoning district, with confirmation of compliance through the Building Permit review process. Projections off of any proposed structure such as a chimney, spire, dome, elevator shaft housing, tower, aerial, flag pole, or other similar object not used for human occupancy are not subject to the height limitation of the base zone.

42.000 Clear Vision Areas

42.020 Clear Vision Area Required

RESPONSE:

Consistent with the approved Tentative Plat, the subdivision design includes a public street with a width greater than 24 feet. Therefore, the triangular area formed by joining (by straight line) two points that are 30-feet back from the intersecting point of two property lines that are adjacent to a street intersection or accessway will not contain any planting, fence, wall, structure or temporary or permanent obstruction (excluding utility poles or trees) that exceeds three feet in height. The clear vision areas are represented on the Plan Set.

44.000 Fences

44.020 Sight Obscuring Fence, Setback and Height Limitations

RESPONSE:

The applicant is not proposing any fences at this time. However, the lots have been designed according to all dimensional standards of the base zone and to accommodate fences consistent with the criteria in this section. The future owner/builder of the homes and property will be responsible for constructing fencing in compliance with this section.

44.040 Landscaping

RESPONSE:

Fences located within the "Clear Vision Area," as defined in Chapter 42, will not be landscaped with sight-obscuring plant material that might impair sight vision.

44.050 Standards for Construction

RESPONSE:

Fences constructed within the proposed subdivision will be constructed with the "structural" side facing the owner's property and will be maintained at all times by the property owner.

46.000 Off-Street Parking Areas

46.070 Maximum Distance Allowed Between Parking Area and Use

RESPONSE:

Consistent with the approved preliminary plat, off-street parking for the future homes will be located on the proposed lots with the dwellings.

46.090 Minimum Off-Street Parking Requirements

RESPONSE:

The future single-family dwellings on the proposed lots will include two or more off-street parking spaces. The specific location of off-street parking areas will be identified on individual home construction plans and physically provided at the time of home construction. It is expected that at a minimum each house will have a two-car garage. Therefore, each home will include four off-street parking spaces with two in the garage and 2 in front of the garage.

Required parking spaces shall be kept available for the parking of resident passenger vehicles at all times. Required parking spaces will not be used for storage of vehicles or materials or for the parking of trucks over one-ton connected with a commercial business.

48.000 Access, Egress, and Circulation

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 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 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. In the event that alternate access is not available as determined by the Planning Director and City Engineer, access may be permitted after review of the following criteria:

1. *Topography.*
2. *Traffic volume to be generated by development (i.e., trips per day).*
3. *Traffic volume presently carried by the street to be accessed.*
4. *Projected traffic volumes.*
5. *Safety considerations such as line of sight, number of accidents at that location, emergency vehicle access, ability of vehicles to exit the site without backing into traffic.*
6. *The ability to consolidate access through the use of a joint driveway.*
7. *Additional review and access permits may be required by state or county agencies.*

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:

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" above, shall apply in addition to the following provisions.*

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.*

RESPONSE:

As approved, the plat does not provide direct individual access from the lots to Parker Road, which is designated as an arterial in the City's Transportation System Plan. Consistent with the original approval, access to the first 3 of the lots is provided via a public street (Chinook Court) extended from Parker Road. Chinook Court has a 28 foot paved travel lane. Access to the remaining 3 lots is provided by an easement, with 16 foot of paved surface. Therefore direct access to the arterial street is restricted to a single street intersection.

The future homes on each lot will be accessed from paved or all weather surface driveways with widths that exceed 12-feet (16-36'). The proposed driveways will also have grades less than 15 percent.

48.060 Width and Location of Curb Cuts and Access Separation Requirements

RESPONSE:

The approved plat design met this criteria and as constructed accordingly. Therefore compliance is maintained.

48.080 Bicycle and Pedestrian Circulation

RESPONSE:

The public street (Chinook Court) and the extended access easement were constructed as approved. Frontage improvements for Parker Road have also been completed. The sidewalks along these streets were also constructed in accordance with the provisions of Section 85.200(A)(3)(e) of the Community Development Code and the approved Plans.

54.000 Installation and Maintenance of Landscaping

54.020 Approval Criteria

A. *Every development proposal requires inventorying existing site conditions, which include trees and landscaping. In designing the new project, every reasonable attempt should be made to preserve and protect existing trees and to incorporate them into the new landscape plan. Similarly, significant landscaping (e.g., bushes, shrubs) should be integrated...*

B. *To encourage tree preservation, the parking requirement may be reduced by one space for*

every significant tree that is preserved in the parking lot area for a maximum reduction of 10 percent of the required parking.

C. *Developers must also comply with the Municipal Code chapter on tree protection.*

D. *A heritage tree may not be removed without a public hearing at least 30 days prior to the proposed date of removal. Development proposals involving land with heritage tree(s) shall be required to protect and save the tree(s).*

E. *Landscaping – by type, location and amount*

F. *Landscaping (trees) in new subdivision*

1. *Street trees shall be planted by the City within the planting strips (minimum six-foot width) of any new subdivision in conformity with the Street Tree Plan for the area, and in accordance with the planting specifications of the Parks and Recreation Department.*
2. *The cost of street trees shall be paid by the developer of the subdivision.*
3. *The fee per street tree, as established by the City, shall be based upon the following:*
   a. *The cost of the tree;*
   b. *Labor and equipment for original placement;*
   c. *Regular maintenance necessary for tree establishment during the initial two-year period following the City schedule of maintenance; and,*
   d. *A two-year replacement warrantee based on the City's established failure rate.*

RESPONSE:

The Existing Conditions Plan shows the inventory of existing site conditions. Consistent with the approved plans, the plan shows that site contains 16 trees and few shrubs or bushes. The Grading / Storm and Erosion Control Plan shows the trees that will be preserved. The vast majority of the site was covered by grasses and ground cover.

The approved Tentative Plat shows the 31,560 square feet that will be dedicated in a public open space (Tract B). In addition, the approved Mitigation Plan provided for enhancement of the existing wetland in Tract B through non-native vegetation removal and native plantings.

No reductions to parking requirements were requested as part of this development proposal, therefore this approval criterion does not apply.

The developer has and will comply with all the provisions of the Municipal Code chapter on tree protection. The subject site does not contain heritage trees. Therefore, the criteria of this section are not applicable to the proposed development.

The landscaping requirements of this subsection are not applicable to a single-family detached development. Consistent with the original approval, the applicant has provided the half-street improvement along Parker Road with planting strips and street trees (see Street and Utility Plan).

The east side of Chinook Court includes a five foot wide planter strip also planted with street trees.

The developer will pay the fair market value for the purchase, installation and maintenance of street trees as required by this subsection. And, the City shall plant street trees in accordance with the provisions of this section and Section 54.030 of the Community Development Code.

54.030 Planting Strips for Modified and New Streets

RESPONSE:

The required half-street improvement along Parker Road with planting strips has been constructed consistent with the approved plans. The east side of the private street will include a five foot wide planter strip also planted with street trees. The City is responsible for planting street trees in accordance with the provisions of this section and Section 54.030 of the Community Development Code.

54.050 Protection of Street Trees

RESPONSE:

Street trees will not be topped or trimmed without prior approval by the Parks Supervisor, unless in an emergency when a tree imminently threatens power lines.

54.060 Maintenance

RESPONSE:

Plantings in commonly owned or public areas will be maintained in good condition so as to present a healthy, neat and orderly appearance. Plant growth will be controlled by pruning or trimming so that it will not interfere with the maintenance or repair of any public utility; it will not restrict pedestrian or vehicular access; and it will not constitute a traffic hazard because of reduced visibility.

85.000 Land Divisions – Including Code Revisions Adopted since 2006

85.070 Administration and Approval Process
85.090 Expiration or Extension of Approval
85.140 Pre-Application Conference Required

85.090 Expiration or Extension of Approval
The final plant map shall be submitted to the Planning Director and recorded with the County within three years from the date of approval of the tentative plan, or as approved under Section 99.325. If the final plat is not recorded by that time, the approval expires.

85.140 Pre-Application Conference Required

85.150 The Application – The Tentative Plan

RESPONSE:

This application is submitted by the current property owner. A Subdivision Guarantee issued by the Title Company is included within this application packet.

A pre-application conference was held with staff on April 15, 2010. A copy of the Summary Notes from staff is included in this application packet.

As previously addressed, the current applicant recently acquired the property from the bank that financed the original development, approved in 2006. This application specifically requests an extension of the prior approval, consistent with Section 99.325, as previously addressed. Once the extension is approved, the applicant will follow-up to complete Punch List Items and with submittal of the Final Plat, consistent with Section 89.070.

This application includes a completed application form, submittal fee, and appropriate copies of the tentative plan for the subdivision are provided within this application packet. A complete response to section 85.200 is also included within this narrative, specifically addressing Code revisions subsequent to the 2006 Preliminary Plat approval, particularly Section 32 Water Resource Protection.

A new neighborhood meeting was held for this project in accordance with the requirements of 99.038 of the City of West Linn Development Code. The president of the Parker Crest Neighborhood Association, Bill Relyea, was mailed confirmation, by certified mailing, specifying the date, time and place for the meeting. The president of the Sunset Neighborhood Association, Troy Bowers, was also e-mailed notice of the meeting, as the site is within 500 feet of the neighborhood's boundary. Mr. Bowers' mailing address was not known and not provided by the City.

The applicant met with the neighborhood association during their regularly scheduled meeting on May 26, 2010 in the West Linn City Hall. This application packet contains all required documentation regarding the neighborhood meeting, see Neighborhood Meeting Tab.

85.160 Submittal Requirements

A. A city-wide map shall identify the site. A vicinity map covering 1/4-mile radius from the development site shall be provided in the application showing existing subdivisions, streets, and unsubdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets and utilities may be extended to connect to existing streets and utilities.

RESPONSE:

The Plan Set attached hereto is essentially the same as originally submitted for the 2006 approval. A city-wide map has been included to identify the site. A vicinity map is also shown on the submitted plans. The Plan Set shows it is not possible to extend the proposed private street to the north, east, or west because of existing development and natural features.

B. The tentative subdivision plan shall be prepared by a registered civil engineer and/or a licensed land surveyor. A stamp and signature of the engineer or surveyor shall be included on the tentative subdivision plan. A tentative minor partition plan (3 lots or less) is only required to be drawn to scale and does not have to be prepared by an engineer or surveyor.

RESPONSE:

The tentative subdivision plat was prepared, stamped and signed by a registered civil engineer.

C. The tentative plan of a subdivision or partition shall be drawn at a scale not smaller than one inch equals 100 feet, or for areas over 100 acres, one inch equals 200 feet.

RESPONSE:

The tentative plans are drawn at a scale not less than one inch equals 100 feet. This criterion is met.

D. The following general information shall be shown on the tentative plan of subdivision or partition:

1. Proposed name of the subdivision and streets; these names shall not duplicate nor resemble the name of any other subdivision or street in the City and shall be determined by the City Manager or Designee. Street names should be easily spelled, pronounced, and of limited length. All new street names must, to the greatest extent possible, respect and be representative of the surrounding geography and existing street names. Street names should consider any prominent historical City figures or neighborhood themes that exist. Subdivision street names may not reference names of the builder or developer.

2. Date, north arrow, scale of drawing, and graphic bar scale.

3. Appropriate identification clearly stating the drawing as a tentative plan.

4. Location of the proposed division of land, with a tie to the City coordinate system, where established, and a description sufficient to define its location and boundaries, and a legal description of the tract boundaries.

5. Names and addresses of the owner, developer, and engineer or surveyor.

RESPONSE:

The proposed name of the subdivision and street are clearly shown on the Tentative Plat. The plans also include a date, north arrow, scale and graphic bar scale. The plans are labeled tentative and the names and addresses or the owner, developer, engineer and surveyor are shown.

The access street was named Chinook Court, as approved on the Construction Plans. The street sign installed with the completed improvements reflects this name. Therefore, this criterion is met.

E. The following existing conditions shall be shown on the tentative plan of a subdivision or partition:

1. The location, widths, and names of all existing or platted streets and right-of-ways within or adjacent to the tract (within 50 feet), together with easements and other important features such as section lines, donation land claim corners, section corners, City boundary lines, and monuments.

RESPONSE:

The location, widths and names of the existing streets and rights-of-way adjacent to the tract and within 50 feet are shown on the plans along with easements and other features as applicable and described in this section. The Updated Tentative Plat also reflects the improvements already constructed consistent with the 2007 approval. Therefore this criterion is met.

2. Contour lines related to the U.S. Geological Survey datum or some other established benchmark, or other datum approved by the Planning Director and having the following minimum intervals:

a. Two-foot contour intervals for ground slopes less than 20 percent.

b. Five-foot contour intervals for ground slopes exceeding 20 percent.

RESPONSE:

Contour lines related to the US Geological Survey datum are shown on the plans. The two foot contours are used since slopes are less than 20 percent. This criterion is met.

3. The location of any control points that are the basis for the applicant's mapping.

RESPONSE:

Control points have been shown on the tentative plans.

4. The location, by survey, and direction of all watercourses and areas subject to periodic inundation or storm drainageway overflow or flooding, including boundaries of flood hazard areas as established by the U.S. Corps of Engineers or the City zoning ordinance.

RESPONSE:

The Plan Set shows the location and direction of the man-made drainageway on the site. The plans also show that this drainageway will be preserved in an open space (Tract B). The site does not contain any areas subject to periodic flooding.

5. *Natural features such as rock outcroppings, wetlands tied by survey, wooded areas, heritage trees, and isolated trees (six-inch diameter at five feet above grade) identified by size, type, and location. All significant trees and tree clusters identified by the City Arborist using the criteria of CDC Section 55.100(B)(2) and all heritage trees, shall be delineated. Trees on non-Type I and II lands shall have their "dripline plus 10 feet" protected area calculated per CDC Section 55.100(B)(2) and expressed in square feet, and also as a percentage of total non-Type I and II area.*

RESPONSE:

The Plan Set shows that the site contains wetland habitat, a man-made drainageway, and existing trees. The City Arborist determined that the site does not include any heritage trees, but does have six significant trees and ten additional trees that are not significant but should still be preserved. The significant coniferous trees (#1557, 1559, 1561, 1562, 1563, and 1564) are located in the southeast corner of the site and will be preserved using a tree protection easement. The ten other deciduous trees (#1875, 1876, 1889, 1890, 1891, 1895, 1896, 1917, 1918, and 1925) located in the northwest corner will be preserved within the open space (Tract B).

6. *Existing uses of the property, including location of all existing structures. Label all structures to remain on the property after platting.*

RESPONSE:

The site includes one existing single-family home as shown on the Plan Set which will be removed prior to construction of homes within the proposed subdivision.

7. *Identify the size and location of existing sewers, water mains, culverts, drain pipes, gas, electric, and other utility lines within the site, and in the adjoining streets and property.*

RESPONSE:

The size and location of existing sewers, water mains, culverts, drain pipes, gas, electric and other utility lines within the site and in adjoining streets and property are shown on the plans. This criterion is met.

8. *Zoning on and adjacent to the tract.*

RESPONSE:

The Plan Set shows the zoning on and adjacent to the site. This criterion is met.

9. Existing uses to remain on the adjoining property and their scaled location.

RESPONSE:

The applicant assumes that all existing uses will remain on adjoining property. The plans show those uses directly adjacent to the subject site.

10. The location of any existing bicycle or pedestrian ways.

RESPONSE:

The Aerial and Circulation Plan shows the pedestrian/bicycle path to the northeast of the site that will extend east from Coho Lane within the Rosemont Pointe subdivision. No other pedestrian/bicycle path exists or is planned for the area adjacent to the subject site. This criterion is met.

11. The location of adjacent transit stops.

RESPONSE:

The closest Tri-met transit routes to the subject site include route 35-on Willamette Dr. approximately 0.81 mile to the east and route 154-Willamette along Blankenship Rd. and Willamette Falls Dr. approximately 1.0 mile to the south.

F. The following proposed improvements shall be shown on the tentative plan or supplemental drawings:

1. The street - street location, proposed name, right-of-way width, and approximate radius of curves of each proposed street and street grades. Proposed street names shall comply with the street naming method explained in Section 85.200(A)(12).

RESPONSE:

The plan set in this application packet shows the required information for streets as proposed for the subdivision.

2. The type, method, and location of any erosion prevention and sediment control measures and/or facilities in accordance with the most current version of Clackamas County's Erosion/Sedimentation Control Plans Technical Guidance Handbook, which are necessary to prevent and control visible or measurable erosion as determined by the following criteria:

a. Deposition of soil, sand, dirt, dust, mud, rock, gravel, refuse, or any other organic or inorganic material exceeding one cubic foot in volume in a public

right-of-way or public property, or into the City surface water management system either by direct deposit, dropping, discharge, or as a result of erosion; or,

b. Flow of water over bare soils, turbid or sediment laden flows, or evidence of on-site erosion such as rivulets or bare soil slopes, where the flow of water is not filtered or captured on the development site; or,

c. Earth slides, mud flows, land slumping, slope failure, or other earth movement that is likely to leave the property of origin. Additional on-site measures may later be required if original measures prove to be inadequate in meeting these attainment standards. For the purposes of this Code, "one cubic foot in volume" is defined to include the volume of material, wet or dry, at the time of deposition and includes any water of a discolored or turbid nature. (ORD. 1382)

RESPONSE:

The types, methods and locations of all erosion prevention and sediment control measures and facilities are shown on the tentative plans. Erosion control has been designed in accordance with the most current version of Clackamas County's Erosion/Sedimentation Control Plans Technical Guidance Handbook. This criterion is met.

3. Any proposed infrastructure improvements that address those identified in the City Transportation System Plan.

4. Any proposed bicycle or pedestrian paths. The location of proposed transit stops.

RESPONSE:

The Transportation System Plan (TSP) identifies bike & pedestrian improvements along Parker Road. It also identifies a future traffic signal at the intersection of Parker and Solamo, when warranted. There are no other street extensions or connectivity improvements identified in the immediate are of the development.

The proposed subdivision includes a continuation of the side walk along the Parker Road frontage. The plans also include a pedestrian/bicycle path extending from the private street, through the site, to the northern boundary. In addition, half-street frontage improvements for Parker Road are included with this development, consistent with the 2006 approval.

Tri-met does not provide any transit routes along Parker Road or within the general vicinity of the proposed project. Therefore, no stops are proposed on the Plan Set submitted with this application packet. These criteria are met.

5. *Any easement(s) - location, width, and purpose of the easement(s).*

RESPONSE:

The Plan Set shows all easements including location, width and purpose. This criterion is met.

6. *The lot configuration including location and approximate dimensions and lot area of each parcel, and in the case of a subdivision, the proposed lot and block number.*

RESPONSE:

The lot configuration including location and approximate dimensions and lot area for each parcel are shown on the plans. This criterion is met.

7. *A street tree planting plan and schedule approved by the Parks Department.*

RESPONSE:

The plan set submitted with this application shows the street tree planting plan. This criterion is met.

8. *Any land area to be dedicated to the City or put in common ownership.*

RESPONSE:

The site includes one tract to be dedicated to the City. Tract 'B' includes the 31,560 square feet to be dedicated as public open space. This criterion has been met.

9. *Phase boundaries shall be shown. (ORD. 1382)*

RESPONSE:

The proposed subdivision does not include phasing. The site and public improvements will be completed in a single phase. This item does not apply.

85.170 Supplemental Submittal Requirements For A Tentative Subdivision
The following information shall be submitted to supplement the tentative subdivision plan:

A. ***General.***

1. *Narrative stating how the plan meets each of the applicable approval criteria and each subsection below.*

RESPONSE:

This document serves as the narrative stating how the plan meets each of the applicable approval criteria. This criterion is met.

2. *Statement or affidavit of ownership of the tract (County Assessor's map and tax lot number).*

RESPONSE:

A Subdivision Guarantee issued by a Title Company is included, which demonstrates ownership is included within the submittal. A County Tax Map is also included. This criterion is met.

3. *A legal description of the tract.*

RESPONSE:

Legal descriptions for the subject site are contained in the Legal Description section of this application packet.

4. *If the project is intended to be phased, then such a proposal shall be submitted at this time with drawing and explanation as to when each phase will occur and which lots will be in each phase.*

RESPONSE:

The site improvements will be constructed as shown on the plans in a single phase. This criterion does not apply.

5. *Where the land to be subdivided or partitioned contains only a part of the contiguous land owned by the developer, the Commission or Planning Director, as applicable, shall require a master plan of the remaining portion illustrating how the remainder of the property may suitably be subdivided.*

RESPONSE:

The entire site is being developed. This criterion does not apply.

6. *Where the proposed subdivision site includes hillsides or where erosion hazard potential exists, including Type I and II lands as defined in Section 24.060(C), and any lands identified as a hazard site in the West Linn Comprehensive Inventory Plan Report, the standards and requirements of Chapter 24, Planned Unit Development, as well as the requirements for erosion control as described in Section 85.170(C), shall be addressed in a narrative. (ORD. 1425)*

RESPONSE:

This subdivision site does not include hillsides, erosion hazard potential, or Type I and II lands. This criterion does not apply.

7. *Table and calculations showing the allowable number of lots under the zone and how many lots are proposed.*

RESPONSE:

The total gross area of the site equals 99,317 square feet (2.28 acres). The site contains wetland habitat, manmade drainage, and requisite transition area, which is preserved in a 31,560 square foot (0.72 acres) open space (Tract B). In addition, the site design includes a 2,149 square foot (0.05 acre) stormwater facility (Tract A) and access via a public street and access easment. Therefore, the net buildable area equals 60,695 square feet (1.39 acres) allowing six (6) lots (60,695 square feet / 10,000 square foot minimum lot size = 6 lots).

Table 1 (below) shows the requested analysis.

Table 1. Number of Lots Allowed and Proposed in Parker Road Subdivision (Area Numbers in Square Feet)

Total Gross Area:			99,317
Less Undevelopable Land:			
	Street and Easement	(4,913)	
	Storm Water Detention	(2,149)	
	Wetland & Transition Area	(31,560)	
Total Net Area:			(38,622)
R-10 Minimum Lot Size:			10,000
Allowable No. of Lots in R-10 Zone:	(60,695 / 10,000)		6.07
No. of Lots Proposed:			6

8. *Map and table showing square footage of site comprising slopes by various classifications as identified in Section 55.110(B)(3).*

RESPONSE:

Table 2 (below) shows the slopes of the project site taken from Sheet 6 – Slope Analysis in the Plan Set contained within this application packet.

Table 2. Square Footage of Site Comprising Slopes by Various Classifications

Slope Classification	Total Gross Area (Square Feet)	Percentage of Site
0-5 percent	7,121	7.2
5-15 percent	70,975	71.5
15-25 percent	21,144	21.3
25-35 percent	0	0
35-50 percent	36	0.1
50 percent or more	0	0

The Slope Analysis shows that almost the entire site (99.9 percent) has an existing slope less than 25 percent. In addition, the analysis shows that 78.7 percent of the site has an existing slope of 15 percent or less. The large portion of the site with a slope in the 15-25 percent classification is located along the man-made drainageway on the west side of the site where development is not proposed. The 36 square feet having a slope in the 35-50 percent classification is located in the man-made drainage on the southwest corner of the site

B. Transportation

1. Centerline profiles with extensions shall be provided beyond the limits of the proposed subdivision to the point where grades meet, showing the finished grade of streets and the nature and extent of street construction.

RESPONSE:

The existing development to the north and east and natural features to the west do not allow for any future extension of streets from the site.

2. Traffic Impact Analysis (TIA).

A. *Purpose. The purpose of this section of the code is to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule that requires the City to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic impact Study; and who is qualified to prepare the Study.*

B. *Typical Average Daily Trips. The latest edition of the Trip Generation manual, published by the Institute of Transportation Engineers (ITE) shall be used as the standards by which to gauge average daily vehicle trips.*

C. *When Required. A Traffic Impact Analysis may be required to be*

submitted to the City with a land use application, when the following conditions apply:

a. *The development application involve one or more of the following actions:*

1. *A change in zoning or a plan amendment designation; or*

2. *Any proposed development or land use action that ODPT states may have operational or safety concerns along a state highway; and*

3. *The development shall cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis or study, filed measurements, crash history, Institute of Transportation Engineers Trip General manual; and information and studies provided by the local reviewing jurisdiction and/or ODTO:*

a. *An increase is site traffic volume generation by 250 Average Daily Trips (ADT) or more (or as required by the City Engineer); or*

b. *An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or*

c. *The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles entering the property are restricted, or such vehicles queue or hesitate on the State Highway, creating a safety hazard; or*

d. *The location of the access driveway does not meet the access spacing standards of the roadway on which the driveway is located; or*

e. *A change internal traffic patterns that may cause safety problem, such as back-up onto the highway or traffic crashes in the approach area.*

RESPONSE:

This development has prior approval, and no traffic impact analysis was required as part of that review and approval. This is a new Code Section, added since the 2006 approval, and therefore must be addressed.

City Staff did not indicate the need for a traffic impact analysis during the pre-application conference. This development does not include a zone change or plan amendment, and does not directly impact a state highway. With only 6 new lots and an ADT of 7-10 trips per new home, this development will only create 42-60 trips, which is less than trigger point of 250 average daily trips that requires a TIA to be submitted. Consistent with the 2006 approval, access to the site has been constructed with a single street connection to Parker Road, as recommended and approved by the City Engineer. The street intersection meets sight distance and access spacing standards and does not create any safety hazards. As a residential development it will not generate heavy truck traffic exceeding the gross vehicle weights by 10 or more vehicles per day.

Therefore a TIA is not required.

C. Grading.

1. If areas are to be graded, a plan showing the location of cuts, fill, and retaining wall, and information on the character of soil shall be provided. The grading plan shall show proposed and existing contours at intervals per Section 85.160(E)(2).

RESPONSE:

A grading plan showing the criteria of this item is included in the submittal. The majority of the soils on the site are labeled in the Soil Survey of Clackamas County Area, Oregon as *Delena silt loam (30C)* along with a small area of *Cornelius silt loam (23C)*.

The *Delena silt loam* is described as deep, poorly drained soil typically with a very dark grayish brown silt loam about 12 inches thick. The upper 13 inches of the subsoil is dark grayish brown and grayish brown silty clay loam, and the lower 35 inches is grayish brown, dark grayish brown, and yellowish red cemented silty.

The *Cornelius silt loam* is described as deep, moderately well drained soil typically with surface layer of very dark grayish brown and dark brown silt loam about nine inches thick. The upper seven inches of the subsoil is brown silt loam and the lower 18 inches is dark yellowish brown silty clay loam.

2. *The grading plan shall demonstrate that the proposed grading to accommodate roadway standards and create appropriate building sites, is the minimum amount necessary. (ORD. 1382)*

RESPONSE:

The grading plan demonstrates that the proposed grading to accommodate roadway standards and create appropriate building sites is the minimum amount necessary.

D. Water.

1. *A plan for domestic potable water supply lines and related water service facilities, such as reservoirs, etc., shall be prepared by a licensed engineer consistent with the adopted Comprehensive Water System Plan and most recently adopted updates and amendments.*

RESPONSE:

A plan for domestic potable water supply lines completed by a licensed engineer is included in the plans submitted. The plan is consistent with the adopted Comprehensive Water System Plan and most recently adopted updates and amendments. This criterion is met.

2. *Location and sizing of the water lines within the development and off-site extensions. Show on-site water line extensions in street stubouts to the edge of the site, or as needed to complete a loop in the system.*

RESPONSE:

The location and sizing of the water line within the development is shown on the plans. The proposal will extend a water line north into the site from the existing line in Parker Rd. The proposed water line is not extended to the edge of the site because of existing development to the north and east and wetland to the west. This criterion is met.

3. *Adequate looping system of water lines to enhance water quality.*

RESPONSE:

The proposed design for water does not include looping.

4. *For all non single-family developments, calculate fire flow demand of the site and demonstrate to the Fire Chief. Demonstrate to the City Engineer how the system can meet the demand.*

RESPONSE:

The project is single family and therefore fire flow calculations are not necessary.

E. Sewer.

1. A plan prepared by a licensed engineer shall show how the proposal is consistent with the Sanitary Sewer Master Plan and subsequent updates and amendments. Agreement with that plan must demonstrate how the sanitary sewer proposal will be accomplished and how it is efficient. The sewer system must be in the correct zone.

RESPONSE:

A plan prepared by a licensed engineer and included within the plan set shows how the sanitary proposal is consistent with the Sanitary Sewer Master Plan. The applicant will extend a sanitary line from the existing line in Parker Road to serve the future homes. The system has been design to minimize pipe lengths and maximize efficiency. The sewer system is in the correct zone.

2. Sanitary sewer information will include plan view of the sanitary sewer lines, including manhole locations and depths. Show how each lot would be sewered.

RESPONSE:

The sanitary sewer information is shown in plan view and includes manhole locations and depths.

3. Sanitary sewer lines shall be located in the public right-of-way, particularly the street, unless the applicant can demonstrate why the alternative location is necessary and meets accepted engineering standards.

RESPONSE:

The proposed design does not include public right-of-way. The extension of the sanitary sewer line onto the site has been constructed within the Chinook Court street right-of-way and a variable width utility and access easement. The location and design of the line meet all accepted engineering standards, as demonstrated by the approved Engineering Plans.

4. Sanitary sewer line should be at a depth that can facilitate connection with down system properties in an efficient manner.

RESPONSE:

The sanitary sewer line is proposed at a depth that can facilitate its connection to the down system properties. The sanitary sewer line does not have to be extended to the adjacent property to the south as it has yet to develop.

5. *The sanitary sewer line should be designed to minimize the amount of lineal feet in the system.*

RESPONSE:

The sanitary sewer line has been designed to minimize the lengths of the system.

6. *The sanitary sewer line shall minimize disturbance of natural areas and, in those cases where that is unavoidable, disturbance shall be mitigated pursuant to the appropriate chapters (e.g., Chapter 30, Wetland and Natural Drainageway).*

RESPONSE:

The sanitary sewer line will not disturb the wetland habitat or man-made drainageway on the site. This criterion is met.

7. *Sanitary sewer shall be extended or stubbed out to the next developable subdivision or a point in the street that allows for reasonable connection with adjacent or nearby properties.*

RESPONSE:

The existing development to the north and east and proposed preservation of the open space (Tract B) precludes the ability for further development and thus, the need to stub the sanitary line out at any site boundary.

8. *The sanitary sewer system shall be built pursuant to Department of Environmental Quality (DEQ), City, and Tri-City Service District sewer standards. This report should be prepared by a licensed engineer, and the applicant must be able to demonstrate the ability to satisfy these submittal requirements or standards at the preconstruction phase.*

RESPONSE:

The sanitary sewer system will be built pursuant to DEQ, City and Tri-City Service District standards. The plans and information prepared regarding sanitary sewer was completed by a licensed engineer. The applicant has and will continue to demonstrate the ability to satisfy these submittal requirements and standards at the preconstruction phase.

F. Storm.

1. *A proposal shall be submitted for storm drainage and flood control including profiles of proposed drainageways with reference to the most recently adopted Storm Drainage Master Plan.*

RESPONSE:

The plans demonstrate the proposed storm drainage facilities for the site including piping, catch basins and a water quality facility. The design lends itself to reducing the rate of run-off and therefore not requiring flood control systems. The existing man-made drainageway will be preserved in the open space (Tract B).

2. *Storm treatment and detention facilities shall be sized to accommodate a 25-year storm incident. A registered civil engineer shall prepare a plan and statement which shall be supported by factual data that clearly shows that there will be no adverse impacts from increased intensity of runoff downstream or constriction created upstream impacts. The plan and statement shall identify all on- or off-site impacts and measures to mitigate those impacts. The plan and statement shall, at a minimum, determine the off-site impacts from a 25-year storm. (ORD. 1442)*

RESPONSE:

The new water quality/detention facility in the south-central portion of the property will accommodate the necessary detention for a 25-year storm incident. A statement by a registered civil engineer supported by factual data that demonstrates that there will be no adverse impacts from increased intensity of runoff downstream or constriction created upstream impacts (see Water Quality/Detention section of this application packet). The proposed facility will be surrounded by a minimum four-foot high black vinyl clad chain link fence.

3. *Plans shall demonstrate how storm drainage will be collected from all impervious surfaces including roof drains. Storm drainage connections shall be provided to each dwelling unit/lot. The location, size, and type of material selected for the system shall correlate with the 10-year storm incident and agree with the factual information provided in response to F(2) above.*

RESPONSE:

The Plan Set submitted with this application packet shows the proposed storm lines including the sizes of all lines. The plan clearly demonstrates how drainage will be collected from all impervious surfaces including roof drains. The location, size, and type of material selected for the system correlates with the 10-year storm incident and agrees with the factual information provided in response to F(2) above.

4. *The detention facilities shall be designed by a licensed engineer to meet City standards. The detention facilities should include a vegetation plan for the facility and environs, if applicable.*

RESPONSE:

The detention facility for the 2 year storm event has been designed by a licensed engineer to meet City standards. The Plan Set submitted with this application packet demonstrates the plantings for the facility and environs.

85.180 Redivision Plan Requirement

A re-division plan shall be required for a partition or subdivision, where the property could be developed at a higher density, under existing/proposed zoning, if all services were available and adequate to serve the use.

RESPONSE:

The site is being fully developed with no future development to occur. No re-division plan is necessary.

85.200 Approval Criteria

A. Streets

1. General. The location, width and grade of streets shall be considered in their relation to existing and planned streets, to the generalized or reasonable layout of streets on adjacent undeveloped parcels, to topographical conditions, to public convenience and safety, to accommodate various types of transportation (automobile, bus, pedestrian, bicycle), and to the proposed use of land to be served by the streets...

RESPONSE:

The project has street frontage on Parker Road, which is classified as an Arterial. The Parker Road frontage has been improved with half-street improvements including curb, gutter, sidewalk, and planter strip (see Street and Utility Plan). Consistent with the 2006 approval, the applicant has constructed a public street (Chinook Court) for primary access with 40 feet of right-of-way width, resulting in a single access intersection on Parker Road.

The Aerial and Circulation Plan, included in the original application, shows how this street connects to Parker Road. The existing development to the north and east and the natural resources to the west preclude the ability to extend the private street in any direction.

Pedestrian circulation has been provided onto the site by the sidewalk constructed along the site's Parker Road frontage. This sidewalk then extends onto the site in easements along the west side of Chinook Court, and extends through to the abutting development to the north.

2. Right-of-way and Roadway Widths. In order to accommodate larger tree lined boulevards and sidewalks, particularly in residential areas, the standard right-of-way widths for the different street classifications shall be within the range listed below. But, instead of filling in the right-of-way with pavement, they shall accommodate the amenities (e.g., boulevards, street trees, sidewalks). The exact

width of the right-of-way shall be determined by the City Engineer or the approval authority. The following ranges will apply:

Street Classification	***Right-of-Way***
Highway 43	*60-80*
Major arterial	*60-80*
Minor arterial	*60-80*
Major collector	*60-80*
Collector	*60-80*
Local Street	*40-60*

Additional right-of-ways for slopes may be required. Sidewalks shall not be located outside of the right-of-way unless to accommodate significant natural features or trees.

RESPONSE:

The approved and constructed right-of-way and street widths are within the range specified in the Roadway/Right-of-Way Table found in this section. Parker Road, designated an arterial, currently has 60-feet of right of way. Therefore, Parker Road has been improved with the required 30-foot half street right-of-way for an arterial.

The new public street (Chinook Court) has a 40-foot right of way, which includes 28 feet of travel lane width and curbs with a width of ½ foot along both sides of the street. The street construction has complied with the right-of-way width as determined by the City Engineer and approval authority.

3. *Street Widths. Street widths shall depend upon which classification of street is proposed. The classifications and required cross sections are established in Chapter 8 of the adopted TSP. Streets are classified as follows:*

   Freeways *...*

   Principal Arterials *...*

   Arterial Streets *serve to interconnect the City. These streets link major commercial, residential, industrial and institutional areas. Arterial streets are typically spaced about one mile apart to assure accessibility and reduce the incidence of traffic using collectors or local streets for through traffic in lieu of a well planned arterial street. Access control is the key feature of an arterial route. Arterials are typically multiple miles in length.*

   Collector Streets *provide both access and circulation...*

   Neighborhood Routes *are usually long relative to local streets and provide connectivity to collectors or arterials...*

   Local Streets *have the sole function of providing access to immediately adjacent land. Service to "through traffic movement" on local streets is deliberately discouraged by design.*

   ...

RESPONSE:

Parker Road, classified an arterial, currently has the 60 feet of right of way which meets the minimum requirement. Therefore, the road has the required 30-foot half street right-of-way for an arterial, and the frontage improvements have been constructed. The subject site is adjacent to an arterial (Parker Road), therefore, a six-foot wide bike lane has also bee proved, as part of the half-street improvements.

Consistent with the approved plans, Chinook Court, the on-site public street has a 40-foot right of way, and has been constructed with 28 feet of travel lane width up to the hammerhead turn-around. At the turn-around the pavement narrows to 16 feet, within the access easement serving Lots 4, 5 & 6, as reflected in the Engineering Plans.

4. *The decision-making body shall consider the City Engineer's recommendations on the desired right-of-way width, pavement width and street geometry of the various street types within the subdivision after consideration by the City Engineer of the following criteria:...*

5. *Additionally, when determining appropriate street width, the decision-making body shall consider the following criteria...*
   a. *When a local street is the only street serving a residential area and is expected to carry more than the normal local street traffic load, the designs with two travel and one parking lane are appropriate.*
   b. *Streets intended to serve as signed but unstriped bike routes should have the travel lane widened by two feet.*
   c. *Collectors should have two travel lanes and may accommodate some parking. Bike routes are appropriate.*
   d. *Arterials should have two travel lanes. On-street parking is not allowed unless part of a Street Master Plan. Bike lanes are required as directed by the Parks Master Plan and Transportation Master Plan.*

RESPONSE:

The decision making body approved the street design based on the City Engineers recommendations regarding the right-of-way widths for Parker Road and Chinook Court. No code changes affect compliance with street related issues.

The on-site public street (Chinook Court) has been constructed with 28 feet of travel lane width for two-way traffic consistent with the approved plans.

The subject site fronts onto Parker Road, an arterial with 60-feet of right of way. Therefore, the 30-foot half street right of way for this street complies with the required half street width. No on-street parking was proposed or required.

6. *Reserve Strips. Reserve strips or street plugs controlling the access to streets are not permitted unless owned by the City.*

RESPONSE:

The applicant was not required to provide and is not proposing any reserve strips. This criterion does not apply.

7. *Alignment. All streets other than local streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuations of the centerlines thereof. The staggering of street alignments resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the centerlines of streets having approximately the same direction and otherwise shall not be less than 100 feet.*

RESPONSE:

The subdivision includes only one new public street which is proposed to provide access to all 6. No streets exist directly across Parker (to the south) with which to align the new street, so it is a T-intersection.

8. *Future Extension of Streets. Where necessary to give access to, or permit a satisfactory future subdivision of adjoining land, streets shall be extended to the boundary of the subdivision and the resulting dead-end streets may be approved without turnarounds. (Temporary turnarounds built to Fire Department standards are required when the dead-end street is over 100 feet long.)*

RESPONSE:

The proposed subdivision includes only one public street which cannot be extended to the north, east, or west because of existing development and natural features. However, a pathway connection is provided to the adjacent development to the north.

9. *Intersection Angles. Streets shall be laid out to intersect angles as near to right angles as practical, except where topography requires lesser angles, but in no case less than 60 degrees unless a special intersection design is approved. Intersections which are not at right angles shall have minimum corner radii of 15 feet along right-of-way lines which form acute angles. Right-of-way lines at intersections with arterial streets shall have minimum curb radii of not less than 35 feet. Other street intersections shall have curb radii of not less than 25 feet. All radii shall maintain a uniform width between the roadway and the right-of-way lines. The intersection of more than two streets at any one point will not be allowed unless no alternative design exists.*

RESPONSE:

The intersection of Chinook Court with Parker Rd. was designed and constructed at a right angle. This development does not create an intersection of more than two streets at any one point. Therefore this criterion is met.

10. Additional Right-of-Way for Existing Streets. Wherever existing street right-of-ways adjacent to or within a tract are of inadequate widths based upon the standards of this chapter, additional right-of-way shall be provided at the time of subdivision or partition.

RESPONSE:

Parker Road, classified an arterial, currently has the 60 feet of total right of way and 30 feet of half street with which meet the minimum requirements. Therefore, the applicant is not dedicating any additional right of way along the north side of Parker Road.

11. Cul-de-sacs. Cul-de-sacs are not allowed except as required by topography, slope, site limitations, and lot shapes. Cul-de-sacs shall have maximum lengths of 400 feet and serve no more than 12 dwelling units, unless by variance per CDC Chapter 75. All cul-de-sacs shall terminate with a turnaround built to one of the following specifications (measurements are for the traveled way and do not include planter strips or sidewalks. (ORD. 1463)

RESPONSE:

The proposal does not include cul-de-sacs. This criterion does not apply.

12. Street Names. No street names shall be used which will duplicate or be confused with the names of existing streets within the City.

RESPONSE:

The proposed subdivision includes only one public street which has been approved as Chinook Court.

13. Grades and Curves. Grades shall not exceed 8 percent on major or secondary arterials, 10 percent on collector streets, or 15 percent on any other street unless by variance.

RESPONSE:

The grade for the new street is in compliance with this criterion.

14. *Access to Local Streets. Intersection of a local residential street with an arterial street may be prohibited by the decision-making authority if suitable alternatives exist for providing interconnection of proposed local residential streets with other local streets. Where a subdivision or partition abuts or contains an existing or proposed major arterial street, the decision-making authority may require marginal access streets, reverse frontage lots with suitable depth, visual barriers, noise barriers, berms, no access reservations along side and rear property lines, and/or other measures necessary for adequate protection of residential properties from incompatible land uses, and to ensure separation of through traffic and local traffic.*

RESPONSE:

The applicant has designed the Parker Road/Chinook Court intersection as approved by the City Engineer and shown on the Construction Plans.

15. *Alleys. Alleys shall be provided in commercial and industrial districts unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the decision-making authority.*

RESPONSE:

The proposal does not include alleys. This item does not apply.

16. *Sidewalks. Sidewalks shall be installed per Section 92.010(H), Sidewalks. The residential sidewalk width is six feet plus planter strip as specified below. Sidewalks in commercial zones shall be constructed per Section 85.200(A)(3)(e). See also Section 85.200(C). Sidewalk width may be reduced with City Engineer approval to the minimum amount (e.g., 4 feet wide) necessary to respond to site constraints such as grades, mature trees, rock outcroppings, etc., or to match existing sidewalks or right-of-way limitations. (ORD. 1408)*

RESPONSE:

Sidewalks have been installed on the Parker Road and Chinook Court consistent with the approved plans.

17. *Planter Strip. The planter strip is between the curb and sidewalk providing space for a grassed or landscaped area and street trees. The planter strip shall be at least 6 feet wide to accommodate a fully matured tree without the boughs interfering with pedestrians on the sidewalk or vehicles along the curbline. Planter strip width may be reduced or eliminated, with City Engineer approval, when it cannot be corrected by site plan, to the minimum amount necessary to respond to site constraints such as grades, mature trees, rock outcroppings, etc., or in response to right-of-way limitations. (ORD. 1408)*

RESPONSE:

The constructed public street improvements on Parker Road include the 6-foot wide planting strip. In addition, the proposed design includes a 5.5 foot wide planter strip on the east side of the private street which will be planted with street trees.

18. Streets and roads shall be dedicated without any reservations or restrictions.

RESPONSE:

Consistent with the approved plans, the applicant will dedicate the 40 foot right-of-way for Chinook Court. In addition, the street improvements to Parker Road have been made without any reservations or restrictions.

19. All lots in a subdivision shall have frontage on a public street. Lots created by partition may have access to a public street via an access easement pursuant to the standards and limitations set forth for such accessways in Chapter 48. (ORD. 1442)

RESPONSE:

The proposed design of the subdivision includes one new public street (Chinook Court). The design also includes approximately 231 feet of frontage on S. Parker Road, a public street. These frontage improvements have been completed. Therefore street access is consistent with this criterion and the approved plans.

20. Gated Streets. Gated streets are prohibited in all residential areas on both public and private streets. A driveway to an individual home may be gated. (ORD. 1408)

RESPONSE:

The proposal does not include gated streets. This criterion does not apply.

21. Entryway Treatments and Street Isle Design. When the applicant desires to construct certain walls, planters, and other architectural entryway treatments within a subdivision, the following standards shall apply:

RESPONSE:

The proposal does not include entryway treatments. This criterion does not apply.

22. Based upon the determination of the City Manager or the Manager's designee, the applicant shall construct or cause to be constructed, or contribute a proportionate share of the costs, for all necessary off-site improvements identified by the transportation analysis...

RESPONSE:

The applicant considers all completed improvements proportionate to the impacts of the development. Appropriate and proportionate contributions to the costs of all off-site improvements consistent with those identified in the 2006 approval will be made, including payment of SDC's.

B. Blocks and Lots

1. General. The length, width, and shape of blocks shall be designed with due regard for the provision of adequate building sites for the use contemplated; consideration of the need for traffic safety, convenience, access, circulation, and control; and recognition of limitations and opportunities of topography and solar access.

2. Sizes. The recommended block size is 400 feet in length to encourage greater connectivity within the subdivision. Blocks shall not exceed 800 feet in length between street lines, except for blocks adjacent to arterial streets or unless topographical conditions or the layout of adjacent streets justify a variation. Designs of proposed intersections shall demonstrate adequate sight distances to the City Engineer's specifications. Block sizes and proposed accesses must be consistent with the adopted TSP.

RESPONSE:

The subdivision does not create distinct blocks surrounded by streets since only one new street has been provided through the middle of the subject site. And, Chinook Court does not connect through to another street. The length, width, and shape of the buildable area to the east of the proposed street has been designed in consideration of providing adequate building sites, traffic safety, ease of access and overall circulation. The street was constructed consistent with the prior approval. The street and block configuration is also consistent with the adopted TSP. No code changes affect the street and block design.

3. Lot Size and Shape. Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision, for the type of use contemplated, for potential utilization of solar access, and for the protection of drainageways, trees, and other natural features. No lot shall be dimensioned to contain part of an existing or proposed street. All lots shall be buildable, and the buildable depth should not exceed two and one-half times the average width. Buildable describes lots that are free of constraints such as wetlands, drainageways, etc., that would make home construction impossible. Lot sizes shall not be less than the size required by the zoning code unless as allowed by Planned Unit Development (PUD). (ORD. 1401)

Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

RESPONSE:

The approved lot sizes, widths, shape and orientation were found to be appropriate for the location of the subdivision and for the type of use proposed. The (buildable) area of the site does not contain drainageways or wetlands. Existing trees have and will be preserved in compliance with the City's Development Code. No lot is dimensioned to contain part of an existing or proposed street right-of-way. The lot sizes will not be less than what is required by the Development Code, all equal or exceed 10,000 square feet, exclusive of the access easement, per Condition of Approval #2.

This request for Extension of Approval does not alter the plat design, except as addressed relative to the new Section 32 Water Resource Protection standards.

4. *Access. Access to subdivisions, partitions, and lots shall conform to the provisions of Chapter 48, Access.*

RESPONSE:

Access to all lots has been provided for in accordance with the provisions of Chapter 48.

5. *Through Lots and Parcels. Through lots have frontage on a street at the front and rear of the lot. They are also called double frontage lots. Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from arterial streets or adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. A planting screen or impact mitigation easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.*

RESPONSE:

No through lots or parcels are proposed. This criterion does not apply.

6. *Lot and Parcel Side Lines. The lines of lots and parcels, as far as is practicable, should run at right angles to the street upon which they face, except that on curved streets they should be radial to the curve.*

RESPONSE:

The lines of all lots are designed to run at right angles to the public street and access easement. This criterion is met.

7. *Flag Lots. Flag lots can be created where it can be shown that no other reasonable street access is possible to achieve the requested land division. A single flag lot shall have a minimum street frontage of 15 feet for its accessway. Where two to four flag lots share a common accessway, the minimum street frontage and accessway shall be*

8 feet in width per lot. Common accessways shall have mutual maintenance agreements and reciprocal access and utility easements. The following dimensional requirements shall apply to flag lots:

RESPONSE:

The proposed subdivision does not create any flag lots. Therefore, this criterion does not apply.

8. *Large Lots. In dividing tracts into large lots or parcels which, at some future time, are likely to be redivided, the approval authority may require that the blocks be of such size and shape, and be so divided into building sites, and contain such easements and site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size. Alternately, in order to prevent further partition of oversized lots, restrictions may be imposed on the subdivision or partition plat.*

RESPONSE:

This project does not create large lots that can be developed in the future; therefore this criterion does not apply.

C. *Pedestrian and Bicycle Trails*

1. *Trails or multi-use pathways shall be installed, consistent and compatible with federal ADA requirements and with the Oregon Transportation Planning Rule, between subdivisions, cul-de-sacs, and streets that would otherwise not be connected by streets due to excessive grades, significant tree(s), and other constraints natural or man-made. Trails shall also accommodate bicycle or pedestrian traffic between neighborhoods and activity areas such as schools, libraries, parks, or commercial districts. Trails shall also be required where designated by the Parks Master Plan. (ORD. 1425)*

RESPONSE:

The development provides a 6-foot wide pedestrian path through the proposed subdivision. The pedestrian path is an extension of the on-site sidewalk on the west side of Chinook Court. The path extends beyond the end of the public street, and connects to the pathway constructed within the Private Drive 'L' in the Rosemont Pointe subdivision, providing a connection between both neighborhoods.

2. *The all-weather surface (asphalt, etc.) trail should be eight feet wide at minimum for bicycle use and six feet wide at minimum for pedestrian use. Trails within 10 feet of a wetland or natural drainageway shall not have an all-weather surface, but shall have a soft surface as approved by the Parks Director. These trails shall be contained within a corridor dedicated to the City that is wide enough to provide trail users with*

a sense of defensible space. Corridors that are too narrow, confined, or with vegetative cover may be threatening and discourage use. Consequently, the minimum corridor width shall be 20 feet. Sharp curves, twists, and blind corners on the trail are to be avoided as much as possible to enhance defensible space. Deviations from the corridor and trail width are permitted only where topographic and ownership constraints require it. (ORD. 1463)

RESPONSE:

The pedestrian path has been constructed at a width of six feet from the point where it extends beyond the end of the Chinook Court, to where it connects to Private Drive 'L' in the Rosemont Pointe subdivision.

Although the proposal for the site includes enhancement of the wetland and transition area with plantings, defensible space will be maintained. The pathway alignment does not include sharp curves, twists, and blind corners.

3. *Defensible space shall also be enhanced by the provision of a 3-4 foot high matte black chain link fence or acceptable alternative along the edge of the corridor. The fence shall help delineate the public and private spaces.*

RESPONSE:

The 3-4 foot high matte black chain link fencing has been provided to delineate public and private spaces surrounding the pedestrian path.

4. *The bicycle or pedestrian trails that traverse multi-family and commercial sites should follow the same defensible space standards but do not need to be defined by a fence unless required by the decision-making authority.*

RESPONSE:

The subdivision does not include any multi-family or commercial sites. Therefore, this criterion does not apply.

5. *Except for trails within 10 feet of a wetland or natural drainageway, soft surface or gravel trails may only be used in place of a paved, all-weather surface where it can be shown to the Planning Director that the principal users of the path will be recreational, non-destination oriented foot traffic, and that alternate paved routes are nearby and accessible.*

RESPONSE:

The pedestrian path has been paved with asphalt on the subject site except for the small section next to the northern site boundary which is within 10 feet of the wetland (see Plan Set within this application packet). This section has a soft surface as approved by the Parks Director. The path then extends north into the Rosemont Pointe subdivision where it includes two sections of elevated boardwalk, where it crosses separate stormwater facilities designed as part of Rosemont Pointe.

6. *The trail grade shall not exceed 12% except in areas of unavoidable topography, where the trail may be up to a 15% grade for short sections no longer than 50 feet. In any location where topography requires steeper trail grades than permitted by this section, the trail shall incorporate a short stair section to traverse the area of steep grades. (ORD. 1442)*

RESPONSE:

The Plan Set within this application packet shows that the vast majority of the pedestrian path has a grade less than 12 percent. The path runs between 12 and 15 percent towards the north end of the site, but in these areas the sections of the trail do not exceed 50 feet. The pathway has been constructed as approved.

D. Transit Facilities.

RESPONSE:

Tri-met does not include transit routes along Parker Road or within the general vicinity of the proposed project. Therefore, no stops are proposed with the proposed subdivision.

The closest Tri-met transit routes to the subject site include route 35-on Willamette Dr. approximately 0.81 mile to the east and route 154-Willamette along Blankenship Rd. and Willamette Falls Dr. approximately 1.0 mile to the south.

E. Lot Grading. Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:

1. *All cuts and fills shall comply with the excavation and grading provisions of the Uniform Building Code and the following:*
   a. *Cut slopes shall not exceed one and one-half feet horizontally to one foot vertically (i.e., 67 percent grade).*
   b. *Fill slopes shall not exceed two feet horizontally to one foot vertically (i.e., 50 percent grade). Please see the following illustration. (ORD. 1408)*

RESPONSE:

A detailed Grading Plan has been attached as part of this application package. The grading was designed in accordance with the applicable criteria of the Uniform Building Code and approved Construction Plans.

2. *The character of soil for fill and the characteristics of lot and parcels made usable by fill shall be suitable for the purpose intended.*

RESPONSE:

The character of soil for fill and the characteristics of lot and parcels made usable by fill will be suitable for the residential purpose.

3. *If areas are to be graded (more than any four-foot cut or fill), compliance with Section 85.170(C) is required.*

RESPONSE:

The applicant has addressed Section 85.170(C) within this narrative, demonstrating compliance.

4. *The proposed grading shall be the minimum grading necessary to meet roadway standards, and to create appropriate building sites, considering maximum allowed driveway grades.*

RESPONSE:

The completed grading is the minimum grading necessary to meet roadway standards and to create appropriate building sites. The driveway grades are designed at less than the maximum allowed.

5. *Where landslides have actually occurred, where the area is identified as a hazard site in the West Linn Comprehensive Plan Report, or where field investigation by the City Engineer confirms the existence of a severe landslide hazard, development shall be prohibited unless satisfactory evidence is additionally submitted by a registered geotechnical engineer which certifies that methods of rendering a known hazard site safe for construction are feasible for a given site. The City Engineer's field investigation shall include, but need not be limited to, the following elements:*
   a. *Occurrences of geotropism.*
   b. *Visible indicators of slump areas.*
   c. *Existence of known and verified hazards.*
   d. *Existence of unusually erosive soils.*
   e. *Occurrences of unseasonably saturated soils. The City Engineer shall determine whether the proposed methods or designs are adequate to prevent landslide or slope failure.*

The City Engineer may impose conditions consistent with the purpose of these ordinances and with standard engineering practices including limits on type and intensity of land use, which have been determined necessary to assure landslide or slope failure does not occur.

RESPONSE:

The subject site does not contain any existing landslide features and the area is not identified as a hazard site in the West Linn Comprehensive Plan.

6. *All cuts and fills shall conform to the Uniform Building Code.*

RESPONSE:

All cuts and fills have or will conform to the *UBC*.

7. *On land with slopes in excess of 12 percent, cuts and fills shall be regulated as follows:*
   a. *Toes of cuts and fills shall be set back from the boundaries of separate private ownerships at least three feet, plus one-fifth of the vertical height of the cut or fill. Where an exception is required from that requirement, slope easements shall be provided.*
   b. *Cuts shall not remove the toe of any slope where a severe landslide or erosion hazard exists (as described in Section 85.170.C.3.).*
   c. *Any structural fill shall be designed by a registered engineer in a manner consistent with the intent of this Code and standard engineering practices, and certified by that engineer that the fill was constructed as designed.*
   d. *Retaining walls shall be constructed pursuant to Section 2308(b) of the Oregon State Structural Specialty Code.*
   e. *Roads shall be the minimum width necessary to provide safe vehicle access, minimize cut and fill, and provide positive drainage control.*

RESPONSE:

In areas where slope exceeds 12 percent, the grading has been regulated for cuts and fills using a combination of the following measures: (a) toes of cuts and fills will be set back from the boundaries of separate private ownerships at least three feet, plus one-fifth of the vertical height of the cut or fill; (b) cuts will not remove the toe of any slope where a severe landslide or erosion hazard exists; (c) any structural fill will be designed by a registered engineer in a manner consistent with the intent of this Code and standard engineering practices, and certified by that engineer that the fill was constructed as designed; (d) retaining walls will be constructed pursuant to Section 2308(b) of the Oregon State Structural Specialty Code; and (e) roads will be the minimum width necessary to provide safe vehicle access, minimize cut and fill, and provide positive drainage control. All cuts and fills have been completed consistent with the approved grading plan.

8. *Land over 50 percent slope shall be developed only where density transfer is not feasible. The development will provide that:*
   a. *At least 70 percent of the site will remain free of structures or impervious surfaces.*
   b. *Emergency access can be provided.*
   c. *Design and construction of the project will not cause erosion or land slippage.*
   d. *Grading, stripping of vegetation, and changes in terrain are the minimum necessary to construct the development in accordance with Section 85.200(J). (ORD. 1382)*

RESPONSE:

The site does not contain any areas exceeding 50% slope. This criterion does not apply.

F. Water

1. *A plan for domestic water supply lines or related water service facilities shall be prepared consistent with the adopted Comprehensive Water System Plan, plan update, March 1987, and subsequent superseding revisions or updates.*

RESPONSE:

The approved Utility Plan illustrates how domestic water service has been provided through the site consistent with the adopted Comprehensive Water System Plan.

2. *Adequate location and sizing of the water lines.*

RESPONSE:

The eight-inch water line is appropriately located and sized for the type of service.

3. *Adequate looping system of water lines to enhance water quality.*

RESPONSE:

The water line does not loop and is designed to stub before the northern property boundary.

4. *For all non single-family developments, there shall be a demonstration of adequate fire flow to serve the site.*

RESPONSE:

The subdivision is a single-family development. Therefore, this item does not apply.

5. *A written statement, signed by the City Engineer, that water service can be made available to the site by the construction of onsite and off-site improvements and that such water service has sufficient volume and pressure to serve the proposed development's domestic, commercial, industrial, and fire flows.*

RESPONSE:

The project is single family, and neither proof of adequate fire flow, nor a statement from the City Engineer is necessary.

G. Sewer

1. *A plan prepared by a licensed engineer shall show how the proposal is consistent with the Sanitary Sewer Master Plan (July 1989). Agreement with that plan must demonstrate how the sanitary sewer proposal will be accomplished and how it is gravity efficient. The sewer system must be in the correct basin and should allow for full gravity service.*

RESPONSE:

The Utility Plan, as approved, illustrates how gravity sanitary sewer service has been provided to each lot. The plan was prepared by a licensed engineer and it is consistent with the Sanitary Sewer Master Plan.

2. *Sanitary sewer information will include plan view of the sanitary sewer lines, including manhole locations and depth or invert elevations.*

RESPONSE:

The Utility Plan demonstrates the plan view layout and also includes manhole locations and depths.

3. *Sanitary sewer lines shall be located in the public right-of-way, particularly the street, unless the applicant can demonstrate why the alternative location is necessary and meets accepted engineering standards.*

RESPONSE:

The utilities are designed within public right-of-way to the greatest extent possible. The location and design of the line, as approved meets all accepted engineering standards.

4. *Sanitary sewer line should be at a depth that can facilitate connection with down system properties in an efficient manner.*

RESPONSE:

The sanitary sewer line is at a depth that can facilitate connection with the down system properties in an efficient manner.

5. *The sanitary sewer line should be designed to minimize the amount of lineal feet in the system.*

RESPONSE:

The sanitary sewer system has been designed using the shortest routes possible to minimize the lineal feet in the system while staying within the service drives for maintenance access.

6. *The sanitary sewer line shall avoid disturbance of wetland and drainageways. In those cases where that is unavoidable, disturbance shall be mitigated pursuant to Chapter 30, Wetland, and Chapter 32, Natural Drainageway, all trees replaced, and proper permits obtained. Dual sewer lines may be required so the drainageway is not disturbed.*

RESPONSE:

The sanitary sewer line does not impact the wetland or drainageway.

7. *Sanitary sewer shall be extended or stubbed out to the next developable subdivision or a point in the street that allows for reasonable connection with adjacent or nearby properties.*

RESPONSE:

The area immediately south of Parker Road and west of the open space (Tract B) are the only adjacent properties not fully developed (see Plan Set in this application packet). Therefore, the proposed sanitary line for the subdivision cannot be extended or stubbed our next to either of these developable areas.

8. *The sanitary sewer system shall be built pursuant to DEQ, City, and Tri-City Service District sewer standards. The design of the sewer system should be prepared by a licensed engineer, and the applicant must be able to demonstrate the ability to satisfy these submittal requirements or standards at the pre-construction phase.*

RESPONSE:

The sanitary sewer system has been built pursuant to DEQ, City and Tri-City Service District standards. The design was been prepared by a licensed engineer and the applicant has through the submitted materials demonstrated the ability to satisfy the submittal requirements and demonstrated this again through the construction plan review process.

9. *A written statement, signed by the City Engineer, that sanitary sewers with sufficient capacity to serve the proposed development and that adequate sewage treatment plant capacity is available to the City to serve the proposed development.*

RESPONSE:

The City Engineer indicated at the pre-application conference that sufficient capacity exists to serve the development. No issues with service capacity were raised as part of the 2006 approval.

H. Storm

1. *A storm water quality and detention plan shall be submitted which complies with the submittal criteria and approval standards contained within CDC Chapter 33. It shall include profiles of proposed drainageways with reference to the adopted Storm Drainage Master Plan. (ORD. 1463)*

RESPONSE:

The Utility Plan illustrates how storm water runoff is managed that is generated by the development. Flood control will be handled by the new detention facility constructed at the south-central portion of the site, west of Chinook Court.

The facility has been designed and constructed to handle the impervious surface runoff from the proposed development, as supported by the calculations of the Drainage Report contained in this application packet. The development does not include any new drainageways for the subject site.

2. *Storm treatment and detention facilities shall be sized to accommodate a 25-year storm incident. A registered civil engineer shall prepare a plan and statement which shall be supported by factual data that clearly shows that there will be no adverse off-site impacts from increased intensity of runoff downstream or constriction causing ponding upstream. The plan and statement shall identify all on- or off-site impacts and measures to mitigate those impacts. The plan and statement shall, at a minimum, determine the off-site impacts from a 25-year storm. (ORD. 1408)*

RESPONSE:

The treatment and detention facility was sized to accommodate runoff from the subject site. The Drainage Report provides the calculations of a registered civil engineer that show there will be no adverse off-site impacts from increased intensity of runoff downstream.

3. *Plans shall demonstrate how storm drainage will be collected from all impervious surfaces including roof drains. Storm drainage connections shall be provided to each dwelling unit/lot. The location, size, and type of material selected for the system shall correlate with the 25-year storm incident. (ORD. 1408)*

RESPONSE:

The Utility Plan demonstrates a collection system from all impervious surfaces including roof drains. However, the precise location of individual roof gutters and downspouts will not be known until time of building permit. Individual home construction plans will illustrate conveyance from collected roof runoff to the proposed storm water management system. Connections are provided to each lot and the location, size and type of material selected correlate with the 25-year storm incident.

4. *Treatment of storm runoff shall meet Municipal Code standards.*

RESPONSE:

The treatment facility has been designed and constructed to meet Municipal Code standards.

I. *Utility Easements. All subdivisions and partitions shall establish, at minimum, five-foot utility easements on front and rear lot lines. Easements may be wider and side yard easements established, as determined by the City Engineer to accommodate the particular service. The developer of the subdivision shall make accommodation for cable television wire in all utility trenches and easements so that cable can fully serve the subdivision.*

RESPONSE:

Five foot utility easements at a minimum will be established on the front and rear lot lines of each lot, as part of the Final Plat. The City Engineering will make the final width determination and whether side yard easements need to be established. The developer of the subdivision has ensured franchise utilities are accommodated and easements are designated to serve the entire subdivision.

J. *Supplemental Provisions*

1. *Wetland and Natural Drainageways. Wetlands and natural drainageways shall be protected as required by Chapter 30, Wetland and Riparian Area Protection, and Chapter 32, Natural Drainageway Areas. Utilities may be routed through the protected corridor as a last resort, but impact mitigation is required. (ORD. 1463)*

RESPONSE:

The wetland habitat and open drainageway on the site is protected in a public open space (Tract B) as originally approved under Section 30. This protection remains in place (Tract B) and has been expanded as reflected in the updated Tentative Plat and Updated Mitigation Plan. The Updated plat and mitigation plan provide for the wider 50 foot transition zone, consistent with the new requirements of Section 32. Responses to the provisions of the new Chapter 32 are provided above, under that section of this narrative. No utilities are constructed within this dedicated open space tract.

2. *Willamette and Tualatin Greenways. The approval authority may require the dedication to the City, or setting aside of, greenways which will be open or accessible to the public. Except for trails or paths, such greenways will usually be left in a natural condition without improvements. Refer to CDC Chapters 28 and 29 for further information on the Willamette and Tualatin River Greenways.*

RESPONSE:

The site is not located in the Willamette or Tualatin Greenways. This criterion does not apply.

3. *Street Trees. Street trees are required as identified in the appropriate section of the Municipal Code and Chapter 54 of this Code.*

RESPONSE:

Street trees have or will be installed as shown in the plan set within this application packet and in accordance with the Municipal Code and Chapter 54 of the CDC.

4. *Lighting. To reduce ambient light and glare, high or low pressure sodium light bulbs shall be required for all subdivision street or alley lights. The light shall be shielded so that the light is directed downwards rather than omni-directional.*

RESPONSE:

The street lighting for the site has been installed consistent with approved plans, using sodium light bulbs to reduce ambient light and glare. The lights are shielded so that the light is directed downwards.

5. *Dedications and Exactions. The City may require an applicant to dedicate land and/or construct a public improvement that provides a benefit to property or persons outside the property that is the subject of the application when the exaction is roughly proportional. No exaction shall be imposed unless supported by a determination that the exaction is roughly proportional to the impact of development. (ORD. 1442)*

RESPONSE:

The applicant will dedicate the public open space tract (Tract B) to the City as part of the Final Plat.

6. *Underground Utilities. All utilities, such as electrical, telephone, and television cable, that may at times be above ground or "overhead" shall be buried underground in the case of new development. The exception would be in those cases where the area is substantially built out and adjacent properties have above ground utilities and where the development site's frontage is under 200 feet and the site is less than one acre. High voltage transmission lines, as classified by Portland General Electric or electric service provider, would also be exempted. Where adjacent future development is expected or imminent, conduits may be required at the direction of the City Engineer. All services shall be underground with the exception of standard above-grade equipment such as some meters, etc.*

RESPONSE:

The utilities have all been placed underground.

7. *Density Requirement. Density shall occur at 70 percent or more of the maximum density allowed by the underlying zoning. These provisions would not apply when density is transferred from Type I and II lands as defined in CDC Section 02.000. Development of Type I or II lands are exempt from these provisions. Land divisions of three lots or less would also be exempt. (ORD. 1408)*

RESPONSE:

The approved Plat creates six lots which is allowed by the underlying R-10 (10,000 square foot min. lot size) zoning district.

8. *Mix Requirement. The "mix" rule means that developers shall have no more than 15 percent of the R-2.1 and R-3 development as single-family residential. The intent is that the majority of the site shall be developed as medium high density multi-family housing.*

RESPONSE:

The site does not contain any areas zoned R-2.1 or R-3. This criterion does not apply.

9. *Heritage Trees/Significant Tree and Tree Cluster Protection. All heritage trees, as defined in the Municipal Code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction. All non-heritage trees and clusters of trees (three or more trees with overlapping dripline; however, native oaks need not have an overlapping dripline) that are considered significant by virtue of their size, type, location, health, or numbers, shall be saved pursuant to CDC Section 55.100(B)(2). Trees are defined per the Municipal Code as having a trunk 6" in diameter or 19" in circumference at a point five feet above the mean ground level at the base of the trunk. (ORD. 1403)*

RESPONSE:

The City Arborist (Mike Perkins) previously reviewed the proposed Tree Preservation Plan and conducted a field inventory of all existing trees located on the site. The trees on site were reviewed for their size, type, health, location and numbers.

The City Arborist determined that the site does not include any heritage trees, but does have six significant trees and ten additional trees that are not significant but should still be preserved. The significant coniferous trees (#1557, 1559, 1561, 1562, 1563, and 1564) are located in the southeast corner of the site and will be preserved using a tree protection easement. The ten other deciduous trees (#1875, 1876, 1889, 1890, 1891, 1895, 1896, 1917, 1918, and 1925) located in the northwest corner will be preserved within the dedicated open space (Tract B). Therefore, these criteria are met.

10. *Annexation and street lights. Developer and/or homeowners' association shall, as a condition of approval, pay for all expenses related to street light energy and maintenance costs until annexed into the City, and state that: "This approval is contingent on receipt of a final order by the Portland Boundary Commission, approving annexation of the subject property." This means, in effect, that any permits, public improvement agreements, final plats, and certificates of occupancy may not be issued until a final order is received. (ORD. 1408)*

RESPONSE:

The site is located within the City. This criterion does not apply.

92.000 Required Improvements

92.010 PUBLIC IMPROVEMENTS FOR ALL DEVELOPMENT

The following improvements shall be installed at the expense of the developer and meet all City Codes and standards...

RESPONSE:

The applicant understands the expenses required to improve the site before it develops. The majority of the required improvements have already been constructed. Only a few punch list items remain to be corrected, prior to Final Plat. Compliance with the adopted Conditions of Approval are addressed in the following section of this narrative.

COMPLIANCE WITH ADOPTED CONDITIONS OF APPROVAL

The applicant has or will comply with the 2006 adopted Conditions of Approval as follows:

1. *The approved tentative plat is the shown on Sheet 1 of the applicant's submittal, dated September 2006.*

RESPONSE

The Tentative Plat (2006 Sheet 1) has been revised and submitted with this application consistent with the Conditions of Approval and approved Construction Plans. Therefore this Condition has been met.

2. *The applicant shall adjust the boundaries of the lots and access easements so that each lot has as least 10,000 square feet of area exclusive of any access easements.*

RESPONSE

The Partition Plat submitted with this application has been revised to provide a minimum of 10,000 square feet of lot area, exclusive of the street and access easement. Therefore this Condition has been met.

3. *The new public street shall be dedicated with a width of 40 feet, a pavement width of 28 feet, and 6-foot sidewalks on each side, to the point where the hammerhead turnaround begins. No sidewalks shall be required in the hammerhead area.*

RESPONSE

The Partition Plat submitted with this application has been revised to be consistent with the approved Engineering Construction Plans, and provided a 40 foot wide right-of-way for Chinook Court, the on-site public street. The pavement width has been constructed at 28 feet, which meets the minimum standard approved by this Condition.

As approved in the Engineering Construction Plans, the access easement has been paved to 16 feet in width. The sidewalk and pathway has been constructed along the west side. The sidewalks on the east side will be constructed as each home is built on the 6 lots. Therefore this Condition has been partially met, and full compliance with occur through the construction of each home on the 6 lots.

4. *A pedestrian access easement shall be placed over portions of the pedestrian pathways not within the publicly dedicated tract, and shall begin at the termination of the sidewalk on the east side of the proposed public street.*

RESPONSE

This easement is identified on the tentative plat and will be recorded on the Final Plat. Therefore this Condition has been partially met, and full compliance with occur through review, approval, and recordation of the Final Plat.

5. *The applicant shall submit a proposed street name for the new public street, to be approved by the Planning Director.*

RESPONSE

The street name (Chinook Court) was submitted as part of the Construction Plans and approved. The street name is shown on the revised Tentative Plat.

6. *Prior to commencement of any site clearing or grading, the applicant shall place anchored and secured chain link fencing at the location as shown on the tentative plan to protect the trees at the southeast corner of the site. The city arborist shall inspect and approve this location prior to the start of work. The fencing shall remain in place throughout the development of the site and construction of the homes, to be removed only upon the completion of all construction activity.*

7. *Prior to commencement of any site clearing or grading, the applicant shall place anchored and secured chin link fencing along the entire eastern boundary of the riparian and wetland transition area and at the boundary of the storm detention pond located adjacent to Parker Road. City staff shall inspect and verify the proper location prior to the start of work. The fencing shall remain in place throughout the development of the site and construction of the homes, to be removed only upon the completion of all construction activity.*

RESPONSE

All required protective fencing, as required by Conditions 6 & 7 was installed and approved by the City prior to any site work. The fencing will remain in place until all site construction, including the homes has been completed.

8. *The applicant shall implement the proposed mitigation and revegetation plan for the wetland and riparian area. The plan must be completed, except for any ongoing maintenance activities, prior to recordation of the final plat.*

RESPONSE

The mitigation and revegetation plans were implemented as part of the approved construction. However, as noted, some plantings will require replacement, prior to Final Plat approval. The applicant understands the obligations for on-going maintenance.

9. *Once the protective fencing is removed, the protected wetland and riparian area shall be identified with City-approved permanent markers at all boundary direction changes and at 30-50 foot intervals that clearly delineate the extent of the protected area.*

RESPONSE

The applicant understands this requirement for permanent marking of the wetland and riparian area boundaries. This action is also listed on the Engineering Departments Punch List (item 9).

10. *The applicant must pay contribution towards future traffic signal at intersection of Salamo/Rosemont/Santa Anita. Applicant's traffic engineer must determine trips contributed to the intersection by applicant's proposed subdivision. Contribution has been established at $1,071.43/PM peak hour trip.*

RESPONSE

The applicant understands the requirement for contribution to future traffic signal improvements and will ensure that the funds are paid prior to Final Plat recordation.

11. *All public improvements must comply with the City of West Linn Public Works Design and Construction Standards.*

RESPONSE

Consistent with the approved Engineering Construction Plans all public improvements have been designed and constructed in compliance with City of West Linn Public Works Design and Construction Standards.

12. *The six-inch water main serving subdivision must be looped between Parker Road and Coho Lane through a public easement.*

RESPONSE

Consistent with the approved Engineering Construction Plans the water line serving the site has been looped connecting to the line in Coho Lane. The appropriate public easement is shown on the Tentative Plat and will be recorded with the Final Plat.

13. No retaining walls shall be constructed in public utility easements unless approved by the City Engineer.

RESPONSE

No retaining walls, affecting public utility easements are proposed.

14. All required City, Sate, and Federal permits must be obtained prior to working in the natural drainageway, wetland area, and transition area.

RESPONSE

The appropriate agency permits were obtained prior to the initial construction within the resource areas. These permits were part of the submittal for the Engineering Construction Plans, which were approved by the City.

15. Public improvements in Parker Road must match and coordinate with Maxfield and Parker Crest subdivisions.

RESPONSE

Improvements to Parker Road have been constructed, as approved, consistent with those made by the Maxfield and Parker Crest developments.

V. CONCLUSION

Based on the responses and findings provided herein, the previously approved subdivision complies with all applicable criteria of the West Linn Development Code, including subsequent code revisions. Public facilities and services exist to adequately serve the proposed development and all improvements have or will be constructed to City Standards.

The applicant has or will comply with all previously adopted plans and conditions of approval, and has appropriately addressed applicable code revisions adopted subsequent to the 2006 approval, particularly Section 32, Water Resources Protection.

No significant changes to the approved plans were found to be necessary, except to reflect the wider 50 foot transition zone required by Section 32. The Update Plat and Mitigation Plan provide compliance with Section 32, including identified mitigation for minor encroachment into the Transition Zone. Therefore the only remaining work is to complete punch list items, prior to submitting for Final Plat approval.

Therefore, the applicant respectfully requests approval of this application for an Extension of the prior Approval under Section 99.325.