

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
March 15, 2012

SUBJECT: Class I Design Review and Class II Variances for changes to McDonald's site at 2100 Eighth Court to accommodate an additional drive through/take out lane. Changes to landscaping, parking spaces and the trash enclosure are also proposed.

ATTENDEES: Applicants: Richard Dugie, Dave Ferguson
Staff: Tom Soppe (Planning)

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

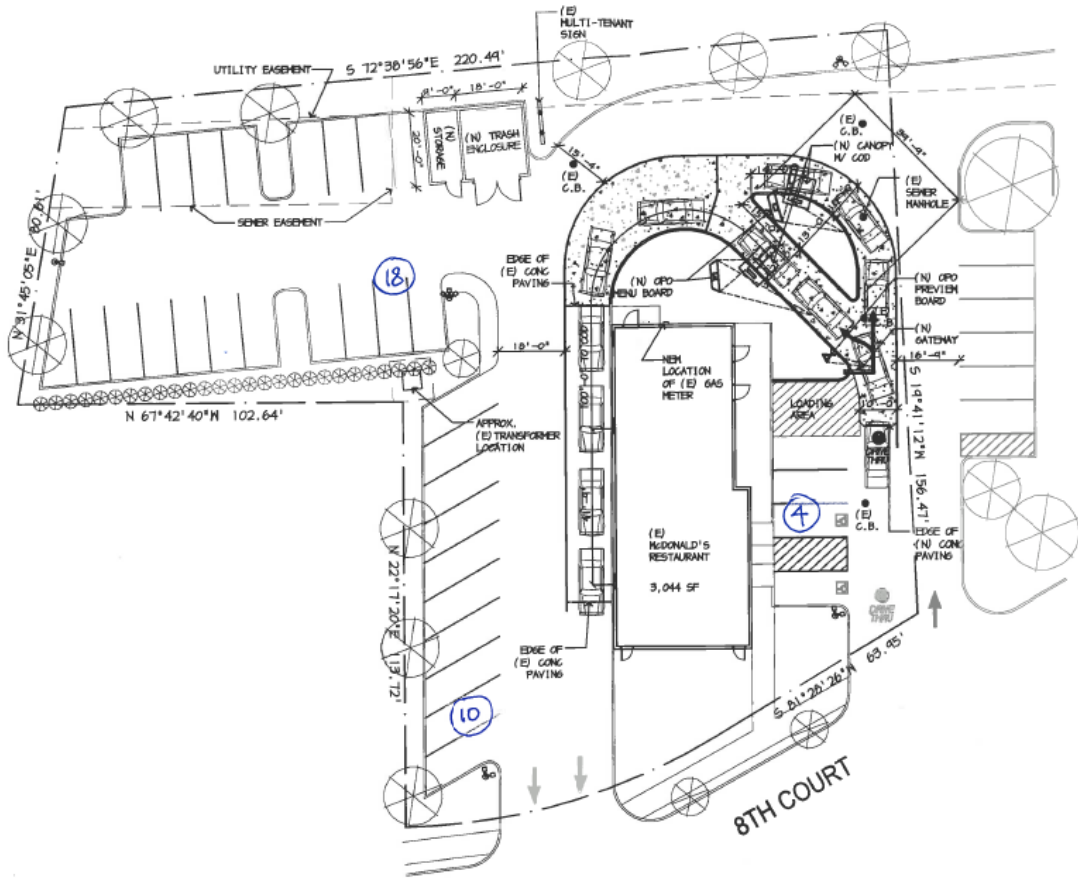
Project Details

McDonalds' current site plan accommodates one drive-through/take out lane. McDonald's would like to add a second lane with a second menu board and ordering system to expedite food service. The two lanes would then merge back into one lane as they proceed to the payment and food pickup windows.

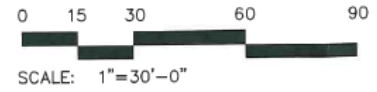
The Community Development Code (CDC) has established minimum widths for driveway lanes and parking lot maneuvering. CDC section 46.150(F) requires a minimum width of 23 feet to accommodate cars backing out of a 90 degree angle parking space. The width, as first proposed by McDonald's, is only 16 feet nine inches which does not meet the standard. Drive through/take out lanes must be at least 12 feet wide per CDC 48.040(A)(4). The applicant proposes one of the lanes is proposed to be 10 feet wide and would not meet the standard.

The applicant submitted a plan at the pre-app which improved on the previously submitted plan by increasing the space between the drive-through lanes to 23 feet, but another plan with both drive-through lanes at 12 feet (one is still shown at 10) is necessary as part of the application for it to meet the provisions of Chapter 46.

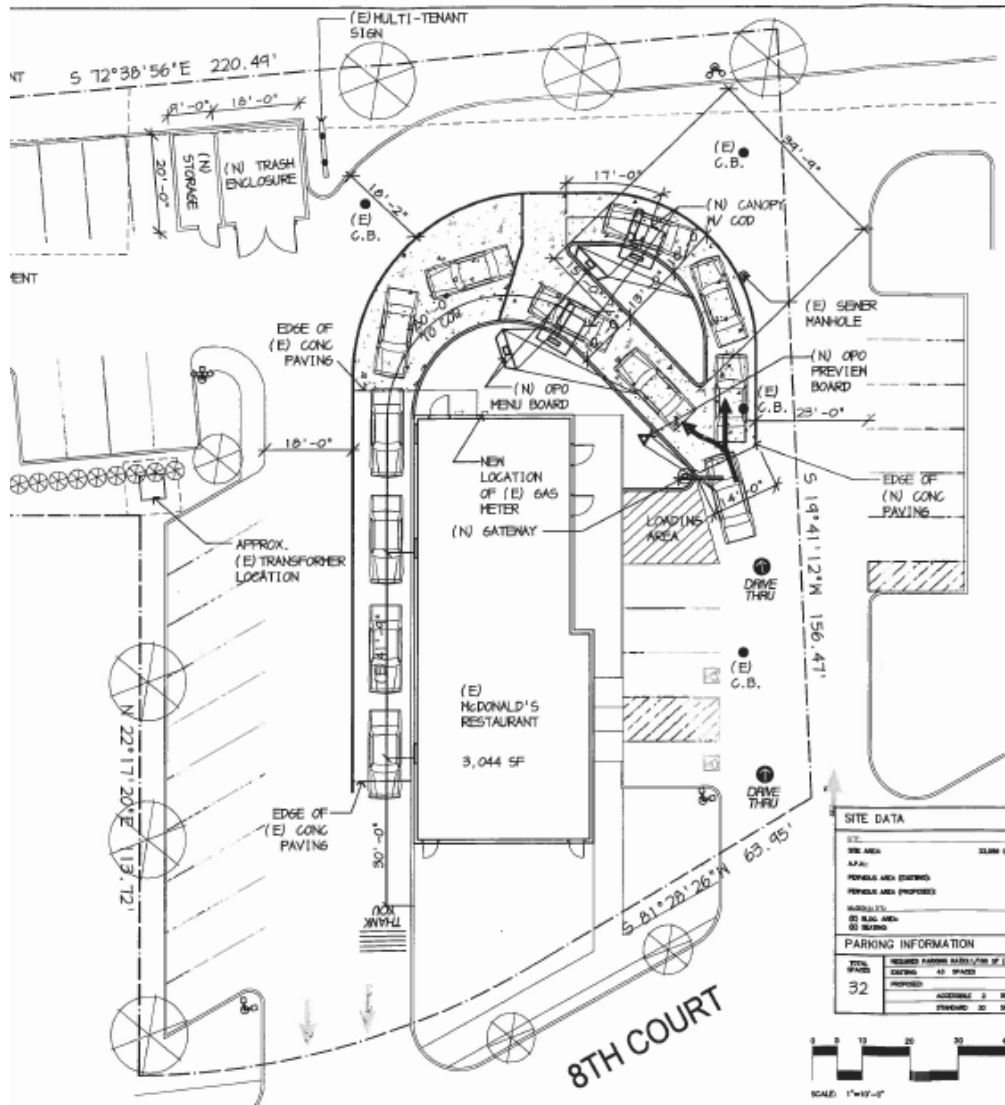
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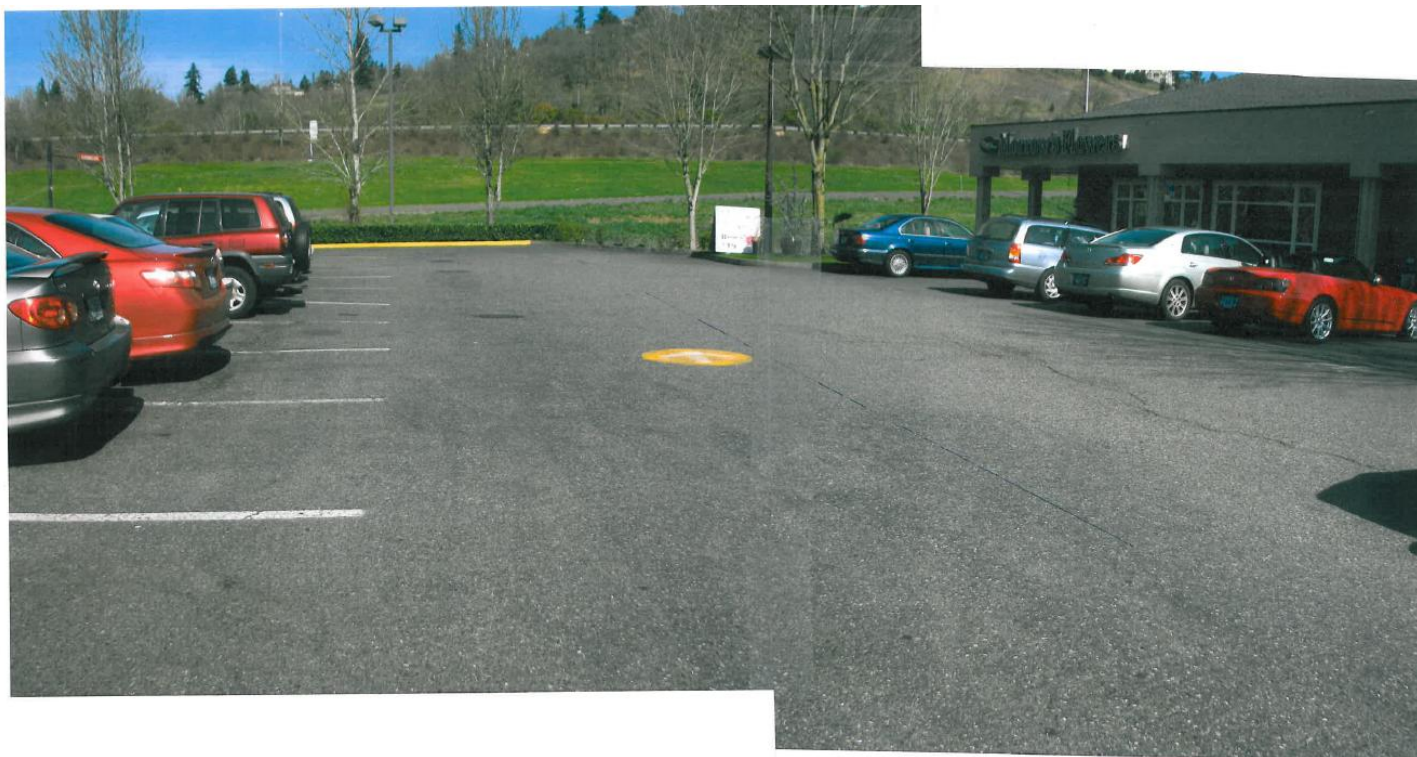
1 PROPOSED SITE PLAN
SP1 1" = 30'-0"



Re-submitted at conference:



Staff visited the site and observed cars backing out of the retail center's parking spaces. Most of the mid-sized cars (12-14 feet long) went beyond the 16 foot nine-inch mark in the original proposal. Staff can support a proposal where both required minimums (23 foot parking aisle, 12 foot drive-through lanes) are met but may want to participate in a field check of this area before the applicant submits the application to be sure to be sure these dimensions can be achieved.



There are three additional issues that need to be addressed, but none adversely impact the application.

- Parking: Staff was concerned about parking at this site but in reviewing the original file (DR-95-13) found that 28 spaces are required per code and 32 spaces would remain even with the elimination of eight spaces per the drive through re-design.
- Landscaping: Landscaping will be modified near the menu boards and in the proposed island. There will be no net loss of landscaping square footage. A new landscape plan is required to meet Chapter 52 standards. Sidebar: The elimination of landscaping to build the new lane is off-set by a new larger landscaped island. However if the landscaped island is further diminished in size due to the widening of drive-through lanes to 12 feet, the applicant should demonstrate that there is still over 20% landscaping on site.

- Trash Enclosure: The trash enclosure would be relocated. The standards of 55.100(1)(5) would apply.



Design Options

To meet the parking and driveway dimensional requirements, the parking at the retail center to the east and McDonalds could be modified to a 30 or 45 degree angle parking. Per CDC 46.150(F) this would allow the aisle to be reduced from 23 feet down to 12.5 feet. This new design would, however, result in the loss of at least two parking spaces for the retail center and at least two spaces on the McDonald's side. Staff has not done the parking calculations to see if the retail center has adequate or surplus parking to allow the loss of two or more spaces. The applicant should work with the next door property owner on coordinating a solution that will work and that would meet the CDC for both properties., if this option is explored.

Required Permits

Current site plan-

If the applicant wishes to proceed, Class I Design review and a Class II Variances would be required with the current submitted site plan. The variances would trigger a public hearing before the Planning Commission. The proposal meets the applicability standards for a Class I Design Review per CDC 55.020:

"55.020 APPLICABILITY

This chapter provides two levels of design review: Class I and Class II. Class I design review applies to land uses and activities that require only a minimal amount of review. Class II design

review is reserved for land use and activities that require comprehensive review. Class I design review applies to the following land uses and activities:

H. Addition or reduction of parking stalls.¹

I. Revised parking alignment.¹

J. Revised circulation.¹

L. Modification of Landscape Plan

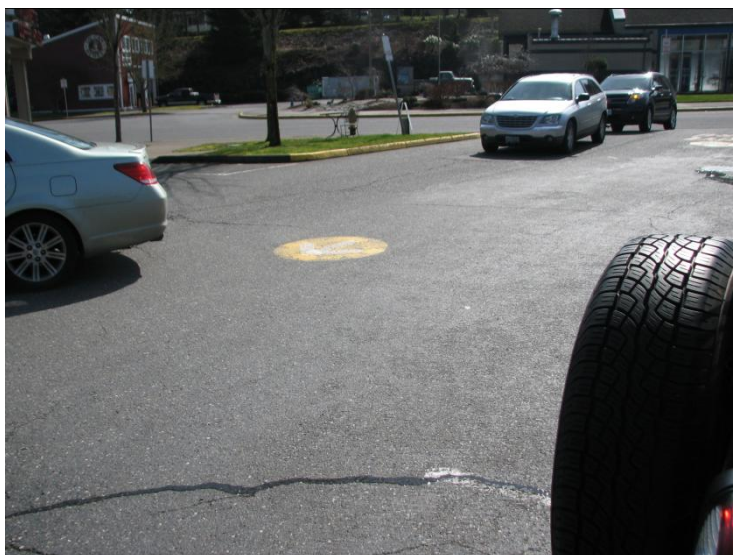
Q. Other land uses and activities may be added if the Planning Director makes written findings that the activity/use will not increase off-site impacts and is consistent with the type and/or scale of activities/uses listed above.”

Staff would make the case that 55.020(Q) applies to the new menu boards and speaker systems since they are minor additions and would be appropriately addressed under Class I Design Review per 55.020(Q). Similarly, the relocation of the trash enclosure is a minor addition.

The Class II Variance would be for an inadequate width take out aisle of ten feet when 12- feet is required.

Anticipated modified site plan-

If both drive-through lanes are 12 feet wide and the parking lane still 23 feet wide in a the application site plan, and if field checks and possibly a survey show that this is indeed doable on site, only a Class I Design Review is needed. With no variance, a Class I Design Review is a Planning Director decision. The discussion of the Design Review applicability standards above would still apply.



Process

Class I Design Review and one Class II Variance is required if the proposed design continues to have less than 12 feet of width in a drive through lane.

No neighborhood meeting is required per CDC 99.038. However, these meetings are always encouraged to solicit public input and make the public more informed of an applicant's plans. The site is in the Willamette Neighborhood Association (WNA). Contact Beth Smolens, WNA President, at Willametteneighborhood@gmail.com.

The Class I Design Review will require a full and complete response to the submittal requirements per CDC 55.070((D) (1), E-F), (no site analysis is required). Submittal requirements may be waived but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Director and must identify the specific grounds for that waiver. The waiver may or may not be granted by the Planning Director.

The approval criterion is identified in Section 55.090. This should include responses to 55.090(A) (2) and (3), and 55.090(B). Staff has determined that, per 55.090(A)(3), the applicant shall address the parking and access standards of 46.150(F), 46.150(9), 46.150(21), 48.040(A)(4), 55.100(I)(5) and 54.020(E).

The Class II Variance would seek relief from the drive through aisle width of 12 feet. The submittal requirements and approval criteria of CDC Chapter 75 apply. N/A is not an acceptable response to the approval criteria.

The CDC is online at <http://westlinnoregon.gov/planning/community-development-code-cdc>.

Prepare the application and submit to the Planning Department with deposit fees of \$1,050 for design review plus a \$300 inspection fee. If the variance is needed, also submit a deposit fee of \$1900 for the variance. Submit a completed application form as well.

PLEASE NOTE that the deposit fees quoted represent an initial deposit. Staff time is charged against this deposit. It is common for there to be more staff time spent on development applications than deposits cover, and therefore additional billing is possible.

If a variance is needed and applied for, the Planning Director will send out public notice (20 day minimum) of the Planning Commission hearing upon application completeness. If a variance is not included, Class I Design Review is a Planning Director decision with a 14-day public notice period. The Planning Director will send out a notice soliciting comments after application completeness, in this case. A Planning Director or Planning Commission decision may be appealed by the applicant or anyone with standing to City Council, requiring at least one City Council hearing.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required. Any code amendments to the CDC during that period would have to be addressed by the applicant and could affect the proposal.

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

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed.

Preap-PA-12-06 McDonalds summary