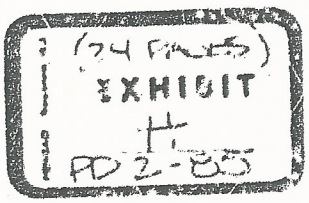
Selected Pages Only

PALISADES LAKE ESTATES

PLANNED UNIT DEVELOPMENT APPLICATION

Lakeview Realty Group, Inc.



Street is currently improved with approximately 16 feet of paving for 175 feet more or less from its intersection with Palisades Terrace Drive. The applicant proposes to improve this street with 24 feet of paving to the new turn-around, with a taper to 20 feet beyond this point. The westerly 220 feet of this street is proposed to be vacated due to the absence of a need for the continuation of Oak Street.

B. Land Use

The project site is currently undeveloped. The subject property is designated by the Comprehensive Plan and zoned R-15. Adjacent land uses and zoning is summarized in the table below:

	ZONE	EXISTING LAND USE
NORTH	R-15	Single Family Res. Subdivision
WEST	R-15	Single Family Res. Subdivision
SOUTH	R-10	Methodist Church
	R-7.5	Single Family Res. Subdivision
EAST	R-10	Vacant

C. Physical Features

The most significant physical feature of the subject property is the natural wetland area located in the southwestern portion of the site. This area is relatively level and contains a variety of grasses and wetland flora. Lost Dog Creek drains into this wetland area through the southwestern portion of the property. The wetland is drained to the northeast through a culvert under Palisades Terrace Drive.

The depression that contains the wetland area is surrounded by relatively steep terrain (slopes range from approximately 25 to 50 percent). Site terrain levels out as one moves away from the wetland area. Slopes in the northern and southwestern portions of the subject property are relatively level, with typical slopes ranging from 0 to 25 percent.

Site vegetation away from the wetland area consists primarily of a variety of deciduous and evergreen trees, including: cedar, fir, maple, alder, and oak. Trees are most dense along the steep

bank areas along the wetland. The more level portions of the site contain sparse deciduous and conifer trees. Underbrush has been cleared in much of the northern half of the site.

Site geology has been examined by Kelly/Strazer Associates. A report detailing the findings of this investigation is included with this application submittal. The study included an analysis of the stability of the slopes surrounding the wetland area. The report states: "Our examination revealed no ground surface or vegetative indicators of slope instability: ground surface contours are relatively smooth and mature growth conifers show no signs of overturning. However, in areas where slopes are over about 40 percent younger vegetation shows slight evidence of downslope creep of the topsoil/silty subsoil. Cut slopes in this steeper terrain may cause some downslope movement of the topsoil and weathered rock (i.e., the upper few feet), but would not in our opinion cause large scale slope instability."

III. DEVELOPMENT PROPOSAL

A. Development Schedule

The applicant proposes to begin development of the project site during the spring of 1985. Exact dates for the construction period will depend upon the time required to obtain all necessary approvals from the City of Lake Oswego and upon weather conditions. The preliminary development schedule calls for construction of streets and utilities to begin in April or May. It is anticipated that improvements will be completed and lots available for sale by mid-summer of this year.

B. Street System

The street system for the proposed development will consist of three elements:

1. The resurfacing and widening of Oak Street to a 24 foot paved section, with a taper to 20 feet beyond the new turn-around area.

2. A 1/2 street improvement to Palisades Terrace Drive along the project frontage to match the existing street

width along the Palisades Terrace development to the west of the subject property.

3. The construction of a private street, Palisades Lake Drive, to service the interior lots in the development. This street is proposed to be improved to 24 feet. The 35 foot wide tract will be commonly owned by the home-owners association. Maintenance will also be provided by the association. A security gate at the entrance to Palisades Lake Drive is planned for construction by the applicant. Access by fire department, police department and other services will be assured in a similar manner to Lawego Shores Estates.

Sidewalks are proposed to be developed along the project frontage of Palisades Terrace Drive, along the north side of Palisades Lake Drive, and along the north side of Oak Street, to the end of the turn-around area.

C. Open Space

City development standards require the reservation of a minimum of 20 percent of the site in open space. The subject property contains 7.08 acres, including the proposed street vacation area along Oak Street. The site plan reserves approximately 1.15 acres of the site in common open space in the wetland area of the site. Additionally, approximately 13,000 square feet (.3 acre) along the stream corridor of Lost Dog Creek is maintained for open space purposes in a conservation easement on the adjoining lots. A total of 1.45 acres, or 20.4 percent of the site, is designated as open space.

The main purpose of the Palisades Lake Common Area (PLCA), is to provide an enhanced wildlife habitat area that will provide an aesthetic experience for the residents of the subdivision.

The PLCA's design is very similar to that of John Inskeep Environmental Learning Center at Clackamas Community College (ELC). In fact, the PLCA was designed by Jerry Herrmann, the original designer and continuing project director of the ELC.

The PLCA and the ELC have similar environmental features including streams, ponds, wetlands and upland, wildlife nesting

D. Setback Provisions

Variable structure setbacks are permitted within Planned Developments to allow for flexibility of design. The setbacks for the subject site are proposed to be a minimum of 5 feet for all yard areas, with the exception of proposed 15 foot setbacks along Palisades Terrace Drive on lots 1, 12 and 13. Garage setbacks are proposed to provide for a minimum 20 foot setback from the back of the curb or sidewalk abutting the lot. This 20 foot setback will provide adequate room for off-street parking. The 5 foot setback provisions will allow increased flexibility in siting homes, in response to steep terrain areas and preservation of significant trees. To supplement the setback provisions, the applicants propose to establish an architectural review committee through the homeowners association to review plans for the siting of homes in the development. The architectural committee will assure that trees marked for preservation on the tree plan submitted with this application are not removed without appropriate tree cutting permit from the City of Lake Oswego and the consent of the committee. The remaining trees which do not have to be removed during the construction of the project will also be preserved where practical.

E. Homeowners Association Responsibilities

As mentioned above, the applicant proposes to establish a homeowners association in conjunction with the development of this project. The duties and responsibilities of this association are as follows:

1. Ownership and maintenance of the open space around the wetland area.

2. Ownership and maintenance of the private street, sidewalk and street lights along Palisades Lake Drive.

3. Designation of an architectural review committee as discussed above.

the trail and homes to be built to the best extent possible.

The composition materials for the interpretative nature trail will consist of a soft gravel-type substance so as to minimize the impact on the site. The pond will be deepened partially through the use of a weir to be constructed in conjunction with the road improvements at the entrance of Palisades Lake Drive. In addition, excess soil from the deepening of the pond will be used to form the wildlife berms and islands. The small pond shown to the north of the entrance of Palisades Lake Drive most likely will not exist due to the engineering and construction requirements for the roadway entrance.

In terms of vegetation around the trail system, the native vegetation will be left in to the greatest extent possible except that poison oak and stinging nettles will carefully be removed. In addition, certain areas of lots 10, 16, 17, 18 and 19 are covered with non-native blackberry vines. The occurrence of these non-native blackberries on the site most likely resulted from clearing of the property done a few years ago by the previous land owner. The blackberries will be carefully removed for they are eventually extremely invasive and destructive of native vegetation.

The conceptual landscape plan for the open space area shows the general location and types of plantings that are planned for the PLCA. The new plantings are planned to go into areas that have the non-native blackberry vines and also into open areas. The design will be finalized after careful examination of specific site conditions along the trail system after its installation. This onsite examination will include analysis of: presence of native vegetation, shade conditions, and type of soil and its moisture content. Final location and type of some of the plantings may be changed slightly to fit site conditions. In addition, if in some locations the existing vegetation is extremely lush and full, then the planned plantings may be reduced somewhat in these locations rather than remove existing vegetation. The conceptual plantings for the PLCA come primarily from the list of plants that were used in the ELC. Lists of desirable plants for wetland/wildlife habitat areas are included in the appendix to this report for the reference of the staff and development review board.

in the form of jumbled rotting logs, vine maples, sword ferns, salal and ivy. In the wetland area tickets of red twig dogwood will be supplemented by additional plantings.

In addition to the above, we will also be planting a considerable amount of shrubs and shrubby trees that provide additional sources of shelter, including barberry, firethorn, cotoneaster and hawthorne. The thorns these plants generate provide an excellent means of keeping foot traffic on the planned trails and away from wildlife shelter areas. Other important shelter elements include berms which provide an excellent means of screening the trail system from wildlife areas, large boulders which provide sheltered areas and islands in the pond which provide their own unique form of shelter.

In looking at the overall design of the PLCA it is important to note the numerous transitional zones which are used extensively on the site. This results in the all important "edge effect". This is important because you have the greatest variety and abundance of wildlife in the transitional zones between environments.

The curving boundaries between zones provide extremely large numbers of transitions between zones. A typical section across the PLCA would reveal the following transitions: mature conifers to shrub ticket to stream back to shrub thicket on the sheltering berms to young conifers and deciduous trees to stream to wetland and back to conifers again of a mature variety. The PLCA includes numerous other transitional zones including conifers to pond and pond to island. This tremendous wealth and diversity of transitions results in the greatest possible amounts of edge effect in one land area and thus, just as at the ELC, the most greatly enhanced wildlife habitat area is created.

In terms of construction, the PLCA would use the same techniques as were used at the ELC. All walkways and bridges will be built on piers or clear-spanned except for one small area which may use stepping stones. The conceptual trail system is shown on the site plan submitted with this application. The actual trail system will be similarly located but will be identified on site and may result in certain sections being somewhat realigned. Care will be taken to wind the trail through and around existing vegetation so as to preserve the natural environment to the greatest extent possible. Also the trail will be located so as to use the existing large cedars and first as a screen between

and food source habitats. They both provide the elements necessary for a successful wildlife habitat environment including a year round water source (ponds and streams), a wide variety and arrangement of plant materials, sheltering berms and other similar elements.

One of the elements we will be providing which the ELC lacks is our groves of large mature cedar and fir trees which surround and buffer the PLCA. These groves also include an understory of vine maples, pacific yews, oregon grape, salal, sword ferns, ivy, numerous moss covered rocks and rotting logs, all of which provide important wildlife habitat needs.

Another element in the design of the PLCA is the provision of a variety and abundance of wildlife food source substances. New plantings proposed for the PLCA will include a variety of trees and shrubs that bear fruit and berries late into the winter season. This is especially important in late winter and early spring when insects, fruits and seeds are scarce. The wetland area also provides an important food source for aquatic species. Please refer to the exhibits for the lists of plants that provide this function.

Another important food source for wildlife is insects. Certain plants attract insects which then in turn attract birds. The new plantings will include trees such as birch which attracts insect populations that bring in flocks of birds. The existing groves of conifers also provide an important source of insects in their bark and along branches which attract a variety of birds including woodpeckers.

The large conifers also provide another important food source in the form of their cones. New plantings will include a variety of evergreen conifers that will complement this food source. In addition, the existing large oak, ash and maple trees on the site provide seeds and acorns. Other new plantings of broad-leaf trees and shrubs will be provided to complement this food source.

A third important element in the PLCA is wildlife shelter and nesting areas. A thick stand of evergreen conifers provides the best year-round shelter area for wildlife and this we have in abundance. Deciduous trees, which we are planting large numbers of, are another important source of shelter. A third source is the presence of dense natural tickets which we also have quite a large amount of through-out the site. Typically, this is found

conveniently located in suitable living environments for all incomes, ages and family types." The subject property is designated for single family residential development at an R-15 density. Since this plan designation has been adopted by the city and acknowledged by LCDC, it is assumed here that this designation was made with the appropriate consideration of this plan objective.

B. Natural Resources Policy Element

1. Wildlife Habitat Policies - General Policy II of this element of the plan states "Development in the Planning area will be encouraged to preserve wildlife habitat." The existing wetland area does provide for habitat for a variety of birds and other wildlife. The site plan proposes to maintain and enhance this wildlife habitat through the methods discussed in the previous section of this report regarding open space. Additionally, the stream corridor of Lost Dog Creek will be maintained through a conservation easement, thus preserving this creek as a wildlife habitat.

2. Distinctive Natural Area Policies - Lost Dog Creek is designated as a Distinctive Natural area by the Comprehensive Plan. Consistent with Policy II (1), the creek is proposed to be preserved as it passes through the subject property. A stream corridor easement is depicted along both sides of the creek where it abutts lots. The purpose of this easement is to prohibit construction of structures within the easement area and to preserve existing trees and vegetation within the stream corridor. Where the creek enters the wetland area, provision has been made to allow for stormwater detention, to reduce downstream flooding and associated damage which can occur during peak rainfall periods when drainage basins are allowed to develop without such provisions to reduce rates of runoff.

3. Potential Landslide Area Policies - Portions of the subject property are indicated on the plan map as having a potential for landslide hazard if soils are present. These areas are located along the hillsides abutting the wetland area. As discussed earlier in this report, a geologic analysis of the site was performed by Kelly/Strazer Associates. This study found no evidence of significant earth movement on this site. Please see this report for details regarding site geology.

Response: The site plan provides adequate access to the subject lots via a private driveway easement. The only alternative to the requested variance is the construction of the street far enough to provide 25 feet of frontage to lots 5 and 6. As discussed above, this would result in unnecessary hardship to the applicant.

d. The request is not in conflict with the Comprehensive Plan.

Response: The 25 foot frontage standard is a development standard only and is not referred to in the Comprehensive Plan. Granting this request, therefore, would not be in conflict with the Comprehensive Plan.

E. Site Circulation Standards - Driveways and Private Streets

Palisades Lake Drive has been designed to conform to the standards established in this section for private streets. The street width is proposed to be 24 feet. A fire truck turn-around is provided which meets the turning radius specifications of the ordinance. Street grades do not exceed the 15 percent maximum and are less than 5 percent at the intersection with Palisades Terrace Drive.

F. Site Circulation Standards - Bikeways and Walkways

The site plan for the proposed development calls for the construction of sidewalks along the project frontage with Palisades Terrace Drive, along the north side of Palisades Lake Drive and along Oak Street to the new turn-around. Additionally pedestrian trails are proposed around the wetland area, as depicted on the site plan for this area. Sidewalks are proposed to be concrete, 5 feet in width along all streets.

G. Drainage for Major Development

Storm sewer and stormwater detention, as required by this ordinance are proposed to be developed in conjunction with this project. Storm sewer locations are depicted on the preliminary utility plan submitted with this application. Stormwater detention is planned in association with the wetland area. Please see the attached preliminary stormwater calculations for

this site, attached to this report

H. Street Lights

Street lights are proposed to be developed in accordance with Section 4 of the Development Standards document. A preliminary layout of street lights is depictied on the utilities map submitted with this application.

I. Transit

Section 6.020 1(b) of the Development Standards requires that all major developments provide a hard surfaced pedestrian path to connect new developments with the nearest transit facilities, or to pathways which lead to such facilities. This is not practical for the subject property. The sidewalks which will be developed in conjunction with this project will connect to adjacent sidewalks in Palisades Terrace, but this sidewalk system is not continuous to Southshore Blvd., where a transit line is located. There is no sidewalk developed to the east on Oak Street from the project site to McVey, where the closest available transit line is located. For this reason a variance to this standard is requested as a part of this application. The criteria for the approval of this variance request are addressed below:

A. The request is necessary to prevent unnecessary hardship.

Response: As discussed above, there is no available hard surfaced pathway available with which to connect to the project area. The cost of the off-site improvements to construct approximately 1/4 mile of sidewalk to McVey is prohibitive and would constitute an unnecessary hardship upon the applicant.

B. Development consistent with the request will not be injurious to the neighborhood in which the property is located or to property established to be affected by the request.

Response: Granting this request will not have any negative affect upon the neighborhood is located. Sidewalks do not exist to transit at the present

As required by the screening and buffering standards of this section, lots along the exterior of the plat boundary have been designed so that they are no smaller than 75 percent of the minimum lot area of the adjoining zoning district.

L. Essential Wetlands

Development in the essential wetland area is designed to preserve and be compatible with the functions of wetlands as listed in L.O.C. 4.035 (1). Such development will consist of three of the recommended types mentioned in L.O.C. 4.020 (1) which specifically are:

a. Conservation of soil, vegetation, water, fish and wildlife.
b. Outdoor recreation including hiking and nature study.
c. Walkways, etc., built on piers.

The proposed wildlife habitat common area must be located in or in close proximity to the essential wetland because the essential wetland is an integral part of the common area's wildlife habitat. Also, the wildlife habitat area must be located in an area that has a year-round water supply, in this case the stream .

There clearly are no feasible alternative sites within the development where this type of wildlife habitat area could be provided and in fact, there are few possible sites in the entire city where this type of habitat could be located. The proposed development will not damage the wetland but will greatly enhance it as a wildlife habitat environment.

The design and construction of the development is intended to protect and enhance the essential wetland to the maximum practical extent possible. The development will also provide for the survival and quality of essential wetland areas through careful site design. The design includes the three features recommended by L.O.C. 4.020 (1) which are ponds, streams and vegetation.

Standard design features such as pollution control manholes and other devices will be utilized to prevent pollution from entering the wetland. In addition, the preservation of the coniferous forest buffer area around the wetland will greatly aid in preventing pollutants such as oil, grease, paper, debris, sediment and other erosion material from entering the wetland.

bridges and walkways will primarily be built either on piers or clear-spanned. No other buildings or structures are contemplated.

In terms of performing essential wetland functions the development will do the following:

a. Because of the pond water retention feature, the development will enhance ground water recharge.
b. Because of the water detention feature built into the development, storage of overland runoff and stream flooding-waters will be greatly enhanced.
c. Because the stream is routed through the wetland vegetation and because of the ponds which act as settling basins, turbidity reduction is enhanced.
d. Because of the routing of stormwater runoff through wetland vegetation, the nutrient filtration system is enhanced.
e. Food chain production, habitat resting, spawning, rearing and protective cover sites for aquatic and land species are greatly enhanced because the buffer of large evergreens is maintained and because of the addition of other important wildlife elements into the area. These include the creation of wildlife shelter, berms, additional food source plantings and many others.

M. Stream Corridors

A stream corridor easement is proposed along both sides of Lost Dog Creek, as shown on the site plan, to protect the stream corridor from development. No construction will be permitted within this easement area. The creek is very narrow as it crosses the subject property and the 25 foot width will adequately accomplish the protection of this area.

Development of Palisades Lake Drive will require the crossing of Lost Dog Creek and will necessitate a fill area for the road bed. Additionally, utilities to service the development will cross the stream corridor in areas depicted on the utility plan. These unavoidable intrusions are necessary to allow the development of the site. Such improvements are permitted by section 3.020 (4) of the development standards.

As discussed above in the wetlands section of this report, several improvements in the form of stormwater detention, wildlife habitat plantings, nature study sites, trails, etc. are planned in the stream

corridor, wetland area. These improvements are consistent with stream corridor areas and are permitted by Section 3.02F (4).