

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
June 6, 2013

SUBJECT: Conditional Use Permit, Class I Design Review, and Non-Conforming approval for permanent community center use at Robinwood Station, 3706 Cedaroak Drive

ATTENDEES: Applicants: Randall Fastabend, Jack Norby, Kazi Ahmed (Friends of Robinwood Station), Ken Worcester (Parks and Recreation Department)

Review Staff: Tom Soppe (Planning Department), Khoi Le (Engineering Division)

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 site is a former fire station and community room owned by the City of West Linn. For two years it has been used as a community center via the approval of two consecutive one-year Temporary Use approvals. The applicant, Friends of Robinwood Station, is applying to permanently use this as a community center. This requires a Conditional Use approval in the R-10 zone, per Community Development Code (CDC) Section 11.060(2). This section lists "Lodge, fraternal, community center and civic assembly" as a conditional use in this zone.



Conditional Use criteria, in Section 60.070, mainly involve whether the use is appropriate for the community and whether the site is appropriate for the proposed use. For this use at this site, noise, parking, traffic, and times of use may be among the important issues in terms of analyzing effects on the surrounding residential neighborhood. Per Section 60.030(B) Design Review approval is required with any Conditional Use approval. For situations such as this where limited changes are proposed to the building or site, Class I Design Review is the appropriate type of Design Review to apply for. This is to be applied for and heard concurrently with the Conditional Use request.

Since the Temporary Use approvals, areas have been landscaped from yard into garden areas, and temporary fencing has been installed around part of the garden. These should be addressed in the application also since they each require Design Review per 55.020(L) and (C) respectively. See the list of Design Review criteria to address under the Process section below for further details.

The border between the landscaping/garden and parking areas is to be reconfigured at the southwest corner of the garden area per the applicant's submitted site plan, so this should be addressed in the Design Review submittal also; the Process section below lists the appropriate 55.090 and 55.100 sections.



The landscaping/parking boundary to be reconfigured in this area according to submitted site plan



Garden area west and south of building, with fencing

Due to the lack of landscaping in the parking lot as required by 46.150(A)(19), and perhaps due to other issues, the site is non-conforming (making the structure non-conforming in that the required parking area required for the structure is non-conforming). Because the building has been unused for several years before the

temporary use approvals and is non-conforming in at least one way related to Chapter 46, the following section of Chapter 66 applies:

**66.060 DISCONTINUANCE OR CHANGE OF CONFORMING USE IN A
NON-CONFORMING STRUCTURE**

Should the owner or occupant discontinue or change the use of a non-conforming structure, it shall be unlawful and a violation of this Code to begin or maintain such altered use until the off-street parking spaces and loading area requirements of Chapter 46, and the access, egress, and circulation requirements of Chapter 48 are met, or until the appropriate approval authority under Chapter 99 has approved the change.

Therefore the parking landscaping must appropriately be in place for the permanent use as a community center to commence, unless the applicant concurrently applies for approval to Enlarge/Alter a Non-Conforming Structure.



Western edge of parking lot

Section 60.070(C) states in part:

C. The Planning Commission may impose conditions on its approval of a conditional use which it finds are necessary to assure the use is compatible with other uses in the vicinity. These conditions may include, but are not limited to, the following:

6. Requiring street right-of-way to be dedicated and the street to be improved including all steps necessary to address future street improvements identified in the adopted Transportation System Plan.

Also 60.070 states in part:

A. The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use, except for a manufactured home subdivision in which case the approval standards and conditions shall be those specified in CDC [36.030](#), or to enlarge or alter a conditional use based on findings of fact with respect to each of the following criteria:

4. Adequate public facilities will be available to provide service to the property at the time of occupancy.

Therefore the Planning Commission's approval can require street improvements if findings show anticipated trip generation warrants these.

Please note that any future change to the building size, increase in parking, or other intensification or rearranging of the site or building will require another Conditional Use application (with the requirement of another pre-application conference and another neighborhood meeting) and either Class I or Class II Design Review (Class II for any new buildings or any increase of more than 5% in size for this building). Therefore any improvements the applicant plans for the next three years could be applied for now to avoid going through the land use process again.

Engineering Notes

SECTION 60.070 (C)

The Planning Commission may impose conditions on its approval of a conditional use which it finds are necessary to assure the use is compatible with other uses in the vicinity. These conditions may include, but are not limited to, the following:

6. Requiring street right-of-way to be dedicated and the street to be improved including all steps necessary to address future street improvements identified in the adopted Transportation System Plan.

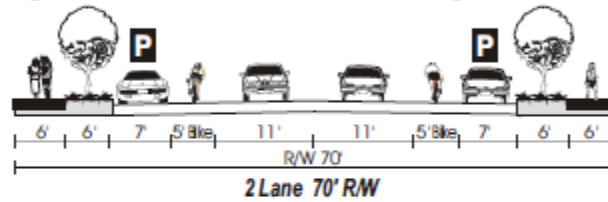
Therefore the approval can require street improvements.

CEDAROAK DRIVE

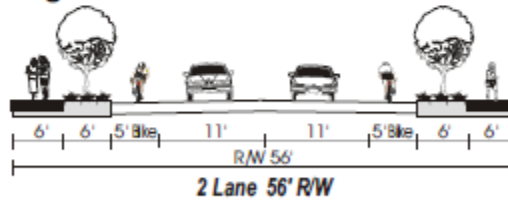
	EXISTING CONDITIONS	POTENTIAL POST DEVELOPMENT CONDITIONS
Classification	Neighborhood	Neighborhood
Right of Way Width	50'	52' Min.
Full Pavement Width	28'	28' Min.
Bike Lane	Fog Line with space for Bike without pavement marking symbol.	Combination width for travel lane and bike lane is 14' min.
Curb and Gutter	None – Along the frontage	Curb and Gutter
Planter Strip	Undefined	5.5'
Sidewalk	None	6'
Street Light	None	New street lights if Street Improvement required.
Utility Pole	Yes	New services to be placed underground
Street Tree	None	Yes
ADA Ramps	None	None
Post Speed	25 MPH	25 MPH
Stripe	Double Center Line and Fog Line	Restriping

Green street variations of each cross section may be recommended by the City Engineer or Planning Director. These variations may include replacing the standard six foot planter strip with a five and a half to eight foot wide rain garden, or swale, or substituting the concrete sidewalk for an asphalt pathway and in some cases providing such a pathway on only one side of the street.

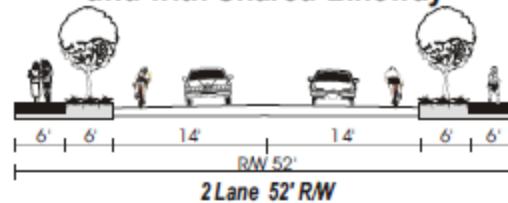
Neighborhood Route With Parking & Bike Lane *



Neighborhood Route Without Parking *



Neighborhood Route Without Parking * ** and with Shared Bikeway



Standards Neighborhood Route

Vehicle Lane Widths:	10-12 ft.
On Street Parking:	7-8 ft. ***
Bicycle Lanes: (See Chapter 5)	4-6 ft.
Sidewalks:	4-6 ft.
Landscape Strips:	0-6 ft.
Medians/Turn Lane Widths:	None
Neighborhood Traffic Management:	Under Special Conditions

* Note: When shown as a bicycle route on the Bicycle Route Plan.

** Note: Shared Bikeway will be used when volumes < 3,000 ADT.

*** Note: Allowance of on-street parking shall be based upon the nature and intensity of adjacent development and physical constraints.

Green street variations of each cross section may be recommended by the City Engineer or Planning Director. These variations may include replacing the standard six foot planter strip with a five and a half to eight foot wide rain garden or swale, or substituting the concrete sidewalk for an asphalt pathway and in some cases providing such a pathway on only one side of the street.

Legend

P - On-street Parking Lane

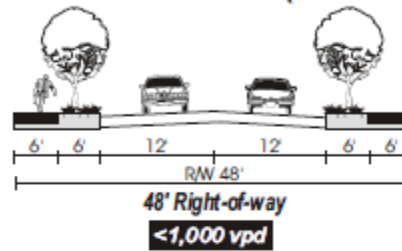
**Figure 8-4
NEIGHBORHOOD ROUTE
STREET CROSS SECTIONS**

KENTHORPE WAY

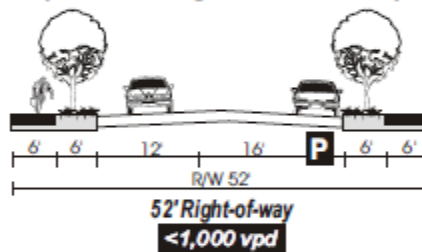
	EXISTING CONDITIONS	POTENTIAL POST DEVELOPMENT CONDITIONS
Classification	Local	Local
Right of Way Width	50'	48' Min.
Full Pavement Width	18'	24' Min.
Bike Lane	None	None shows on any of the street cross sections in the TSP.
Curb and Gutter	None – Along the frontage	Curb and Gutter
Planter Strip	Undefined	5.5'
Sidewalk	None	6'
Street Light	None	Yes
Utility Pole	None	New services to be placed underground.
Street Tree	Yes – Along the frontage	Yes
ADA Ramps	None	None
Post Speed	25 MPH	25 MPH
Stripe	None	None

Green street variations of each cross section may be recommended by the City Engineer or Planning Director. These variations may include replacing the standard six foot planter strip with a five and a half to eight foot wide rain garden, or swale, or substituting the concrete sidewalk for an asphalt pathway and in some cases providing such a pathway on only one side of the street.

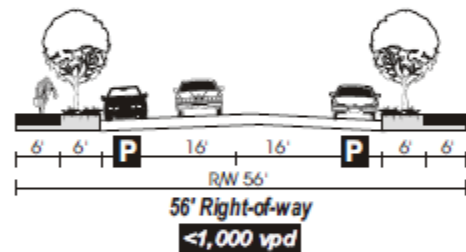
24' Local Residential (No Parking)



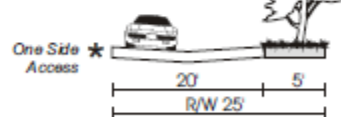
**28' Local Residential
(No Parking On One-side)**



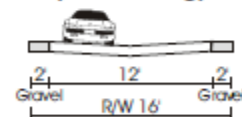
32' Local Residential



**Alley
(No Parking)**



**Alley
(No Parking)**



Green street variations of each cross section may be recommended by the City Engineer or Planning Director. These variations may include replacing the standard six foot planter strip with a five and a half to eight foot wide rain garden or swale, or substituting the concrete sidewalk for an asphalt pathway and in some cases providing such a pathway on only one side of the street.

Legend

P - On-street Parking Lane

Note: Landscape stripes may be narrowed or eliminated and sidewalks may be narrowed to 4 feet and/or placed on one-side of the street in areas of severe physical constraints or constraints from existing development.

**Figure 8-5
RESIDENTIAL LOCAL
STREET CROSS SECTIONS**

TRIP GENERATION

For Creational Community Center, Average Vehicle Trip during Peak PM Hour is 1.45 per 1000 square of gross floor area.

Existing gross floor area = 2,065 square foot, the Trip Generation = 2.99 = 3 Trips

RECOMMEND OF STREET IMPROVEMENT

See Site Plan Attached.

UTILITY IMPROVEMENT

SURFACE WATER

If created 500 square feet or more of new impervious, water quality improvement will be required.

If created 5000 square feet or more of new impervious, detention improvement will be required.

Additional off site storm drainage improvement may be required as part of street improvement.

WASTE WATER

Existing building is currently having sewer service connected to public sanitary sewer on Cedaroak Drive. No improvement is needed.

DRINKING WATER

Existing building is currently having water service connected to public water main on Cedaroak Drive. No improvement is needed. Future facility expansion will be subject to evaluation whether larger size meter is needed.

Process

Conditional Use, Class I Design Review, and Enlarge/Alter a Non-Conforming Structure approvals are required. This will be a Planning Commission decision due to the required Conditional Use approval.

A neighborhood meeting is required for a Conditional Use approval per 60.060(C). Contact Tony Bracco, President of the Robinwood Neighborhood Association, at 503-675-1773 or robinwoodna@westlinnoregon.gov. The applicant is required to provide the neighborhood association with conceptual plans and other material at least 10 days prior to the meeting. **Importantly as related to the neighborhood meeting requirement, be sure to follow the provisions of 99.038 precisely in terms of how to**

notice the meeting, and the submittal requirements of 99.038(E) precisely in documenting the notice and meeting.

The criteria of 60.050 and 55.090(B) shall be responded to individually in a narrative, as well as relevant sections of 55.100 as explained in this paragraph and below. The criteria listed in 55.090(A)(1) are not relevant due to how the building and parking are not being expanded to existing vegetated areas. Since access, door, and window changes have been made to the front bay door areas of the building in the recent past, the applicant shall respond to the 55.100(B)(6)(a, b, e, f) architecture/building criteria of 55.090(A)(2) (listed below under required 55.100 criteria) even if other changes are not currently proposed to the building itself. The criterion of 55.100(B)(5) also referred to under 55.090 is not necessary as there are not new buildings and additions, so the applicant should just mention that in responding to 55.090(A)(2). (55.090[B] is the other specific criteria from 55.090, also and should be responded to.) In addition to that 55.090(A)(3) allows staff to require the applicant to respond to other 55.100 criteria that are relevant to an application's Class I Design Review request. Therefore, in all, the applicant shall respond to the following Chapter 55 criteria as part of the Design Review application, as they are the ones that relate to changes proposed at the site:

- 55.090(B) Adequate public facilities.
- 55.100(A)(6) Fences
- 55.100(A)(7) Off-street parking and loading
- 55.100(A)(8) Access, egress, and circulation
- 55.100(A)(10) Landscaping
- 55.100(B)(6)(a, b, e, f) Architecture (window/door/color changes in front bay area)
- 55.100(C) Buffering and screening from other uses
- 55.100(D) Privacy and noise
- 55.100(J)(1) Crime prevention and safety/defensible space related to where new/modified windows are in bay area
- 55.100(K) Provisions for the disabled
- 55.100(L)(2-4) Signs (City exempt from Chapter 52 but not from these criteria if signage is proposed as part of a Design Review application)

If the applicant applies for a Class II Design Review instead of Class I due to proposing additions onto the building, etc., as discussed above, the applicant would forgo responding to 55.090 specifically, but would have to submit responses for every single 55.100 criteria listed in the code.

If an approval to Enlarge/Alter a Non-Conforming Structure is requested, the applicant shall respond to the criteria of 66.080(B).

Prepare the application and submit to the Planning Department with a signed application form. Because this is a City-owned site the applicant is not being charged fees or deposits for these applications.

Follow 60.060 and 55.070 strictly and completely regarding submittal requirements (including plans, maps, etc.) that should accompany the narrative and the application form. 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.

Once the submittal is deemed complete, the staff will schedule a hearing with the Planning Commission. Staff will send out public notice of the Planning Commission hearing at least 20 days before it occurs. The Planning Commission's decision may be appealed to City Council by the applicant or anyone with standing.

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

N/A is not an acceptable response to the approval criteria. Prepare the application and submit to the Planning Department with deposit fees and signed application form.

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.

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

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