

**City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
February 21, 2013**

SUBJECT: Starbucks Drive Through at 19068 Willamette Drive

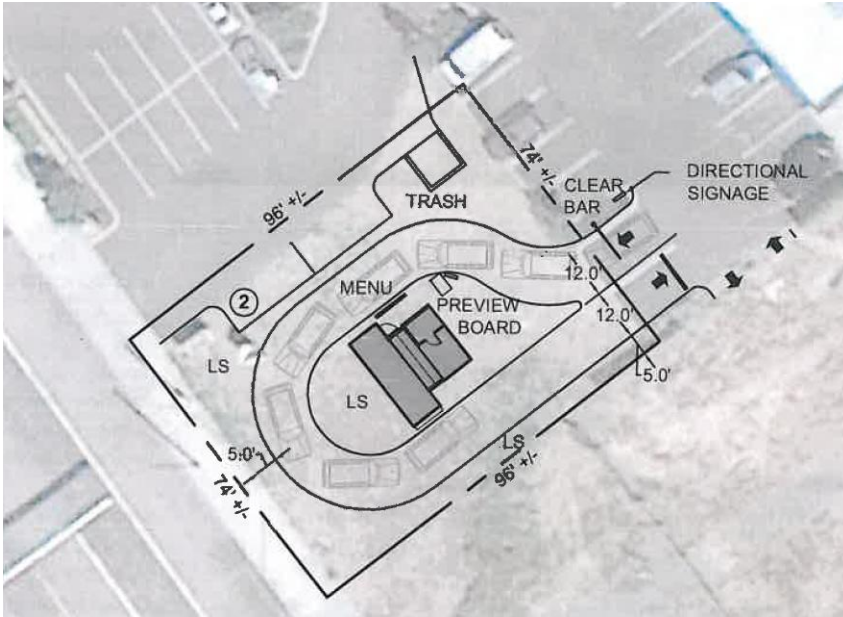
ATTENDEES: Applicants: Leslie Mitchell, Asha Farah, Elizabeth Hughes, Dan Bozich, Doug Seely
Staff: Khoi Le (Engineering), Peter Spir (Planning), Dave Davies (Building)

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



The proposal is to construct a 300+ square foot Starbucks "drive through only" facility on a vacant 74 X 96 foot (7,104 square feet) commercial site at 19068 Willamette Drive (see proposed design below).



The commercial site was approved in 2006 as part of a larger commercial project comprising about 12,500 square feet of commercial space known as Willamette Village. All of the building sites have been built upon with the exception of this one. The building site fronts on Willamette Drive so it enjoys good visibility.



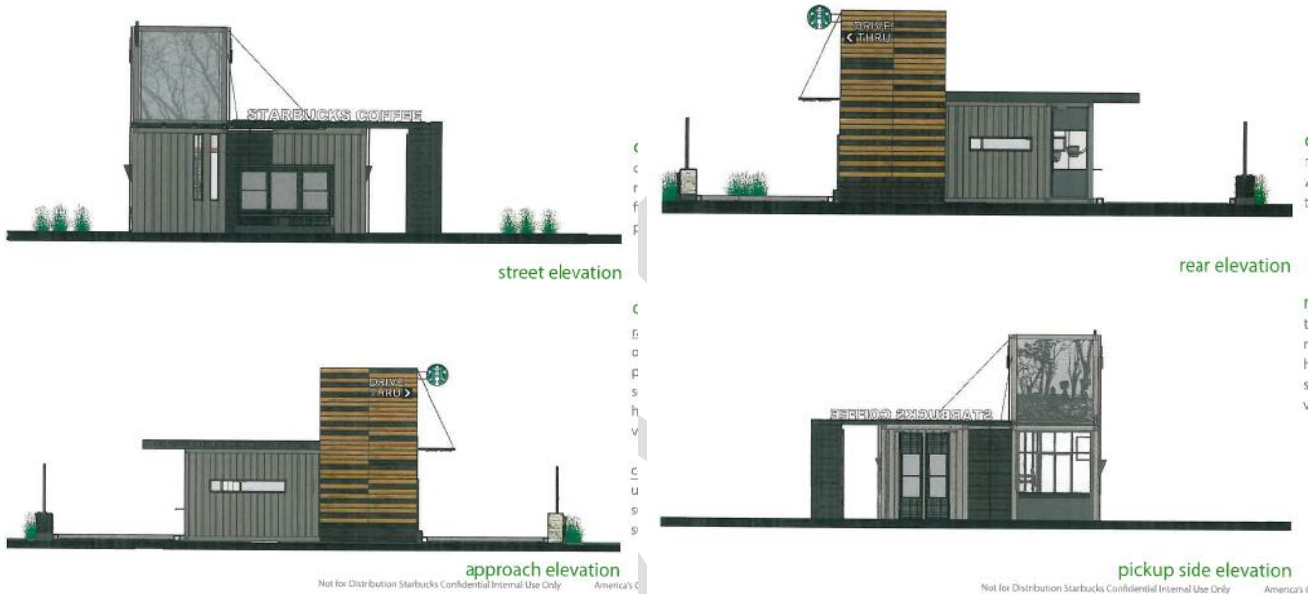
The zoning is General Commercial (GC). The drive through Starbucks approximates the definition of an “eating and drinking establishment” which is allowed as a “permitted use”. Class II Design Review is required as well as nine Class II Variances if the current design is pursued. Even if there is a re-design to eliminate the variances, Class II Design Review requires a hearing before the Planning Commission.

The site is flat with nothing more than volunteer ground cover, grass and weeds (see photo above). There are no trees on the site. All utility, parking, access and other infrastructure was put in place subsequent to the approval of the commercial project. A 24-foot wide driveway and pedestrian

facilities connecting Willamette Village and the Chase Bank site, immediately to the south, are currently under construction. A mutual access easement has been established for the benefit of customers of both properties.

Design and Site Plan discussion

Here are the proposed elevations:



Although staff finds the use of a modular design innovative and the building design attractive, the building does not work on this site as proposed. It is set back from the street and encircled by driveways. Our design review chapter was written to address the Oregon Transportation Planning Rule requirements and the community desire to downplay the automobile and create a more attractive, human scale streetscape. Buildings are expected to be constructed at the edge of the Willamette Drive ROW. Design review does not permit drive through aisles between the business and the public ROW. (The Willamette Village was approved in 2006 based on a site plan that showed a building on this site with no setback. If that assurance had not been provided, the 2006 application would have been recommended for a denial.)

There is also a transparency requirement that 60 percent of the front elevation and 30 percent of side elevations visible from the ROW comprise windows at the pedestrian level. The specific code sections that argue against this design are 55.100(B)(6)(b)(e)(f)(i) and 55.100(B)(7)(a)(c)(f)(h). Comprehensive Plan goals and policies also would not support the design. Any design that diverges from the required standards listed above will require a Class II Variance from each of the eight standards.

There is also a reservoir requirement for drive-through windows in section 46.110. It requires 10 spaces (15 feet long) per service window. There is no rational basis for this code requirement. No drive through restaurants in West Linn meet this standard. Also, the number of cars queuing at a drive through is self regulating: in that very few people will stop to use a drive through if the line is over five, let alone 10 cars long. Nonetheless, it is a requirement that will require a Class II Variance. Staff will support this particular variance.

Since there is no inside service planned, no public access is shown. This runs afoul of the requirement for access/doorways on the front elevation. Providing a take-out window facing Willamette Drive is an option (see example in photo below); however a variance would still be required. There is still the expectation of an eight-foot wide continuous overhang protecting pedestrians on Willamette Drive. Overhangs need eight feet vertical clearance.

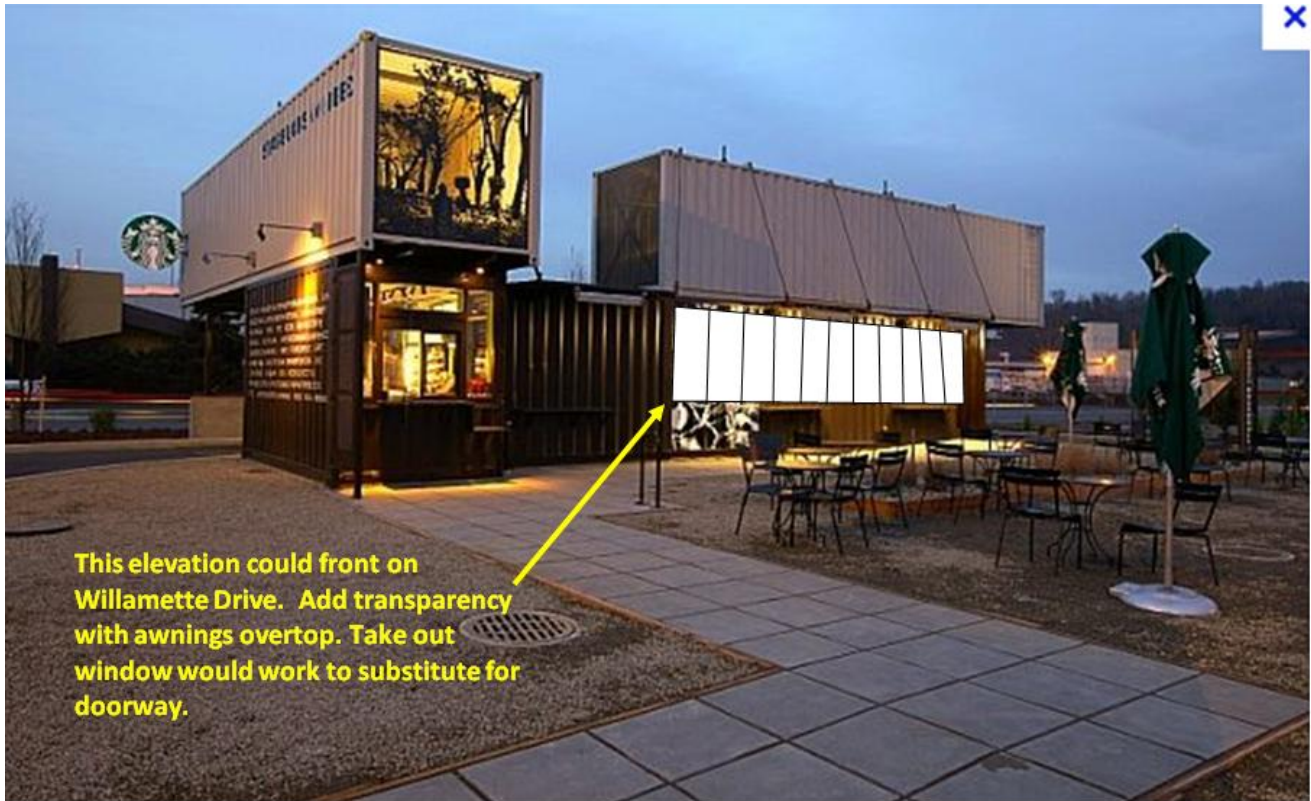
As stated earlier, the choice of reclaimed lumber as a building material is an attractive idea, as is the modular design. The concern is that the architecture of the building, as seen from Willamette Drive at walking pace, will be akin to a blank wall: a dead space. (We have enough of that architecture already and want to move forward to an improved state.) Staff also notes that the proposed design reserves more attractive materials for the drive through approach and rear elevations which really communicates the indifference to the streetscape and non-customers.

Staff researched and found a number of good looking and functional drive through designs that Starbucks have recently constructed. Some looked like they could be adapted to this site and meet West Linn's CDC requirements.



A Starbucks drive-through store in Seattle

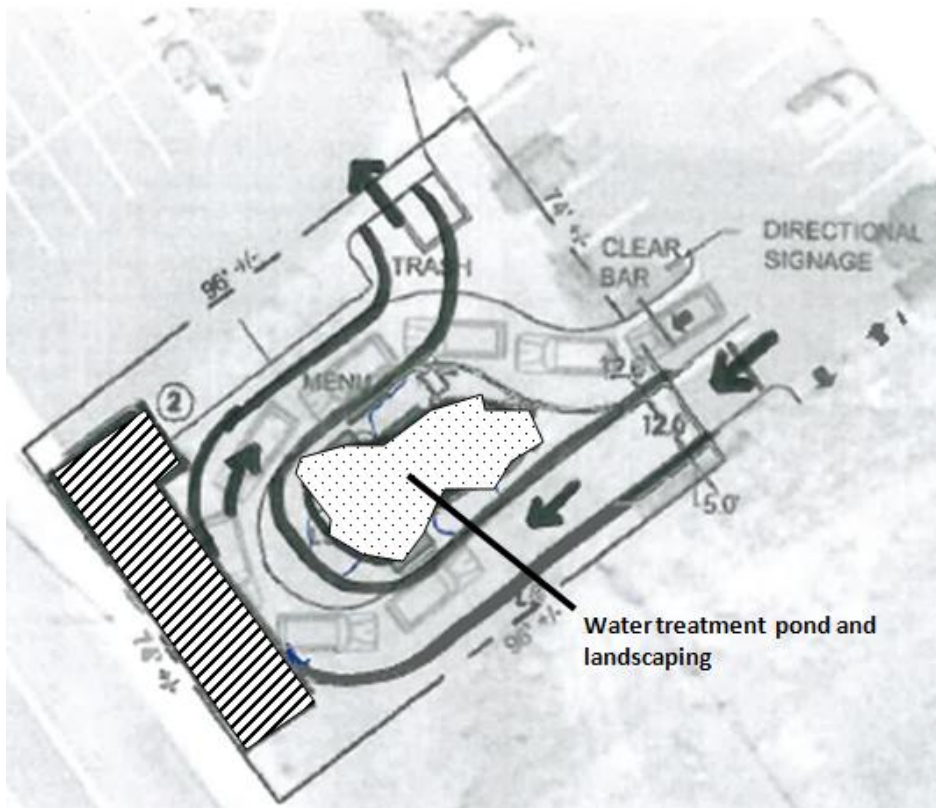
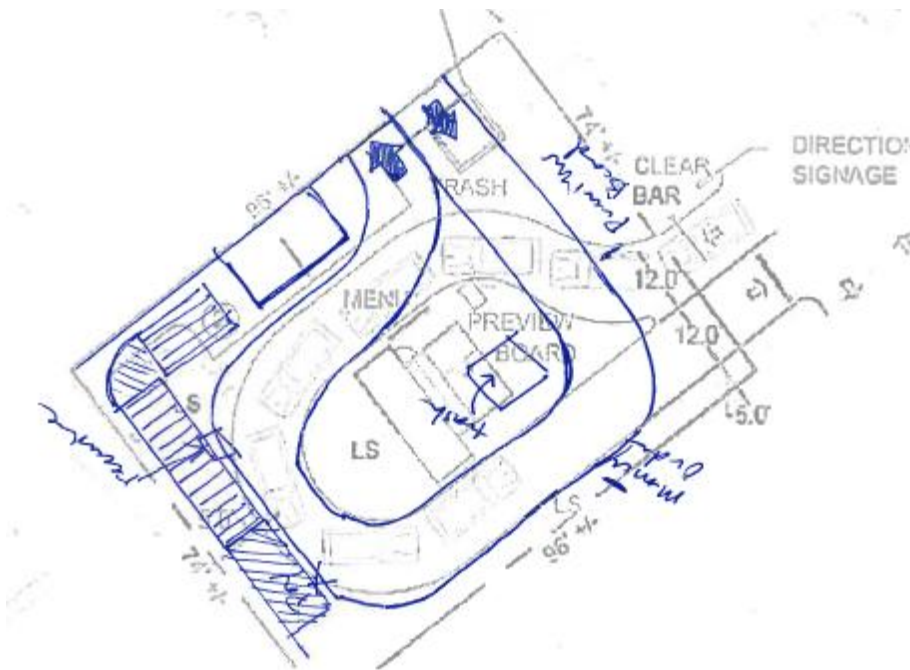
Even the proposed modular design could be reconfigured, as in the example below:



Deference to nearby architecture is also required. The US Bank and Chase Bank designs that flank this site are similar in materials, awnings, transparency and minimal setback.



The site plan can be rearranged to meet the CDC by putting the building next to Willamette Drive and keeping the circulation behind it. Here are two options:



Noise, Traffic and Parking

A noise study by acoustic engineers Daley, Stanlee and Associates was conducted in 2006 for the site. The acoustic engineers found that DEQ standards would be met and that there was no need for noise mitigation based on the anticipated tenants. Staff notes that the site will be acoustically screened to the south by the new Chase Bank and to the east and north by the other commercial buildings in

Willamette Village. Staff finds that a similar drive through at McDonalds, 650 feet north on Willamette Drive, which operates from 6am to 11 pm met DEQ noise standards. The McDonalds drive through aisle is on the east and north side of that building. McDonalds was required to install a CMU noise wall on the rear or east side to reduce noise levels to acceptable levels with homes 200 feet away. The proposed Starbucks drive through is 140 feet from the nearest homes at the northwest and southwest corner of Willamette Drive and Walling Circle.

Staff will require a noise study to demonstrate that DEQ standards will be met. The noise study must consider traffic noise, HVAC and food/beverage supply truck noise for 7am-7pm and 7pm -7am. Staff is also concerned about the cycling on and off of HVAC equipment.

Effective visual screening of HVAC units will be required to extend at least one foot above HVAC units.

A Traffic Impact Analysis (TIA) by Lancaster Associates anticipated that a weekday ADT of 554 trips. It expected that the vacant pad, proposed to be used by Starbucks, would be occupied by a restaurant. A TIA is required when there is an increase in the baseline (554) number of trips by 250 trips per day. Based on ITE Trip Generation Tables (category 938), this use is not going to increase the anticipated ADT for this pad by more than 80 trips per day (based on the high end of the ITE sample). That puts the use well short of the 250 trips. No TIA will be required. TIA aside, any trips created by this drive through will be distributed on and off site by the main Willamette Village driveway approved in 2006 as well as the shared driveway at Chase Bank.

Parking was calculated with the expectation that a 2,400 square foot retail space would occupy this site. That would yield a parking requirement for 10 spaces at one per every 240 square feet of retail. Since this is a drive through with no interior seating or food service, staff finds that section 48.090(C) (1) (b) applies:

- | | |
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| b. Take out facilities (i.e., delicatessen, coffee and pastry, pizza, Chinese food, etc.) with no more than 2 tables and 8 seats, or 12 feet of stand-up counter space, or combination thereof, so that not more than 8 persons could be accommodated at any one time. | One space for every 200 square feet of gross floor area. Take-out facilities with drive-through window and reservoir areas may reduce their parking requirement by 5 spaces. |
|--|--|

This parking standard requires four spaces (800 square foot structure divided by 200) which can be reduced by five spaces since it is a drive through only for a net parking requirement of negative one (-1). Staff notes that three parking spaces are proposed to be removed facilitate access to the site. Since this parcel had ten spaces allocated to it out of the total parking for the Willamette Village, the loss of three spaces can be absorbed and still leave seven surplus spaces (or eight spaces if we factor in the negative one requirement from 48.090(C) (1) (b)). That is more than enough to accommodate staff parking.

Reservoir area requirements of 46.110 were discussed earlier.

Trash and recycling was discussed and could be consolidated with existing facilities on site which would increase the visual attractiveness of this site.

Other

Signs, including directional drive through signs, are regulated by Chapter 52: Signs (see table and footnotes in section 52.300).

Building Permits

For information regarding building permits and system development charges please contact Dave Davies, Building Official, at 656-4211 or ddavies@westlinnoregon.gov .

Engineering Comments

- Street trees in tree wells will be required.
- Traffic count documentation.
- Water service connection.
- ODOT street cut and West Linn Public Works permits will be required for the connection of water service.
- ODOT review of tree wells required or other activity in the ROW.
- ODOT contact is Jim Nelson Phone: 971-673-2942 Email: james.a.nelson@odot.state.or.us
- Tualatin Valley Fire and Rescue (TVFR) contact is Drew DeBois. Email: drew.debois@tvfr.com
- The storm water line that runs underneath this site was approved by the City Engineer and the Planning Commission when the Willamette Village design review was approved in 2006.

Process

A neighborhood meeting is **not** required per section 99.038. You may still want to contact the neighborhood association. The Robinwood Neighborhood Association meets on the second Tuesday of the month. Contact Tony Braaco, President, at RobinwoodNA@westlinnoregon.gov .

Complete the Class II Design Review permit application forms and submit them to the Planning Department with deposit/fees based upon the fee schedule. Accompanying this will be a full and complete submittal and full response to the approval criteria per the requirements of CDC Chapters 55 (specifically 55.070, and 55.100). Additional responses the criteria of Chapter 52: Signs, Chapter 54, Landscaping, Chapter 46: Parking and Chapter 48: Access is required.

The deposit fee for Class II Design Review for projects in the \$100,000 to \$500,000 range (for the structure) is 4% of construction value (\$8,000 maximum deposit). For projects over \$500,000 the deposit fee is 4% of construction value (\$20,000 maximum deposit). Staff bills hours against the deposit and returns surplus upon conclusion of the application. If the billed hours exceed the deposit amount, the applicant will be subsequently billed that additional amount. (Construction value is determined by the building department using ICC tables.)

There are also nine Class II Variances required. The applicant will complete a separate Class II Variance application, per Chapter 75, for each of the following items:

55.100(B) (6) (b) (e) (f) (i)
55.100(B) (7) (a) (c) (f) (h)
46.110

The fee is \$2,900 for the first variance. Every other variance is charged at \$1,450 each or \$11,600 for the other eight. The total cost for all variances is \$14,500.

The City has 30 days to determine if the application is complete or not, 21 days if an expedited land division is submitted. Most applications are incomplete, usually due to inadequate responses to approval criteria or stating "NA" in response to submittal requirements or approval criteria. The applicant has 180 days to make it complete, although usually it is complete within three months of the original submittal. Once complete, the City has 120 days to exhaust all local review and appeals, 63 days if an expedited land division is submitted. Typically from the date that the application is deemed complete, the Planning Commission hearing is within six weeks.

Typical land use applications take six months from the date of an initial application to final land use approval.

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. Consequently these pre-application conference notes will be voided after 18 months.

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