

## 7. PRE-APPLICATION CONFERENCE REPORT

### Applicant Response:

The City of West Linn and the applicant met in a pre-application conference on September 1, 2011. The West Linn-generated conference report follows.

**City of West Linn  
PRE-APPLICATION CONFERENCE MEETING  
September 1, 2011**

- SUBJECT:** Proposal to expand the existing Water Treatment Plant at 4200 Kenthorpe Way from 16 million gallons per day to 38 million gallons per day and requisite site and building improvements.
- ATTENDEES:** Chuck Landskroner (resident), Kevin Bryck (resident), Steve Blake (resident), Eric Day (Applicant, City of Lake Oswego), Ed Sullivan (Applicant's attorney, Garvey, Schubert, Barer), Jane Heisler (City of Lake Oswego), Eric Eisemann (Applicant's land use consultant, E3 Land Use Planning), Joel Komarek (City of Lake Oswego), Dennis Koellermeier (City of Tigard), Karen Mohling (Tualatin Valley Fire and Rescue)
- STAFF:** Chris Kerr, Senior Planner  
Zach Pelz, Associate Planner  
Mike Cardwell, Environmental Services Supervisor  
Khoi Le, Public Improvement Program Manager  
Jim Whynot, Water Supervisor  
Mike Perkins, City Arborist

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*The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.*

### **Background**

The Lake Oswego/Tigard Water Partnership (Applicant) is operating their Water Treatment Plant (WTP) at 4200 Kenthorpe Way under approval from the West Linn City Council as granted in Land Use File Nos. MISC-96-09 and MISC-97-28.

The Planning Commission's decision to approve the Applicant's request to remodel and update the WTP (CUP-96-04/DR-96-07) was upheld by the West Linn City Council in MISC-96-09, following an appeal by Robinwood Neighborhood Association (RNA).

The City Council's Final Decision in MISC-96-09 included nineteen conditions of approval responding to the following concerns:

- Seismic activity
- Noise mitigation
- Clear-vision areas
- Surfacing of parking areas

- ADA parking
- Landscaping and irrigation
- Construction activity mitigation
- Average daily traffic
- Off-site glare
- Hazardous materials deliveries
- Screening of on-site facilities
- Tree protection

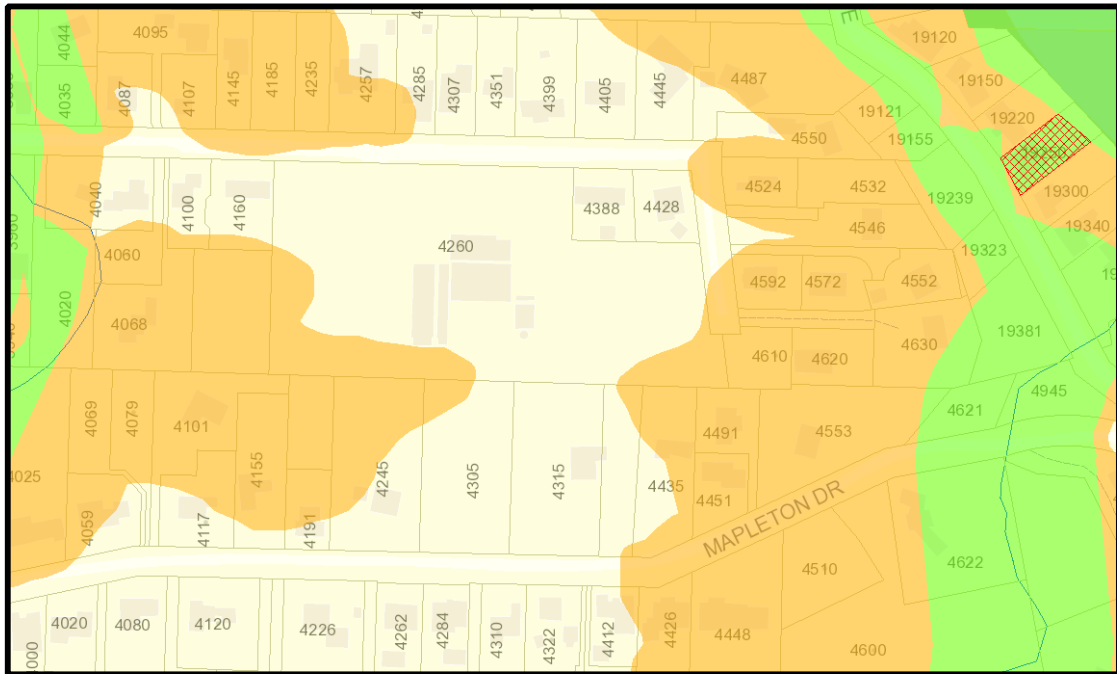
Following an unsuccessful initial bid process, the Applicant requested, and was granted, a one-year extension of their conditional use and design review approval through a decision by the Planning Director in MISC-97-28.

**Figure 1 Subject Properties (proposed consolidation in yellow)**



Source: West Linn GIS 2011

Figure 2 Goal 5 Resources in Project Vicinity



Source: West Linn GIS 2011

Figure 3 Project Area Utilities



Source: West Linn GIS 2011

## **Project Details**

The WTP is located in a residential neighborhood (zoned R-10) in West Linn. The WTP facility occupies 6.05 acres and the city owns four adjacent lots to the south comprising a total of 3.30 acres.

The WTP has operated at this site since 1968 and has a current treatment capacity of 16 million gallons per day (mgd). According to the Applicant, typical water demand from the City of Lake Oswego during the summer months is at, or slightly in excess of water production for a number of days each year. The City of Lake Oswego, in partnership with the City of Tigard (Lake Oswego/Tigard Water Partnership, aka Applicant), are requesting an expansion of this facility (16 mgd to 38 mgd) to meet the future water demand of each of these two cities. The Applicant is also considering consolidating the city of Lake Oswego-owned lots fronting Kenthorpe Way and Mapleton Drive.

The Applicant has indicated that they have met with the RNA to create a plan that identifies several neighborhood concerns, including: truck traffic, storage of chemicals, operational noise, glare, skyline profile, and tree preservation.

## **Process**

The proposed use of this site most closely corresponds with the City's definition of a major utility:

*“A utility which may have a significant impact on the surrounding uses or the community in terms of generating traffic or creating noise or visual effects and includes utility, substation, pump station, water storage tank, sewer plant, or other similar use essential for the proper function of the community.” (CDC 03.030; Utility, major)*

Major utilities are listed as **conditional uses** in the R-10 zone pursuant Community Development Code (CDC) Section 11.060. An expansion of a conditional use requires a new approval per CDC Section 60.050(B):

*“Any change in the conditional use plan or conditions of approval shall require a new application and hearing pursuant to the provisions set forth in this chapter and CDC [99.120\(B\)](#).”*

Pursuant to CDC Section 60.070(B), an approved conditional use or enlargement or alteration of an existing conditional use shall be subject to the development review provisions set forth in CDC Chapter 55 (CDC 60.030(B)).

The purpose of the City's conditional use requirements (CDC Ch. 60) are to provide standards under which conditional uses may be permitted, enlarged or altered if the site is appropriate and other conditions can be met. As established in CDC Section 99.060(B), the Planning Commission has the authority to approve, approve with conditions or deny requests for conditional use approval. Approval of a conditional use is void after three years (CDC Section 60.040) if substantial construction does not take place.

The applicable **conditional use submittal requirements** are found in CDC Section 60.060(A-F).

The **approval standards and conditions for conditional uses** are found in CDC Section 60.070; Subsection (C) grants authority to the Planning Commission to impose conditions on any eventual conditional use approval to ensure compatibility with other uses in the vicinity.

The **Class II Design Review** standards and conditions of CDC Chapter 55 apply as the Applicant's proposal is not listed under the applicable Class I project types in CDC 55.020 and is not exempt per CDC 55.025.

The Applicant is not proposing to develop the project in phases, however, if **phasing** (CDC 55.060) is eventually proposed, the submittal must include evidence to satisfy the standards in CDC 99.125:

*An applicant may elect to develop a proposed project in phases. The timing of each development phase shall be set forth in the application and subject to approval by the appropriate approval authority. Each phase shall meet all applicable development standards individually (e.g., access, parking, landscaping, utilities, etc.) without having to rely upon subsequent phases. Each phase shall also install all necessary improvements to serve the development within that phase. (Ord. 1474, 2001; Ord. 1568, 2008)*

The applicable **design review submittal requirements** are found in CDC Section 55.070 and include:

- 55.070(C): A meeting with the respective neighborhood associations per 99.038
  - *Prior to submittal of an application for any subdivision, conditional use permit, multi-family project, planned unit development, commercial, office, or industrial development of over 1,500 square feet, or a zone change that requires a Comprehensive Plan amendment, the applicant shall contact and discuss the proposed development with any affected neighborhood as provided in this section. Although not required for other or smaller projects, contact with neighbors is highly recommended. The Planning Director may require neighborhood contact pursuant to this*

*section prior to the filing of an application for any other development permit if the Director deems neighborhood contact to be beneficial.*

*A. Purpose. The purpose of neighborhood contact is to identify potential issues or conflicts regarding a proposed application so that they may be addressed prior to filing. This contact*

*is intended to result in a better application and to expedite and lessen the expense of the review process by avoiding needless delays, appeals, remands, or denials. The City expects an applicant to take the reasonable concerns and recommendations of the neighborhood into consideration when preparing an application. The City expects the neighborhood association to work with the applicant to provide such input.*

*B. The applicant shall contact by letter all recognized neighborhood associations whose boundaries contain all or part of the site of the proposed development and all property owners within 500 feet of the site.*

*C. The letter shall be sent by certified mail, return receipt requested, to the president of the neighborhood association, and to one designee as submitted to the City by the neighborhood association, and shall be sent by regular mail to the other officers of the association and the property owners within 500 feet. If another neighborhood association boundary is located within the 500-foot notice radius, the letter shall be sent to that association's president, and to one designee as submitted to the City by the neighborhood association as well. The letter shall briefly describe the nature and location of the proposed development, and invite the association and interested persons to a meeting to discuss the proposal in more detail. The meeting shall be scheduled at the association's regularly scheduled monthly meeting, or at another time at the discretion of the association, and not less than 20 days from the date of mailing of the notice. If the meeting is scheduled as part of the association's regular monthly meeting, the letter shall explain that the proposal may not be the only topic of discussion on the meeting agenda. The letter shall encourage concerned citizens to contact their association president, or their association designee, with any questions that they may want to relay to the applicant.*

*Neighborhood contact shall be initiated by the applicant by mailing the association president, and to one designee as submitted to the City by the neighborhood association, a letter, return receipt requested, formally requesting, within 60 days, a date and location to have their required neighborhood meeting. The 60 days shall be calculated from the date that the applicant mails this letter to the association. If the neighborhood association does not want to meet within the 60-day timeframe, or if there is no neighborhood association, the applicant may hold a public meeting during the evening after 6:00 p.m., or on the weekend no less*

*than 20 days from the date of mailing of the notice. All meetings shall be held at a location open to the public within the boundaries of the association or at a public facility within the City of West Linn. If the meeting is held at a business, it shall be posted at the time of the meeting as the meeting place and shall note that the meeting is open to the public and all interested persons may attend.*

*D. On the same date the letters described in subsections A through C of this section are mailed, the applicant shall provide and post notice on the property subject to the proposed application. The notice shall be posted at a location visible from the public right-of-way. If the site is not located adjacent to a through street, then an additional sign shall be posted on the nearest through street. The sign notice shall be at least 11 inches by 17 inches in size on durable material and in clear, legible writing. The notice shall state that the site may be subject to a proposed development (e.g., subdivision, variance, conditional use) and shall set forth the name of the applicant and a telephone number where the applicant can be reached for additional information. The site shall remain posted until the conclusion of the meeting.*

*E. An application shall not be accepted as complete unless and until the applicant demonstrates compliance with this section by including with the application:*

- 1. A copy of the certified letter to the neighborhood association with a copy of return receipt;*
- 2. A copy of the letter to officers of the association and to property owners within 500 feet, including an affidavit of mailing and a copy of the mailing list containing the names and addresses of such owners and residents;*
- 3. A copy of the required posted notice, along with an affidavit of posting;*
- 4. A copy of the minutes of the meetings, produced by the neighborhood association, which shall include a record of any verbal comments received, and copies of any written comments from property owners, residents, and neighborhood association members. If there are no minutes, the applicant may provide a summary of the meeting comments. The applicant shall also send a copy of the summary to the chair of the neighborhood association. The chair shall be allowed to supplement the summary with any additional comments regarding the content of the meeting, as long as such comments are filed before the record is closed;*
- 5. An audiotape of the meeting; and*
- 6. In the event that it is discovered by staff that the aforementioned procedures of this section were not followed, or that a review of the audio tape and meeting minutes show the applicant has made a material*

*misrepresentation of the project at the neighborhood meeting, the application shall be deemed incomplete until the applicant demonstrates compliance with this section. (Ord. 1425, 1998; Ord. 1474, 2001; Ord. 1568, 2008; Ord. 1590 § 1, 2009)*

- 55.070(D): A completed application form
- 55.070(D)(2)(a): A site analysis per 55.110
- 55.070(D)(2)(b): A site plan per 55.120
- 55.070(D)(2)(c): A grading plan per 55.130
- 55.070(D)(2)(d): Architectural drawings per 55.140
- 55.070(D)(2)(e): A landscape plan per 55.150
- 55.070(D)(2)(f): A sign plan per 55.160
- A pedestrian and automobile circulation plan depicting the various movements of on- and immediate off-site vehicular and pedestrian travel to, through and from the site
- 55.070(D)(2)(h): A utility plan per 55.100(l)(1-5)
- 55.070(D)(3): Narrative responses to all applicable standards which support any requested exceptions as provided under 55.170
- 55.070(D)(4): Responses to approval criteria in 55.100
- 55.070(E): Samples of all exterior building materials and colors
- 55.070(F): The appropriate fee (see Deposit Fee section)

Per CDC 55.085, the **Applicant may be subject to additional submittal requirements and may also request a waiver of specific submittal requirements** in accordance with the provisions of CDC 99.035(A-C):

*A. The Planning Director may require information in addition to that required by a specific chapter in the Community Development Code; provided that:*

- 1. The chapter expressly authorizes that additional information may be required;*
- 2. The information is needed to properly evaluate the proposed site plan or proposal; and*
- 3. The need can be justified on the basis of a special or unforeseen circumstance.*

*B. The Planning Director may waive a specific requirement for information or a requirement to address a certain approval standard subject to the provisions of subsection C of this section provided:*

- 1. The Planning Director finds that specific information is not necessary to properly evaluate the application; or*
- 2. The Planning Director finds that a specific approval standard is not applicable to the application.*

*C. Where a requirement is waived, the Planning Director shall cite in the staff report on the application the specific requirements waived and the reasons for*



*the waiver. The decision of the Planning Director to waive the requirement is subject to review and denial by the approval authority or the appeal authority. (Ord. 1568. 2008)*

**Class II Design Review approval standards and conditions** are contained in CDC Section 55.100. A few especially notable standards include:

- 55.100(B)(6): contrasting architecture is only permitted if “manifestly superior” and/or adequately separated from other buildings or large site produces unique architectural style.
- 55.100(O)(4)(a): Environmentally hazardous wastes defined in ORS 466.005 shall be located, prepared, stored, maintained, collected, transported, and disposed in a manner acceptable to the Oregon Department of Environmental Quality.
- 55.125: A transportation impact analysis (TIA) will be required if:
  - (85.170)(B)(2)(c)(1)(B) the Applicant proposes a development or land use action that ODOT states may have operational or safety concerns along a State highway; or
  - (85.170)(B)(2)(c)(1)(C)(2) the proposal will increase the use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by 10 vehicles or more per day; or
  - (85.170)(B)(2)(c)(1)(C)(3) the location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State highway, creating a safety hazard; or
  - (85.170)(B)(2)(c)(1)(C)(4) The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or
  - (85.170)(B)(2)(c)(1)(C)(5) A change in internal traffic patterns that may cause safety problems, such as backup onto the highway or traffic crashes in the approach area.

The Applicant’s preliminary plan, submitted as part of the pre-application materials, indicates a path and open space on the property. **Shared open spaces** must be recorded pursuant to the provisions of CDC 55.190.

The Applicant’s plans also indicate the possibility for a future solar array on site. If the Applicant intends to install such a facility on site, their plans should include details regarding the location, height, electrical generation potential and other appropriate characteristics which describe the facility in detail. Not submitting this detail, or requesting approval of such an installation at a later date, may subject the Applicant to additional design review or conditional use review.

The Applicant is also considering consolidating the city of Lake Oswego-owned lots fronting Kenthorpe and Mapleton via the standards established in CDC Section 85.210. The full text of the CDC standards regarding lot consolidations reads as follows:

**85.210 LOT LINE ADJUSTMENTS – APPROVAL STANDARDS**

*A. The Director shall approve or deny a request for a lot line adjustment based on the criteria stated below:*

*1. An additional lot or buildable lot shall not be created by the lot line adjustment and the existing parcel shall not be reduced in size by the adjustments below the minimum lot size established by the approved zoning for that district.*

*2. By reducing the lot size, the lot or structure(s) on the lot shall not be in violation of the site development regulations for that district. For example, the lot line adjustment shall not result in an overall loss of density below 70 percent except as allowed by CDC [85.200\(J\)\(7\)](#).*

*3. The lot line adjustment is intended to allow minor lot line deviations, or to consolidate undersized or irregular-shaped lots. It can also be used to change a limited number of property lines up to the point that the County Surveyor would determine a replat of the subdivision is in order. A replat is the complete reconfiguration and realignment of a subdivision’s lot lines.*

*4. New lot lines shall be generally straight with only a few deviations. Lot lines shall not gerrymander or excessively zigzag along to accommodate tool sheds, accessory structures, other buildings, etc. The figure below serves as a guide to lot line adjustments.*

*5.. The lot line adjustment will not affect existing public utility easements nor existing utilities unless an easement vacation is obtained and any required utility relocations are paid for by the applicant.*

*6. An appeal must be filed in accordance with CDC [99.240](#).*

CDC Section 85.210(3) provides that a lot line adjustment may be used to “change a limited number of property lines up to the point that the County Surveyor would determine a replat of the subdivision is in order.” Staff consulted the County Surveyor, who indicates that the request may require a replat. Further clarification from the County Surveyor may be required.

A neighborhood meeting is required for the proposed development. The site is in the Robinwood neighborhood; a meeting with the Robinwood Neighborhood Association is required. The City is aware that RNA elections are pending and the President and their designee is likely to be different between the publishing of these notes and the Applicant's submittal. Contact Thomas Boes, President of the Robinwood Neighborhood Association, at (503) 699-6112 or PresidentRNA@gmail.com.

The Applicant is required to provide the neighborhood association with conceptual plans and other material at least 10 days prior to the meeting. Follow the provisions of 99.038 precisely.

The criteria of 60.070, 55.100 and 85.210 shall be responded to individually in a narrative. N/A is not an acceptable response to the approval criteria. Prepare the application and submit to the Planning Department with deposit fees and signed application form. Follow 60.060, 55.070 and 85.210 strictly and completely regarding submittal requirements (including plans, maps, etc.) that should accompany the narrative and the application form.

Once an application is submitted, the City has 30 days to determine whether or not the application is complete. If the application is incomplete, the Applicant has 180 days to make it complete. Once complete, staff will prepare the public notice and schedule the hearing date. The public notice period is 20 days and involves notifying all property owners within a 500-foot radius of the site. The Planning Commission's decision becomes final after 14 days if no appeals are filed. If appealed, it will be brought before the City Council for a de novo public hearing. The City has a total of 120 days to exhaust all local review and appeals. Subsequent appeals go to the State's Land Use Board of Appeals (LUBA).

Pre-application notes are void after 18 months. After 18 months if no application is received, a new pre-application conference is required.

### Deposit

The deposit will be as follows:

- **Conditional Use** = \$4,500 + \$200 Inspection fee
- **Class II Design Review**
  - If Construction Value (CV) is less than \$100,000 = 4% of CV (\$1,000 minimum deposit)
  - If CV is between \$100,000 and \$500,000 = 4% of CV (\$8,000 maximum deposit)
  - If CV is greater than \$500,000 = \$4,000 plus 4% of CV (\$20,000 maximum deposit)
  - Inspection fee = \$300

- **Lot Line Adjustment** = \$800
- **Sign review** = \$250 for a new permanent sign (\$50 for a face change)

Staff bills time against the deposit. The Applicant must initiate a request for refund of any unused deposit once the final decision is rendered. Alternately, if the staff hours go beyond the deposit fees, then the Applicant will be obliged to pay additional deposit amounts.

Notes / suggestions regarding likely information to be requested with your formal submittal:

- The Robinwood Neighborhood Plan is a supporting document to the City's Comprehensive Plan. In responding to the applicable policies of the Comprehensive Plan, the Applicant should include and address the applicable policies contained in the Robinwood Neighborhood Plan.
- Provide a detailed description of the buildings and uses proposed (including hours of operation of each building, where generators and other equipment will be located, which buildings will receive deliveries, etc.).
- Proposed mitigation measures are proposed to address conflicts between a large utility operation located in a residential zone adjacent to the public industrial use. Please identify these in the application.
- Please note the 2007 City Council Resolution which states in part:
  - "Resolution 07-24 A Resolution to establish green building standards for City-owned facilities"
  - *"be it further resolved that the City strongly encourages all other governmental bodies with buildings in the City (i.e., school district, fire district) to adopt the same minimum level of LEED Silver for all new buildings and LEED-EB Silver for all existing buildings at the time they are remodeled..."*
- Application should include the timing of demolition of existing homes on Mapleton Dr. in relation to lot line adjustment
- The noise and visual impacts of the development are of particular importance. The Applicant should provide both noise and visual impact analyses based on the proposed project.
- Elevations for each building must be provided.
- Additional materials likely to be requested by staff:
  - Visual impacts to surrounding properties
  - Verification from DEQ attesting to the appropriateness of hazardous materials at this site should be provided if hazardous materials, as defined by DEQ, are proposed.
  - Estimated schedule for completion

- Preliminary construction plan identifying phasing and other related details including impacts from construction activities on adjacent residences.
- Profile perspective views (from various points along the perimeter of the site) included in landscaping plan to show visual impact.

**Engineering Comments**

The improvements listed below are based on various requirements established in the City’s adopted land use and public facilities plans. When dedication is required, the extent of the Applicant responsibility to making these improvements is dependent on the extent of the Applicant’s impact on these various public facilities. Sufficient detail to determine the Applicant’s impact is not available at this time. Staff will determine the impact of the proposed development following the submittal of plans which contain this information. Otherwise, the extent of the improvements will be based on the requirements in the City’s adopted land use and public facility plans.

**TRANSPORTATION SECTION**

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Green-street design techniques may be employed per the guidance established in the City of Portland Stormwater Management Manual per West Linn Public Works Design Standards Section 2.0010 General Design Requirements.

**KENTHORPE WAY**

**Existing Conditions**

Street Classification:	Local Street
Right of Way Width:	50’
Pavement Width:	Varies between 25’ and 22’ and 15’ at the dead end section
Sidewalk:	No sidewalk on either side of the road
Curb:	Curb on the project frontage side. No curb on the other side
Bike Lane:	No bike lane on either side of the road
Posted Speed:	25 MPH
Traffic Calming Device:	None in front of the project
Striping:	No center line stripe No fog line on either side of the road

There is evidence that people in this neighborhood will park their vehicles on both sides of the road.

The dead end section of Kenthorpe Way is currently serving 9 residential homes.

**Transportation System Plan Recommendation**

Street Classification:	Can be identified as Local Street with 56’ wide right of way including 32’ pavement with parking and 6’ wide sidewalk with 6’ wide planter strip on both sides.
Pedestrian Plan:	None listed in the TSP

Bicycle Plan: None listed on TSP

**Requirement**

Dedication: Provide 3' along the project frontage  
Street Section: Provide 16' wide half street pavement improvement 4" AC Pavement – 2" Class "C" over 2" Class "B," 8" of 1-1/2"-0 and 2" of 3/4"-0 leveling course (WL-502)  
Curb and Gutter: Provide Curb and Gutter (WL-501)  
Sidewalk: Provide 6' sidewalk (WL-508)  
Driveway Approach: 36' maximum width (WL-504A)  
Driveway Spacing: 50' apart

**MAPLETON DRIVE**

**Existing Conditions**

Street Classification: Collector  
Right of Way Width: 50'  
Pavement Width: Varies between 16' and 20' (majority of the pavement is at 20' with the exception of the dead end where the pavement width is at 16')  
Sidewalk: No sidewalk on either side of the road  
Curb: No curb on either side of the road  
Bike Lane: No bike lane on either side of the road  
Posted Speed: 25 MPH  
Traffic Calming Device: Speed Bump  
Striping: Double Solid Yellow Center Line. No fog line on either side of the road

**Transportation System Plan Recommendation**

Street Classification: Can be identified as Collector Constrained with 48' wide right of way including 36' pavement with parking on one side and bike lane on the other. Sidewalk shall be 6' wide on both sides with no planter strip.  
Pedestrian Plan: Sidewalk will be installed on both sides of the street; listed as project number 26 in TSP with sidewalk along Mapleton Drive from Willamette Drive to Nixon Avenue; listed as project number 29 in TSP with sidewalk along Nixon Avenue starting from Mapleton Drive to Elmran Avenue. Improvements will cost approximately \$645,000 and \$540,000 respectively.  
Bicycle Plan: None listed on TSP

**Requirement**

Dedication:	None
Street Section:	Provide 18' wide half street pavement improvement 5" AC Pavement – 3" Class "C" over 2" Class "B," 10" of 1-1/2"-0 and 2" of ¾"-0 leveling course (WL-502)
Curb and Gutter:	Provide Curb and Gutter (WL-501)
Sidewalk:	Provide 6' sidewalk (WL-508)
Driveway Approach:	36' wide maximum width (WL-504A)
Driveway Spacing:	300 feet apart

**DRY UTILITIES**

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**Existing Conditions**

There are existing overhead utilities along the proposed project frontage on both Kenthorpe Way and Mapleton Drive. There are no streetlights along the proposed project frontage on both Kenthorpe Way and Mapleton Drive.

**Requirement**

- All existing overhead utilities must be placed underground (92.010(M) and 92.010(N)).
- All existing utility poles must be removed from the frontage of the development.
- Provide an illumination streetlight study and install new street lights as needed (55.120(J) and 55.100(J)).

**Reference**

Previous experience indicates that PGE will only deny undergrounding of existing overhead utilities for high voltage power. Previous experience also indicates that an additional pole can be installed outside of the development frontage to provide overhead service to adjacent homes if underground service is not achievable due to private ownership or if the existing system does not allow underground service without a major system upgrade.

**STORM DRAINAGE SECTION**

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**KENTHORPE WAY**

**Existing Conditions**

There is existing public storm drainage located on Kenthorpe Way along the proposed project frontage including pipe and catch basins.



**Requirement**

Provide treatment for all storm run-off generated from new and redeveloped areas including pavement and sidewalk. Facilities such as street swales, planter boxes, and rain gardens can be utilized for treatment purposes. When total additional impervious surfaces exceed 5,000 square feet, detention facilities shall be provided.

**MAPLETON DRIVE****Existing Conditions**

There is existing public storm drainage located along Mapleton Drive consisting of open channels and pipe.

**Requirement**

Provide treatment for all storm run-off generated from new and redeveloped areas including pavement and sidewalk. Facilities such as street swales, planter boxes, and rain gardens can be utilized for treatment purposes. When total additional impervious surfaces exceed 5,000 square feet, detention facilities shall be provided.

**Onsite Treatment and Detention**

When total additional impervious surfaces exceed 500 square feet, treatment facilities shall be provided. When total additional impervious surfaces exceed 5,000 square feet, detention facilities shall be provided.

**Reference**

City of Portland Stormwater Management Manual

**SANITARY SEWER SECTION**

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There is existing public sanitary sewer system along the project frontage on Kenthorpe Way and Mapleton Drive. The existing sanitary sewer lateral is currently connected to the sanitary sewer system on Kenthorpe Way. A meter, to track waste material entering West Linn's system, is required.

**Requirement**

All existing sanitary sewer laterals that are no longer being used must be abandoned and capped off at the main.

**WATER SECTION**

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- There is an existing water main along the project frontage on Kenthorpe Way and Mapleton Drive.
- Existing 6" AC water main – Kenthorpe Way
- Existing 4" AC water main – Mapleton Drive

- City utilities data in GIS does not indicate there is any service to the existing building on the site.

**Requirement**

All existing water services that are no longer being used must be abandoned and capped off at the main.

**Tualatin Valley Fire and Rescue (TVF&R)**

Vehicular access from Mapleton Dr. to the existing Water Treatment Plant property (on Kenthorpe) does not currently exist. New access from Mapleton would provide enhanced emergency response.

TVF&R has three concerns:

1. Fire Department access – second access is beneficial for emergency response. Cannot comment on specifics (turn radii, access control, etc., without formal plans)
2. Fire fighting water supply – what is the need from the new buildings and uses
3. Hazardous materials – comprehensive list of what is on-site and how much, where it will be stored, how it will be stored and how it will be used, etc. (see 2010 Oregon Fire Code Sections; 105.6, 407.5 and 2701.5.1-2).

**Comments from Residents**

- City staff distributed email correspondence from residents to the Applicant.
- Robinwood Neighborhood Plan calls for pedestrian shortcuts; path as proposed, at east end of Kenthorpe Way, is a longer route to connect Mapleton with Kenthorpe. Move access road away from adjacent property.
- Bolton and Robinwood Neighborhood Associations have opposed this plan.
- What is the status of the CCR waivers?
  - Partnership has secured 19 of the 63 or so needed signatures to waive CCR restrictions
  - Lake Oswego City Council passed a resolution around July, stating that the Partnership needs to acquire interest in this property to implement the project and that could include condemnation if necessary.

***Typical land use applications can take 6-10 months from beginning to end.***

**DISCLAIMER:** This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the Applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. Thus, there is no “shelf life” for pre-apps.

