



22500 Salamo Road  
West Linn, OR 97068

## STAFF REPORT FOR THE PLANNING COMMISSION

**FILE NUMBER:** DR-13-02

**HEARING DATE:** July 17, 2013

**REQUEST:** Class II Design Review for expansion and remodel of existing gas station building, conversion of the portion of the building from automotive service to convenience sales, and associated landscaping and parking changes.

**APPROVAL CRITERIA:** Community Development Code (CDC) Chapter 19, General Commercial, GC; Chapter 55, Design Review.

**STAFF REPORT PREPARED BY:** Tom Soppe, Associate Planner

---

Planning Director's Initials 

---

## TABLE OF CONTENTS

### STAFF ANALYSIS AND RECOMMENDATION

GENERAL INFORMATION.....	3
BACKGROUND.....	3-7
APPROVAL CRITERIA AND ANALYSIS.....	8-10
ANALYSIS.....	10-11
RECOMMENDATION.....	11-12

### ADDENDUM

APPLICABLE REGULATIONS AND ASSOCIATED SUPPLEMENTAL FINDINGS.....	12-45
--	-------

**EXHIBITS**

PC-1 AFFIDAVIT OF NOTICE AND MAILING PACKET ..... 47-54  
PC-2 PLANNING DIRECTOR APPROVAL OF REQUESTED WAIVER.....55-56  
PC-3 COMPLETENESS LETTER..... 57  
PC-4 APPLICANT’S SUBMITTAL..... 59-89  
PC-5 ODOT RESPONSE CONFIRMING THEY DO NOT REQUEST TRAFFIC STUDY.....90

## GENERAL INFORMATION

<b>APPLICANT:</b>	Dave Kimmel, PDG, 1335 SW 66 <sup>th</sup> Ave., Ste. 201, Portland, OR 97225
<b>SITE LOCATION:</b>	22250 Willamette Drive
<b>LEGAL DESCRIPTION:</b>	Clackamas County Assessor's Map 2-2E-30DB, tax lots 6600 and 6700
<b>SITE SIZE:</b>	Approximately 26,000 Sq. Ft.
<b>ZONING:</b>	GC, General Commercial
<b>COMP PLAN DESIGNATION:</b>	Commercial
<b>120-DAY PERIOD:</b>	This application became complete on June 17, 2013. The 120-day maximum application-processing period ends on October 15, 2013.
<b>PUBLIC NOTICE:</b>	Public notice was mailed to the Bolton Neighborhood Association and affected property owners on June 24, 2013. The property was posted with a sign on June 26, 2013. In addition, the application has been posted on the City's website and was published in the West Linn Tidings on July 4, 2013. The notice requirements have been met.

## BACKGROUND

The site has an existing gas station with eight pumps and a small cashier's building below a canopy, and a main building that primarily consists of a two-bay automobile service business. These uses have existed on the site for decades. Both are conditional uses in the GC zone.

**Site Conditions:** The parcel is located along the east side of Willamette Drive just north of the I-205 interchange between Holly and Hollowell streets (see photo on following page). The canopy, the pumps under it, and the small cashier's building under it are in the west area of the site near the right-of-way. The main building is just behind these, a setup similar to many gas stations (see PC-4, Sheet A1, site Existing Conditions). The main building, painted white metallic with yellow trim, consists of the automotive service bays and the windows and door in front of the auto service business' cashier counter. There are restrooms that are accessed individually off the area south of the main building, from the outside. There is a small storage cooler addition in the rear of the main building.

## Site Aerial View



Source: West Linn GIS, 2013

The majority of the remainder of the site is used for vehicle storage and circulation, with driveways on each side of the canopy off of Willamette Drive. Vehicle parking occurs all over the paved areas dominating the site, without parking spaces that are actually designated with lines, rows, or landscaping. The entire north end of the site as well as the southeast area downhill are both landscaped, the latter having several large trees. The small tax lot (6600) north of the main tax lot of the site (6700) is owned by the same owner and consists of a vegetated slope between this development and the next building to the north. Two small landscaped islands are in the front of the main developed area of the site; one is in front of the canopy and is completely in the right-of-way while the other is irregular-shaped at the southwest corner of the site. There is also an unpaved vehicular access to Hollowell Street, which is a short dead-end street with one house.



*The site as it appears currently.*

**Project Description:** PDG Planning requests approval for a remodel of an existing gas station building to convert it from automotive service to convenience sales use. This involves removing a small addition in the rear of the building and replacing it with both a larger cooler/storage addition in the rear and a contiguous cooler addition on the north side. The application also includes plans to convert some of the pavement on site to landscaping, to close the site's access to Hollowell Street, to stripe and reconfigure the parking, and to add a striped pedestrian accessway across the front paved area. No changes are proposed for the Willamette Drive access points or the vehicle fueling area.



*The auto service bays shown above are proposed to be converted to a convenience store and become windows and a front door. Some of the parking area to the left in the foreground, and to the right of the building as well, would be converted to landscaping and the parking reconfigured.*



*The area above is along the rear of the building. The rear of the building, on the left, will be expanded into this area, and the remaining pavement adjacent to it will be converted to landscaping.*



*Part of these informal parking areas on the north side and south side, respectively, will become landscaped area while some formal spaces are proposed for delineation also.*

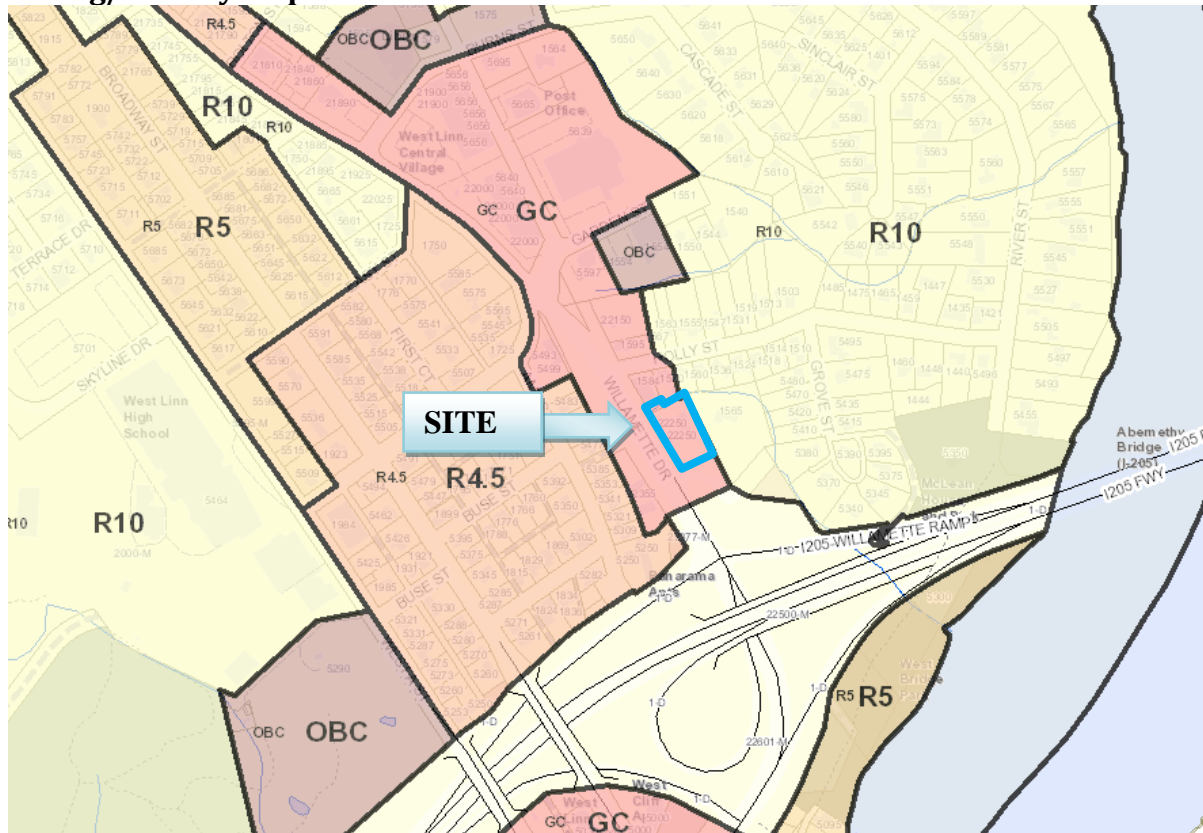
**Surrounding Land Use and Zoning:** The site is situated in the Bolton Neighborhood along Highway 43 along the mostly commercial segment between I-205 and the Central Village shopping center. Residential areas lie to the east and west.

**Table 1** Surrounding Land Use and Zoning

DIRECTION FROM SITE	LAND USE	ZONING
North	Central Village and other various office and retail commercial, post office, library, single-family residential detached, Maddax Woods Park	GC, OBC, R-10
East	Single-family residential detached, McLean House and Park	R-10
South	I-205, police station, gas station, multi-family, single-family residential detached, offices, paper mill, Three Rivers Charter School, West Bridge Park.	GC, GI, R-10-, R-5
West	Gas station, single-family residential detached and attached, offices, West Linn High School, Camassia Natural Area	GC, OBC, R-4.5, R-5, R-10

Source: West Linn GIS, 2013

**Zoning/Vicinity Map**



Source: West Linn GIS, 2013

## Approval Criteria and Analysis

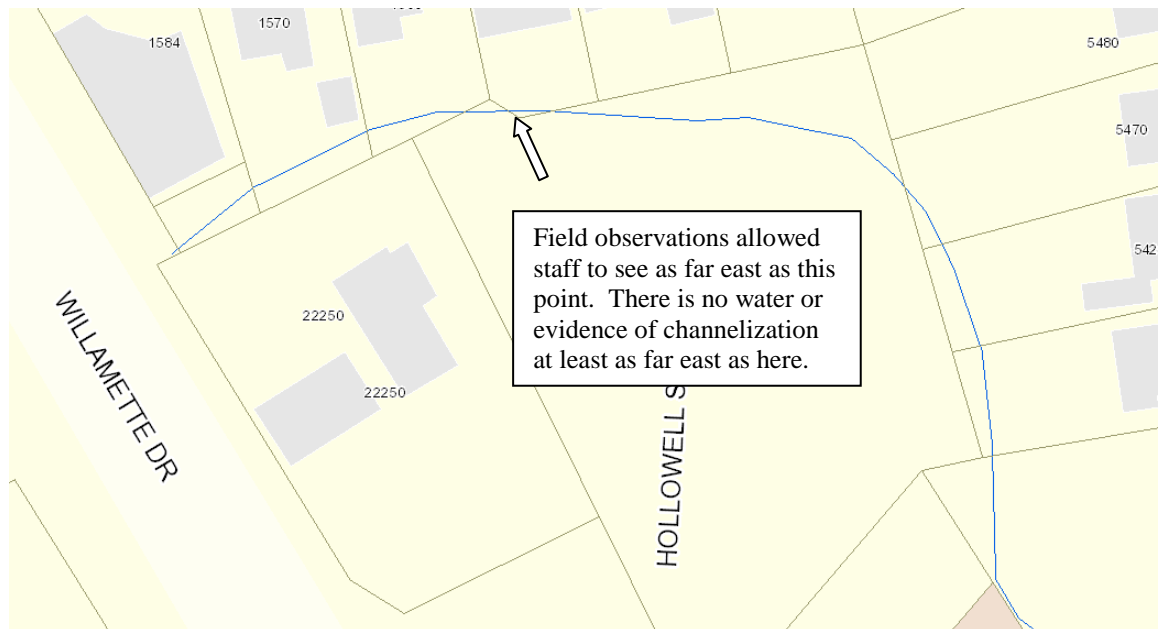
As previously noted, the applicant requests Class II Design Review due to several site changes including expanding the building, remodeling the building facade, parking reconfiguration, and landscaping. Any of these changes require design review approval; Class II is specifically requested because the proposal would increase the building square footage by more than 5%.

Therefore the applicable approval criteria include:

- Chapter 19, General Commercial zoning district;
- Chapter 55, Design Review: Class II approval criteria in Section 55.100;

According to City GIS, McLean Creek and its significant riparian corridor begin at the northwest corner of this property. However Planning and Engineering staff visits (and the applicant's submitted environmental study on pages 82-89 of Exhibit PC-4) confirm that there is no drainageway along the north side of the property and no evidence of channelization. Planning and Engineering staff visits also conclude from visual analysis that there is no drainageway and no evidence of channelization on nearby areas of adjacent properties to the north and east as well, including for at minimum 70 feet east into the property to the east. Somewhere further downhill on the property to the east or nearby, McLean Creek and its associated riparian corridor do begin. (The City is in the process of specifically locating the creek headwaters as part of the WRA project).

That being said it is not clear that McLean Creek and its significant riparian corridor do not start within 100 feet of where work is proposed on site, and within 115 feet of where the rear of the building is being expanded. These numbers, respectively, represent the transition area setback and the additional structural setback from a riparian corridor per Table 32-1 in Section 32.050(E).



*McLean Creek on City GIS*



However, this project would expand the building only within already-disturbed paved areas of the site and otherwise involve work only where paved areas are to be converted to native landscaping. Therefore, regardless of the exact starting point for the creek and corridor, the project is exempt from the need for a Water Resource Area Permit approval per Section 32.020(D)(8). With the appropriate and required erosion control and native plantings, the proposal should have no negative effect on nearby riparian ecosystems or drainageways. Specifically Section 32.020(D)(8) states the following (*italics added by staff*):

D. Exceptions. *The following actions are excepted from the provisions of this chapter:*  
(...)

8. *Additions, alterations, replacement, or rehabilitation of existing structures or other site improvements; provided, that:*

a. *The site footprint of any additions or alterations to existing structures (including decks), roadways, driveways, accessory uses and structures, and development shall not increase total encroachment into the water resource area required by Table 32.1...*

Disturbed and developed area are not being increased, whether area to be converted from impervious area to landscaping is considered “development” or not. The building is only being increased in size in areas that are already impervious pavement currently. Therefore the Water Resource Area permit is not required per this exception.

There are many non-conforming aspects to the access and other functions of the site. However, since the proposal does not affect them, they are not required to be brought into conformance at this time. The changes that are proposed meet the provisions of the CDC upon the inclusion of the recommended conditions of approval. Also, a Conditional Use approval is not needed since there is no change proposed to the vehicle fuel sales, which is the only conditional use that will remain on site upon implementation of the proposal.

CDC subsections 46.070(B)(5), 46.150(A)(2), and 46.150(B)(2) require disabled parking spaces to be closer to an accessible entrance than any other spaces. As the applicant’s plan did not place the disabled space closest to the front entrance and its ramps, recommended Condition of Approval 2 requires that the one required disabled space and its required van loading area be moved to the closest proposed parking space location, immediately northwest of the building (See Staff Response 22).

Section 46.150(A)(11) requires parking spaces to have wheel stops if their fronts abut property edges or narrow landscaping strips. Only one proposed parking space, the furthest south on site, is in such a location without a proposed wheel stop. Recommended Condition of Approval 3 requires a wheel stop to be installed in that location (See Staff Response 29).

Subsection 55.100(B)(7)(d) requires pedestrian walkways in parking and circulation areas, such as the striped one proposed across the front paved area, to be eight feet wide. The applicant proposes the walkway to be five feet wide. Recommended Condition of Approval 4 would correct this deficiency (See Staff Response 80).

Section 46.150(B) requires convenience stores of the size proposed to have a minimum of two bicycle parking spaces, at least one of which is covered, within 50 feet of the building in a well-

lit, observable area. Recommended Condition of Approval 5 requires the applicant to provide the required bicycle space (See Staff Response 41).

Subsection 54.020(E)(3)(a) requires two shade trees by each parking “lot”. There are really two separate lots on the site separated by the main building and the canopy. There are several shade trees adjacent to the south parking lot (See Staff Response 55). Therefore recommended Condition of Approval 6 requires two shade trees to be planted adjacent to the north parking lot.

Subsections 55.200(J)(3-5) require lighting to illuminate heavily trafficked and potentially dangerous areas such as pedestrian walkways, parking areas, and the waste/recycling area. The applicant’s Proposed Lighting Plan on Sheet A3.2 on Page 76 of Exhibit PC-4 does not include many of these areas in the “pool of light”. Condition of Approval 7 is recommended so lighting covers all of these areas (See Staff Response 93).

Subsection 55.100(O)(5)(a) requires a minimum 36-inch-tall hedge around the rear and sides of a refuse/recycling container enclosure for screening. Recommended Condition of Approval 8 would satisfy that requirement (See Staff Response 100).

**Public comments:**

No public comments have been received to date.

## **RECOMMENDATION**

Staff recommends approval of application DR-13-02 subject to the following proposed conditions:

1. Site Plan. With the exception of modifications required by these conditions, the project shall conform to the Proposed Site Plan, Sheet A2, dated June 14, 2013, located on Page 73 of Exhibit PC-4.
2. Disabled Parking. The proposed disabled parking space shall be moved to be the closest of the group of spaces northwest of the building, with the required 96-inch-wide van loading area replacing a space in this group of spaces. The disabled space proposed by the applicant on the site plan shall become a non-disabled space, and the van loading area proposed next to it shall be kept as a pedestrian/truck access for the proposed waste/recycling enclosure.
3. Parking Space Wheel Stop. The furthest south proposed parking space shall be provided with a wheel stop at least four inches high located two feet back from the front of the parking stall.
4. Pedestrian Accessway. The pedestrian accessway proposed to be striped across the front pavement area shall be eight feet wide.

5. Bicycle Parking. The applicant shall provide two bicycle parking spaces, at least one of which shall be covered, in a well lit, observable area of the site within 50 feet of the building entrance.
6. Shade Trees. The applicant shall plant two shade trees, at locations approved by the City Arborist, adjacent to the north parking spaces. These trees shall meet the provisions of Subsection 54.020(E)(3)(l).
7. Lighting. Lighting shall be increased on site so the “pool of light” covers the proposed recycle/waste facility and its pedestrian approach, the parking areas, and the proposed pedestrian walkway. This shall be done without illuminating any residential properties.
8. Screening of Recycle/Refuse Structure. The applicant shall install a hedge of at least 36 inches in height along the rear and sides of the proposed recycle/refuse container structure.

### **Notes to Applicant.**

- Expiration of Approval. This approval shall expire three years from the effective date of this decision.
- Check with the Building Division to see if a Geotechnical study is required, if not already required by above conditions.
- Additional Permits Required. Your project may require the following additional permits:
  - Building permit, the final permit after others are completed and conditions of approval are fulfilled. Contact the Building Division at (503) 656-4211, [jnomie@westlinnoregon.gov](mailto:jnomie@westlinnoregon.gov).
- Final inspection: Call the Building Division’s Inspection Line at (503) 722-5509.

**ADDENDUM**  
**PLANNING COMMISSION STAFF REPORT**  
July 17, 2013

**STAFF EVALUATION OF THE PROPOSAL'S COMPLIANCE  
WITH APPLICABLE CODE CRITERIA**

**I. CHAPTER 19, GENERAL COMMERCIAL**

**19.030 PERMITTED USES**

The following uses are permitted outright in this zone:

(...)

9. Convenience sales and personal services.

(...)

**Staff Response 1:** The only use to be added to the site is convenience sales, which is a permitted use. Staff determines the criterion is met.

**19.060 CONDITIONAL USES**

The following are conditional uses which may be allowed in this zone subject to the provisions of Chapter 60 CDC, Conditional Uses:

(...)

2. Automotive and equipment:

(...)

- b. Repairs, heavy equipment.
- c. Repairs, light equipment.

(...)

9. Vehicle fuel sales.

(...)

**Staff Response 2:** Automotive repair and vehicle fuel sales are both conditional uses in this zone. Both exist on site and, to staff's knowledge, are grandfathered in at this long-existing establishment. The automotive repair use is proposed for elimination upon the remodel of the building to contain the convenience sales use. The vehicle fuel sales use will continue with

the same number of pumps as it has currently, so there will not be a change or intensification of the conditional use. As neither conditional use is being increased and one is being eliminated, staff finds that no Conditional Use approval is needed to accompany the Design Review approval. Staff finds that the criteria are met.

### **19.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS**

A. Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:

1. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.

**Staff Response 3:** The front lot line is 205 feet in length (combines applicant's reported 170 feet on Page 61 of Exhibit PC-4 with slightly diagonal part of the line at the corner at the south end). This does not count the additional taxlot to the north, owned by the applicant, that has no existing or proposed development. Staff determines the criterion is met.

2. The average minimum lot width shall be 50 feet.

**Staff Response 4:** The average width of the lot is approximately 200 feet. This does not count the additional taxlot to the north, owned by the applicant, that has no existing or proposed development. Staff determines the criterion is met.

3. The average minimum lot depth shall not be less than 90 feet.

**Staff Response 5:** The average lot depth is 135 feet. Staff determines the criterion is met.

4. Where the use abuts a residential district, the setback distance of the residential zone shall apply. For example, when the rear of a residential property abuts the side of a commercial property, the residential 20-foot setback shall apply to the commercial property. When the side of a residential property abuts the rear of a commercial property, the residential five- to seven-and-one-half-foot setback shall apply to the commercial property. In addition, a buffer of up to 50 feet may be required.

**Staff Response 6:** The rear of the property borders the side of the residential property at 1565 Hollowell Street. Therefore the residential 7.5 setback of the adjoining R-10 zone applies to the subject property. The proposed addition will bring the closest point of the building 15.33 feet from the rear of the property. The north side of the subject property borders other GC properties along most of its border except that it borders another R-10-zoned house at the east end. Therefore the 20-foot rear setback applies to this end of the subject property. The proposal would result in the building being over 34 feet from the north property line at all points. To the west and south is more GC zoning. Therefore staff determines this criterion is met for all applicable setbacks.

5. The maximum lot coverage shall be 50 percent.

**Staff Response 7:** The existing building with the proposed additions would be 2,521 square feet. The existing canopy over the gas pumps is 1,672 square feet. This is a total of 4,193 square feet of building area. The main lot's size is 25,019 square feet. Proposed total lot coverage is therefore 16.8%. There is no existing or proposed development on the extra taxlot to the north. Staff determines that the criterion is met.

6. The maximum building height shall be two and one-half stories or 35 feet for any structure located within 50 feet of a low or medium density residential zone, and three and one-half stories or 45 feet for any structure located 50 feet or more from a low or medium density residential zone.

**Staff Response 8:** The building is 14.5 feet in height and one story. Staff determines the criterion is met.

7. For lot lines that abut an arterial, there shall be no minimum yard dimensions or minimum building setback area, and the maximum building setback shall be 20 feet. The front setback area between the street and the building line shall consist of landscaping or a combination of non-vehicular hardscape areas (covered with impervious surfaces) and landscaped areas, with at least 25 percent of the front setback area consisting of landscaped areas. If there are not street trees within the public right-of-way, the front setback area shall include such trees per the requirements of the City Arborist.

(...)

**Staff Response 9:** The canopy is the building in front of the main building. It is 5 feet from the front property line. The area between the building and the front property line is not landscaped now nor is it proposed to be (the landscaped area in front of this 5-foot strip does not count as it is in the right-of-way), but this non-conformity is not worsened by the proposal nor does it require a permit to Enlarge/Alter a Non-Conforming Structure. This is because the changes that are proposed to the site in of themselves meet the CDC requirements, upon the inclusion of the recommended conditions of approval..

### **19.080 DIMENSIONAL REQUIREMENTS, CONDITIONAL USES**

Except as may otherwise be established by this code, the appropriate lot size for a conditional use shall be determined by the approval authority at the time of consideration of the application based upon the criteria set forth in CDC [60.070\(A\)](#) and (B).

**Staff Response 10:** Due to the ability of the site to have adequate parking, landscaping, and circulation for the existing vehicle fuel pump use and proposed convenience sales use, staff finds that the criterion is met.

### **19.090 OTHER APPLICABLE DEVELOPMENT STANDARDS**

A. The following standards apply to all development including permitted uses:

1. Chapter [34](#) CDC, Accessory Structures, Accessory Dwelling Units, and Accessory Uses.

(...)

5. Chapter [42](#) CDC, Clear Vision Areas.

(...)

7. Chapter [46](#) CDC, Off-Street Parking, Loading and Reservoir Areas.

8. Chapter [48](#) CDC, Access, Egress and Circulation.

9. Chapter [52](#) CDC, Signs.

10. Chapter [54](#) CDC, Landscaping.

**Staff Response 11:** All of the above chapters are also required under Class II Design Review, as they are listed as criteria under Section 55.100(A). They are analyzed in this staff report below under staff responses 13-103.

B. The provisions of Chapter [55](#) CDC, Design Review, apply to all uses except detached single-family dwellings.

**Staff Response 12:** The applicant has applied for Design Review for the changes to this existing commercial establishment. See staff responses 13-103.

## II. CHAPTER 55, DESIGN REVIEW

### 55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW

The approval authority shall make findings with respect to the following criteria when approving, approving with conditions, or denying a Class II design review application.

A. The provisions of the following chapters shall be met:

1. Chapter [33](#) CDC, Stormwater Quality and Detention.

**Staff Response 13:** Due to the conversion of some paved areas to landscaping, impervious surfaces on site are actually being reduced, so establishment of separate stormwater treatment and detention facilities is not required. Staff determines the criterion is met.

2. Chapter [34](#) CDC, Accessory Structures, Accessory Dwelling Units, and Accessory Uses.

(...)

**Staff Response 14:** The canopy is an accessory structure which meets the appropriate provisions of Chapter 34 (base zone setbacks). Staff determines the criterion is met.

5. Chapter 42 CDC, Clear Vision Areas.

(...)

**Staff Response 15:** Existing signage, shrubs, and the southwest corner of the fuel pump area are all above three feet tall within required clear vision areas for the Willamette Drive accesses. Changes are not proposed to these, and new landscaping will not further interfere with clear vision area compliance. Therefore these are existing non-conformities that not required to be brought into compliance at this time. These existing non-conformities do not require the approval to Enlarge/Alter a Non-Conforming Structure since the changes that are proposed to the site do meet CDC requirements themselves, upon the inclusion of the recommended conditions of approval.

7. Chapter 46 CDC, Off-Street Parking, Loading and Reservoir Areas.

**Staff Response 16:** The appropriate sections of Chapter 46 are excerpted below.

**46.070 MAXIMUM DISTANCE ALLOWED BETWEEN PARKING AREA AND USE**

(...)

B. Off-street parking spaces for uses not listed in subsection A of this section shall be located not farther than 200 feet from an entryway to the building or use they are required to serve, measured in a straight line from the building, with the following exceptions:

(...)

**Staff Response 17:** All proposed spaces are between the main building and the right-of-way. It is only approximately 100 feet from the main building to the further of the two front corners of the property, so all spaces are easily within 200 feet of the building. Staff determines the criterion is met.

4. All disabled parking shall be placed closest to building entrances than all other parking. Appropriate ADA curb cuts and ramps to go from the parking lot to the ADA-accessible entrance shall be provided unless exempted by ADA code.

(...)

**Staff Response 18:** The proposed disabled space is not proposed to be the closest space to the accessible entrance, but proposed Condition of Approval 2 rectifies this. See Staff Response22 below for details.



## 46.090 MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS

(...)

C. Commercial.

(...)

2. General retail store, except as provided below. One space for every 240 sq. ft. of gross floor area.

(...)

**Staff Response 19:** This is a retail store that would have a total of 2,521 square feet upon implementation of the proposal. 2,521 divided by 240 is 10.5, so 11 spaces are required. The applicant's proposal provides 12 spaces. Upon the inclusion of Condition of Approval 2 the plans will need to be revised to have only 11 spaces due to the re location of the required disabled space (see Staff Response 22). Staff finds the criterion is met.

F. Maximum parking. While it is important to establish minimum standards to ensure that adequate parking is available, it is equally important to establish maximum parking standards to reduce paved impermeable areas, to reduce visual impact of parking lots, and to encourage alternate modes of transportation. For these reasons, parking spaces (except for single-family and two-family residential uses) shall not exceed the minimum by more than 10 percent except by variance.

(...)

**Staff Response 20:** The required minimum for this use at this size is 11 spaces. 12 spaces are proposed, and 12 is slightly less than 10% more than 11. Upon the inclusion of Condition of Approval 2 the plans will need to be revised to have only 11 spaces anyway due to the moving of the required disabled space (see Staff Response 22). Staff finds that the criterion is met.

## 46.150 DESIGN AND STANDARDS

The following standards apply to the design and improvement of areas used for vehicle parking, storage, loading, and circulation:

A. Design standards.

1. "One standard parking space" means a minimum for a parking stall of eight feet in width and 16 feet in length. These stalls shall be identified as "compact." To accommodate larger cars, 50 percent of the required parking spaces shall have a minimum dimension of nine feet in width and 18 feet in length (nine feet by 18 feet). When multi-family parking stalls back onto a main driveway, the stalls shall be nine feet by 20 feet.

**Staff Response 21:** All parking spaces are proposed to be 9 by 18 feet. Staff determines the criterion is met.

2. Disabled parking and maneuvering spaces shall be consistent with current federal dimensional standards and subsection B of this section and placed nearest to accessible building entryways and ramps.

(...)

**Staff Response 22:** The closest proposed parking space to the north side of the building is closer to the ADA ramp and building entrance than the proposed disabled space south of the building. The applicant should therefore develop the disabled space in this northern group of spaces instead. This reconfiguration would eliminate one other of the three northern spaces because the required van loading area would have to be there also (see Staff Response 38 below). The van loading area proposed next to the currently proposed disabled space would have to stay however in order to access the proposed trash enclosure there, so one space would be lost overall. As discussed above in Staff Response 20 however, the applicant can lose one of the 12 proposed parking spaces and still meet the minimum off-street parking requirement. Therefore Condition of Approval 2 would require relocation of the disabled space and eliminating the space next to it to make room for the van loading area.

4. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site.

**Staff Response 23:** As a gas station the use has a large paved area in front where vehicles can circulate through the pumping area and in and out of parking spaces. Pedestrian walkways across this area will be provided. Staff finds and determines the criterion is met.

5. Each parking and/or loading space shall have clear access, whereby the relocation of other vehicles to utilize the parking space is not required.

**Staff Response 24:** Each parking space will have clear access that does not require the relocation of other vehicles to use the space. Staff determines the criterion is met.

6. Except for single- and two-family residences, any area intended to be used to meet the off-street parking requirements as contained in this chapter shall have all parking spaces clearly marked using a permanent paint. All interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety. Permeable parking surface spaces may have an alternative delineation for parking spaces.

**Staff Response 25:** The applicant proposes to “restripe the lot” as seen in the applicant’s response to Section 46.090 on Page 63 of Exhibit PC-4. Staff determines the criterion is met.

7. Except for residential parking, and parking for public parks and trailheads, at least 50 percent of all areas used for the parking and/or storage and/or maneuvering of any

vehicle, boat and/or trailer shall be improved with asphalt or concrete surfaces according to the same standards required for the construction and acceptance of City streets. The remainder of the areas used for parking may use a permeable paving surface designed to reduce surface runoff. Parking for public parks or trailheads may use a permeable paving surface designed to reduce surface runoff for all parking areas. Where a parking lot contains both paved and unpaved areas, the paved areas shall be located closest to the use which they serve.

(...)

**Staff Response 26:** All parking areas are proposed to be paved with an impervious surface. Staff determines the criterion is met.

9. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site. The number of access drives shall be limited to the minimum that will allow the property to accommodate and service the anticipated traffic. Access drives shall be clearly and permanently marked and defined through use of rails, fences, walls, or other barriers or markers on frontage not occupied by service drives.

**Staff Response 27:** The steep existing driveway accessing Hollowell Street is proposed to be eliminated but the two driveways accessing Willamette Drive will remain. These are on either side of the fueling area. As a gas station where people drive through the fueling area to access the pumps, two accesses are the minimum necessary to avoid having vehicles back up out of where other vehicles enter the fueling area. The access drives are delineated by the curbs. Staff finds the criterion is met.

10. Access drives shall have a minimum vision clearance as provided in Chapter [42](#) CDC, Clear Vision Areas.

**Staff Response 28:** The accesses from Willamette Drive are not compliant with Chapter 42 but this is not required to be brought into compliance at this time as no changes are proposed to this aspect of the site; see Staff Response 15 for further discussion.

11. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located two feet back from the front of the parking stall. Alternately, landscaped areas or sidewalks adjacent to the parking stalls without wheel stops shall be two feet wider.

(...)

**Staff Response 29:** The applicant shows these wheel stops on the site plan for the parking spaces northwest of the building, where the landscaping area is narrow. With the exception of the furthest south parking space on site, the landscaping is wide next to the spaces south of the building so the wheel stops are not needed. Recommended Condition of Approval 3

requires a wheel stop on the furthest south space as well. Staff determines the criterion is met upon the inclusion of Condition of Approval 3.

17. The parking area shall have less than a five percent grade. No drainage across adjacent sidewalks or walkways is allowed.

**Staff Response 30:** The parking area will remain flat, with less than a five percent grade. There will be no drainage across adjacent sidewalks or walkways. Staff determines the criterion is met.

18. Commercial, office, industrial, and public parking lots may not occupy more than 50 percent of the main lot frontage of a development site. The remaining frontage shall comprise buildings or landscaping. If over 50 percent of the lineal frontage comprises parking lot, the landscape strip between the right-of-way and parking lot shall be increased to 15 feet wide and shall include terrain variations (e.g., one-foot-high berm) plus landscaping. The defensible space of the parking lot should not be compromised.

**Staff Response 31:** Access driveways and the vehicle pumping area occupy the front of the lot, along with landscaping at both the north and south end. The parking areas are in the rear away from the street. Less than 50% of the front of the site is landscaping or buildings, but this is an existing non-conformity that is not required to be changed for this application because proposed site changes will meet all CDC standards upon inclusion of the Conditions of Approval in the decision.

19. Areas of the parking lot improved with asphalt or concrete surfaces shall be designed into areas of 12 or less spaces through the use of defined landscaped area. Groups of 12 or less spaces are defined as:

- a. Twelve spaces in a row, provided there are no abutting parking spaces, as in the case when the spaces are abutting the perimeter of the lot; or
- b. Twelve spaces in a group with six spaces abutting together; or
- c. Two groups of twelve spaces abutting each other, but separated by a 15-foot wide landscape area including a six-foot-wide walkway.

(...)

**Staff Response 32:** All parking spaces will be impervious. There are 12 proposed parking spaces total: three northwest of the building and nine south/southwest of the building. Therefore all parking spaces are in groups of less than 12 spaces. Staff finds and determines that the criterion is met.

21. The parking and circulation patterns are easily comprehended and defined. The patterns shall be clear to minimize traffic hazards and congestion and to facilitate emergency vehicles.

**Staff Response 33:** All parking spaces are along the semicircular rear rim of the large paved area in the front of the site, accessible from this large paved area and on both sides of the main

building. No parking spaces are located within the fuel pump canopy area or across this area from the main building. Staff finds and determines that this criterion is met.

22. The parking spaces shall be close to the related use.

(...)

**Staff Response 34:** The parking spaces are all generally placed at the east end of the paved area in front of the building, which is also at the east end of this area. Staff finds that the criterion is met.

B. Accessible parking standards for persons with disabilities. If any parking is provided for the public or visitors, or both, the needs of the people with disabilities shall be based upon the following standards or current applicable federal standards, whichever are more stringent:

1. Minimum number of accessible parking space requirements (see following table):

MINIMUM REQUIRED NUMBER OF TOTAL PARKING SPACES	TOTAL NUMBER OF ACCESSIBLE SPACES	NUMBER OF VAN-ACCESSIBLE SPACES REQUIRED, OF TOTAL	SPACES SIGNED "WHEELCHAIR USE ONLY"
1 – 25	1	1	–

**Staff Response 35:** As discussed above the minimum number of off-street spaces for the site is 11 spaces, so one accessible parking space is required. One such space is provided. Staff finds the criterion is met.

2. Location of parking spaces. Parking spaces for the individual with a disability that serve a particular building shall be located on the shortest possible accessible circulation route to an accessible entrance to a building. In separate parking structures or lots that do not serve a particular building, parking spaces for the persons with disabilities shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.

**Staff Response 36:** The proposed disabled space is not proposed to be the closest space to the accessible entrance, but proposed Condition of Approval 2 rectifies this. See Staff Response 22 above for details.

3. Accessible parking space and aisle shall meet ADA vertical and horizontal slope standards.

(...)

**Staff Response 37:** The parking area will remain flat and the spaces will meet these standards. Staff determines the criterion is met.

5. One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches wide.

**Staff Response 38:** The one accessible space provided has an access aisle proposed to be 96 inches wide. Condition of Approval 2 requires these be moved together to the northern parking area to meet several other criteria above. Staff finds the criterion is met.

6. Van-accessible parking spaces shall have an additional sign marked “Van Accessible” mounted below the accessible parking sign. A van-accessible parking space reserved for wheelchair users shall have a sign that includes the words “Wheelchair Use Only.” Van-accessible parking shall have an adjacent eight-foot-wide aisle. All other accessible stalls shall have a six-foot-wide aisle. Two vehicles may share the same aisle if it is between them. The vertical clearance of the van space shall be 96 inches.

**Staff Response 39:** As discussed above in Staff Response 38, a van-accessible space with an eight-foot-wide aisle is provided, although Condition of Approval 2 moves it to the closest space to the door. There is nothing limiting vertical clearance. As this is the only required disabled space, it will not have a sign stating “Wheelchair Use Only.” Staff determines the criterion is met.

C. Landscaping in parking areas. Reference Chapter [54](#) CDC, Landscaping.

**Staff Response 40:** See staff responses 54-66 below in response to Chapter 54.

D. Bicycle facilities and parking.

1. Provisions shall be made for pedestrian and bicycle ways if such facilities are shown on an adopted plan.
2. Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary racks which accommodate bicyclist’s locks securing the frame and both wheels. The bicycle parking shall be no more than 50 feet from the entrance to the building, well-lit, observable, and properly signed.
3. Bicycle parking must be provided in the following amounts:

LAND USE CATEGORY	MINIMUM REQUIRED BICYCLE PARKING SPACES	MINIMUM COVERED AMOUNT
Auto-oriented Services (including 7-11s)	2, or 0.33 spaces per 1,000 gross sq. ft., whichever is greater	10%

(...)

**Staff Response 41:** No bicycle parking is proposed. The building is 2,521 square feet, so it requires two spaces as this is a larger number than 0.33 times 2.521 which is 0.83. The applicant must provide two spaces, and at least one must be covered so the site complies with the “10%” coverage required in the table above. Condition of Approval 5 requires these be provided within 50 feet of the building in a well-lit, observable area. Staff determines the criteria are met upon the inclusion of recommended Condition of Approval 5 in the decision.

8. Chapter [48](#) CDC, Access, Egress and Circulation.

**Staff Response 42:** See below for responses to the appropriate excerpted criteria from Chapter 48.

#### **48.025 ACCESS CONTROL**

(...)

B. Access control standards.

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

(...)

**Staff Response 43:** As seen in their email submittal on Page 90 of Exhibit PC-5, the Oregon Department of Transportation (ODOT) determines that a traffic study is not necessary. ODOT has access jurisdiction as this property is on Highway 43, and the Hollowell Street access is proposed for closure. Staff determines the criterion is met.

3. Access options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (planned access shall be consistent with adopted public works standards and TSP). These methods are “options” to the developer/subdivider.

(...)

c) Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in subsection (B)(6) of this section.

(...)

**Staff Response 44:** Access to the site is directly from the public street, so this complies with Option 3. Staff finds the criterion is met.

7. Number of access points. For single-family (detached and attached), two-family, and duplex housing types, one street access point is permitted per lot, when alley access cannot otherwise be provided; except that two access points may be permitted corner lots (i.e., no more than one access per street), subject to the access spacing standards in subsection (B)(6) of this section. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with subsection (B)(8) of this section, in order to maintain the required access spacing, and minimize the number of access points.

**Staff Response 45:** There are currently two accesses from Willamette Drive and one from the beginning of Hollowell Street. The new site plan eliminates the Hollowell Street access. Having the two Willamette Drive accesses is appropriate for an auto-related use such as this in a commercial zone. Staff finds the criterion is met.



The gravel driveway is the existing access to Hollowell Street (foreground) which is proposed to be eliminated.

#### **48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES**

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



A. Service drives for non-residential uses shall be fully improved with hard surface pavement:

1. With a minimum of 24-foot width when accommodating two-way traffic; or

(...)

**Staff Response 46:** Both access points proposed to remain are at least 24 feet wide and accommodate two-way traffic. Staff finds the criterion is met.

3. Meet the requirements of CDC 48.030(E)(3) through (6).

(48.030(E)(3-6) excerpted here

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

(...)

4. Appropriate turnaround facilities per Fire Chief's standards for emergency vehicles when the drive is over 150 feet long. Fire Department turnaround areas shall not exceed seven percent grade unless waived by the Fire Chief.

5. The grade shall not exceed 10 percent on average, with a maximum of 15 percent.

6. A minimum centerline turning radius of 45 feet for the curve.

(...)

**Staff Response 47:** As this is a gas station, much of the front area is, and will remain, paved. The short ingress/egress driveways do not curve. The paved area does not have a grade over 10 percent and is not over 150 feet in depth from the street to the main building in the rear. Staff finds that these criteria are met.

B. All non-residential uses shall be served by one or more service drives as determined necessary to provide convenient and safe access to the property and designed according to CDC 48.030(A). In no case shall the design of the service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley.

(...)

**Staff Response 48:** The large paved area in front, and its two Willamette Drive accesses proposed to remain, serve as service drives. It is not designed to require backward movement of a vehicle

into the surrounding streets as vehicles can go forward and around to the other access points when leaving.

#### **48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS**

(...)

C. No curb cuts shall be allowed any closer to an intersecting street right-of-way line than the following:

(...)

3. On an arterial when intersected by a local street, 100 feet.

(...)

**Staff Response 49:** Willamette Drive is an arterial street. The closest streets that intersect to it here are Hollowell Street to the south and Holly Street to the north. The northernmost curb cut on site is approximately 170 feet from Holly Street to the north, meeting this standard. The southernmost curb cut on site is approximately 32 feet from Hollowell Street to the south, which does not meet this standard. This however is an existing non-conforming situation that is not proposed for change as part of this application, and the changes that are proposed for the site do meet the CDC criteria. Staff determines the criterion is met in that the non-conforming curb cut is not required to be changed in this application.

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

1. On an arterial street, 150 feet.

(...)

**Staff Response 50:** The curb cuts for the two accesses to the site off of Highway 43 are approximately 50 feet apart. Therefore the separation does not meet this standard. However no changes are proposed to these accesses and the changes that are proposed to the site do meet CDC requirements, so it is not required at this time to make the situation conforming.

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

(...)

**Staff Response 51:** There are two curb cuts on Highway 43 that access the site. This is an existing condition; no changes are proposed to site access from Highway 43. This is a non-conformity that is not required to be changed in order to make the changes proposed to the

site, which conform to the CDC. Staff therefore finds that the criterion is met, as needed for this application.

9. Chapter 52 CDC, Signs.

**Staff Response 50:** No changes are proposed to signage at this time. If the applicant proposes changes to signage as part of the change in use, the applicant will be required to apply for a Permanent Sign approval through the Planning Department.

10. Chapter 54 CDC, Landscaping.

**Staff Response 52:** The applicable criteria from Chapter 54 are excerpted below.

**54.020 APPROVAL CRITERIA**

(...)

E. Landscaping – By type, location and amount.

(...)

2. Non-residential uses. A minimum of 20 percent of the gross site area shall be landscaped. Parking lot landscaping may be counted in the percentage.

**Staff Response 53:** The lot has 25,019 square feet. The landscaping upon implementation of the proposal will cover 9,805 square feet of the lot. This is 39.2%. Staff determines the criterion is met.

3. All uses (residential uses (non-single-family) and non-residential uses):

a. The landscaping shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area. There shall be one shade tree planted for every eight parking spaces. These trees shall be evenly distributed throughout the parking lot to provide shade. Parking lots with over 20 spaces shall have a minimum 10 percent of the interior of the parking lot devoted to landscaping. Pedestrian walkways in the landscaped areas are not to be counted in the percentage. The perimeter landscaping, explained in subsection (E)(3)(d) of this section, shall not be included in the 10 percent figure. Parking lots with 10 to 20 spaces shall have a minimum five percent of the interior of the parking lot devoted to landscaping. The perimeter landscaping, as explained above, shall not be included in the five percent. Parking lots with fewer than 10 spaces shall have the standard perimeter landscaping and at least two shade trees. Non-residential parking areas paved with a permeable parking surface may reduce the required minimum interior landscaping by one-third for the area with the permeable parking surface only.

**Staff Response 55:** There are two small separate parking lots at this site: one northwest of the building and one south of it, each with less than 10 spaces. Therefore interior landscaping is not required and, as required, the paved area on site has landscaping on the perimeter. Landscaping is actually being increased by this application. There are more than two trees just outside the south parking lot, east of it. But, to meet the criterion above, the north parking lot should also have two shade trees in the abutting landscaped area. Condition of Approval 6 requires this. Staff finds the criterion is met upon the inclusion of Condition of Approval 6.

- b. The landscaped areas shall not have a width of less than five feet.

**Staff Response 56:** No landscaped area will be less than five feet in width. Staff determines the criterion is met.

- c. The soils, site, proposed soil amendments, and proposed irrigation system shall be appropriate for the healthy and long-term maintenance of the proposed plant species.

**Staff Response 57:** Plantings will be native, so they will be easily made to fit the soil on site and will be low-maintenance in this climate. Staff finds the criterion is met.

- d. A parking, loading, or service area which abuts a street shall be set back from the right-of-way line by perimeter landscaping in the form of a landscaped strip at least 10 feet in width. When a parking, loading, or service area or driveway is contiguous to an adjoining parcel, there shall be an intervening five-foot-wide landscape strip. The landscaped area shall contain:

(...)

**Staff Response 58:** The front fueling area borders the front property line, so the site is not compliant with this criterion. This is an existing condition that is not proposed to be changed, and does not need to be changed since the changes that are proposed will meet CDC requirements upon inclusion of all recommended conditions of approval in the decision.

- f. A parking, loading, or service area which abuts a property line shall be separated from the property line by a landscaped area at least five feet in width and which shall act as a screen and noise buffer, and the adequacy of the screen and buffer shall be determined by the criteria set forth in CDC 55.100(C) and (D), except where shared parking is approved under CDC 46.050.

**Staff Response 59:** The only two areas where a parking/loading/circulation area will abut a property line will be a) in front of the fueling area, and b) next to the southernmost parking spaces, just east of where the access from Hollowell Street is to be eliminated. Both of these are existing conditions that are not proposed to be changed, and neither need to be changed since the proposed site changes will meet CDC requirements upon inclusion of all recommended conditions of approval.

g. All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.

**Staff Response 60:** All areas not used for parking, maneuvering, or circulation is proposed to be landscaped. Staff finds the criterion is met.

h. The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation.

**Staff Response 61:** While shrubs in the northwest corner of the site constitute the only existing landscaping that does not meet the clear vision area requirements of Chapter 42, none of the new landscaping proposed would be in violation of Chapter 42. Staff therefore determines the criterion is met.

i. Outdoor storage areas, service areas (loading docks, refuse deposits, and delivery areas), and above-ground utility facilities shall be buffered and screened to obscure their view from adjoining properties and to reduce noise levels to acceptable levels at the property line. The adequacy of the buffer and screening shall be determined by the criteria set forth in CDC [55.100\(C\)\(1\)](#).

**Staff Response 62:** The refuse storage area is separated from the neighboring property to the rear by trees and topography. Staff finds and determines the criterion is met.

j. Crime prevention shall be considered and plant materials shall not be located in a manner which prohibits surveillance of public and semi-public areas (shared or common areas).

**Staff Response 63:** All areas used by the public will continue to be visible upon implementation of the landscape plan. Staff determines the criterion is met.

k. Irrigation facilities shall be located so that landscaped areas can be properly maintained and so that the facilities do not interfere with vehicular or pedestrian circulation.

**Staff Response 64:** No irrigation facilities are proposed where vehicular or pedestrian circulation is proposed. Staff finds that the criterion is met.

l. For commercial, office, multi-family, and other sites, the developer shall select trees that possess the following characteristics:

- 1) Provide generous “spreading” canopy for shade.
- 2) Roots do not break up adjacent paving.

- 3) Tree canopy spread starts at least six feet up from grade in, or adjacent to, parking lots, roads, or sidewalks unless the tree is columnar in nature.
- 4) No sticky leaves or sap-dripping trees (no honey-dew excretion).
- 5) No seed pods or fruit-bearing trees (flowering trees are acceptable).
- 6) Disease-resistant.
- 7) Compatible with planter size.
- 8) Drought-tolerant unless irrigation is provided.
- 9) Attractive foliage or form all seasons.

m. Plant materials (shrubs, ground cover, etc.) shall be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage, staggered flowering periods, and avoidance of nuisance plants (Scotch broom, etc.).

(...)

**Staff Response 65:** The applicant’s plans propose no new trees. No trees are being removed, so “replacement trees” are not required either. However, recommended Condition of Approval 6 requires two native shade trees be planted by the north parking area to meet the requirements of Subsection 54.020(E)(3)(a). This recommended condition references the above section to ensure the selected trees meet these provisions. Staff finds these criteria are met upon the inclusion of Condition of Approval 6.

**54.070 SPECIFICATION SUMMARY**

Area/Location	Landscaping Req’d.
6. Percentage of 10 – 25 car parking lot to be landscaped (excluding perimeter).	5%
7. Percentage of 1 – 9 car parking lot to be landscaped (excluding perimeter).	0%

**Staff Response 66:** While they are both part of the same greater paved area between the main building and the street, there are essentially two separate small “parking lots” on site in that there are several spaces south/southwest of the building, and a few others northwest of the building across the canopy building and vehicle fueling areas. Each of these separate parking lots has 9 or fewer spaces including upon implementation of all conditions of approval. Therefore interior parking lot landscaping is not needed.

B. Relationship to the natural and physical environment.

(...)

2. All heritage trees, as defined in the municipal code, all trees and clusters of trees ("cluster" is defined as three or more trees with overlapping driplines; however, native oaks need not have an overlapping dripline) that are considered significant by the City Arborist, either individually or in consultation with certified arborists or similarly qualified professionals, based on accepted arboricultural standards including consideration of their size, type, location, health, long term survivability, and/or numbers, shall be protected pursuant to the criteria of subsections (B)(2)(a) through (f) of this section. In cases where there is a difference of opinion on the significance of a tree or tree cluster, the City Arborist's findings shall prevail. It is important to acknowledge that all trees are not significant and, further, that this code section will not necessarily protect all trees deemed significant.

(...)

**Staff Response 67:** The applicant proposes no tree removal. Staff determines the criterion is met.

3. The topography and natural drainage shall be preserved to the greatest degree possible.

(...)

**Staff Response 68:** The proposed new landscaped areas respect the topography of the site and will infiltrate stormwater better than the impervious areas they replace. Drainage to the east and north will continue and is respected by the proposal.

5. There shall be adequate distance between on-site buildings and on-site and off-site buildings on adjoining properties to provide for adequate light and air circulation and for fire protection.

**Staff Response 69:** The on-site buildings are adequately spaced from each other, and one, the canopy, has no walls. Even upon the proposed additions to the main building, the closest off-site building (the garage at 1570 Holly Street to the north) will be approximately 56 feet away from any on-site building. Staff finds and determines that the criterion is met.

6. Architecture.

a. The predominant architecture of West Linn identified in the West Linn vision process was contemporary vernacular residential designs emphasizing natural materials: wood with brick and stone detail. Colors are subdued earth tones: greys, brown, off-whites, slate, and greens. Pitched roofs with overhanging eaves, decks, and details like generous multi-light windows with oversized trim are common. Also in evidence are the 1890s Queen Anne style homes of the

Willamette neighborhood. Neo-traditional homes of the newer subdivisions feature large front porches with detailed porch supports, dormers, bracketed overhanging eaves, and rear parking for cars. Many of these design elements have already been incorporated in commercial and office architecture.

**Staff Response 70:** The main building will remain predominately neutral colors and will continue to be of the basic shape and size of other gas station and convenience store buildings in West Linn. New windows will add architectural style to the structure. Staff determines the criterion is met.

- b. The proposed structure(s) scale shall be compatible with the existing structure(s) on site and on adjoining sites. Contextual design is required. Contextual design means respecting and incorporating prominent architectural styles, building lines, roof forms, rhythm of windows, building scale and massing, materials and colors of surrounding buildings in the proposed structure.  
(...)

**Staff Response 71:** The canopy is proposed to remain the same in size while additions are placed on the rear and the north side of the main building. This will remain a small one-story commercial building compatible in size with the one- and two-story residences and commercial buildings in this area of West Linn. The roofline, window placement, materials, and colors will be compatible with the two nearby existing gas stations and with many of the nearby commercial buildings. Staff finds and determines that the criterion is met.

- d. Contrasting architecture shall only be permitted when the design is manifestly superior to adjacent architecture in terms of creativity, design, and workmanship, and/or it is adequately separated from other buildings by distance, screening, grade variations, or is part of a development site that is large enough to set its own style of architecture.

**Staff Response 72:** As discussed in Staff Response 70 above, the design is not contrasting to surrounding gas stations and other commercial developments in the area.

- e. Human scale is a term that seeks to accommodate the users of the building and the notion that buildings should be designed around the human scale (i.e., their size and the average range of their perception). Human scale shall be accommodated in all designs by, for example, multi-light windows that are broken up into numerous panes, intimately scaled entryways, and visual breaks (exaggerated eaves, indentations, ledges, parapets, awnings, engaged columns, etc.) in the facades of buildings, both vertically and horizontally.

The human scale is enhanced by bringing the building and its main entrance up to the edge of the sidewalk. It creates a more dramatic and interesting streetscape and improves the “height and width” ratio referenced in this section.

**Staff Response 73:** The only two walled buildings already exist on site. The small cashier’s building under the canopy is close to the street and has a window facing the street. The main building’s remodel will not bring it up to the street, but it will replace garage bays with



windows and provide for more architectural detail. Staff determines this criterion is met as much as possible without redeveloping the property.

f. The main front elevation of commercial and office buildings shall provide at least 60 percent windows or transparency at the pedestrian level to create more interesting streetscape and window shopping opportunities. One side elevation shall provide at least 30 percent transparency. Any additional side or rear elevation, which is visible from a collector road or greater classification, shall also have at least 30 percent transparency. Transparency on other elevations is optional. The transparency is measured in lineal fashion. For example, a 100-foot-long building elevation shall have at least 60 feet (60 percent of 100 feet) in length of windows. The window height shall be, at minimum, three feet tall. The exception to transparency would be cases where demonstrated functional constraints or topography restrict that elevation from being used. When this exemption is applied to the main front elevation, the square footage of transparency that would ordinarily be required by the above formula shall be installed on the remaining elevations at pedestrian level in addition to any transparency required by a side elevation, and vice versa. The rear of the building is not required to include transparency. The transparency must be flush with the building elevation.

60 percent of lineal street facing or main elevation is windows. 30 percent of one side elevation is windows. You may transfer windows from the side to front, or vice versa.

**Staff Response 74:** Staff adopts the applicant's finding on pages 64-65 of Exhibit PC-4, which is as follows:

This section provides that the main front of a commercial building be at least 60% windows. It also requires that at least one side have at least 30% transparency and any other side with a street view also have 30% transparency. The proposed modifications will meet this requirement by exceeding the 60% on the front of the building and the south side of the building. The north side which is cooler will be less than the 30%, but as provided for in this section the applicant is transferring the excess square footage from the West and South elevations to meet this requirement.

Building Front (west side) 67.25 lineal feet. Glazing proposed 46.25 SF. or 69%.

South Side of building 27.0 lineal feet. Glazing proposed 16.25 SF or 60%

North side of building 35.66 lineal feet is visible from the public right-of-way, which would require 11 lineal feet of glazing a minimum of 3' in height. The applicant is proposing to install 7.0 lineal feet of glazing and transfer the additional required glazing from the East and South Elevations.

Both the north and south side elevations are visible from Highway 43 so they both must have a minimum of 30% density. The applicant considers the north side and south side elevations without the addition that would extend further east. This is

acceptable as this addition will not be visible from Highway 43. On the north side of the building 7.0 feet of windows are proposed which is 19.6% of the elevation. However as discussed in the language under Subsection (f) transparency can be “transferred” among the sides and front, so each can be calculated to achieve their appropriate transparency of 60% in front and 30% on the sides. For the north side to be considered to have 30%, it must have 10.67 lineal feet of windows, which is 3.67 more than it has now. If 3.67 feet are transferred off of the front, the front would still be considered to have 42.58 feet of windows ( $46.25 - 3.67 = 42.58$ ). 42.58 is 63.33% of 67.25, so the front would still have more than 60% transparency even after sufficient transfer of window credit to the north side. Therefore the applicant’s plan fulfills the transparency requirements of this criterion. All proposed windows are over three feet in height, so all can count towards these calculations. Staff determines this criterion is met.

- g. Variations in depth and roof line are encouraged for all elevations. To vary the otherwise blank wall of most rear elevations, continuous flat elevations of over 100 feet in length should be avoided by indents or variations in the wall. The use of decorative brick, masonry, or stone insets and/or designs is encouraged. Another way to vary or soften this elevation is through terrain variations such as an undulating grass area with trees to provide vertical relief.

**Staff Response 75:** There are no continuous flat rear elevations of more than 50 feet. The site is a gas station with a typical one-story, flat-roofed design. The building proposed for remodel will remain flat-roofed but more architectural detail is being added including windows and stucco finishing. The applicant proposes increasing the landscaping and the shrubs on site, and keeping the existing trees on site. This can “soften the effect” visually of this commercial, car-oriented development in lieu of more comprehensive roof variations as allowed in this section. Staff determines the criterion is met.

- h. Consideration of the micro-climate (e.g., sensitivity to wind, sun angles, shade, etc.) shall be made for building users, pedestrians, and transit users, including features like awnings.

**Staff Response 76:** At a gas station this can be harder to achieve than in many commercial developments, but the proposal does not worsen the existing conditions. If anything the presence of more landscaping on site, which replaces some of the existing impervious area, will improve the micro-climate. Staff finds and determines that the criterion is met.

- i. The vision statement identified a strong commitment to developing safe and attractive pedestrian environments with broad sidewalks, canopied with trees and awnings.  
(...)

**Staff Response 77:** This is an aspirationally phrased criterion that is likely meant for main-street-style commercial areas, more than the front areas of existing gas stations. The canopy provides some visual diversion close to the sidewalk, and the applicant is adding more landscaping and vegetation to the site. The small building under the canopy has a window

facing the sidewalk. Therefore staff determines that this criterion is met as much as possible given the existing use on site.

7. Transportation Planning Rule (TPR) compliance. The automobile shall be shifted from a dominant role, relative to other modes of transportation, by the following means:

a. Commercial and office development shall be oriented to the street. At least one public entrance shall be located facing an arterial street; or, if the project does not front on an arterial, facing a collector street; or, if the project does not front on a collector, facing the local street with highest traffic levels. Parking lots shall be placed behind or to the side of commercial and office development. When a large and/or multi-building development is occurring on a large undeveloped tract (three plus acres), it is acceptable to focus internally; however, at least 20 percent of the main adjacent right-of-way shall have buildings contiguous to it unless waived per subsection (B)(7)(c) of this section. These buildings shall be oriented to the adjacent street and include pedestrian-oriented transparencies on those elevations.

For individual buildings on smaller individual lots, at least 30 lineal feet or 50 percent of the building must be adjacent to the right-of-way unless waived per subsection (B)(7)(c) of this section. The elevations oriented to the right-of-way must incorporate pedestrian-oriented transparency.

(...)

**Staff Response 78:** The canopy building, which is not a building with walls, windows, doors, or an interior, is five feet from the right-of-way of arterial street Willamette Drive. Within the canopy, at the edge closest to the right-of-way, is a small cashier's building. 100% of the canopy building is this close to, or "adjacent to", the right-of-way, and the same is the case with the windowed cashier's building. Parking areas will be on both sides of the canopy building, and on the south side of the main building, as is the case now. The main building has and will continue to have its main entrance in the front facing Willamette Drive. This is an existing building being remodeled; to have a larger walled building close to the right-of-way would require a major redevelopment of the site. The proposed changes neither modify nor worsen the situation, but the changes to the building and other changes to the site do meet the provisions of the CDC upon the inclusion of the recommended conditions of approval. Provisions such as this can continue to be met as much as possible at this existing development, in the ways described above, under the submitted plans.

c. Commercial, office, and multi-family projects shall be built as close to the adjacent main right-of-way as practical to facilitate safe pedestrian and transit access. Reduced frontages by buildings on public rights-of-way may be allowed due to extreme topographic (e.g., slope, creek, wetlands, etc.) conditions or compelling functional limitations, not just inconveniences or design challenges.

**Staff Response 79:** This is a remodel of an existing gas station building. There are no new buildings. As with many gas stations the wall-less canopy building is close to the right of way, as is the small cashier's building beneath this. Staff finds that the criterion is met as much as possible without redeveloping the site.

d. Accessways, parking lots, and internal driveways shall accommodate pedestrian circulation and access by specially textured, colored, or clearly defined footpaths at least six feet wide. Paths shall be eight feet wide when abutting parking areas or travel lanes. Paths shall be separated from parking or travel lanes by either landscaping, planters, curbs, bollards, or raised surfaces. Sidewalks in front of storefronts on the arterials and main store entrances on the arterials identified in CDC 85.200(A)(3) shall be 12 feet wide to accommodate pedestrians, sidewalk sales, sidewalk cafes, etc. Sidewalks in front of storefronts and main store entrances in commercial/OBC zone development on local streets and collectors shall be eight feet wide.

**Staff Response 80:** The pedestrian access proposed for delineation across the front paved area is five feet wide on the site plan, but due to its location among the pavement and parking spaces it should be eight feet wide. Condition of Approval 4 requires this. The applicant will delineate this pedestrian access by striping it as stated in the applicant's response to this criterion on Page 65 of Exhibit PC-4. The sidewalk in front in the right of way is not directly in front of a storefront or immediately in front of the building entrance, so the remainder of the criterion does not apply. Staff determines the criterion is met upon the inclusion of Condition of Approval 4.

e. Paths shall provide direct routes that pedestrians will use between buildings, adjacent rights-of-way, and adjacent commercial developments. They shall be clearly identified. They shall be laid out to attract use and to discourage people from cutting through parking lots and impacting environmentally sensitive areas.

**Staff Response 81:** The proposed pedestrian walkway to be painted across the driving area will link the building and the Willamette Drive right-of-way. While it will go behind the parking spaces, drivers returning to or entering those spaces will be reminded of pedestrian activity by the striped delineation of the pedestrian walkway, which does not exist now. Staff determines that the proposal increases the site's compliance with this aspirational criteria and that therefore the criterion is met.

f. At least one entrance to the building shall be on the main street, or as close as possible to the main street. The entrance shall be designed to identify itself as a main point of ingress/egress.

**Staff Response 82:** The canopy is an open-walled building, but has a cashier's building with an employee's entrance/exit close to the street. The main building's entrance is on the front. Its double glass door design identifies it as the main customer entrance. Staff determines the criterion is met.

- g. Where transit service exists, or is expected to exist, there shall be a main entrance within a safe and reasonable distance of the transit stop. A pathway shall be provided to facilitate a direct connection.

**Staff Response 83:** No new buildings are proposed, and the additions to the main building are to the rear and side. Willamette Drive is a street with a transit line. The entrance to the main building will continue to be on the front, which is as best as this criterion can be fulfilled without redeveloping the site to have a walled building for customer interior use in the front of the site. Staff finds that the criterion is met.

- h. Projects shall bring at least part of the project adjacent to or near the main street right-of-way in order to enhance the height-to-width ratio along that particular street. (The “height-to-width ratio” is an architectural term that emphasizes height or vertical dimension of buildings adjacent to streets. The higher and closer the building is, and the narrower the width of the street, the more attractive and intimate the streetscape becomes.) For every one foot in street width, the adjacent building ideally should be one to two feet higher. This ratio is considered ideal in framing and defining the streetscape.

(...)

**Staff Response 84:** The basic configuration for this project, which is typical for gas stations, will not change. The canopy and the small cashier’s building are close to Willamette Drive, with the main retail building behind it. Both are one story in height. The proposal does not worsen the existing effect on the street. Staff finds and determines the criterion is met.

C. Compatibility between adjoining uses, buffering, and screening.

1. In addition to the compatibility requirements contained in Chapter 24 CDC, buffering shall be provided between different types of land uses; for example, buffering between single-family homes and apartment blocks. However, no buffering is required between single-family homes and duplexes or single-family attached units. The following factors shall be considered in determining the adequacy of the type and extent of the buffer:

- a. The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, or to provide a visual barrier.
- b. The size of the buffer required to achieve the purpose in terms of width and height.
- c. The direction(s) from which buffering is needed.
- d. The required density of the buffering.
- e. Whether the viewer is stationary or mobile.

2. On-site screening from view from adjoining properties of such things as service areas, storage areas, and parking lots shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening:

- a. What needs to be screened?
- b. The direction from which it is needed.
- c. How dense the screen needs to be.
- d. Whether the viewer is stationary or mobile.
- e. Whether the screening needs to be year-round.

3. Rooftop air cooling and heating systems and other mechanical equipment shall be screened from view from adjoining properties.

D. Privacy and noise.

(...)

3. Structures or on-site activity areas which generate noise, lights, or glare shall be buffered from adjoining residential uses in accordance with the standards in subsection C of this section where applicable.

4. Businesses or activities that can reasonably be expected to generate noise in excess of the noise standards contained in West Linn Municipal Code Section [5.487](#) shall undertake and submit appropriate noise studies and mitigate as necessary to comply with the code. (See CDC [55.110\(B\)\(11\)](#) and [55.120\(M\)](#).)

If the decision-making authority reasonably believes a proposed use may generate noise exceeding the standards specified in the municipal code, then the authority may require the applicant to supply professional noise studies from time to time during the user's first year of operation to monitor compliance with City standards and permit requirements.

(...)

**Staff Response 85:** The site only borders residential properties to the northeast and the east. There is a large slope and heavily wooded areas separating the site from the property to the east. The residential properties to the northeast are down a large retaining wall and slope from the site, and do not directly border the front traffic area of the subject site. The building elevations provided do not show utilities on the roof extending visibly upward. The site, which has been an automotive-related use for many years, is not expected to produce more noise than it does currently. Staff finds that the criteria are met.

G. Demarcation of public, semi-public, and private spaces. The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semi-public areas, and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, to provide for crime prevention, and to establish maintenance responsibility. These areas may be defined by:

1. A deck, patio, fence, low wall, hedge, or draping vine;
2. A trellis or arbor;
3. A change in level;
4. A change in the texture of the path material;
5. Sign; or
6. Landscaping.

Use of gates to demarcate the boundary between a public street and a private access driveway is prohibited.

**Staff Response 86:** The proposed landscaping changes on site will help delineate areas to be used by customers and those that are not as safe or appropriate for customers. Landscaping will replace currently paved areas behind the building, on parts of the sides of the building, and at the far southwest corner of the site. Curbs will separate this landscaping from the parking and circulation areas. The proposed striped pedestrian accessway across the front vehicle circulation area will help delineate where pedestrians should go and will help alert drivers to pedestrians walking between the building and the street. No driveway gates are proposed. Staff finds that the criterion is met.

H. Public transit.

1. Provisions for public transit may be required where the site abuts an existing or planned public transit route. The required facilities shall be based on the following:

- a. The location of other transit facilities in the area.
- b. The size and type of the proposed development.
- c. The rough proportionality between the impacts from the development and the required facility.

(...)

**Staff Response 87:** Willamette Drive has a Tri-Met bus line and there are stops in the area. Staff has not made findings to conclude that the application is responsible for working with Tri-Met to add another stop to the area. Staff finds the criteria are met.

I. Public facilities. An application may only be approved if adequate public facilities will be available to provide service to the property prior to occupancy.

1. Streets. Sufficient right-of-way and slope easement shall be dedicated to accommodate all abutting streets to be improved to the City's Improvement Standards and Specifications. The City Engineer shall determine the appropriate level of street and traffic control improvements to be required, including any off-site street and traffic

control improvements, based upon the transportation analysis submitted. The City Engineer's determination of developer obligation, the extent of road improvement and City's share, if any, of improvements and the timing of improvements shall be made based upon the City's systems development charge ordinance and capital improvement program, and the rough proportionality between the impact of the development and the street improvements.

In determining the appropriate sizing of the street in commercial, office, multi-family, and public settings, the street should be the minimum necessary to accommodate anticipated traffic load and needs and should provide substantial accommodations for pedestrians and bicyclists. Road and driveway alignment should consider and mitigate impacts on adjacent properties and in neighborhoods in terms of increased traffic loads, noise, vibrations, and glare.

The realignment or redesign of roads shall consider how the proposal meets accepted engineering standards, enhances public safety, and favorably relates to adjacent lands and land uses. Consideration should also be given to selecting an alignment or design that minimizes or avoids hazard areas and loss of significant natural features (drainageways, wetlands, heavily forested areas, etc.) unless site mitigation can clearly produce a superior landscape in terms of shape, grades, and reforestation, and is fully consistent with applicable code restrictions regarding resource areas.

Streets shall be installed per Chapter 85 CDC standards. The City Engineer has the authority to require that street widths match adjacent street widths. Sidewalks shall be installed per CDC 85.200(A)(3) for commercial and office projects, and CDC 85.200(A)(16) and 92.010(H) for residential projects, and applicable provisions of this chapter.

Based upon the City Manager's or Manager's designee's determination, 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 55.125 that are required to mitigate impacts from the proposed development. Proportionate share of the costs shall be determined by the City Manager or Manager's designee, who shall assume that the proposed development provides improvements in rough proportion to identified impacts of the development.

**Staff Response 88:** This is a remodel of an existing developed site, and street improvements are not required.

2. Drainage. 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 off site or the plan and statement shall identify all off-site impacts and measures to mitigate those impacts. The plan and statement shall, at a minimum, determine off-site impacts from a 25-year storm. The City Engineer shall adjust storm drainage facilities for applications which contain permeable parking surfaces based upon a quantitative analysis of the increased water retention and water quality characteristics of the permeable parking surface.



Catch basins shall be installed and connected to pipelines leading to storm sewers or drainageways.

All plans will then be reviewed by the City Engineer.

**Staff Response 89:** An increase in stormwater treatment and/or detention capacity is required when more than 500 square feet of impervious area is proposed to be added to a site. Impervious area is proposed to be reduced by 2,887 square feet due to the proposed conversion of existing impervious areas to landscaped areas. This will allow for more infiltration on site. Staff finds the criterion is met.

3. Municipal water. A registered civil engineer shall prepare a plan for the provision of water which demonstrates to the City Engineer's satisfaction the availability of sufficient volume, capacity, and pressure to serve the proposed development's domestic, commercial, and industrial fire flows. All plans will then be reviewed by the City Engineer.

4. Sanitary sewers. A registered civil engineer shall prepare a sewerage collection system plan which demonstrates sufficient on-site capacity to serve the proposed development. The City Engineer shall determine whether the existing City system has sufficient capacity to serve the development.

**Staff Response 90:** Water and sanitary sewer service already serve the main building being remodeled. No new buildings are proposed. Staff determines the criterion is met.

5. Solid waste and recycling storage areas. Appropriately sized and located solid waste and recycling storage areas shall be provided. Metro standards shall be used.

**Staff Response 91:** Per the applicant's response to this criterion on page 66-67 of Exhibit PC-4, the site has an updated enclosure and storage facilities that meet Metro standards. Staff determines the criterion is met.

J. Crime prevention and safety/defensible space.

1. Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants.

(...)

**Staff Response 92:** As is the case currently, there will be windows on the front of the building and on both sides. All of the areas where the public will access will be on these sides. Staff finds and determines the criterion is met.

3. Mailboxes, recycling, and solid waste facilities shall be located in lighted areas having vehicular or pedestrian traffic.

4. The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime.
5. Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps, and abrupt grade changes.
6. Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet which is sufficient to illuminate a person. All commercial, industrial, residential, and public facility projects undergoing design review shall use low or high pressure sodium bulbs and be able to demonstrate effective shielding so that the light is directed downwards rather than omni-directional. Omni-directional lights of an ornamental nature may be used in general commercial districts only.

**Staff Response 93:** No mailboxes are proposed. The waste/recycling area is proposed just outside the area covered by the lighting plan as seen on Sheet A3.2 Proposed Lighting Plan on Page 76 of Exhibit PC-4. As also seen on this plan there are also sections of the parking lots and proposed pedestrian walkway that will not be covered by the “pool of light”. Condition of Approval 7 requires extra lighting be installed to cover these areas, without affecting nearby residential properties. Staff finds that the criterion is met upon the inclusion of Condition of Approval 7.

7. Lines of sight shall be reasonably established so that the development site is visible to police and residents.

(...)

**Staff Response 94:** The areas of the site with customers and employees will continue to be clearly visible from Willamette Drive. The criterion is met.

K. Provisions for persons with disabilities.

1. The needs of a person with a disability shall be provided for. Accessible routes shall be provided between all buildings and accessible site facilities. The accessible route shall be the most practical direct route between accessible building entries, accessible site facilities, and the accessible entry to the site. An accessible route shall connect to the public right-of-way and to at least one on-site or adjacent transit stop (if the area is served by transit). All facilities shall conform to, or exceed, the Americans with Disabilities Act (ADA) standards, including those included in the Uniform Building Code.

**Staff Response 95:** Recommended Condition of Approval 2 requires the proposed ADA-accessible parking space to be moved to the closest proposed space northwest of the building, which will be the closest to the accessible front entrance. The proposed pedestrian accessway across the front paved area will connect the building with this space and with the sidewalk on Willamette Drive, which is served by transit. Staff determines the criterion is met upon the inclusion of Condition of Approval 2.

L. Signs.

(...)

**Staff Response 96:** No changes are proposed to signage at this time. If the applicant proposes changes to signage as part of the change in use, the applicant will be required to apply for a Permanent Sign approval through the Planning Department.

O. Refuse and recycling standards.

1. All commercial, industrial and multi-family developments over five units requiring Class II design review shall comply with the standards set forth in these provisions. Modifications to these provisions may be permitted if the Planning Commission determines that the changes are consistent with the purpose of these provisions and the City receives written evidence from the local franchised solid waste and recycling firm that they are in agreement with the proposed modifications.

**Staff Response 97:** This is a commercial application requiring Class II Design Review so the criteria of Section (O) apply to this application.

2. Compactors, containers, and drop boxes shall be located on a level Portland cement concrete pad, a minimum of four inches thick, at ground elevation or other location compatible with the local franchise collection firm's equipment at the time of construction. The pad shall be designed to discharge surface water runoff to avoid ponding.

3. Recycling and solid waste service areas.

- a. Recycling receptacles shall be designed and located to serve the collection requirements for the specific type of material.

- b. The recycling area shall be located in close proximity to the garbage container areas and be accessible to the local franchised collection firm's equipment.

(...)

- d. The location of the recycling area and method of storage shall be approved by the local fire marshal.

- e. Recycling and solid waste service areas shall be at ground level and/or otherwise accessible to the franchised solid waste and recycling collection firm.

**Staff Response 98:** The applicant proposes a new refuse and recycling area within the walls of a proposed structure, compatible with the local franchise collection firm's equipment. As with any new impervious surface it will be required to drain to the surrounding landscaped

area. TVFR reviewed the proposed plans during Planning completeness review and had no comments regarding the proposed recycling/refuse area development. Staff determines the criteria are met.

f. Recycling and solid waste service areas shall be used only for purposes of storing solid waste and recyclable materials and shall not be a general storage area to store personal belongings of tenants, lessees, property management or owners of the development or premises.

g. Recyclable material service areas shall be maintained in a clean and safe condition.

4. Special wastes or recyclable materials.

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.

b. Containers used to store cooking oils, grease or animal renderings for recycling or disposal shall not be located in the principal recyclable materials or solid waste storage areas. These materials shall be stored in a separate storage area designed for such purpose.

**Staff Response 99:** These criteria are more operational than relevant to the development itself. Staff sees no reason to suspect they will not be met by the applicant.

5. Screening and buffering.

a. Enclosures shall include a curbed landscape area at least three feet in width on the sides and rear. Landscaping shall include, at a minimum, a continuous hedge maintained at a height of 36 inches.

**Staff Response 100:** The structure is proposed to be set in the landscaped area with only the front facing the vehicle access area. The structure is proposed to be tall enough to hide the containers. Condition of Approval 8 requires the minimum 36-inch hedge on the sides and rear of the structure to fulfill this criterion. Staff determines the criterion is met upon the inclusion of Condition of Approval 8.

b. Placement of enclosures adjacent to residentially zoned property and along street frontages is strongly discouraged. They shall be located so as to conceal them from public view to the maximum extent possible.

**Staff Response 101:** The enclosure will be at the rear of the parking area, not along a street but also separated from the residential property to the rear by trees and a steep slope. Staff determines the criterion is met.

c. All dumpsters and other trash containers shall be completely screened on all four sides with an enclosure that is comprised of a durable material such as

masonry with a finish that is architecturally compatible with the project. Chain link fencing, with or without slats, will not be allowed.

**Staff Response 102:** The screening enclosure structure will be made of a durable material, metal. This is architecturally compatible with the gas station and pumps. Staff determines the criterion is met.

6. Litter receptacles.

a. Location. Litter receptacles may not encroach upon the minimum required walkway widths.

b. Litter receptacles may not be located within public rights-of-way except as permitted through an agreement with the City in a manner acceptable to the City Attorney or his/her designee.

c. Number. The number and location of proposed litter receptacles shall be based on the type and size of the proposed uses. However, at a minimum, for non-residential uses, at least one external litter receptacle shall be provided for every 25 parking spaces for first 100 spaces, plus one receptacle for every additional 100 spaces.

**Staff Response 103:** No litter receptacles are proposed in the public right of way or the pedestrian accessway. There are fewer than 25 parking spaces required or proposed, so no receptacles are required to be added. Staff finds that the criteria are met.

**EXHIBITS PC-1 THROUGH PC-3  
AFFIDAVIT AND NOTICE MAILING  
PACKET, COMPLETENESS LETTER,  
PLANNING DIRECTOR FINDINGS  
REGARDING WAIVER REQUESTS**

**FILE NUMBER: DR-13-02**

**REQUEST: CLASS II DESIGN REVIEW TO REMODEL A GAS  
STATION AND CHANGE AUTOMOTIVE SERVICE USE  
TO CONVENIENCE STORE USE, INCLUDING  
LANDSCAPING AND PARKING RECONFIGURATION**

# 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. DR-13-02 Applicant's Name Dave Kimmel, PDG  
Development Name \_\_\_\_\_  
Scheduled Meeting/Decision Date 7-17-13

**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

- A. The applicant (date) 6-24-13 (signed) G. Skoyev  
B. Affected property owners (date) 6-24-13 (signed) G. Skoyev  
C. School District/Board (date) \_\_\_\_\_ (signed) \_\_\_\_\_  
D. Other affected gov't. agencies (date) 6-24-13 (signed) G. Skoyev  
E. Affected neighborhood assns. (date) 6-24-13 all (signed) G. Skoyev  
F. All parties to an appeal or review (date) \_\_\_\_\_ (signed) \_\_\_\_\_

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

Tidings (published date) 7-4-13 (signed) G. Skoyev  
City's website (posted date) 6-24-13 (signed) G. Skoyev

## 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) 6-20-13 (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) \_\_\_\_\_

**CITY OF WEST LINN  
PLANNING COMMISSION  
PUBLIC HEARING NOTICE  
FILE NO. DR-13-02**

The West Linn Planning Commission is scheduled to hold a public hearing, on Wednesday July 17, 2013, **starting at 7:00 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider a request for a remodel and additions to convert a building from auto service use to convenience store use at an existing gas station, including site improvements such as increased landscape area and parking reconfiguration. Class II Design Review is required because the additions to the building add up to more than 5% of the square footage of the existing building. The site is located at 22250 Willamette Drive.

Criteria for Design Review are found in Chapter 55 of the Community Development Code (CDC). Approval or disapproval of the request by the Planning Commission will be based upon these criteria and these criteria only. At the hearing, it is important that comments relate specifically to the applicable criteria listed.

You have been notified of this proposal because County records indicate that you own property within 500 feet of the affected site on tax lots 6600 and 6700 of Clackamas County Assessor's Map 2-2E-30DB and/or as required by Chapter 99 of the CDC.

The complete application in the above noted file is available for inspection at no cost at City Hall or via the web site at <http://westlinnoregon.gov/planning/22250-willamette-drive-class-ii-design-review-convert-service-bays-convenience-store>, or copies can be obtained for a minimal charge per page. At least ten days prior to the hearing, a copy of the staff report will be available for inspection. For further information, please contact Tom Soppe, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, [tsoppe@westlinnoregon.gov](mailto:tsoppe@westlinnoregon.gov), or 503-742-8660.

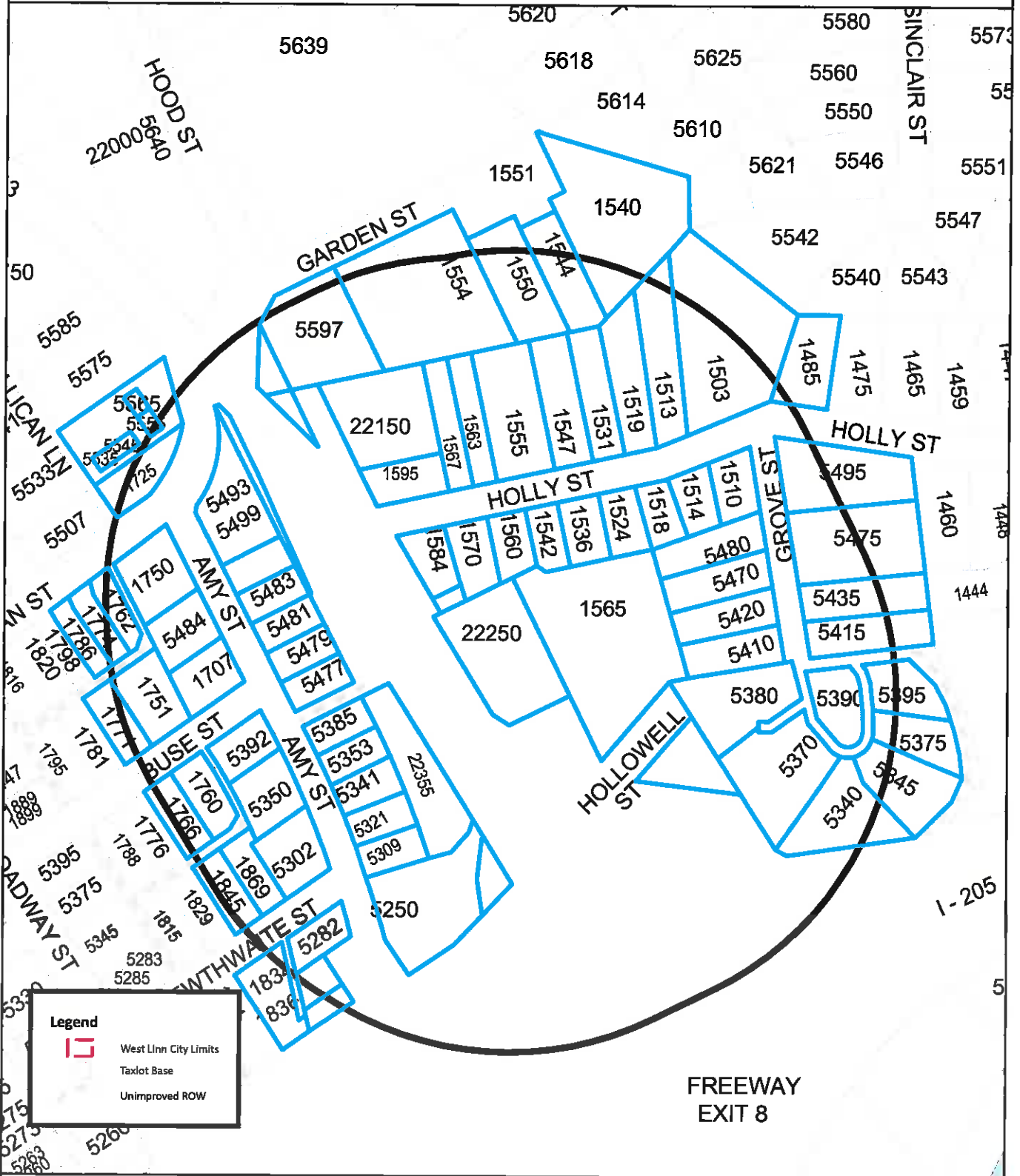
The hearing will be conducted in accordance with the rules of Section 99.170 of the CDC. Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the Planning Commission will receive a staff presentation, and invite both oral and written testimony. The Planning Commission may continue the public hearing to another meeting to obtain additional information, leave the record open for additional evidence, arguments, or testimony, or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

SHAUNA SHROYER  
Planning Administrative Assistant

p:\devrvw\projects folder\projects 2013\DR-13-02 Gas Station Remodel\notice-DR-13-02



# 22250 Willamette Drive 500' Buffer



**Legend**

- West Linn City Limits
- Taxlot Base
- Unimproved ROW

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.  
 Taxlot Base Source: Clackamas County GIS

NOT TO SCALE

SNAPNOTIFY.MXD / AHA APP 3-24-2011



User Name:  
 Map Creation Date: Jun 20, 2013

5597 HOOD STREET LLC  
222 N RAMPART ST  
NEW ORLEANS, LA 70112

A STREET VENTURE LLC  
5499 AMY ST  
WEST LINN, OR 97068

ADAMS JAMES LYNING  
2556 SE MULBERRY DR  
MILWAUKIE, OR 97267

AUSTIN BERNICE TRUSTEE  
5545 RIVER ST  
WEST LINN, OR 97068

BENSEN BRUCE S & ELIZABETH T  
1547 HOLLY ST  
WEST LINN, OR 97068

BERKOWITZ HANNAH L  
1519 HOLLY ST  
WEST LINN, OR 97068

BISHOP BRIAN C & KELLY GIROUX  
5481 AMY ST  
WEST LINN, OR 97068

BROWN ALFRED T & ELAINE ANNE  
SPENCE  
1513 HOLLY ST  
WEST LINN, OR 97068

BUMAN ELIZABETH P TRUSTEE  
1869 LEWTHWAITE ST  
WEST LINN, OR 97068

BURGHARDT ROY W & IVY D  
1540 GARDEN ST  
WEST LINN, OR 97068

CITY OF WEST LINN  
22500 SALAMO RD #600  
WEST LINN, OR 97068

COMEGYS FERN C  
5392 AMY ST  
WEST LINN, OR 97068

COOPER CRAIG L  
5390 GROVE ST  
WEST LINN, OR 97068

CURRY LEANN KAE  
1550 GARDEN ST  
WEST LINN, OR 97068

DAY STANLEY K TRUSTEE  
PO BOX 68617  
OAK GROVE, OR 97268

DICKEY RICHARD A  
1766 BUSE ST  
WEST LINN, OR 97068

ERICKSON DOUGLAS  
1542 HOLLY ST  
WEST LINN, OR 97068

ESTERLINE WAYNE  
5345 GROVE ST  
WEST LINN, OR 97068

FALCONERI-GORDON & SONS LLC  
PO BOX 67  
LAKE OSWEGO, OR 97034

FERRELL CHARLES A & LORILYNN C  
1725 MCKILLICAN ST  
WEST LINN, OR 97068

FORBES CLIFFORD R  
PO BOX 11110  
BAINBRIDGE ISLA, WA 98110

GABRIEL TRACY LEE  
2740 SE 174TH AVE  
PORTLAND, OR 97236

GRANT RUTH G TRUSTEE  
PO BOX 367  
CLINTON, MI 49236

GRILL CHERYL G & PATRICK G  
5380 GROVE ST  
WEST LINN, OR 97068

GRIMM RONALD J & ROBIN  
5302 AMY ST  
WEST LINN, OR 97068

HAAG LUANN C  
PO BOX 651  
WEST LINN, OR 97068

HAMEL NICOLAS N & LAURA A  
1544 GARDEN ST  
WEST LINN, OR 97068

HANSEN DANIEL E & CATHERINE M  
5341 AMY ST  
WEST LINN, OR 97068

HARTMAN W ALFRED JR  
5370 GROVE ST  
WEST LINN, OR 97068

HAYS PETER S & WENDY J  
5420 GROVE ST  
WEST LINN, OR 97068

HEARD DOLORES E  
5555 MCKILLICAN LN  
WEST LINN, OR 97068

HERMENS DAVID A TRUSTEE  
5321 AMY ST  
WEST LINN, OR 97068

HERO DANIEL K & TONI L  
5435 GROVE ST  
WEST LINN, OR 97068

HESKA-MCJANNET CHERYL L  
2030 ALPINE DR  
WEST LINN, OR 97068

HESS JASON  
PO BOX 12564  
PORTLAND, OR 97212

HIDDE TIMOTHY & SUSAN  
5375 GROVE ST  
WEST LINN, OR 97068

HOCHSTETTLER JOSHUA N & ELAINE M  
5385 AMY ST  
WEST LINN, OR 97068

HORN JOHN F & SUSAN C  
1514 HOLLY ST  
WEST LINN, OR 97068

ISBELL TIMOTHY L  
5485 SE OETKIN DR  
MILWAUKIE, OR 97267

JACK ALAN R & LAURIE V  
5495 GROVE ST  
WEST LINN, OR 97068

JOHNSON RENATE  
1524 HOLLY ST  
WEST LINN, OR 97068

JUHALA MICHAEL R & DANIELA G  
12845 SE WHERE ELSE LN  
MILWAUKIE, OR 97222

KENDALL KIRSTIN M & CHRISTOPHER M  
1503 HOLLY ST  
WEST LINN, OR 97068

KINSER PATRICIA D CONSERVATOR  
10640 SE JASON LN  
HAPPY VALLEY, OR 97086

KLING DAVID L & KANDACE A  
5738 RIVER ST  
WEST LINN, OR 97068

LBLB LLC  
1595 HOLLY ST  
WEST LINN, OR 97068

LEEHRICK DIANE D  
1567 HOLLY ST  
WEST LINN, OR 97068

LUTTKUS GUENTHER & DOLORES L  
5350 AMY ST  
WEST LINN, OR 97068

LYBBERT TROY M  
5483 AMY ST  
WEST LINN, OR 97068

MADDEN GREGORY T & MABEL L  
1786 MCKILLICAN ST  
WEST LINN, OR 97068

MALLORY ROBERT C  
1712 E HAYDEN AVE  
HAYDEN LAKE, ID 83835

MCCULLOUGH BONNIE  
1536 HOLLY ST  
WEST LINN, OR 97068

MILLIKEN GEORGE R  
5475 GROVE ST  
WEST LINN, OR 97068

MUELLER MARLIN M & FLORA P  
5415 GROVE ST  
WEST LINN, OR 97068

MURPHY VICTORIA  
1707 BUSE ST  
WEST LINN, OR 97068

PACWEST ENERGY LLC  
3450 COMMERCIAL CT  
MERIDIAN, ID 83642

PERRY-WILLIAMS DEBRA A  
1531 HOLLY ST  
WEST LINN, OR 97068

QUINN MAUREEN T  
5479 AMY ST  
WEST LINN, OR 97068

RENTON DAVE  
1750 NW MCKILLICAN ST  
WEST LINN, OR 97068

RUSSELL DEBRA A  
5340 GROVE ST  
WEST LINN, OR 97068

SCHMIDT SUSAN  
1762 MCKILLICAN ST  
WEST LINN, OR 97068

SCHWABAUER STANLEY L & JULIA ANN  
1771 BUSE ST  
WEST LINN, OR 97068

SCHWABAUER STANLEY LOUIS & JULIA  
A  
1771 BUSE ST  
WEST LINN, OR 97068

SCOTT SANDRA W  
5484 AMY ST  
WEST LINN, OR 97068

SHARKEY DEBORAH L  
1570 HOLLY ST  
WEST LINN, OR 97068

SHOVOLY JEANNA R  
1510 HOLLY ST  
WEST LINN, OR 97068

SMITH STEVEN H TRUSTEE  
1100 SW 6TH AVE #1504  
PORTLAND, OR 97204

SPRINGBERG BRIAN LEWIS  
5470 GROVE ST  
WEST LINN, OR 97068

SULLIVAN TERENCE J TRUSTEE  
5548 RIVER ST  
WEST LINN, OR 97068

SWINEHART THOMAS M & AMY E  
2850 WHITE SALMON CT  
WEST LINN, OR 97068

SWINFORD THOMAS H TRUSTEE  
16753 GREENBRIER RD  
LAKE OSWEGO, OR 97034

VOELLER JON G & DENISE M  
1492 BRAEMAR DR  
WEST LINN, OR 97068

WEST LINN SHOPPING CTR ASSOC LLC  
19767 SW 72ND AVE STE 100  
TUALATIN, OR 97062

YATES DIANE  
5410 GROVE ST  
WEST LINN, OR 97068

ZUBKOW JEAN-FRANCOIS G & YUNJING  
1845 LEWTHWAITE ST  
WEST LINN, OR 97068

DAVE KIMMEL  
PDG  
1335 SW 66<sup>TH</sup> AVE, STE 201  
PORTLAND, OR 97225

TRI-MET  
PROJECT PLANNING DEPT  
710 NE HOLLADAY  
PORTLAND, OR 97232

ODOT REGION 1  
DEVELOPMENT REVIEW  
123 NW FLANDERS  
PORTLAND OR 97209-4307

BOB MONTGOMERY  
MONTGOMERY DEVELOPMENT  
PO BOX 1315  
BORING, OR 97009

WEST LINN CHAMBER OF COMMERCE  
1745 WILLAMETTE FALLS DR  
WEST LINN OR 97068

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

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

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

ANTHONY BRACCO  
ROBINWOOD NA PRESIDENT  
2716 ROBINWOOD WAY  
WEST LINN OR 97068

KEN PRYOR  
SAVANNA OAKS NA VICE PRES  
2119 GREENE ST  
WEST LINN, OR 97068

ED SCHWARZ  
SAVANNA OAKS NA PRESIDENT  
2206 TANNER DR  
WEST LINN OR 97068

TRACY GILDAY  
SKYLINE RIDGE NA PRESIDENT  
1341 STONEHAVEN DR  
WEST LINN OR 97068

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

JULIA SIMPSON  
WILLAMETTE NA PRESIDENT  
1671 KILLARNEY DR  
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

DR-13-02

**MAILED**  
6-27-13 SS

**CITY OF WEST LINN  
PLANNING COMMISSION  
PUBLIC HEARING NOTICE  
FILE NO. DR-13-02**

The West Linn Planning Commission is scheduled to hold a public hearing, on Wednesday July 17, 2013, **starting at 7:00 p.m.** in the Council Chambers of City Hall, 22500 Salamo Road, West Linn, to consider a request for a remodel and additions to convert a building from auto service use to convenience store use at an existing gas station, including site improvements such as increased landscape area and parking reconfiguration. Class II Design Review is required because the additions to the building add up to more than 5% of the square footage of the existing building. The site is located at 22250 Willamette Drive (tax lots 6600 and 6700 of Clackamas County Assessor's Map 2-2E-30DB).

Criteria for Design Review are found in Chapter 55 of the Community Development Code (CDC). Approval or disapproval of the request by the Planning Commission will be based upon these criteria and these criteria only. At the hearing, it is important that comments relate specifically to the applicable criteria listed.

The complete application in the above noted file is available for inspection at no cost at City Hall or via the web site at <http://westlinnoregon.gov/planning/22250-willamette-drive-class-ii-design-review-convert-service-bays-convenience-store>, or copies can be obtained for a minimal charge per page. At least ten days prior to the hearing, a copy of the staff report will be available for inspection. For further information, please contact Tom Soppe, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR 97068, [tsoppe@westlinnoregon.gov](mailto:tsoppe@westlinnoregon.gov), or 503-742-8660.

The hearing will be conducted in accordance with the rules of Section 99.170 of the CDC. Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the Planning Commission will receive a staff presentation, and invite both oral and written testimony. The Planning Commission may continue the public hearing to another meeting to obtain additional information, leave the record open for additional evidence, arguments, or testimony, or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

SHAUNA SHROYER  
Planning Administrative Assistant

Publish: West Linn Tidings, July 4, 2013



## CITY OF West Linn

# For staff report DR-13-02:

## Waiver for requirements of Section 55.110(B)(10), for above file.

The below staff findings regard the requested waiver from the requirement of said sections by the applicant, requested under the provision of Section 99.035(B). This section states the following:

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.

### Finding 1:

Subsection 55.110(B)(10) requires Class II Design Review applications to show on a site analysis "The location of trees having a six-inch caliper at five feet and where the site is heavily wooded, an aerial photograph at the same scale as the site analysis may be submitted and only those trees that will be affected by the proposed development need be sited accurately; (e.g., construction activity within the dripline of the trees). All significant trees and tree clusters identified by the City Arborist using the criteria of CDC 55.100(B)(2) and all heritage trees, shall be delineated. Trees on non-Type I and II land shall have their 'dripline plus 10 feet' protected area calculated per CDC 55.100(B)(2) and expressed in square feet, and also as a percentage of total non-Type I and II area." There are multiple trees on this property in areas that are proposed to remain undeveloped. Development of the property is not expected to affect these trees negatively as the proposal actually increases landscaped area on site, replacing some of the existing pavement with landscaping. Also the proposed building additions are to occur in areas already paved with pervious surfaces now. No trees are proposed for removal. Staff finds and determines that the waiver to this criterion is appropriate as the detailed knowledge of trees on site is not applicable to the application.

Therefore, concluding from the staff findings above, I grant the requested waiver of the requirements under the provisions of Section 99.035(B).

\_\_\_\_\_  
JOHN SONNEN, PLANNING DIRECTOR

\_\_\_\_\_  
DATE

P:\development review\projects folder\projects 2013\DR-13-02 gas station remodel\waivers





City of  
**West Linn**

June 17, 2013

Dave Kimmel  
PDG  
1335 SW 66<sup>th</sup> Ave.  
Ste. 201  
Portland, OR 97225

SUBJECT: DR-13-02

Dear Mr. Kimmel:

You submitted this application on May 17, 2013. As of your resubmittal on June 17, 2013 the application is **complete**. The City now has 120 days (until October 15, 2013) to exhaust all local review per state statute. The application is tentatively scheduled for a Planning Commission hearing on July 17, 2013. At least 20 days before the hearing you will be sent a copy of the hearing notice.

Please contact me at 503-742-8660, or by email at [tsoppe@westlinnoregon.gov](mailto:tsoppe@westlinnoregon.gov) if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Soppe", written in a cursive style.

Tom Soppe  
Associate Planner

c: Cliff Forbes, PO Box 11110, Bainbridge Island, WA 98110

c: Bob Montgomery, Montgomery Development, PO Box 1315, Boring, OR 97009

c: Sally McLarty, Bolton NA President, 19575 River Rd., #64, Gladstone, OR 97027

P: development review\projects folder\projects 2013\DR-13-02 Gas Station remodel\comp-DR-13-02

**MAILED**  
6-18-13 SS

# **EXHIBIT PC-4 & PC-5 APPLICANT'S SUBMITTAL, ODOT RESPONSE**

**FILE NUMBER: DR-13-02**

**REQUEST: CLASS II DESIGN REVIEW TO REMODEL A GAS  
STATION AND CHANGE AUTOMOTIVE SERVICE USE  
TO CONVENIENCE STORE USE, INCLUDING  
LANDSCAPING AND PARKING RECONFIGURATION**

**DEVELOPMENT REVIEW APPLICATION**

For Office Use Only		
STAFF CONTACT <i>TOM SOPRE</i>	PROJECT NO(S). <i>DR-13-02</i>	
NON-REFUNDABLE FEE(S) <i>200</i>	REFUNDABLE DEPOSIT(S) <i>8000</i>	TOTAL <i>8200</i>

**Type of Review (Please check all that apply):**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX)                      | <input type="checkbox"/> Historic Review                                  | <input type="checkbox"/> Subdivision (SUB)                               |
| <input type="checkbox"/> Appeal and Review (AP) *              | <input type="checkbox"/> Legislative Plan or Change                       | <input type="checkbox"/> Temporary Uses *                                |
| <input type="checkbox"/> Conditional Use (CUP)                 | <input type="checkbox"/> Lot Line Adjustment (LLA) */**                   | <input type="checkbox"/> Time Extension *                                |
| <input checked="" type="checkbox"/> Design Review (DR)         | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR)                                  |
| <input type="checkbox"/> Easement Vacation                     | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures           | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities    | <input type="checkbox"/> Planned Unit Development (PUD)                   | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP)    |
| <input type="checkbox"/> Final Plat or Plan (FP)               | <input type="checkbox"/> Pre-Application Conference (PA) */**             | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG)      |
| <input type="checkbox"/> Flood Management Area                 | <input type="checkbox"/> Street Vacation                                  | <input type="checkbox"/> Zone Change                                     |
| <input type="checkbox"/> Hillside Protection & Erosion Control |   |  |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

Site Location/Address: <i>22250 Willamette Dr West Linn, OR 97068</i>	Assessor's Map No.: <i>T2SR2ES30</i>
	Tax Lot(s): <i>06700</i>
	Total Land Area: <i>25019 SF 0.57 AC DU 265000</i>
Brief Description of Proposal: <i>SEE Narrative</i>	

Applicant Name: <i>Dave Kimmel - PDG</i> (please print)	Phone: <i>503-329-5399</i>
Address: <i>1335 SW 66TH Ave, Ste 201</i>	Email: <i>pdgplanning@comcast.net</i>
City State Zip: <i>Portland, OR 97225</i>	

Owner Name (required): <i>Cliff Forbes</i> (please print)	Phone: <i>206-780-6953</i>
Address: <i>PO Box 11110</i>	Email:
City State Zip: <i>Bainbridge Island WA 98110</i>	

Consultant Name: (please print)	Phone:
Address:	Email:
City State Zip:	



- All application fees are non-refundable (excluding deposit). Any overruns to deposit will result in additional billing.
- The owner/applicant or their representative should be present at all public hearings.
- A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
- Three (3) 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. If large sets of plans are required in application please submit only two sets.

\* No CD required / \*\* Only one hard-copy set 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. Acceptance of this application does not infer a complete submittal. 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 the initial application.

*Dave Kimmel*      *4-3-13*      *Cliff Forbes*      *4-18-13*  
 Applicant's signature      Date      Owner's signature (required)      Date

**PDG Planning Design Group**  
**1335 SW 66<sup>th</sup> Ave. #201**  
**Portland, Oregon 97225**  
**PH: 503-329-5399**  
**Fax: 503-327-8456**  
**Email: pdgplanning@comcast.net**

May 15, 2013

City of West Linn  
Planning Department  
22500 Salamo Rd.  
West Linn, OR 97068

## **Class II Design Review**

### Site Information:

22250 Willamette Dr,  
West Linn, OR  
Zoning: GC General Commercial  
Convert existing service bay to convenience store  
Tax Map: 2S2E30C TL6700  
PA-13-04 March 7, 2013  
The site is located at the NE intersection of Willamette Dr. and Hollowell St.  
Neighborhood Association: Bolton

### **Background**

The applicant for the proposed project is WSCO stations. The applicant leases the property from the owner Cliff Forbes, whose signature is on the application. PDG is WSCO stations agent for the application and materials needed to be submitted to the City and the associated processing, including public hearings.

The existing service bay building is 1,494 square feet with an attached storage building of 252 square feet for a total of 1,746 square feet. The applicant is proposing to remove the existing storage building and remodel the existing service bay building to a convenience store. The applicant will also adding a new cooler to the north wall and a cooler/storage building to the east wall for a total of 2,521 square feet. Total expansion of the building footprint is 775 square feet. Additionally, the applicant will be adding 3,753 square feet of new landscaping and upgrading much of the existing landscaping. The applicant is not proposing any changes to the existing fuel sales, islands, dispensers, canopy or tanks and piping.

The applicant has attempted to address all applicable criteria in this narrative.

## **CDC Chapter 19.030 Permitted Uses and 19.060 Conditional Uses in the GC zone.**

**19.030** provides for a convenience store as a permitted use under either 19.030 (9) Convenience sales and personal services or 19.030 (13) Food and beverage retail sales.

**19.060** (9) Vehicle fuel sales is a conditional use. However, the applicant is not proposing any changes to the existing fueling facilities and therefore a conditional use application is not necessary.

### **19.070 Dimensional Requirements**

Minimum Front Lot Line Length - 35'. Actual front lot line 170.78'

The average minimum lot width of 50' is exceeded.

Average Minimum Lot depth of 90' is exceeded as the lot depth is 135'.

Maximum lot coverage is 50%. The applicant is proposing 10% building coverage.

Maximum building height is 35'. The applicant is proposing 14.5'

The existing canopy is setback approximately 5' from the front property line.

Rear yard setback. The subject property is zoned GC and the property to the rear is zoned residential. This requires a 7.5' setback and the applicant is proposing that the rear addition be setback at least 15'.

## **Chapter 33 Storm Water Quality and Detention**

### **33.040 Approval Criteria**

The applicant is proposing to modify the existing structure to convert the service station bays to a convenience store by remodeling the interior and adding cooler and storage buildings. The remodel allows a site plan modification to provide rain gardens to capture roof drain run-off and detain heavy storm water and infiltrate lesser rain amounts. The applicant is proposing to reduce existing impervious surfaces by 2,887 square feet to meet the storm water quality and detention requirements.

## **Chapter 34 Accessory Structures, Accessory Dwelling Units, and Accessory Uses.**

Chapter 34 does not apply to this application as no accessory structures or uses are proposed.

## **Chapter 35 Temporary Structures and Uses**

Chapter 35 does not apply to this application as no temporary structures or uses are proposed.

### **Chapter 38 Additional Yard are required.**

**38.020** The applicant is proposing to meet the yard areas as required by the underlying zone.

**38.030** The existing right-of-way is adequate and exceeds 50', so an additional setback from the centerline is not required.

**38.040** No exceptions to the yard requirements are necessary.

**38.050** The applicant is not proposing any storage in the front yard.

**38.060** The applicant is not proposing any projections into the front yard or other required yards.

### **Chapter 41 Building Height**

The applicant is proposing to add two cooler/storage additions to the existing building. **41.005 (A) (1)** applies to this site as there is less than a 10' difference between the front and rear of the building. The building height is 14' 6" which is well below the 45' height limitation. The applicant is not requesting any exceptions.

### **Chapter 42 Clear Vision Areas**

The subject property is located at the intersection of Willamette Dr. and Hollowell St. As such the clear vision area applies to the property. The subject property is landscaped in the clear vision area and the landscaping does not exceed three feet in height, hence meeting this requirement.

### **44.020 Sight-Obscuring Fence**

The existing facility has a 25' high retaining wall along much of the developed area at the rear of the property. There is an existing 6' fence built on the retaining wall. The applicant is not proposing to make any alterations to the fence or the retaining wall. The applicant believes that this is a pre-existing non-conforming design that should be allowed to remain. With the height of the retaining wall a six foot fence is needed to provide a safety factor for anyone at the rear of the building.

**46.030** The applicant has submitted the required parking and design requirements along with the other plans for the Class II Design Review approval.

**46.050** Joint Parking does not apply as there is no shared parking.

**46.060** No storage in the parking and loading areas is proposed.

**46.070** Maximum distance to any parking stall is less than 200' from the front entrance, and the ADA stall is the closest to the front entry.

**46.090** Minimum parking requirements. A general retail store requires on space for every 240 square feet of gross floor area. The applicant is proposing a 2,521 square foot retail store, therefore the minimum parking requirements are 10.45 spaces. The applicant is proposing to re-stripe the lot along with the landscape modifications and will have a total of 13 spaces including on ADA accessible stall. The new parking stalls will all be 9' X 18' to accommodate customer and employee parking.

#### **48 Access, Egress and Circulation**

This property is located adjacent to state highway 43 and as such access permits are issued by ODOT. The applicant has submitted access permits to ODOT to retain the existing driveways as needed to maintain the vehicle fueling aspect of the development.

In addition the applicant is responding the City criteria as appropriate.

**48.025 Access Control (7)** Access points shall be minimized to protect the safety and operation of the streets and sidewalks. The site has two existing access points and must retain both access points to provide adequate customer circulation and to provide access for the fuel delivery truck. The adjacent street Hollowell has a significant grade change from the existing property rendering it unsuitable for vehicular access. Shared access with adjacent properties are also unsuitable due to grade changes and existing development on those parcels.

#### **48.080 Bicycle and Pedestrian Circulation**

A Pedestrian/bicycle path from the sidewalk to the building front has been provided. This path is located on the existing pavement and will be striped to clearly identify the path from vehicular areas.

#### **Chapter 52 Signs**

The applicant is not proposing any new signage with this application, so these items were not addressed.

#### **Chapter 54 Landscaping**

The existing development has 7,430 square feet of landscaping or 29.6% of the site in landscaped areas. The applicant is proposing to add additional landscaping area in the amount of 3,753 square feet for a total of 44.6% of the site area. Existing landscaped areas will be improved as a part of the project and will also reduce the amount of impervious area on the site by 2,375 square feet. New landscape plans are provided as a part of the Design Review submittal

## Chapter 55 Design Review

**55.100 (B) Relationship to the natural and physical environment.** There are no heritage trees located on the site, but as shown on the applicants landscape plan no trees are proposed to be removed. The applicant is requesting a waiver to this section as no work will be conducted within the natural areas and no trees are to be removed from any portion of the existing development.

**55.100 (3)** The topography and natural drainage of this site will be preserved as everything is already fully developed. A portion of the additional landscaped area will be used to absorb storm run-off and act as a partial storm water treatment area.

**55.100 (4)** The proposed additions are not located in an area subject to slumping or in areas shown on the Hazard Map.

**55.100 (5)** The existing development and the proposed modifications provide adequate distance between on-site and off-site buildings to provide adequate light and air circulation and for fire protection.

### **55.100 (6) Architecture**

The existing structure is a steel building with service bay doors and a metal fascia. The applicant is proposing to modify the existing steel building by replacing the roll up doors and building front with store front windows and add a stucco finish to the walls. The fascia will be replaced with painted flat metal panels.

The proposed modifications will be compatible with the existing canopy and the size and contextual design will remain essentially the same. The addition of the stucco finish will modernize this 1960's - 70's building design to be more in conformance with current West Linn architecture in the area.

This remodel does not constitute a transition in terms of massing and bulking and is not contrasting architecture. Human scale is met to the extent possible by a single story building with a full store front that provides visual interaction between the inside and the outside patrons.

**55.100 (6) (f)** This section provides that the main front of a commercial building be at least 60% windows. It also requires that at least one side have at least 30% transparency and any other side with a street view also have 30% transparency. The proposed modifications will meet this requirement by exceeding the 60% on the front of the building and the south side of the building. The north side which is cooler will be less than the 30%, but as provided for in this section the applicant is transferring the excess square footage from the West and South elevations to meet this requirement.

Building Front (west side) 67.25 lineal feet. Glazing proposed 46.25 SF. or 69%.



South Side of building 27.0 lineal feet. Glazing proposed 16.25 SF or 60% North side of building 35.66 lineal feet is visible from the public right-of-way, which would require 11 lineal feet of glazing a minimum of 3' in height. The applicant is proposing to install 7.0 lineal feet of glazing and transfer the additional required glazing from the East and South Elevations.

- g. Variations in depth and roof line are encouraged for all elevations. The applicant has a variation in the depth and roof line of the building on the front and side elevations with a mansard style roof and with store front windows, and additional windows on both sides. The rear of the building has a roof line variation due to different elevations of the new addition and the existing building. Additionally, the building is less than a 100' and is hidden from view by landscaping.
- h. Consideration of the micro-climate are made to the extent possible. The fuel island canopy is located within 10' of the store entrance and reduces the sun angles and provides some shading.
- i. The vision statement identified a strong commitment to developing safe and attractive pedestrian environments. This is an existing development that is not devoted to primarily pedestrian activities. However, the applicant realizes that some of its customers are pedestrians and has provided a pedestrian pathway, out of the vehicular drives, from the sidewalk to the store entrance.
- j. Sidewalks cafes, kiosks, vendors and street furniture are encouraged. the existing and proposed developments are unable to provide any of the uses.

## **7. Transportation Planning Rule (TPR) compliance.**

- a. Commercial development shall be oriented to the street. The proposed remodel to a convenience store has the main public entrance oriented to the street. The parking is located to the sides of the building and not adjacent to the street.
- b. This does not apply as it is not a multi-family project.
- c. Commercial projects shall be built as close to the adjacent main right-of-way as practical to facilitate safe pedestrian and transit access. The applicant is proposing to remodel an existing structure that cannot be located any closer to the public right-of-way due to the existing fueling islands, that are not being changed. The applicant is proposing a 6' wide pedestrian pathway from the public right-of-way that is out of the vehicular movement areas to provide safe access for pedestrians.
- d. Accessways and parking lots shall accommodate pedestrian circulation. The applicant is proposing to add a 6' wide striped pathway from the sidewalk to the main store entrance.

- e. The proposed pathway is the most direct and safe access that can be provided for this proposal.
- f. The entrance is clearly identified as the main entrance and is oriented to the main street.
- g. The entrance is located as close as reasonably possible to the nearest transit stop.
- h. The applicant is not proposing to relocate the existing structures and cannot bring the building closer to the street because the facility is a gas station and the fueling islands are located between the building and the street.
- i. This is not a public facility, so this does not apply.
- j. The proposal is not a parking facility at a trailhead so this does not apply.

C. Compatibility between adjoining uses.

- 1. The proposal is to remodel of an existing service station. The adjacent properties are commercial to the north that is screened with landscaping. The residential property to the east is screened by a 25' tall retaining wall and landscaping along the south property lines adjacent to the residential street.
- 2. All on site service areas and parking are screened with landscaping or in the case of the solid waste a structure to contain the dumpster.
- 3. No roof top systems are proposed.

D. Privacy and Noise.

The proposed modifications will reduce noise that may impact adjacent properties as the facility will no longer be providing vehicular services and repairs. The adjoining residential use is buffered by both landscaping and a large retaining wall.

- E. This section only applies to multi-family projects.
- F. This section only applies to multi-family projects.

G. Demarcation of public, semi-public and private spaces is clearly identified as the only public space is the sidewalk.

H. Willamette Drive is already a public transit route and no changes are proposed for this remodel of an existing development.

I. Public facilities are currently provided to the subject property including water, sanitary sewer, storm sewer, electrical, natural gas and access from a public street.

Solid waste and recycling storage has been upgraded to the facility with a new screened enclosure meeting Metro standards.

- J. Crime prevention and safety/defensible spaces. The proposed development has windows along the entire store front so that the police or private citizens can view the property to identify potential criminal activities. Additionally, the fueling islands are open and an attendant is present at all times that can monitor activity in the store and the store attendant can monitor activities on the fuel islands. The site is adequately lit to provide clear visibility at all times.
- K. Provisions for persons with disabilities. The new modifications to the building will provide a new ADA access, restroom and parking area. Additionally, the store layout will accommodate persons with disabilities as required by Federal, State and Local building codes.
- L. The applicant is not proposing any new signs at this time and the existing signs meet the current codes. The building will have the address clearly noted with appropriate sized numerals above the main entrance.
- M. Utilities. The existing facility is fully served all necessary public utilities and no changes are requested or required.
- N. Wireless Communication facilities. This section does not apply as this is not a portion to project to add wireless communication facilities.
- O. Refuse and recycling standards. The applicant is proposing to build a new refuse and recycling area that is fully screened by the use of a new metal structure to screen the container from view. This area is fully accessible to the service provider to meet the needs of both the owner and the provider. The applicant will also be providing litter receptacles for customer use.

The applicant believes that this proposed modification meets the intent of the West Linn Community Development Code and that as demonstrated by the plans submitted should be approved.

### **Chapter 32 Water Resource Area Protection.**

During the pre-application process the City identified this property as being in a Water Resource protection zone and that drainage along the north property line is designated as a significant riparian corridor. The applicant has obtained a copy of the research conducted on the adjacent properties to the north that finds there is not a stream or significant riparian corridor in this area. A copy of this report is included with the application materials. A site visit and view of the adjacent properties indicate this report applies to all of the surrounding properties. The only indication of a stream corridor (McLean Creek) is located where Hollowell dead ends, which is over 200' from the subject property, therefore the site would not be located in a significant

riparian area. The applicant believes that this is an area that needs to be corrected on the City maps as all of the surrounding properties are fully developed and the stream and riparian corridor does not exist as shown. However, the applicant is responding to all relevant criteria in the event that City needs the response to approve the proposed modifications.

The existing development was filled during the original construction phase and the rear of the property is contained by a significant retaining wall. If the riparian area ever existed, this retaining wall and the adjacent developments have removed any stream corridor. Additionally, because of the retaining wall all work as proposed would have limited to no impact on any existing drainage area. The applicant is proposing to landscape this area with native plants, reducing existing impacts to this area.

### **32.050 Approval Criteria**

- A. The applicant is requesting that the City Engineer field verify the existence of any stream adjacent to the subject property. Looking at the existing City maps a stream is delineated as running across the adjacent properties to the north and east of the subject site. However a field investigation by the applicant cannot identify any stream either at the surface or underground.
- B. The proposed alterations have been designed to maintain the existing drainage ways. The existing site is fully developed with no natural drainage ways identifiable on the site. The applicant is proposing to remove some of the asphalt along the east and south property lines and add native vegetated landscaped areas.
- C. Because the existing site is fully developed and all work is in areas that have existing paving, the development will have minimal adverse impact on any water resource area that may exist.
- D. The water resource area cannot not be identified by the applicant and if it exists it would be located on adjacent properties. Therefore, neither a dedication nor easement would be appropriate.
- E. The applicant cannot identify a stream, and prior research indicates the stream may never have existed. A starting point for the riparian corridor is edge of bankful flow or 2-year storm level. The only stream near the property is McLean Creek and it is over 100' from the closest edge of the property line. The applicant is not proposing any development in this area.
- F. No roads, driveways, utilities or passive use recreation facilities are proposed. This item does not apply.
- G. Prior to construction the water resource area is to be protected from construction run-off. As stated earlier the site has a significant retaining wall along the east side of the property that does protect the area identified on the map.
- H. No paving is proposed in any of the areas mapped out as a water resource area.
- I. This proposal will not have any downstream impacts.
- J. Appropriate erosion control measures will be installed during construction, regardless of the area under review.

- K. The vegetative improvements within the area under question will be native plant materials. The applicant will maintain these landscaped beds in a appropriate manner to sustain them and remove invasive species that may attempt to get established.
- L. As stated previously the applicant does not believe that a water resource area exists as shown on the map and therefore does not believe that a setback would be required.
- M. The proposed storm water treatment area does not encroach into the water resource area.
- N. No covered or piped drainage ways appear to exist.
- O. The applicant is not proposing a reduction in front or side yard setbacks.
- P. No new storm drainage channels have been identified.

The applicant does not believe any of the other requirements of this section apply, because a waterway cannot be identified as shown on the current City maps that would impact this property or the proposed project. Furthermore the applicant believes that once the City Engineer reviews the documentation submitted and approved for the adjacent property, and conducts a field investigation the City will determine that a stream does not exist as shown on the current map.

The applicant respectfully requests that the City review the plans and all accompanying material and approve the project as proposed.

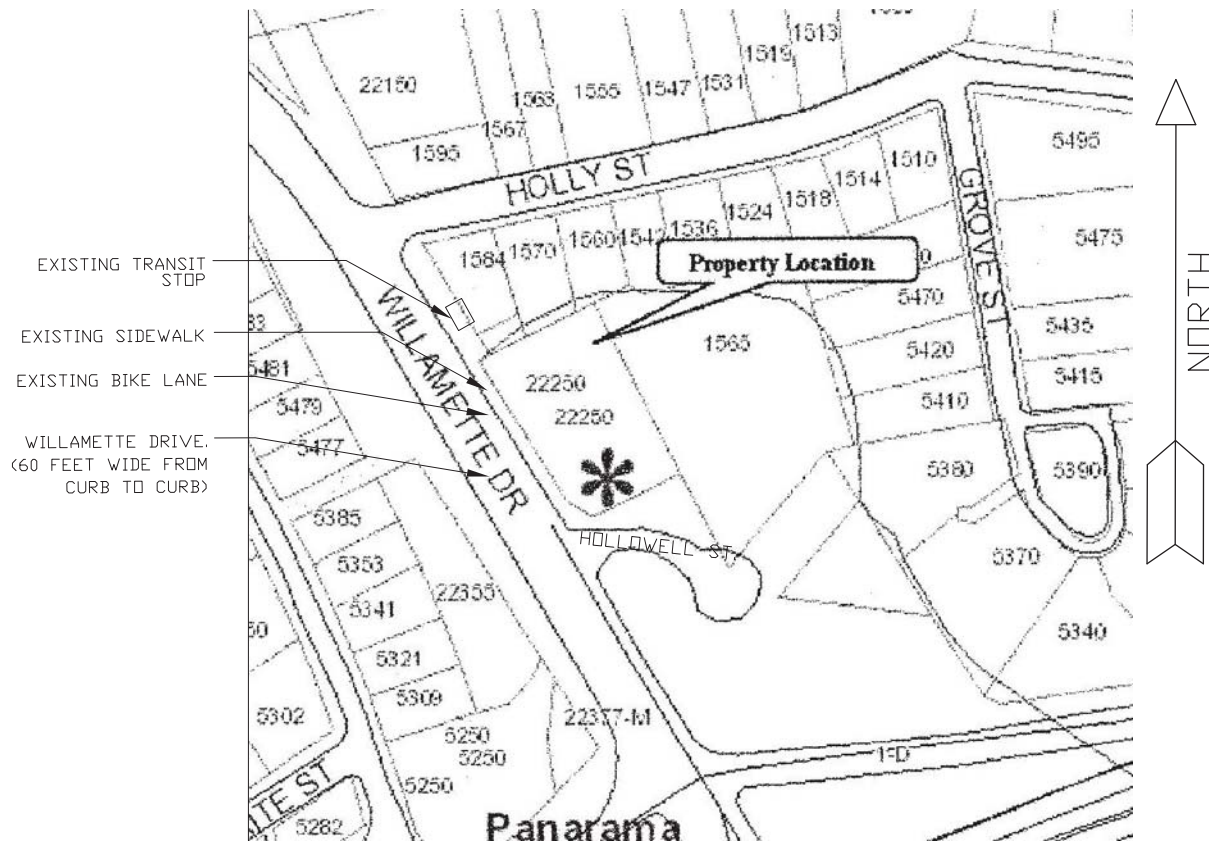
Sincerely,

David P. Kimmel

# WEST LINN WSCO

22250 WILLAMETTE DRIVE  
WEST LINN, OREGON 97068

## VICINITY MAP



## PROJECT DESCRIPTION

Remodel existing service bays to retail space.  
New cooler, Gondolas, and Plumbing fixtures.  
Change of occupancy from S1 to M

## LEGAL DESCRIPTION

Legal Description Property ID: C157346  
State ID: 22E30DB06700  
Clackamas County, Oregon.

Site Address: 22250 Willamette Drive  
West Linn, Oregon 97068

Zone: COMMERCIAL

## CODE SUMMARY

### CONSTRUCTION CODE:

2010 OSSC  
Current local city and county codes

### BUILDING CONSTRUCTION TYPE:

Type 5-B

### BUILDING OCCUPANCY:

Group Mercantile: 30 per 1 occupant.  
Existing Building sq.ft.= 1,494 sq.ft.  
Existing storage to be removed sq.ft.= 252 sq.ft.  
Addition sq.ft.= 1027 sq.ft.  
Total sq.ft.: 2521 sq.ft.

### EXISTING BUILDING USE:

S1 (AUTO SERVICE)

### PROPOSED BUILDING USE:

M (RETAIL)

### BUILDING SIZE:

Tenant Improvement area 2521 Sq. Ft. (Gross), Approximate  
Total Building: 2521 Sq. Ft. (Gross)

## PROJECT DIRECTORY

OWNER: Cliff Forbes  
PO Box 11110  
Bainbridge Island, WA. 98110

TENANT: WSCO  
2929 NW 29th  
Portland, Oregon

DESIGNER: Montgomery Development CO.  
PO Box 1315  
Oregon City, Oregon 97009  
Cell: 503-784-8157  
Office: 503-668-4847  
Contacts: Bob Montgomery  
Email: rmontgomery@hotmail.com

Consultant: PDG Planning/Design Group  
1335 SW 66th Ave.  
Ste. 201  
Portland, Oregon 97225  
(503) 329-5399  
Contacts: David Kimmel  
Email: pdgplanning@comcast.net

## INDEX OF DRAWINGS

- A0 Cover Sheet
- A1 Existing Site plan
- A2 Proposed site plan
- A3 Grading plan
- A3.1 Stormwater Management plan
- A3.2 Proposed Lighting plan
- A4 Landscape plan
- A5 Proposed floor plan
- A6 Elevations
- A7 Elevation and ADA details
- A8 Stormwater planter detail

**M/D**

MONTGOMERY DEVELOPMENT CO.  
P.O. BOX 1315  
BORING, OREGON 97009  
CELL: 503-784-8157  
OFFICE: 503-668-4847  
EMAIL: rmontgomery@hotmail.com

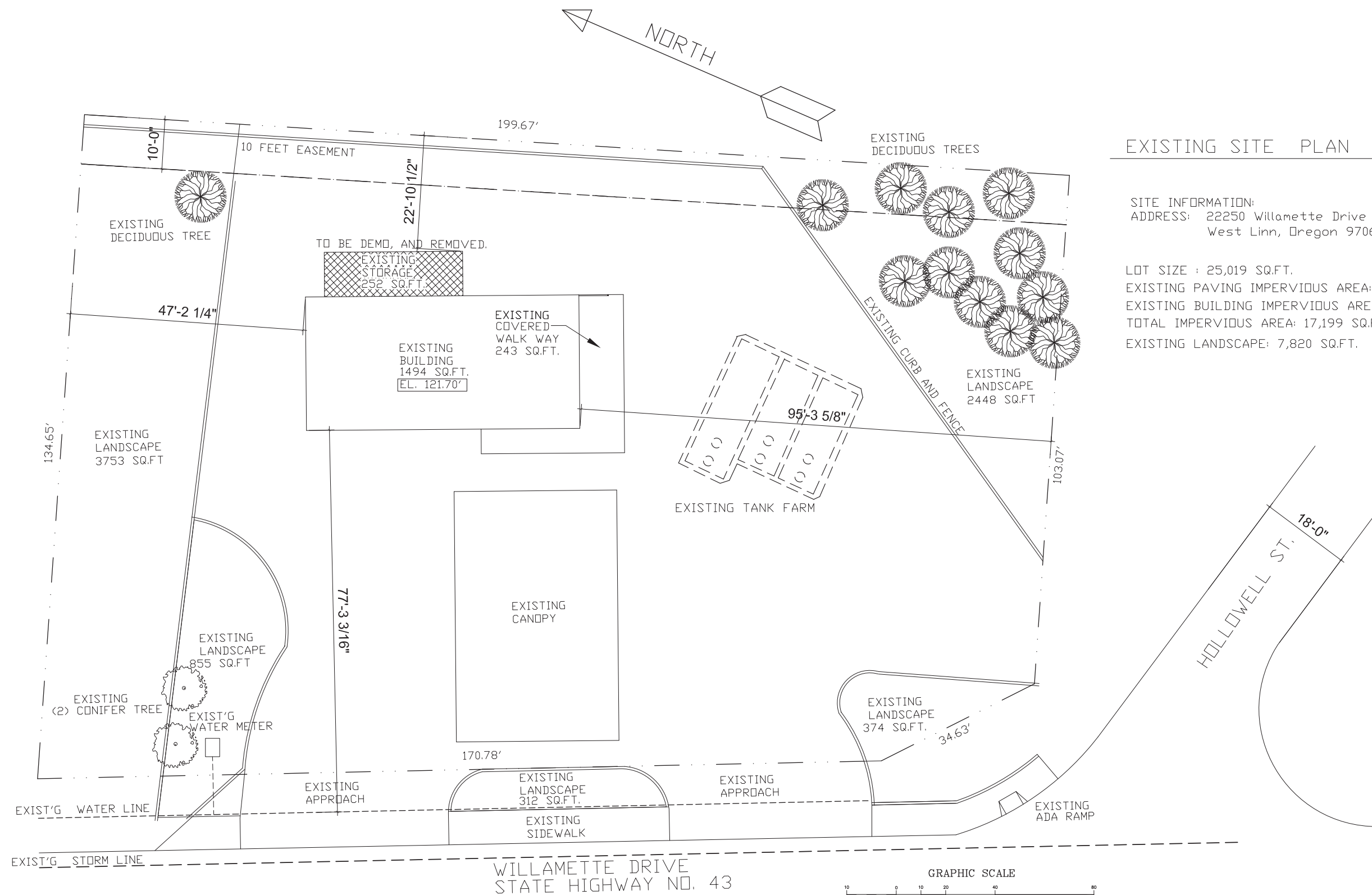
West Linn WSCO  
22250 WILLAMETTE DRIVE  
West Linn, Oregon 97068

PROJECT #

0612

DWG BY: JTC  
6/14/13

SHEET  
A0



MONTGOMERY DEVELOPMENT CO.  
 P.O. BOX 1315  
 BORING, OREGON 97009  
 CELL: 503-784-8157  
 OFFICE: 503-668-4847  
 EMAIL: rgmontgomery@hotmail.com

**West Linn WSCO**  
 22250 WILLAMETTE DRIVE  
 West Linn, Oregon 97068

**PROJECT #**  
 0612

DWG BY: JTC  
 5/16/13  
 5/21/13  
 6/14/13

**SHEET**  
 A1

PROPOSED SITE PLAN

SCALE: 1" = 10'-0"

SITE INFORMATION:  
 ADDRESS: 22250 Willamette Drive  
 West Linn, Oregon 97068

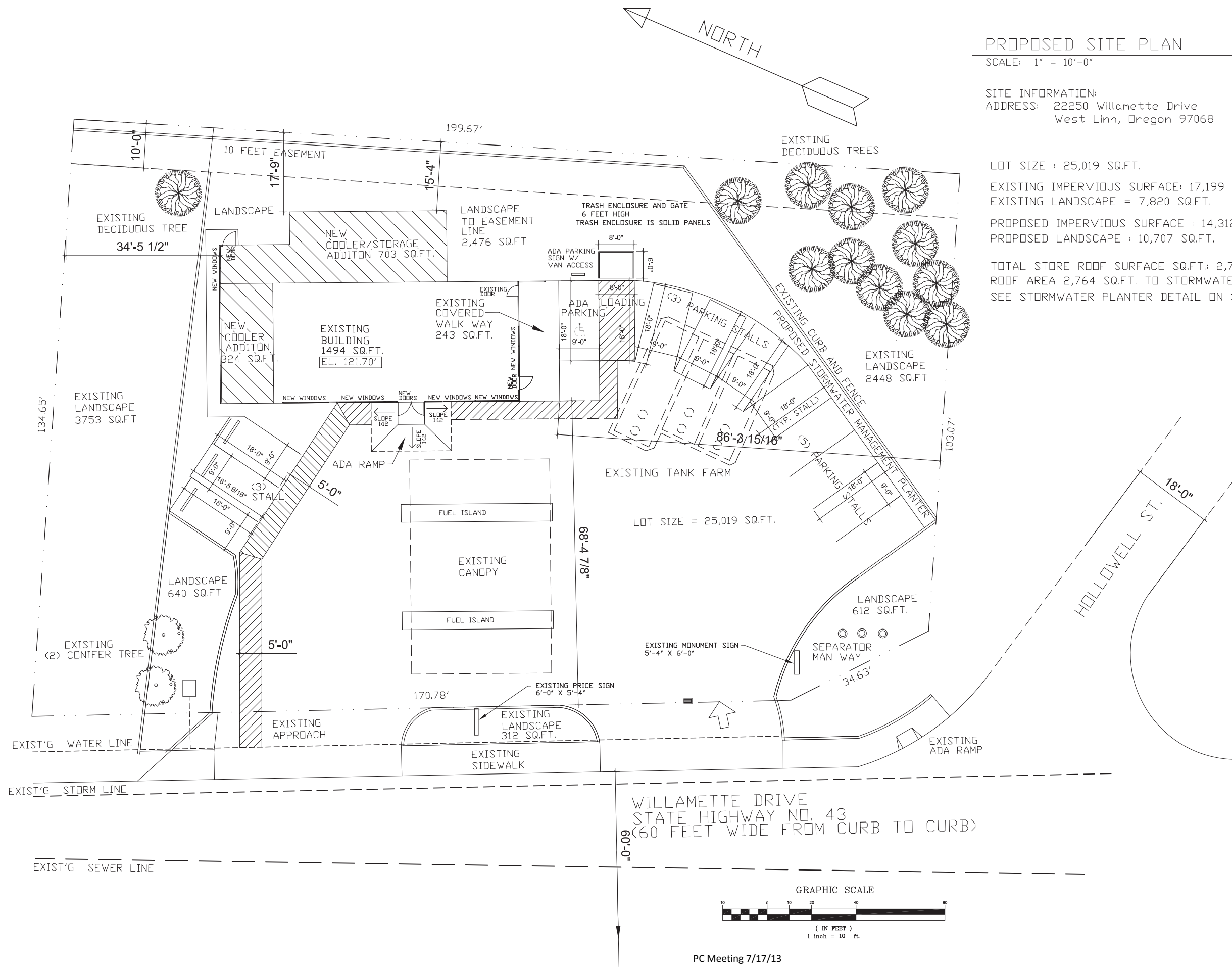
LOT SIZE : 25,019 SQ.FT.  
 EXISTING IMPERVIOUS SURFACE: 17,199 SQ.FT.  
 EXISTING LANDSCAPE = 7,820 SQ.FT.  
 PROPOSED IMPERVIOUS SURFACE : 14,312 SQ.FT.  
 PROPOSED LANDSCAPE : 10,707 SQ.FT.  
 TOTAL STORE ROOF SURFACE SQ.FT.: 2,764 SQ.FT.  
 ROOF AREA 2,764 SQ.FT. TO STORMWATER MANAGEMENT PLANTER.  
 SEE STORMWATER PLANTER DETAIL ON SHEET A8

MONTGOMERY DEVELOPMENT CO.  
 P.O. BOX 1315  
 BORING, OREGON 97009  
 CELL: 503-784-8157  
 OFFICE: 503-668-4847  
 EMAIL: rgmontgomery@hotmail.com

West Linn WSCO  
 22250 WILLAMETTE DRIVE  
 West Linn, Oregon 97068

PROJECT #  
 0612  
 DWG BY: JTC  
 5/16/13  
 5/21/13  
 6/14/13

SHEET  
 A2





M/D

### GRADING PLAN

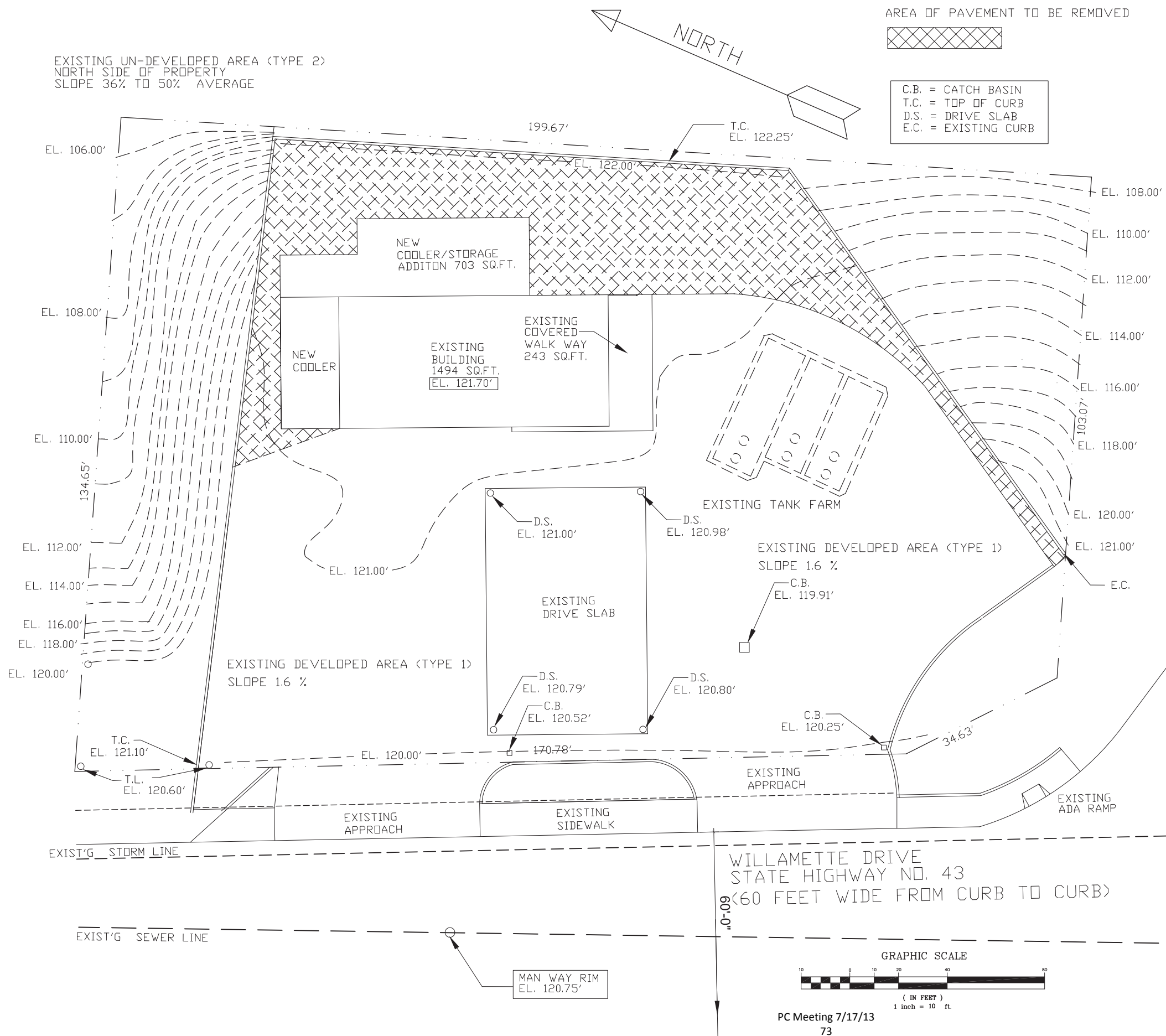
SCALE: 1" = 10'-0"

SITE INFORMATION:  
ADDRESS: 22250 Willamette Drive  
West Linn, Oregon 97068

GROSS AREA LOT SIZE : 25,019 SQ.FT.

REMOVE PAVEMENT AREA: 4,312 SQ.FT.  
VOLUME = 1078 CUBIC FEET OR 120 CUBIC YARDS  
EXCAVATE APPROX. 90 CUBIC YARD OF SOIL.

EXISTING UN-DEVELOPED AREA (TYPE 2)  
S.E. SIDE OF PROPERTY  
SLOPE 33%



MONTGOMERY DEVELOPMENT CO.  
P.O. BOX 1315  
BORING, OREGON 97009  
CELL: 503-784-8157  
OFFICE: 503-668-4847  
EMAIL: rgmontgomery@hotmail.com

West Linn WSCO  
22250 WILLAMETTE DRIVE  
West Linn, Oregon 97068

PROJECT #

**0612**

DWG BY: JTC
5/16/13
5/21/13
6/14/13

SHEET  
**A3**

STORM WATER SITE PLAN

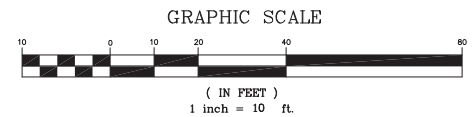
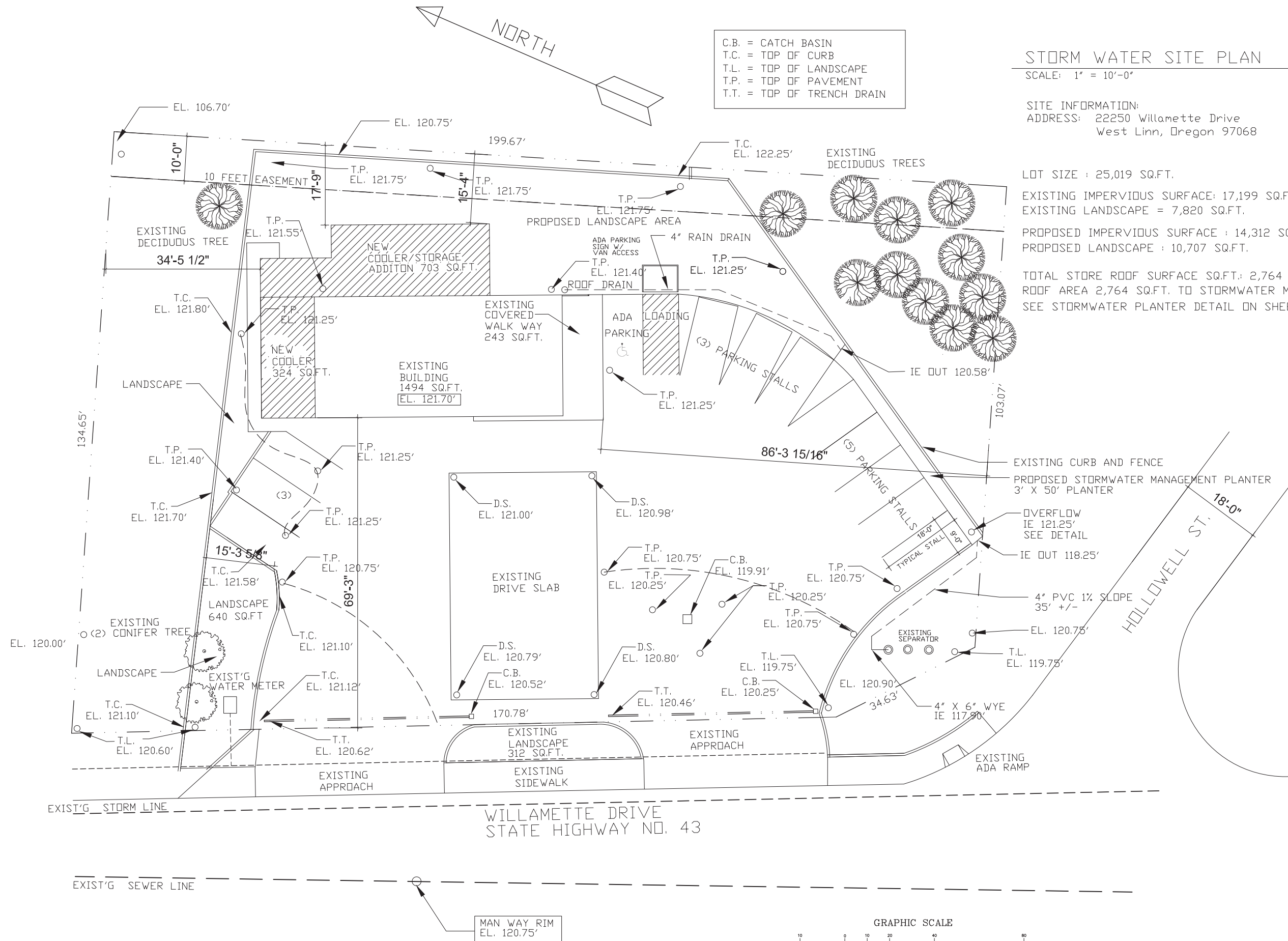
SCALE: 1" = 10'-0"

SITE INFORMATION:  
 ADDRESS: 22250 Willamette Drive  
 West Linn, Oregon 97068

LOT SIZE : 25,019 SQ.FT.  
 EXISTING IMPERVIOUS SURFACE: 17,199 SQ.FT.  
 EXISTING LANDSCAPE = 7,820 SQ.FT.  
 PROPOSED IMPERVIOUS SURFACE : 14,312 SQ.FT.  
 PROPOSED LANDSCAPE : 10,707 SQ.FT.  
 TOTAL STORE ROOF SURFACE SQ.FT.: 2,764 SQ.FT.  
 ROOF AREA 2,764 SQ.FT. TO STORMWATER MANAGEMENT PLANTER.  
 SEE STORMWATER PLANTER DETAIL ON SHEET A8

MONTGOMERY DEVELOPMENT CO.  
 P.O. BOX 1315  
 BORING, OREGON 97009  
 CELL: 503-784-8157  
 OFFICE: 503-668-4847  
 EMAIL: rgmontgomery@hotmail.com

C.B. = CATCH BASIN  
 T.C. = TOP OF CURB  
 T.L. = TOP OF LANDSCAPE  
 T.P. = TOP OF PAVEMENT  
 T.T. = TOP OF TRENCH DRAIN



West Linn WSCO  
 22250 WILLAMETTE DRIVE  
 West Linn, Oregon 97068

PROJECT #  
 0612  
 DWG BY: JTC  
 5/16/13  
 5/21/13  
 6/14/13

SHEET  
 A3.1

PROPOSED LIGHTING PLAN

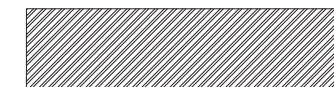
SCALE: 1" = 10'-0"

SITE INFORMATION:  
ADDRESS: 22250 Willamette Drive  
West Linn, Oregon 97068

TYPE (A) LIGHTS (UNDER CANOPY LIGHTS)  
437.54 CANDLE POWER EA.

TYPE (B) LIGHTS (WALL WASH ILLUMINATION LIGHTS)  
175 CANDLE POWER EA.

POOL OF LIGHT- 1/2 CANDLE POWER AT LIMIT



MONTGOMERY DEVELOPMENT CO.  
P.O. BOX 1315  
BORING, OREGON 97009  
CELL: 503-784-8157  
OFFICE: 503-668-4847  
EMAIL: rgmontgomery@hotmail.com

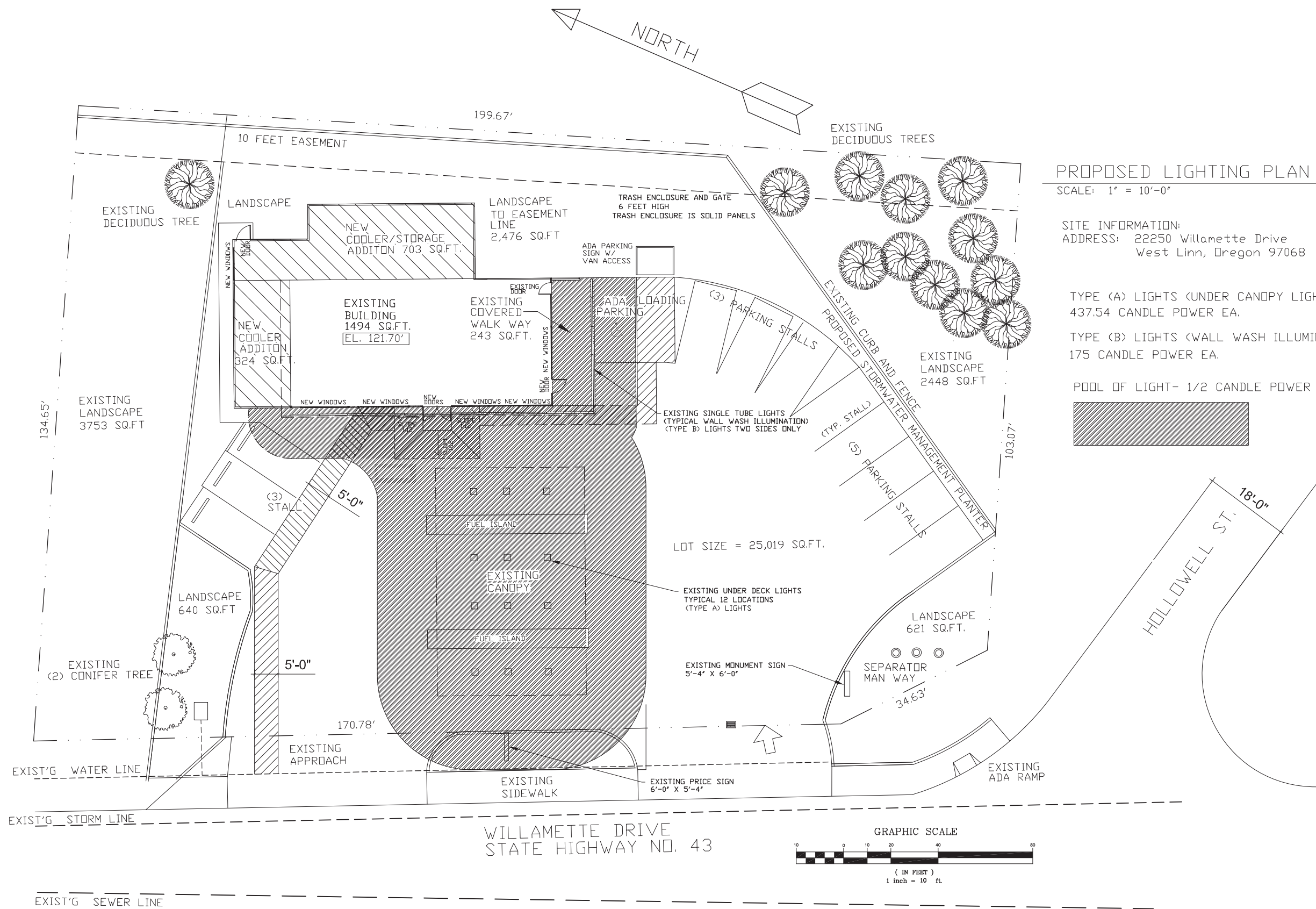
West Linn WSCO  
22250 WILLAMETTE DRIVE  
West Linn, Oregon 97068

PROJECT #

0612

DWG BY: JTC  
5/16/13  
5/21/13  
6/14/13

SHEET  
A3.2

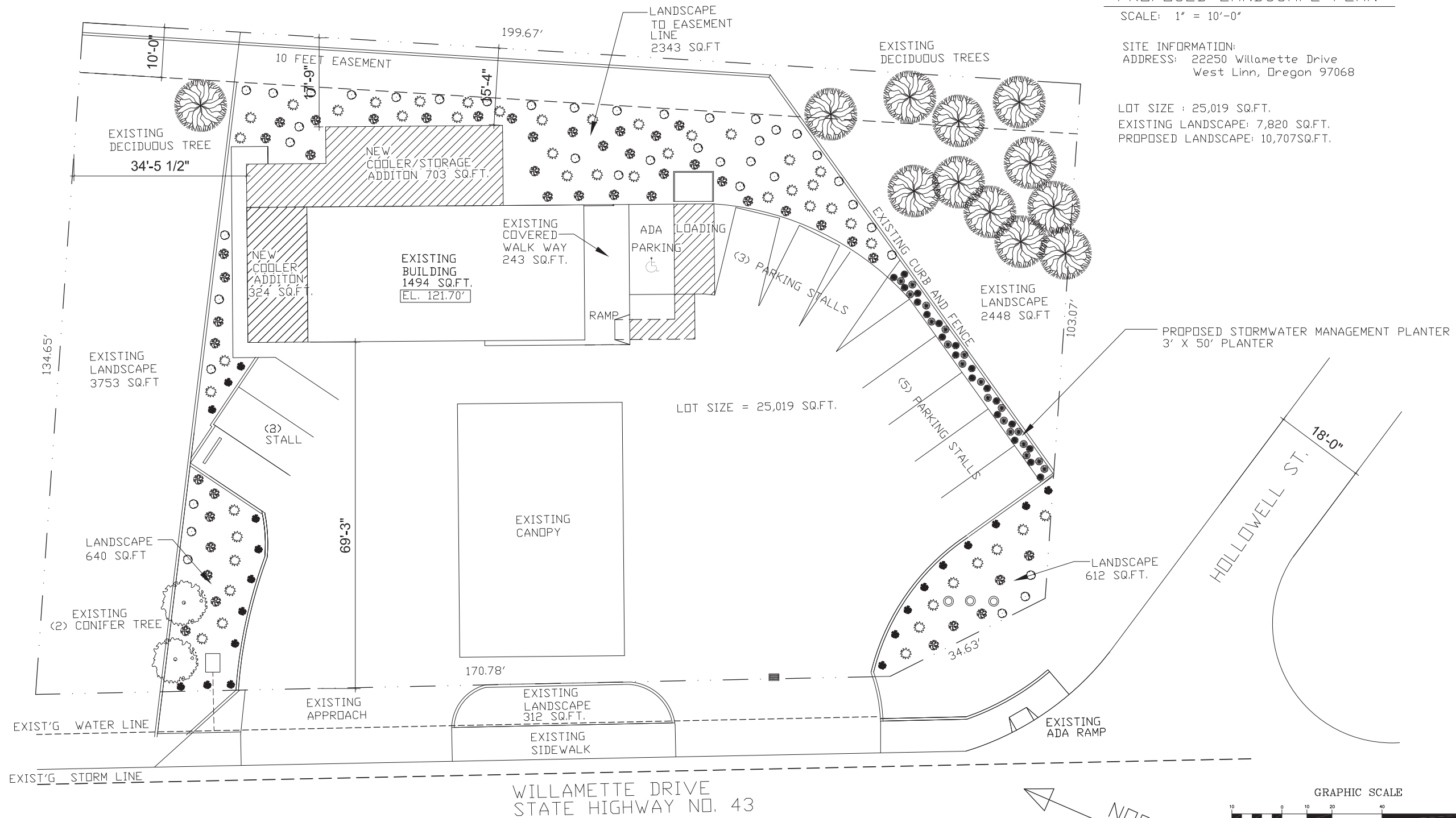


PROPOSED LANDSCAPE PLAN

SCALE: 1" = 10'-0"

SITE INFORMATION:  
 ADDRESS: 22250 Willamette Drive  
 West Linn, Oregon 97068

LOT SIZE : 25,019 SQ.FT.  
 EXISTING LANDSCAPE: 7,820 SQ.FT.  
 PROPOSED LANDSCAPE: 10,707SQ.FT.



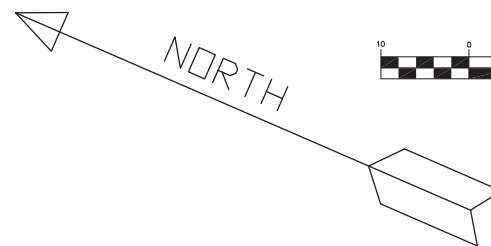
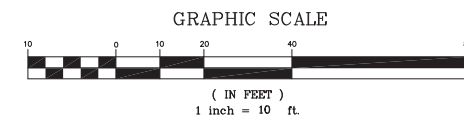
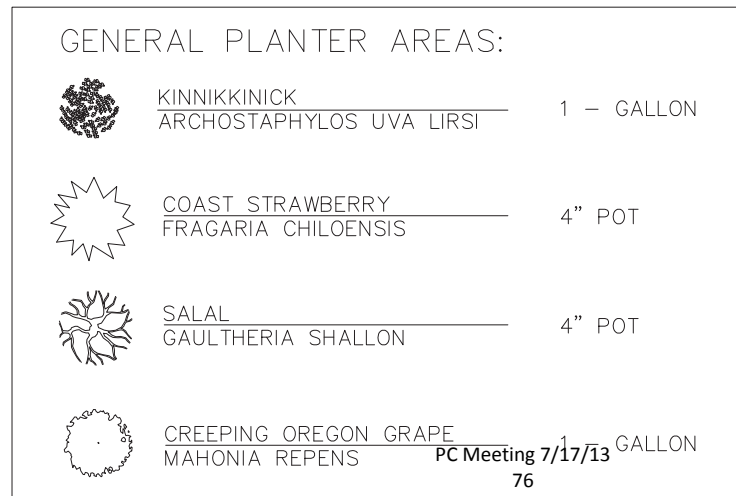
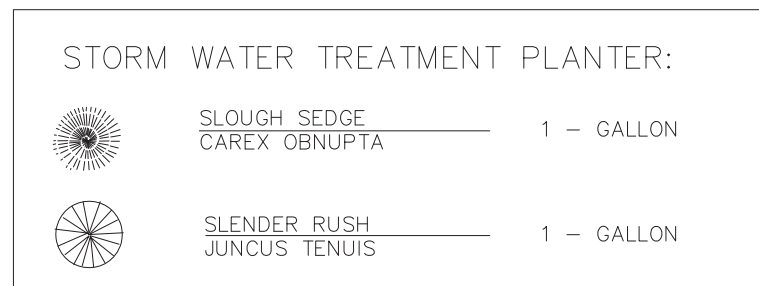
M/D

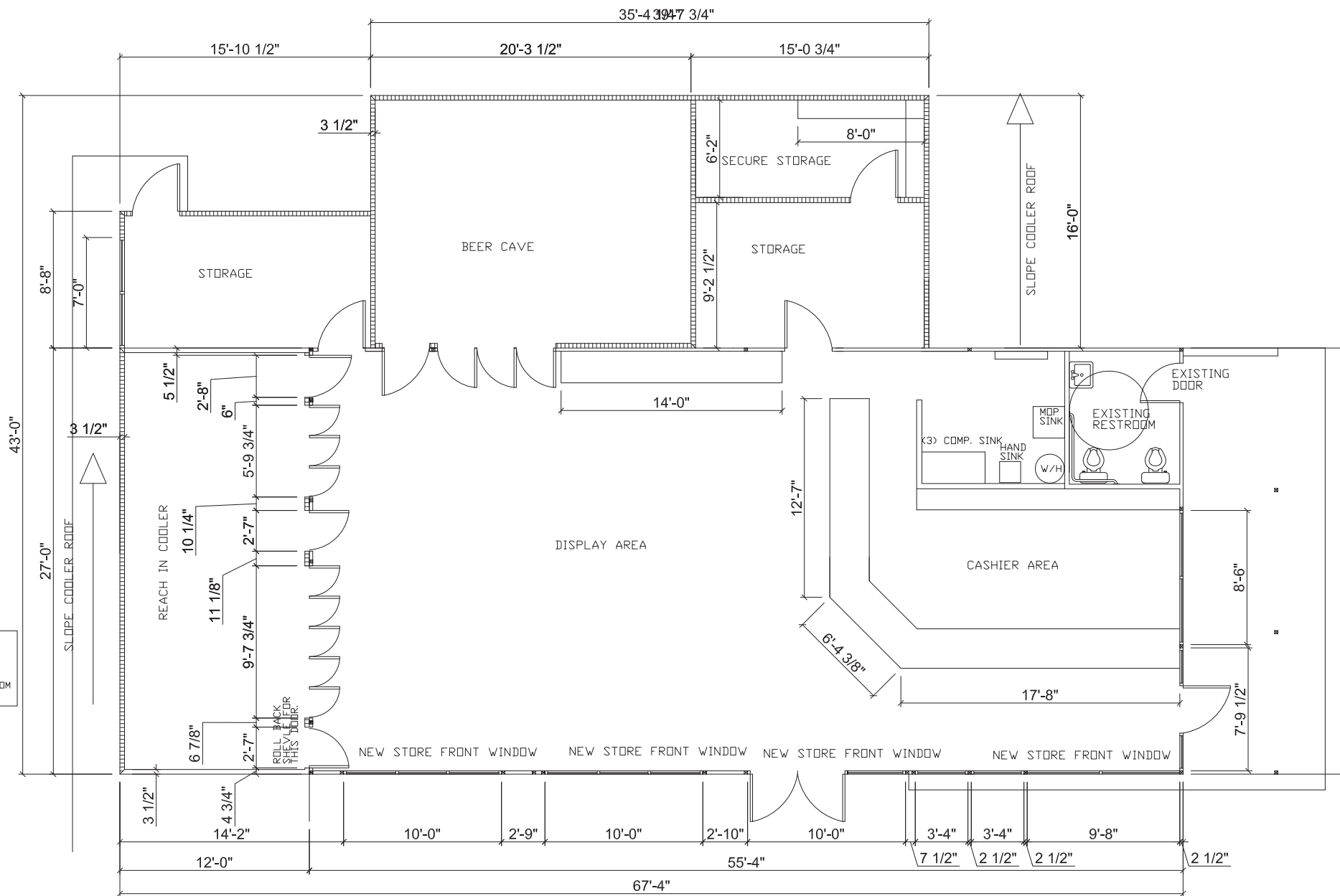
MONTGOMERY DEVELOPMENT CO.  
 P.O. BOX 1315  
 BORING, OREGON 97009  
 CELL: 503-784-8157  
 OFFICE: 503-668-4847  
 EMAIL: rgmontgomery@hotmail.com

West Linn WSCO  
 22250 WILLAMETTE DRIVE  
 West Linn, Oregon 97068

PROJECT #  
 0612  
 DWG BY: JTC  
 5/16/13  
 5/21/13

SHEET  
 A4





NORTH/WEST ELEVATION GLAZING CALCULATION:  
 ELEVATION = 43'-0" LNFT.  
 ELEVATION = 43'-0" X 30% = 12.9'  
 PROPOSED GLAZING IS 7'-0" + 5.94' CREDIT FROM  
 SOUTH/WEST WALL = 12.94' OF GLAZING.

SOUTH/EAST ELEVATION GLAZING CALCULATION:  
 ELEVATION = 27'-0" LNFT.  
 ELEVATION = 27'-0" X 30% = 8.1'  
 PROPOSED GLAZING = 16'-3.5" > 60% GLAZING

EXISTING BUILDING SQ.FT. = 1494 SQ.FT.  
 EXISTING COOLER SQ.FT. = 252 SQ.FT. TO BE REMOVED  
 COOLER ADDITION SQ.FT. = 324 SQ.FT.  
 BEER CAVE, DRY STORAGE ADDITION = 703 SQ. FT.  
 TOTAL SQ.FT. = 2521 SQ.FT.

SOUTH/WEST ELEVATION GLAZING CALCULATION:  
 ELEVATION = 67'-4" LNFT.  
 ELEVATION = 67'-4" X 60% = 40.39'  
 PROPOSED GLAZING = 46'-4" > 40.39'  
 5.94' OF WINDOW TO BE CREDIT TO NORTH/WEST WALL.

**WALL LEGEND**

- EXISTING WALL
- 3-1/2" INSULATED COOLER WALLS

**MAIN FLOOR PLAN**

SCALE: 1/4" = 1'-0"

**GENERAL NOTES:**

1. ALL WORK IS TO COMPLY WITH THE LATEST ADOPTED VERSION OF OSSC. CODE AND ANY APPLICABLE STATE, COUNTY OR LOCAL REGULATIONS.
2. THE CONTRACTOR IS RESPONSIBLE TO CHECK THE PLANS AND IS TO NOTIFY THE DESIGNER/OWNER OF ANY ERRORS OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION.
3. WRITTEN DIMENSIONS HAVE PRECEDENCE OVER SCALED DIMENSIONS. DO NOT SCALE THE DRAWINGS.
4. ALL CONSTRUCTION, CARPENTRY AND FINISH WORK IS TO BE PERFORMED, CONSTRUCTED OR APPLIED IN A GOOD WORKMANLIKE MANNER.
5. ALL NEW BUILDING MATERIALS TO BE OF STANDARD OR BETTER QUALITY FREE FROM DEFECTS.

**M/D**

MONTGOMERY DEVELOPMENT CO.  
 P.O. BOX 1315  
 BORING, OREGON 97009  
 CELL: 503-784-8157  
 OFFICE: 503-668-4847  
 EMAIL: rgmontgomery@hotmail.com

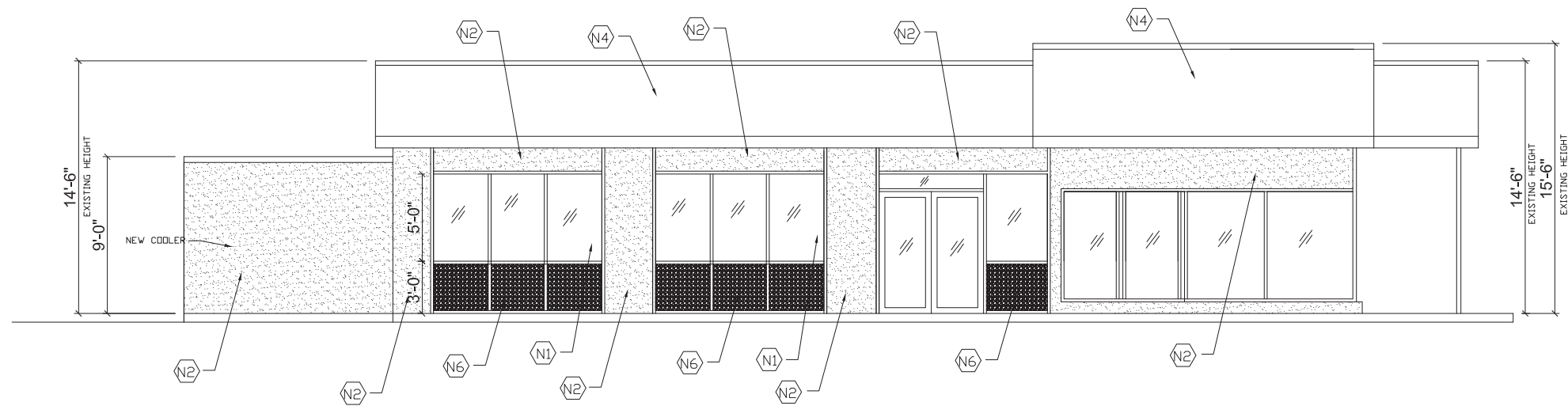
**West Linn WSCO**  
 22250 WILLAMETTE DRIVE  
 West Linn, Oregon 97068

PROJECT #

**0612**

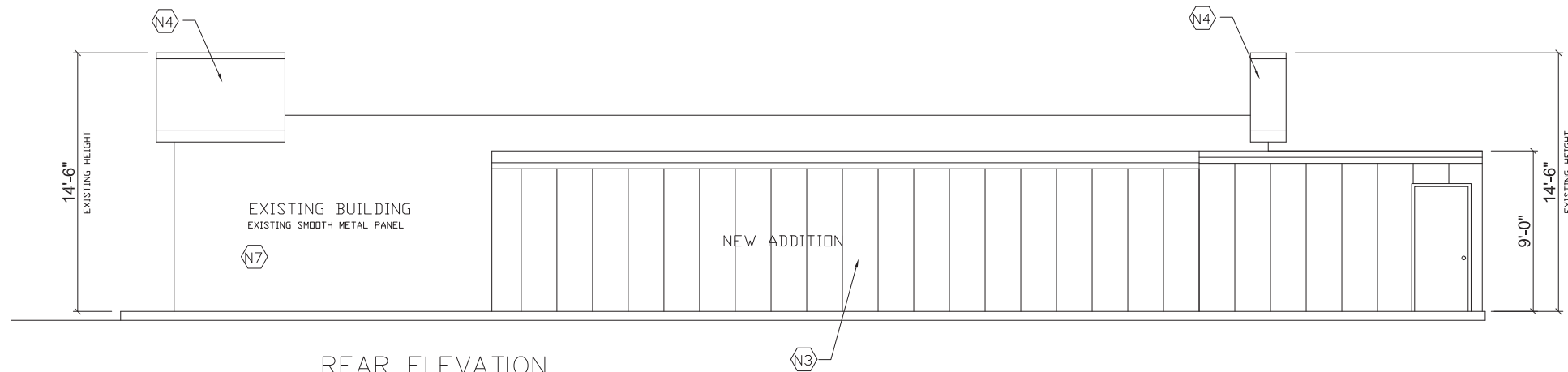
DWG BY: JTC  
 5/16/13  
 5/21/13

SHEET  
A5



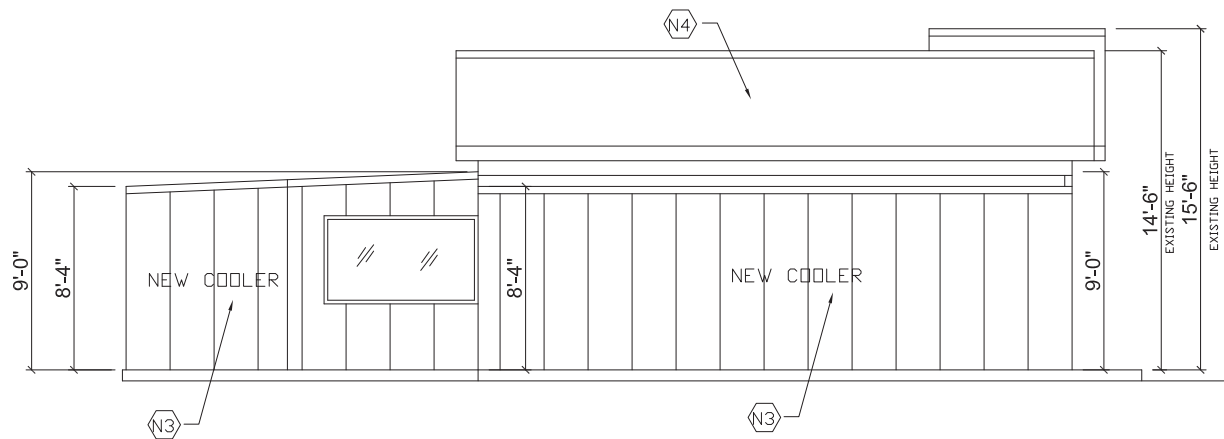
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



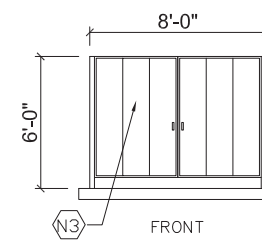
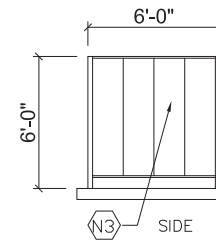
REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



TRASH ENCLOSURE ELEVATIONS

SCALE: 1/4" = 1'-0"

NOTES:

- N1 REPLACE GARAGE DOORS WITH STORE FRONT (DARK ANODIZED BROWN)
- N2 INSTALL SAND FLOAT FINISH STUCCO (SOUTHERN BREEZE BY PPG)
- N3 STIPPLED TEXTURE METAL (SOUTHERN BREEZE BY PPG)
- N4 SMOOTH METAL PANEL (SOUTHERN BREEZE BY PPG)
- N5 REPLACE STORE FRONT
- N6 TEXTURE PANELS (SOUTHERN BREEZE BY PPG)
- N7 EXISTING SMOOTH METAL PANEL

M/D

MONTGOMERY DEVELOPMENT CO.  
 P.O. BOX 1315  
 BORING, OREGON 97009  
 CELL: 503-784-8157  
 OFFICE: 503-668-4847  
 EMAIL: rgmontgomery@hotmail.com

West Linn WSCO  
 22250 WILLAMETTE DRIVE  
 West Linn, Oregon 97068

PROJECT #

0612

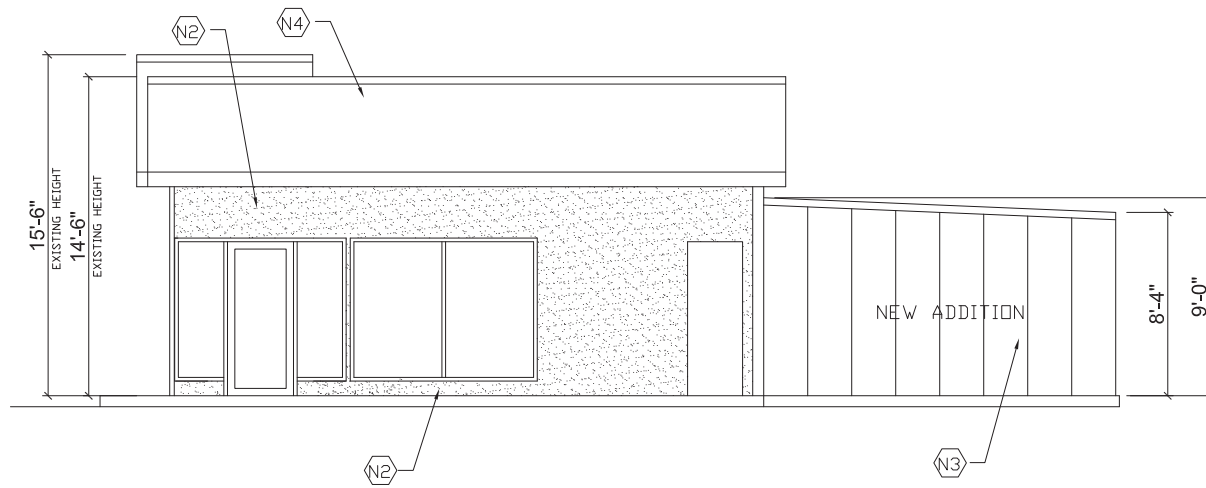
DWG BY: JTC  
 5/16/13  
 5/21/13

SHEET

A6

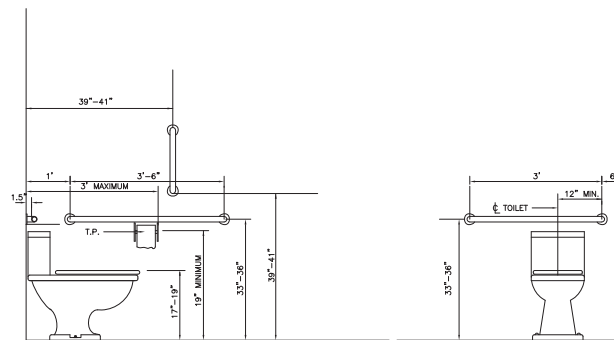
NOTES:

- (N1) REPLACE GARAGE DOORS WITH STORE FRONT (DARK ANODIZED BROWN)
- (N2) INSTALL SAND FLOAT FINISH STUCCO (SOUTHERN BREEZE BY PPG)
- (N3) STIPPLED TEXTURE METAL (SOUTHERN BREEZE BY PPG)
- (N4) SMOOTH METAL PANEL (SOUTHERN BREEZE BY PPG)
- (N5) REPLACE STORE FRONT
- (N6) TEXTURE PANELS (SOUTHERN BREEZE BY PPG)
- (N7) EXISTING SMOOTH METAL PANEL



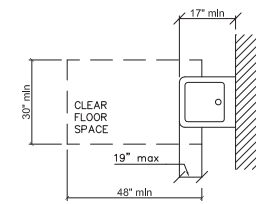
**RIGHT SIDE ELEVATION**

SCALE: 1/4" = 1'-0"

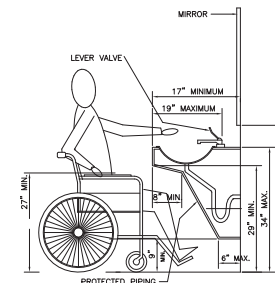


SIDE WALL GRAB BAR.

END WALL GRAB BAR.



LAVATORY FLOOR CLEARANCE



LAVATORY CLEARANCE

**M/D**

MONTGOMERY DEVELOPMENT CO.  
 P.O. BOX 1315  
 BORING, OREGON 97009  
 CELL: 503-784-8157  
 OFFICE: 503-668-4847  
 EMAIL: rgmontgomery@hotmail.com

**West Linn WSCO**  
 22250 WILLAMETTE DRIVE  
 West Linn, Oregon 97068

PROJECT #

0612

DWG BY: JTC

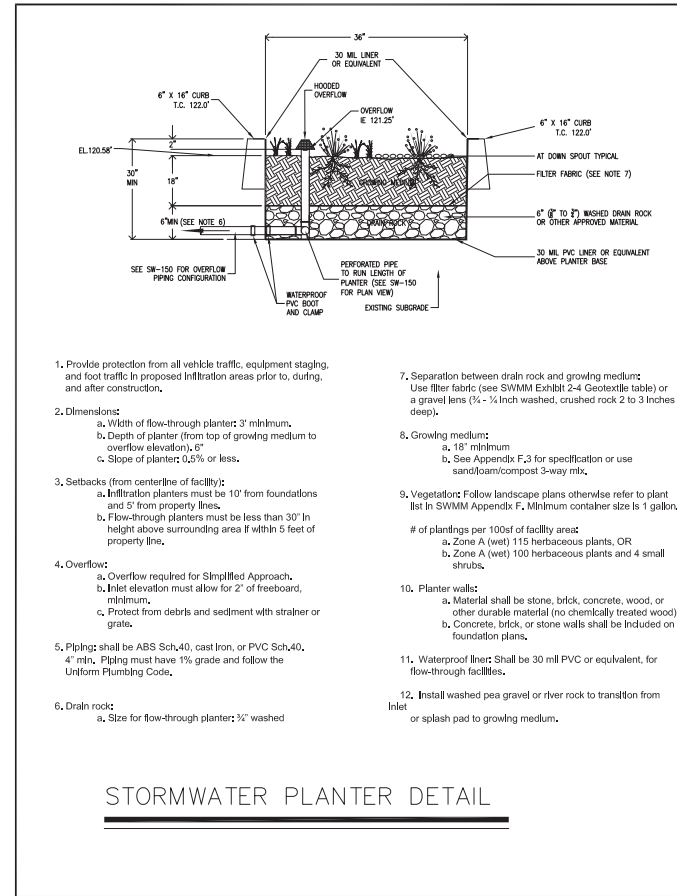
5/16/13

5/21/13

SHEET

A7

M/D



1. Provide protection from all vehicle traffic, equipment staging, and foot traffic in proposed infiltration areas prior to, during, and after construction.
2. Dimensions:
  - a. Width of flow-through planter: 3' minimum.
  - b. Depth of planter (from top of growing medium to overflow elevation), 6"
  - c. Slope of planter: 0.5% or less.
3. Setbacks (from centerline of facility):
  - a. Infiltration planters must be 10' from foundations and 5' from property lines.
  - b. Flow-through planters must be less than 30" in height above surrounding area if within 5 feet of property line.
4. Overflow:
  - a. Overflow required for Street/Ed Approach.
  - b. Inlet elevation must allow for 2' of freeboard, minimum.
  - c. Protect from debris and sediment with strainer or grate.
5. Piping shall be ABS Sch.40, cast iron, or PVC Sch.40, 4" min. Piping must have 1% grade and follow the Uniform Plumbing Code.
6. Drain rock:
  - a. Size for flow-through planter: 1/2" washed
7. Separation between drain rock and growing medium: Use filter fabric (see SWMM Exhibit 2-4 Geotextile table) or a gravel lens (1/4 - 1/2 inch washed, crushed rock 2 to 3 inches deep).
8. Growing medium:
  - a. 18" minimum
  - b. See Appendix F.3 for specification or use sand/soam/compost 3-way mix.
9. Vegetation: Follow landscape plans otherwise refer to plant list in SWMM Appendix F. Minimum container size is 1 gallon.
  - # of plantings per 100sf of facility area:
    - a. Zone A (wet) 115 herbaceous plants, OR
    - b. Zone A (wet) 100 herbaceous plants and 4 small shrubs.
10. Planter walls:
  - a. Material shall be stone, brick, concrete, wood, or other durable material (no chemically treated wood).
  - b. Concrete, brick, or stone walls shall be included on foundation plans.
11. Waterproof liner: Shall be 30 mil PVC or equivalent, for flow-through facilities.
12. Install washed pea gravel or river rock to transition from inlet or splash pad to growing medium.

STORMWATER PLANTER DETAIL

MONTGOMERY DEVELOPMENT CO.  
 P.O. BOX 1315  
 BORING, OREGON 97009  
 CELL: 503-784-8157  
 OFFICE: 503-668-4847  
 EMAIL: rgmontgomery@hotmail.com

West Linn WSCO  
 22250 WILLAMETTE DRIVE  
 West Linn, Oregon 97068

PROJECT #  
 0612  
 DWG BY: JTC  
 5/16/13  
 5/21/13

SHEET  
 A8



# Robert D. Miller Consulting

INC.

Environmental Services • Project Management

May 10, 2013

Robert Montgomery  
Montgomery Development Co  
PO Box 1315  
Boring, OR 97009

**Re: Purported Drainage way commencing from Tax Lot 6600, City of West Linn, OR**

In response to your question of whether or not the referenced drainage way actually exists, I offer the following information.

1. Our ownership of pertinent properties:

- My wife and I purchased tax lot 6400 and 6500 on July 2, 1999 through her company, Blondie's Investment, LLC with the intent of raising the house and building a commercial building. We subsequently purchased adjacent tax lot 6300 on May 24, 2000.
- In the summer of 1999, we demolished the house and cleared the land at tax lots 6400 and 6500. See attached photos.
- We also purchased 10 feet of tax lot 6600 on or about Dec, 1999. This allowed for increased lower level parking and a larger building to be built on tax lots 6400 and 6500.
- We sold all the properties on or about April of 2003, after having finished the City of West Linn Site Development review process. We had not completed Building Code review, nor started construction of the commercial building (It was built the following year by others and became Foundation Lending's office).  
Throughout our ownership I never witnessed any surface water flowing across any of the referenced properties. I even bored a shallow hole (about 3 ft deep) in the lowest part of the valley of the purported drainage way on tax lot 6300, to inspect potential water flow throughout the winter months of 1999-2000. I never observed any surface water flow and the shallow hole never filled with water, even during storm events. I asked the neighbor of tax lot 6200 if he had ever seen rain water migrating across the back of his property. He said "No". I think he said that he had lived there between 6 and 10 years, but I don't remember exactly.

2. Geotechnical investigation of tax lots 6400 and 6500:

I have attached copies of the four borings which I personally logged the soil lithology and measured depth to groundwater. These holes were drilled in September of 1999

and the reports were filed with State of Oregon, Water Resources Department. The map shows their locations. Of particular interest is HS1, which was located very close to the purported drainage way. I measured groundwater at 19.9 feet below ground surface after 23 hours of open hole. Also, note that the underlying soil is silty loam (ML) which drains fairly well. I observed no hydric soils anywhere across tax lots 6500 and 6400, after we cleared the site and drilled these borings.

3. City review of our application to build the commercial building:

The City staff raised the issue of the purported drainage way, during the design review process. At first it seemed reasonable and I expected to see a catch basin on the side of Highway 43. However, no catch basin exists on Hwy 43 anywhere near this drainage way, and there is no outfall into the drainage way. We stripped the vegetation at time of clearing the lots, so I know for sure that there was no outfall. The City map was obviously an old (undated) hand drawn map with the drainage way shown. It may have been created before Hwy 43 was built or widened. I vaguely recall a phone call to ODOT wherein they stated that the intermittent springs beneath the highway had been intercepted and piped toward the I-205 Bridge.

In conclusion, the City staff and I agreed that there was no observed surface water flow within the drainage way (at least at this location), no existing hydric soils, no existing hydric vegetation and no observed spring water or stormwater outfalls. The City approved the building of the commercial building as close to the purported drainage way without any setbacks. Hence, we obtained 10 feet of tax lot 6600 and the building was eventually built abutting the south and east property lines of the extended tax lot 6400. See attached survey map, dated Dec 7, 1999.

I hope this information helps the decision making process. For any further questions, I may be contacted at 503-523-8836.

Sincerely,



Robert D Miller, RG, LHG  
*Environmental Consultant*  
*Former Property Owner*



OF HOLLY STREET, AS DETERMINED BY THE PLAT OF TRACTS 1 TO 34 INC. OF UNIT "D" OF WEST OREGON CITY, PLAT No. 469, WHICH IS SHOWN AS NORTH 78°20'00" EAST ON THE ATTACHED MAP.

THE PURPOSE OF THIS SURVEY WAS TO MONUMENT A PROPOSED PROPERTY LINE ADJUSTMENT SURVEY BETWEEN THOSE TRACTS OF LAND DESCRIBED IN DEED DOCUMENTS 92-18989 AND 99-087110.

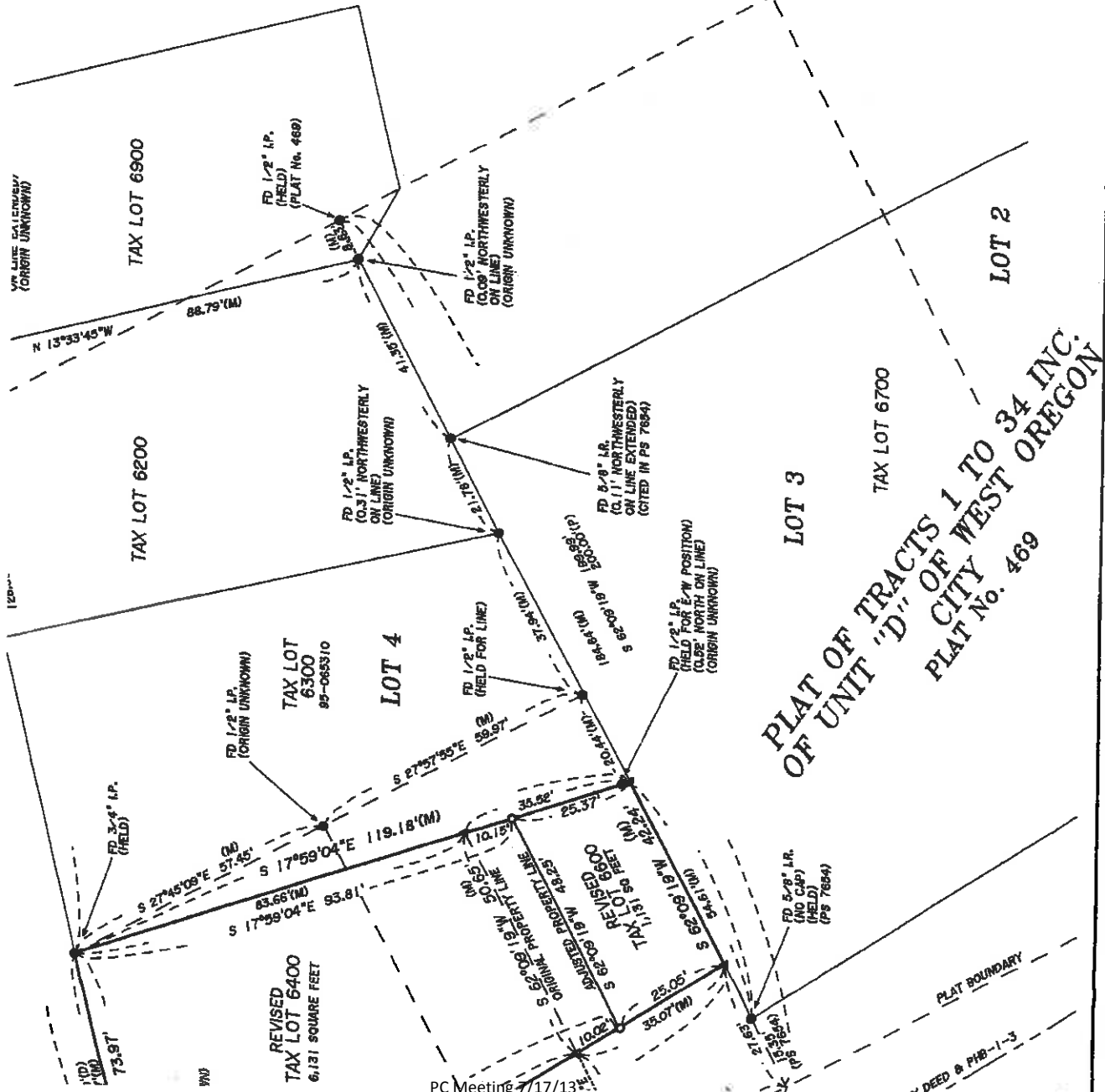
MONUMENTS AND DATA FROM RECORD SURVEY PS 26392 WERE HELD TO DETERMINE THE EXTERIOR BOUNDARIES OF THE SUBJECT TRACTS. THE LOT LINE ADJUSTMENT WAS AS PER OUR CLIENT'S INSTRUCTIONS.

**NOTES:**

ALL BEARINGS AND DISTANCES ON THE ATTACHED SURVEY MAP ARE CALCULATED, UNLESS SPECIFICALLY STATED OTHERWISE.

ALL TAX LOT NUMBERS RELATE TO THE CURRENT TAX ASSESSOR'S MAP 2 ZE 300B.

SEE PS 26392 FOR ADDITIONAL CONTROL DETAILS.



**APPROVAL**

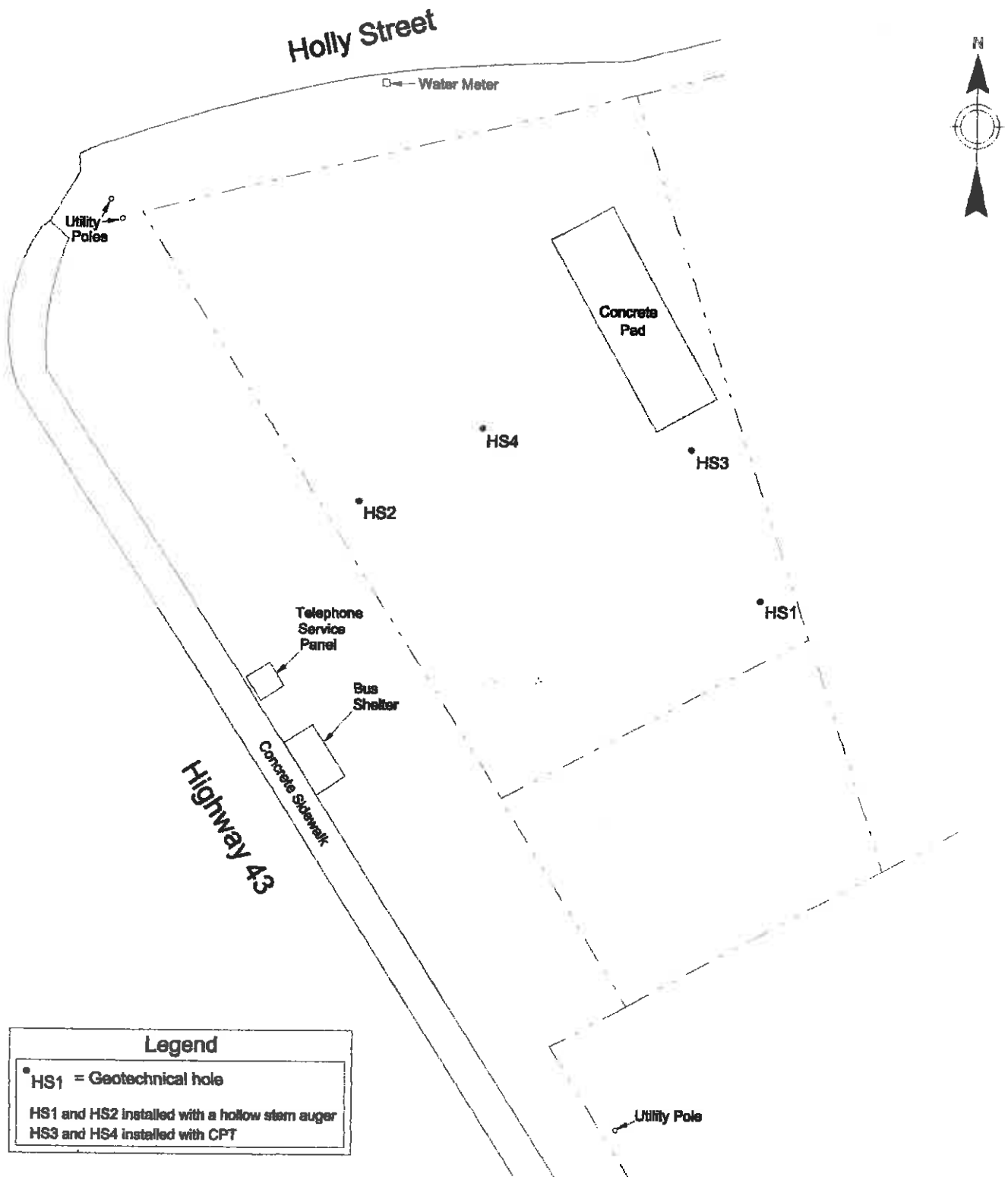
CITY OF WEST LINN PLANNING FILE No. LLA-99-12

BY: CITY OF WEST LINN PLANNING DIRECTOR DATE: \_\_\_\_\_

**LEGEND**

- MONUMENT FOUND AS NOTED
- 8-8" X 30" IRON ROD SET WITH YELLOW PLASTIC CAP MARKED "LOVE PLS 747" (MONUMENTS SET DECEMBER 2, 1999)
- (M) MEASURED DATA
- (D) DEED DATA
- (H) MONUMENT OR OTHER DATA USED FOR CONTROL
- (H) FOUND
- IP IRON PIPE
- IR IRON ROD
- CL CENTER LINE
- W/PC WITH YELLOW PLASTIC CAP
- R/W RIGHT OF WAY
- (PS XXXXX) PRIVATE SURVEY RECORD ON FILE AT CLACKAMAS COUNTY SURVEYOR'S OFFICE
- ▲ FD AND HELD 8-8" I.P. W/PC MARKED "LOVE PLS 747" SET BY PS 26392

<b>PROJECT:</b>	
PROPOSED PROPERTY LINE ADJUSTMENT BETWEEN DEED DOCUMENTS 92-18989 AND 99-067110	
<b>LOCATION:</b>	
NE 1/4 OF THE SW 1/4 OF SEC. 30, T.2S., R.2E., W.M. CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON	
<b>CLIENT:</b>	DATE: DECEMBER 7, 1999
ROBERT MILLER	SCALE: 1" = 20'
	JOB NUMBER: 99-2585
LOYE LAND SURVEYS, INC.	
P.O. BOX 307 GLADSTONE, OR 97087 (503)-666-4818	



Scale: 1' = 20'  
 Date: 09/08 & 09/10/99

**Geotechnical Hole Locations**  
 Holly Street Property  
 1584 Holly Street  
 West Linn, Oregon 97068

**STATE OF OREGON  
GEOTECHNICAL HOLE REPORT**  
(as required by OAR 690-240-035)

SE corner of lot

(1) **OWNER/PROJECT:** Hole Number HS1  
Name Bloodies Investments  
Address PO BOX 514  
City West Linn State OR Zip 97068

(2) **TYPE OF WORK**  
 New  Deepening  Alteration (repair/recondition)  Abandonment

(3) **CONSTRUCTION:**  
 Rotary Air  Hand Auger  Hollow Stem Auger  
 Rotary Mud  Cable Tool  Push Probe  Other

(4) **TYPE OF HOLE:**  
 Uncased Temporary  Cased Permanent  
 Uncased Permanent  Slope Stability  Other

(5) **USE OF HOLE:**  
Geotech

(6) **BORE HOLE CONSTRUCTION:**  
Special Construction approval  Yes  No Depth of Completed Hole 25 1/2 ft.

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
	0'	25 1/2'	DDAG			

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Filter Pack placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of pack \_\_\_\_\_

(7) **CASING/SCREEN:** N/A

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Screen:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Slot size \_\_\_\_\_

(8) **WELL TEST:** N/A  
 Pump  Bailer  Air  Flowing Artesian  
Permeability \_\_\_\_\_ Yield \_\_\_\_\_ GPM  
Conductivity \_\_\_\_\_ PH \_\_\_\_\_  
Temperature of water \_\_\_\_\_ °F/C Depth artesian flow found \_\_\_\_\_ ft.  
Was water analysis done?  Yes  No  
By whom? \_\_\_\_\_  
Depth of strata analyzed. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Remarks: \_\_\_\_\_

(9) **LOCATION OF HOLE by legal description:**  
County Clatsop Latitude 45° 21' 54" Longitude 122° 36' 36"  
Township 2 N or S Range 2 E or W. WM.  
Section 30 NE 1/4 of SW 1/4  
Tax Lot 6400 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) \_\_\_\_\_  
1584 Holly St. West Linn, OR  
Map with location identified must be attached

(10) **STATIC WATER LEVEL:**  
19.9 ft. below land surface. (23 hrs) Date 9/9/99  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) **SUBSURFACE LOG:**  
Ground Elevation 110

Material Description	From	To	SWL
<u>ML - Brown silty loam (soft)</u>	<u>0</u>	<u>23 1/2</u>	
<u>rock - weathered basalt</u>	<u>23 1/2</u>	<u>25 1/2</u>	
<u>Auger refusal @ 25 1/2' depth</u>			

Date Started 9/8/99 Date Completed 9/8/99

(12) **ABANDONMENT LOG:**

Material Description	From	To	Sacks or Pounds
<u>Bentonite</u>	<u>0</u>	<u>23 1/2</u>	<u>200 lbs</u>

Date started 9/9/99 Date Completed 9/9/99

**Professional Certification**  
(to be signed by a licensed water supply or monitoring well constructor, or Oregon registered geologist or civil engineer).  
I accept responsibility for the construction, alteration, or abandonment work performed during the construction dates reported above. All work performed during this time is in compliance with Oregon's geotechnical hole construction standards. This report is true to the best of my knowledge and belief.  
License or Registration Number 10230  
Signed Robert A. Miller Date 9/9/99  
Affiliation \_\_\_\_\_

**THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK**  
ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER

**STATE OF OREGON**  
**GEOTECHNICAL HOLE REPORT**  
 (as required by OAR 690-240-035)

middle west property line

(1) OWNER/PROJECT: Blondies Investments Hole Number HSZ  
 Name Blondies Investments  
 Address PO Box 514  
 City West Linn State OR Zip 97148

(2) TYPE OF WORK  
 New  Deepening  Alteration (repair/recondition)  Abandonment

(3) CONSTRUCTION:  
 Rotary Air  Hand Auger  Hollow Stem Auger  
 Rotary Mud  Cable Tool  Push Probe  Other

(4) TYPE OF HOLE:  
 Uncased Temporary  Cased Permanent  
 Uncased Permanent  Slope Stability  Other

(5) USE OF HOLE:  
Geotech

(6) BORE HOLE CONSTRUCTION:  
 Special Construction approval  Yes  No Depth of Completed Hole 26 ft.

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
	0	26	none			

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
 Filter Pack placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of pack \_\_\_\_\_

(7) CASING/SCREEN: n/a

	Diameter	From	To	Gauge				
					Steel	Plastic	Welded	Threaded
Casing:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Screen:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Slot size \_\_\_\_\_

(8) WELL TEST: n/a  
 Pump  Bailer  Air  Flowing Artesian  
 Permeability \_\_\_\_\_ Yield \_\_\_\_\_ GPM \_\_\_\_\_  
 Conductivity \_\_\_\_\_ PH \_\_\_\_\_  
 Temperature of water \_\_\_\_\_ °F/C Depth artesian flow found \_\_\_\_\_ ft.  
 Was water analysis done?  Yes  No  
 By whom? \_\_\_\_\_  
 Depth of strata analyzed. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Remarks: \_\_\_\_\_

(9) LOCATION OF HOLE by legal description:  
 County Clackamas Latitude 45° 21' 54" Longitude 122° 36' 36"  
 Township 2 N or (S) Range 2 (E) or W. WM.  
 Section 30 NE 1/4 of SW 1/4  
 Tax Lot 6400 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) 1584 Holly St, West Linn, OR

Map with location identified must be attached

(10) STATIC WATER LEVEL: not recorded  
 \_\_\_\_\_ ft. below land surface. Date \_\_\_\_\_  
 Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) SUBSURFACE LOG:  
 Ground Elevation 114'

Material Description	From	To	SWL
ML - V. loose fill - silt	0	1'	
ML - Brown silty loam (soft)	1'	16'	
weathered rock layer	16'	17 1/2'	
Sm - Brown silty f. sand	17 1/2'	25'	
Sm - Dense weathered sand	25'	26'	

Date Started 9/8/99 Date Completed 9/8/99

(12) ABANDONMENT LOG:

Material Description	From	To	Sacks or Pounds
Bentonite	0'	26'	200 lbs

Date started 9/8/99 Date Completed 9/8/99

**Professional Certification**  
 (to be signed by a licensed water supply or monitoring well constructor, or Oregon registered geologist or civil engineer).  
 I accept responsibility for the construction, alteration, or abandonment work performed during the construction dates reported above. All work performed during this time is in compliance with Oregon's geotechnical hole construction standards. This report is true to the best of my knowledge and belief.  
 License or Registration Number 10230  
 Signed Robert D. Miller Date 9/9/99  
 Affiliation \_\_\_\_\_

**THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK**

ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER

**STATE OF OREGON**  
**GEOTECHNICAL HOLE REPORT**  
 (as required by OAR 690-240-035)

(1) OWNER/PROJECT: Hole Number H53  
 Name FLONDIS INVESTMENTS  
 Address PO BOX 514  
 City WEST Linn State OR Zip 97148

(2) TYPE OF WORK  
 New  Deepening  Alteration (repair/recondition)  Abandonment

(3) CONSTRUCTION:  
 Rotary Air  Hand Auger  Hollow Stem Auger  
 Rotary Mud  Cable Tool  Push Probe  Other

(4) TYPE OF HOLE:  
 Uncased Temporary  Cased Permanent  
 Uncased Permanent  Slope Stability  Other

(5) USE OF HOLE:  
Geotech

(6) BORE HOLE CONSTRUCTION:  
 Special Construction approval  Yes  No Depth of Completed Hole 25 ft.

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
2"	0	25	<del>None</del> BEST/CEMENT GROUT	25	0	14.1 #/GAL

Backfill placed from 25 ft. to 0 ft. Material BEST/CEMENT GROUT  
 Filter Pack placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of pack \_\_\_\_\_

(7) CASING/SCREEN:

	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Screen:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Slot size \_\_\_\_\_

(8) WELL TEST:  
 Pump  Bailer  Air  Flowing Artesian  
 Permeability \_\_\_\_\_ Yield \_\_\_\_\_ GPM \_\_\_\_\_  
 Conductivity \_\_\_\_\_ PH \_\_\_\_\_  
 Temperature of water \_\_\_\_\_ °F/C Depth artesian flow found \_\_\_\_\_ ft.  
 Was water analysis done?  Yes  No  
 By whom? WFA  
 Depth of strata analyzed, From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Remarks: \_\_\_\_\_

(9) LOCATION OF HOLE by legal description:  
 County CLATSOP Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 2 N or (S) Range 2 (E or W. WM.)  
 Section 30 NE 1/4 SW 1/4  
 Tax Lot 640 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) 1584 HOLLY ST WEST LINN OR

Map with location identified must be attached

(10) STATIC WATER LEVEL:  
 \_\_\_\_\_ ft. below land surface NA Date \_\_\_\_\_  
 Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) SUBSURFACE LOG:  
 Ground Elevation \_\_\_\_\_

Material Description	From	To	SWL
SILTY SAND	0	16	
SAND SILT	16	25	

Date Started 9/10/99 Date Completed 9/10/99

(12) ABANDONMENT LOG:

Material Description	From	To	Sacks or Pounds
BEST/CEMENT GROUT	25	0	14.1 #/GAL

Date started 9/10/99 Date Completed 9/10/99

**Professional Certification**  
 (to be signed by a licensed water supply or monitoring well constructor, or Oregon registered geologist or civil engineer).

I accept responsibility for the construction, alteration, or abandonment work performed during the construction dates reported above. All work performed during this time is in compliance with Oregon's geotechnical hole construction standards. This report is true to the best of my knowledge and belief.

License or Registration Number 10959

Signed Wiem C Mu Date 9/27/99

Affiliation WANDERLY SOIL EXPANSION

**THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK**

ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER





## Soppe, Tom

---

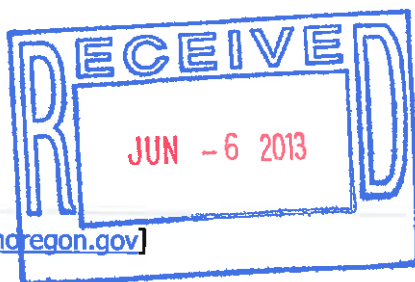
**From:** BRUMLEY Seth A [Seth.A.BRUMLEY@odot.state.or.us]  
**Sent:** Thursday, June 06, 2013 1:46 PM  
**To:** Soppe, Tom  
**Cc:** BAUMGARTNER Douglas G  
**Subject:** RE: New application on Highway 43

Hi Tom,

I checked with our traffic analyst and we will not be requesting a full traffic analysis. We may ask for additional information as part of the approach permit process, but not a full TIA.

Thank you,

Seth Brumley  
Associate Planner  
ODOT Region 1  
123 NW Flanders St.  
Portland, OR 97209  
(503) 731-8234



---

**From:** Soppe, Tom [<mailto:tsoppe@westlinndregon.gov>]  
**Sent:** Tuesday, May 21, 2013 8:53 AM  
**To:** DANIELSON Marah B  
**Subject:** New application on Highway 43

Marah,

I wanted to let ODOT know about a new Design Review application that has come in on Highway 43. It is at an existing gas station, and involves converting the existing building from auto mechanic service to convenience sales.

In addition to the heads up for you, our code cites ODOT wanting a traffic study as a reason for us to require a traffic study. Per our other rules it looks like this won't necessarily require one, so it would be good to know if ODOT wants it to have one. Could you let me know whether that is the case in the next 20 days as we do our application completeness review?

The appropriate documents for the submittal are attached.

Thanks  
Tom