



CITY OF
West Linn
PLANNING AND DEVELOPMENT

STAFF REPORT

PLANNING DIRECTOR DECISION

DATE: July 8, 2011

FILE NO.: DR-11-08

REQUEST: Conversion of building from automotive service to convenience sales use at existing gas station at 22805 Willamette Drive, and associated remodeling

PLANNER: Tom Soppe, Associate Planner

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City Engineer's Initials KQL

SPECIFIC DATA

OWNERS:	NW Dealer Co. Holdings, 30343 Canwood St., Ste. 200, Agoura Hills, CA 97301 Ray Batra, Pacific NW Petroleum, Inc., 30085 SW Parkway Ave., Wilsonville, OR 97070
APPLICANT/ CONSULTANT:	Dave Kimmel, PDG, 1335 SW 66 th Ave., Ste. 201, Portland, OR 97225
CONSULTANT:	Eric Evans, PE, Emerio Design, LLC, 6107 SW Murray Blvd., Ste. 147. Beaverton, OR 97008
SITE LOCATION:	22805 Willamette Drive
SITE SIZE:	Approximately 0.28 acres
LEGAL DESCRIPTION:	Assessor's Map 2S-2E-31BA Tax Lot 300
ZONING:	General Commercial (GC)
COMP PLAN DESIGNATION:	Commercial
APPROVAL CRITERIA:	Community Development Code (CDC) Chapter 55 Design Review; Chapter 19, General Commercial, GC
120-DAY RULE:	The application became complete on June 14, 2011. The 120-day period therefore ends on October 12, 2011.
PUBLIC NOTICE:	Notice was mailed to property owners within 100 feet of the subject property and the Bolton Neighborhood Association on June 20, 2011. The notice was also posted on the City's website. Therefore, public notice requirements of CDC Chapter 99 have been met.

BACKGROUND

The subject property, located in the Bolton neighborhood, is shown with red hatch lines on the following map. It is located at the corner of two arterial streets, Willamette Drive (Oregon Highway 43) and Willamette Falls Drive, between I-205 and the West Linn-Oregon City Bridge. The site is next door to the police station and backs up to West Linn Paper Company mill parking lots. The site has been a gas station for many years, with automotive service and repair in the bays and limited convenience store use in the

northern 40% of the building. Gas stations and automotive service and repair are conditional uses in the applicable GC zone and convenience sales are a permitted use. There is no record of a Conditional Use permit to establish the station or automotive service and repair uses, so these uses probably have been here since before Conditional Use permits were required. If so, they would be considered a conforming conditional use per CDC Subsection 65.030(A)(2), assuming they were a permitted uses in this zone (or the commercial zone covering this area at that time) when the business was first established here. Per the applicant, verbally at the November 2009 pre-application conference, the gas station occupied the site for over 40 years. The first Conditional Use permits on record for the City are from 1972. In 2003, the owner of the site at the time applied for and received a Class I Design Review permit (file DR-03-14) to expand the retail area of the building from the front half of the northern 40% of the building, to also include the back half of the northern 40% of the building. The applicant added 4 newly delineated, approved parking spaces including an ADA space, according to the submitted plans of that time. In 1999 the owner applied for and received a Class I Design Review approval for changes in the canopy above the pumps (file DR-99-22).



Vicinity Map (site has red hatches)

Site Conditions. The front two-thirds of the site, approximately, contains the fuel pumps, the roof over the pumps, and vehicle circulation area to access the pumps and the parking spaces from Willamette Drive and Willamette Falls Drive. The rear area of the site contains the building, the trash/mechanicals area south of the building, and parking spaces. The southernmost 22 feet of the site contains a driveway, on an easement, that provides access to the adjacent police station. A driveway uphill from the pumps

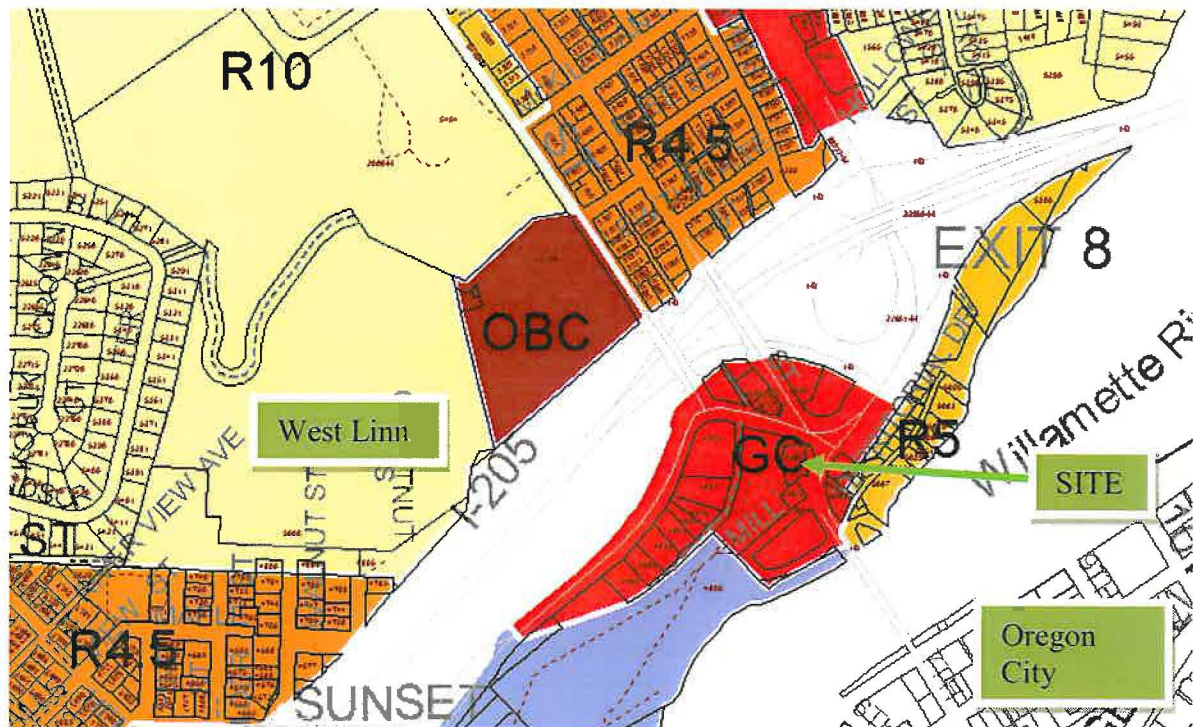
connects to Willamette Falls Drive at the north end of the site. Another vehicle entrance connects to Willamette Drive at the south end of the site.

Currently the building on site includes the convenience store retail use in the northern 40% of the building, but the southern 60% of the building consists of the automotive service and repair area behind the two garage doors in the photo below. The building is of concrete block construction with white metal siding typical of many gas stations, and gray and blue trim.



Site viewed from Willamette Drive

Project Description. The applicant proposes to change an existing gas station building from being primarily an automotive service and repair establishment with some convenience sales, to a convenience store. Automotive service and repair uses will no longer exist on site. The gas station use will continue to exist in front of the building. Exterior remodeling related to the expansion of the convenience store use includes a reclad of the building in brick veneer, an increase in the amount of windows, removal of the garage doors, and a new sign. Walling off of the trash/recycling area and mechanical area on the south side of the building is also proposed, as is one additional parking space next to this area. The applicant also plans to replace substandard sidewalk panels on the public sidewalk in front of the site along the Willamette/Willamette Falls intersection, and to widen the sidewalk by 4 feet in the area of the south entrance to the site.



Vicinity/Zoning Map (Purple is General Industrial Zoning, other zones are labeled)

Surrounding Land Use. As can be seen on the table below, a variety of land uses are present in the immediate surrounding area.

Table 1 Surrounding Land Use and Zoning

DIRECTION FROM SITE	LAND USE	ZONING
North	Multi-family and social services. Beyond I-205 there is also single-family and duplex residential, commercial, high school.	GC, OBC, R-4.5, R-10
East	Multi-family, single-family residential behind this	GC, R-5
South	Police station, paper mill parking, Willamette River	GC, GI
West	Single-family residential, office, charter school, paper mill	GC, GI

Source: West Linn GIS, 2011

Approval Criteria. The proposal, including new walls and remodeling of the exterior of the building, requires Class I Design Review approval per CDC Section 55.020, subject to the criteria of Section 55.090. The site is in the GC zone, so Chapter 19 criteria also apply.

PUBLIC COMMENTS

No public comments have been received as of the date of this staff report.

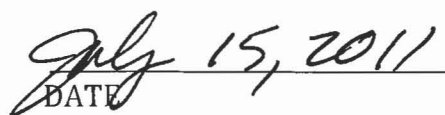
RECOMMENDATION

Based on findings contained in the applicant's submittal in the City record and the staff findings, there are sufficient grounds to **approve** this application (DR-11-08) subject to the following conditions of approval:

1. Site Plan. The improvements shall conform to the Site Plan on Page 34 of Exhibit PD-4, dated June 14, 2011, except as modified by these conditions of approval. The applicant shall submit a new site plan before building permit issuance reflecting the changes in these conditions but otherwise conforming to the aforementioned Site Plan.
2. Bicycle Parking. A bicycle parking rack shall be installed on site providing parking for at least one bicycle. This shall be installed less than 50 feet from the front entrance to the building and shall not block required paths, parking spaces, or required ADA accessible areas.
3. Paths from Building to Streets. Two 6-foot wide paths shall be installed connecting the building to the sidewalk:
 - a) One path shall connect from the south end of the walkway on the front of the building, to the public sidewalk in front of the police station. This path shall be made of a material visibly different than the surrounding pavement. The material for this path shall be raised 3 inches, tapering at the sides.
 - b) The other path shall consist of striping on existing pavement, connecting the building with the sidewalk along Willamette Falls Drive. This path shall traverse along the east edge of the parking area and the west edge of the existing vehicle entrance from that street.
4. Sidewalk Widening. The applicant shall widen the sidewalk to 12 feet along Willamette Drive along the parcel's frontage (the subject parcel only, not the adjacent ODOT-owned parcel). The applicant shall record a public access easement for the areas of this widened sidewalk that are not in the existing public right-of-way. The easement shall be recorded with Clackamas County and then provided to the City.

I declare to have no interest in the outcome of this decision due to some past or present involvement with the applicant, the subject property, or surrounding properties, and therefore, can render an impartial decision. The provisions of the CDC Chapter 99 have been met.


JOHN SONNEN, Planning Director


DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date. Cost is \$400. The appeal must be filed by an individual who has established standing by submitting comments prior to or on July 8, 2011.

Mailed this 18th day of July, 2011. Therefore, the 14-day appeal period ends

at 5 p.m., on August 1, 2011