

STAFF REPORT PLANNING DIRECTOR DECISION

- DATE: June 21, 2012
- FILE NO.: DR-12-13
- REQUEST: Class I Design Review for the addition of a drive through/menu aisle at the McDonalds located at 2100 Eighth Court, relocation of garbage and new recycling enclosure, elimination of 12 parking spaces, installation of menu board signage and new landscaping.
- PLANNER: Peter Spir, Associate Planner

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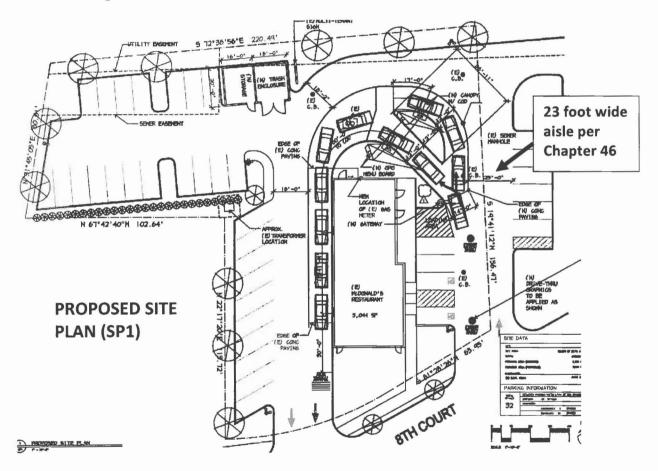
SPECIFIC DATA

OWNER:	McDonalds Corporation One McDonald's Plaza Oak Brook, IL 60523
APPLICANT:	Mindy Meyer 8655 SW Citizens Drive #201 Wilsonville, OR 97070
CONSULTANT:	John Llacuna Stantec Architecture Inc. 12034 134 th Court NE, Suite 102 Redmond, WA 98052
SITE LOCATION:	2100 Eighth Court, West Linn
SITE SIZE:	.75 acres
LEGAL DESCRIPTION:	Assessor's Map 2S-1E-35D Tax Lot 901
ZONING:	General Commercial (GC)
COMP PLAN DESIGNATION:	Commercial
APPROVAL CRITERIA:	Community Development Code (CDC) Chapter 55, Class I Design Review
120-DAY RULE:	The application became complete on June 5, 2012. The 120-day period therefore ends on September 23, 2012.
PUBLIC NOTICE:	Notice was mailed to property owners within 100 feet of the subject property and all neighborhood associations including the Willamette Neighborhood Association on June 11, 2012. The notice was also posted on the City's website. Therefore, public notice requirements of CDC Chapter 99 have been met.
PLANNER:	Peter Spir, Associate Planner

BACKGROUND

McDonalds' current site plan accommodates one drive-through/take out lane. Like most McDonald's, it divides its customer service between in-store counter service (40%) and drive through service (60%). To facilitate faster drive through service, the applicant proposes to add a second lane and menu board to increase the number of orders at any one time. The two lanes will then merge into one lane as they approach the cashier and order pickup windows.

A landscaped island is proposed to be constructed for the second menu board to be mounted on. The garbage and recycling facility that is currently at the northeast corner of the building would be relocated to the northwest edge of the property to make room for the re-alignment of drive through lanes.



Earlier concerns that there would not be enough room to maneuver cars in the parking lot east of McDonalds were addressed by a re-design that pushed the drive through lanes west and preserved a 23-foot wide aisle for cars to back out and circulate without conflicting with McDonald's drive through patrons.



Table 1 Surrounding Land Use and Zoning

DIRECTION FROM SITE	LAND USE	ZONING
North	I-205	None
East	Varied Retail Businesses	GC
South	Gas Station/Car Wash	GC
West	Medical Offices	GC

PUBLIC COMMENTS

On May 24, 2012, Wayne Rask called to express concern that the parking spaces that were proposed to be eliminated on the east side of McDonalds would reduce available parking for the coffee shop in the retail building to the east of McDonalds. There was also concern about the width of the maneuvering space for cars. Staff explained that there was excess parking at McDonalds so the reduction of eleven spaces would not compromise the parking requirements. Although there may be private agreements and CCR's between owners and tenants of the commercial properties regarding the availability and use of parking spaces, the City does not enforce them nor are the agreements and CCR's part of the approval criteria. Also, the 23-foot

wide aisle meets code for backing up and maneuvering. Mr. Rask e-mailed staff on June 7, 2012 and June 11 repeating his concern about the loss of ten (or more) spaces. (see Finding 2)

DECISION

Based on findings contained in the applicant's submittal in the City record and in staff's supplemental findings, the Planning Director **approves** this application (DR-12-13) subject to the following conditions of approval:

- 1. <u>Site Plan</u>. The improvements shall conform to the Proposed Site Plan (Sheet SP 1), as shown in this report and the revised landscape plan (Sheet LS1), dated 6/5/12, except as modified by these conditions of approval. All other proposed improvements shall conform to the location and materials specified in the applicant's submittal and supplemental submittal which are part of this record.
- 2. <u>Signs</u>. Sign placement shall be per sheets SP 1 and SD 1 with the exception of the "Order Here" and "Drive Through" signs which are not permitted as shown. (Alternate sign locations within five feet of grade would be allowed consistent with applicable sign regulations).

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 Community Development Code Chapter 99 have been met.

JOHN SONNEN, Planning Director

June 28, 2012

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 to the Planning Director prior to the decision date.

Mailed this 28th day of June, 2012. Therefore, the 14-day appeal period ends at 5 p.m., on July 12, 2012.

p:/devrvw/projects folder/projects 2012/DR-12-13/staff report McDonald's

ADDENDUM SUPPLEMENTAL FINDINGS DR-12-13

The proposed development requires Class I Design Review approval per CDC 55.020(C), using the criteria of 55.090. Staff recommends adoption of the findings contained within the applicant's submittal, with the following supplemental findings by staff:

CHAPTER 55 DESIGN REVIEW

55.090 APPROVAL STANDARDS – CLASS I DESIGN REVIEW

The Planning Director shall make a finding with respect to the following criteria when approving, approving with conditions, or denying a Class I design review application:

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

1. CDC <u>55.100(B)(1)</u> through (4), Relationship to the natural and physical environment, shall apply except in those cases where the proposed development site is substantially developed and built out with no remaining natural physical features that would be impacted.

2. CDC <u>55.100(B)</u> (5) and (6), architecture, et al., shall only apply in those cases that involve exterior architectural construction, remodeling, or changes.

3. Pursuant to CDC <u>55.085</u>, the Director may require additional information and responses to additional sections of the approval criteria of this section depending upon the type of application.

FINDING 1:

Sections 55.100(B) (1) through (4) relating to the natural features of the site do not apply since the site is fully developed with the exception of the north vegetative buffer area which will be left untouched.

Sections 55.100(B) (5) and (6) apply to the architectural design and shape of the building. No changes to the body of the building are proposed but the applicant is proposing to install two freestanding eight-foot wide by 10 feet long canopies; each of which would serve as covers over the ordering area and menu board to protect drivers from the weather. These canopies are not visually intrusive since they are at the rear of the building. Staff finds that these canopies are architecturally compatible with existing McDonald's architecture and a familiar part of the "parking lot/fast food environment" (see photo in Finding 3).

Pursuant to sections 55.085 and 55.090(3), the Planning Director "may require additional information and responses to additional sections of the approval criteria of this section depending upon the type of application." The following findings respond to approval criteria that the Planning Director has determined are applicable.

PARKING

46.090 Parking (C) (1) (a) Fast food restaurants...

One space for every 100 square feet of gross floor area. Restaurants with drive-through window and reservoir areas may reduce their parking requirement by 5 spaces.

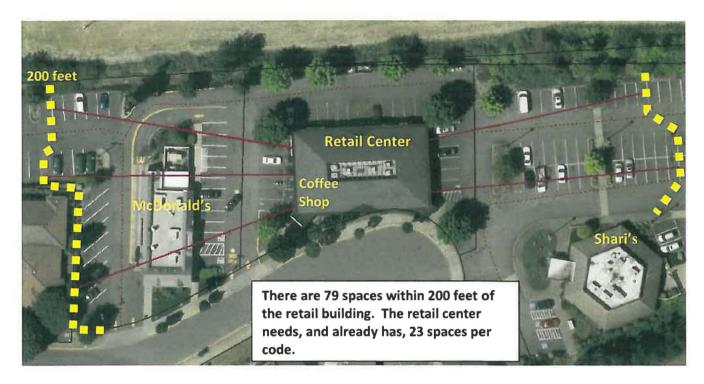
FINDING 2:

The McDonald's comprises 3,044 square feet which translates to a requirement of 31 spaces. Because of the drive through window, that number can be reduced by five spaces to 26. The McDonald's property currently has 43 parking spaces. This proposal will eliminate 12 spaces dropping the number down to 31 spaces. The 31 spaces exceed the required minimum parking* amount by five spaces.

	Required Parking*	Current Parking	Proposed Parking	Spaces Eliminated	
Parking	26	43	31	12	
			*Factors in the five space reduction for drive through lane		

As previously noted, staff received comments from Wayne Rusk that the parking space reduction should not be permitted since customers of the coffee shop in the retail center regularly use McDonald's parking. Staff found that the retail center to the east has 23 parking spaces surrounding the building which meets the required number of spaces for that building. That finding was based on the original 1995 submittal (DR-95-13) which reported 5,533 square feet for the retail center. Section 46.090(C) (2)"General Retail" requires one space per every 240 square feet. That translates into 23 spaces.

Mr. Rusk later commented in a June 11 e-mail that since the majority of McDonald's parking spaces would be on the west side of the McDonald's building they would be too far away for customers of the retail center to use. Notwithstanding the fact that the retail center does not even need to use McDonald's parking per code, section 46.070(B) states that "off street parking spaces 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." Staff found that there are 79 spaces within 200 feet of the entrance(s) of the retail center which exceeds, by over 300 percent, the required parking for the retail center.



Based on findings that: (a) McDonald's meets and exceeds their required parking after the proposed 12 space reduction; (b) the proposed McDonald's take-out driveway and adjacent parking lot aisle meet the functional requirements of 46.150(A) (4) and the dimensional standards of 46.150(F) and 48.040(A) (4); and, (c), the retail center has sufficient on-site parking, staff determined that the provisions of Chapter 46 and 48 (Access) have been met.

Certainly there may be private agreements and understandings between the owners of the commercial subdivision regarding shared parking, but such private agreements and understandings are not enforced by the City nor are they part of the approval criteria or conditions of approval.

Note: There was a condition of approval for the 1995 McDonalds application (DR-95-13) that required: "5. The applicant shall endeavor to establish a mutual access easement with the adjacent commercial development to the east." By including the word "endeavor" it is clear that this was not a compulsory condition. Also it only related to mutual access, not shared parking.

SIGNS

Section 52.300 establishes the allowable signage for a fast food restaurant. McDonald's does not propose to modify its building mounted signs, just to add a drive through menu board and directional signs.

52.300 PERMANENT SIGN DESIGN STANDARDS

			FR	EESTAND	ING SIG	NS	ON-V	VALL SIGN	NS
	City Appvl. Reqd.	Illumination	No. Allowed	Max. Sq. Ft.	Max Ht. (ft.)	ROW Setback (ft.)	No. Allowed	Max Sq.	Max Ht. (ft.)
Commercial Zone	Yes	Yes]1	322	8	5	3	10%*	25

Notes for Permanent Sign Design Standards

* To calculate maximum area, numbers followed with the word "total" are the maximum total area of all signs combined. Standards expressed as a percentage represent the allowed percentage of area on a single building face that may be used as a wall sign. For example, a wall 10 feet tall by 30 feet wide has 300 square feet. If the standard is 10 percent, signs totaling 30 square feet are permitted. The maximum percentage is for the building – a building with multiple occupants is restricted to the stated percentage per building, not per occupant.

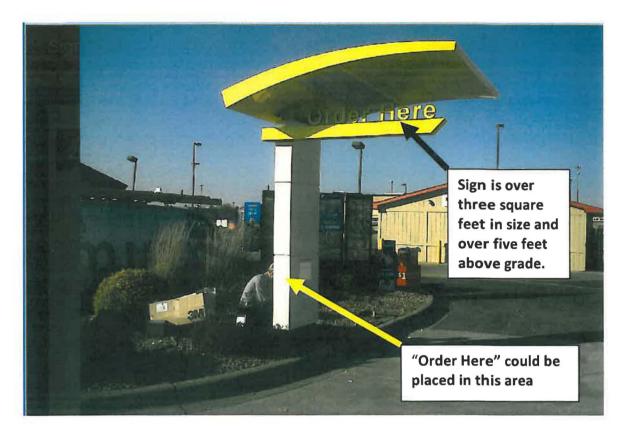
^ For number of signs allowed, "or 1" and "or 2" designate that the total number of freestanding and wall signs cannot exceed the number stated. If the standard is "or 1," the applicant may have one freestanding sign or one wall sign, but not both.

²Restaurants with drive-through or take-out windows may have an additional 32 square feet.

FINDING 3:

In agreement with footnote 2, above, which states that "²Restaurants with drive-through or take-out windows may have an additional 32 square feet," the applicant proposes two 31.1 square foot menu boards. The Planning Director has interpreted the highlighted code language above to allow 32 square feet per drive through lane which means that the applicant may have the two menu boards (one for each drive through lane) as proposed.

The applicant also proposes three other signs. Two would state "Order Here" and be placed on a canopy assembly that overhangs the menu board sign; a third would be part of an overhead frame that states "Drive Through" and has a height warning. All are over nine feet high.



Section 52.109(C) allows any number of parking lot or directional signs so long as they do not exceed three square feet each and are not more than five feet above grade. The proposed "Order Here" and "Drive Through" signs all exceed the height standard and dimensional standard and therefore cannot be allowed.

EXHIBITS

 AFFADAVIT OF NOTICE	PD-1
 NOTICE MAILING PACKET	PD-2
 COMPLETENESS LETTER	PD-3
 CORRESPONDENCE	PD-4
 APPLICANT'S SUBMITTAL	PD-5

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:

<u>GENE</u> File No Develoj Schedu	RAL DR-12-13 Applicant's Name MINDY pment Name led Meeting/Decision Date 6/27/12	LEYER- GREENTREE Enterprises - MCDonalds
	<u>CE</u> : Notices were sent at least 20 days prior to the sched of the Community Development Code. (check below)	uled hearing, meeting, or decision date per Section
TYPE	A	
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)
F.	All parties to an appeal or review (date)	(signed)
Tidings	10 days prior to the scheduled hearing or meeting, notice (published date) vobsite (posted date)	was published/posted: (signed) (signed)
SIGN		
At leas	t 10 days prior to the scheduled hearing, meeting or de 99.080 of the Community Development Code.	cision date, a sign was posted on the property per
(date)_	(signed)	/
NOTI	<u>CE</u> : Notices were sent at least 14 days prior to the sched of the Community Development Code. (check below)	,
<u>NOTI</u> 99.080	<u>CE</u> : Notices were sent at least 14 days prior to the scher of the Community Development Code. (check below)	duled hearing, meeting, or decision date per Section
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CITY OF WEST LINN PLANNING DIRECTOR DECISION FILE NO. DR-12-13

The West Linn Planning Director is considering a request By McDonalds for Class I Design Review approval of an additional drive through lane, menu board and cover at 2100 Eighth Court. The redesign will mean that 12 parking spaces will be eliminated and the garbage and recycling enclosure will be relocated to the northwest of its current location. The total number of parking spaces will still exceed the amount allowed by the Community Development Code (CDC).

Class I Design Review is necessary for exterior changes of this scope at a commercial site. The decision will be based on the approval criteria in Chapter 55 of the CDC. The approval criteria from the CDC are available for review at City Hall, at the City Library, and at http://www.westlinnoregon.gov.cdc.

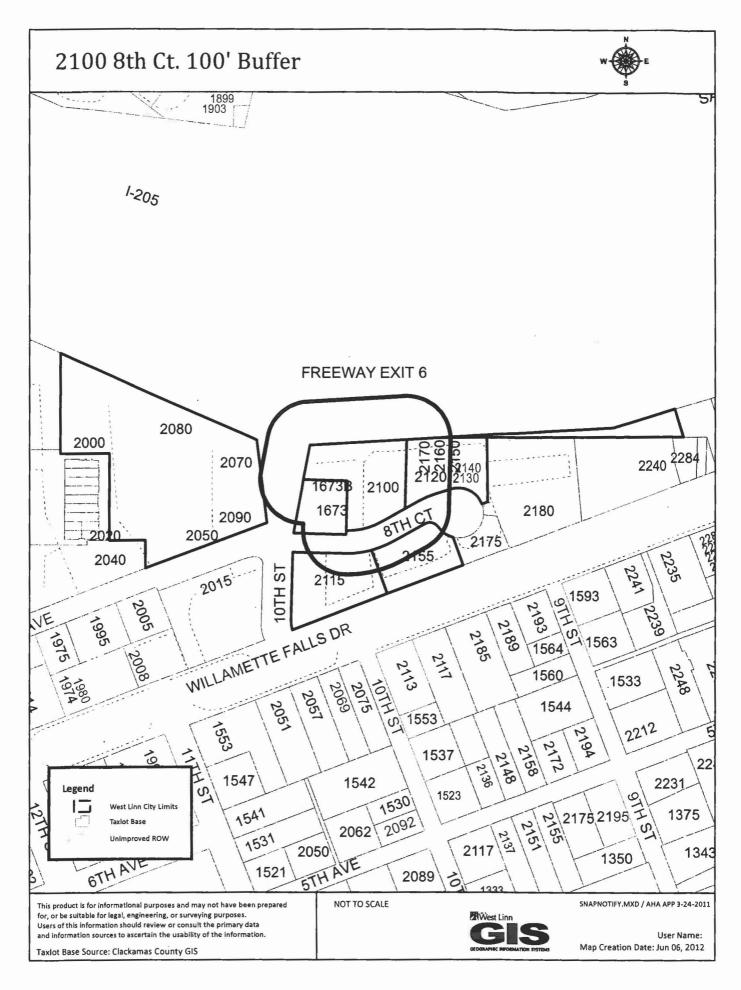
You have received this notice because you own property within 100 feet of this property (tax lot 901 of Clackamas County Assessor's Map 2-1E-35D) or as otherwise required by the CDC.

All relevant materials in the above noted file are available for inspection at no cost at City Hall, and on the city web site at http://westlinnoregon.gov/planning/2100-8th-court-class-i-design-review-construct-side-drive-thru-mcdonalds or copies may be obtained for a minimal charge per page. Although there is no public hearing, your comments and ideas are invited and can definitely influence the final decision of the Planning Director. Planning staff looks forward to discussing the application with you. The final decision is expected to be made on, and no earlier than, June 27, 2012, so please contact us prior to this date. For further information, please contact Peter Spir, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503) 723-2539, pspir@westlinnoregon.gov.

Any appeals to this decision must be filed within 14 days of the final decision date with the Planning Department. Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes the raising of the issue at a subsequent time on appeal or before the Land Use Board of Appeals.

SHAUNA SHROYER Planning Administrative Assistant

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ELLIOTT ASSOCIATES INC 901 NE GLISAN ST PORTLAND, OR 97232

FISHER PROPERTIES LLC PO BOX 823210 VANCOUVER, WA 98682

John Llacuna Stantec Architecture 12034-134th Court Northeast Suite 102 Redmond, WA 98052

STEVE GARNER BHT NA PRESIDENT 3525 RIVERKNOLL WAY WEST LINN OR 97068

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

DEAN-SUHR ROSEMONT SUMMIT NA PRESIDENT 21345 MILES DR WEST LINN-OR 97068

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

SUSAN VAN DE WATER HIDDEN SPRINGS NA DESIGNEE 6433 PALOMINO WAY WEST LINN OR 97068 GREENTREE ENTERPRISES INC 8655 SW CITIZENS DR STE 201 WILSONVILLE, OR 97070

POWELL RONALD W TRUSTEE 12296 S CARUS RD OREGON CITY, OR 97045

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

SALLY MCLARTY BOLTON NA PRESIDENT 19575 RIVER RD # 64 GLADSTONE OR 97027

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

DAVE RITTENHOUSE SAVANNA OAKS NA PRESIDENT 2101 GREENE ST WEST LINN OR 97068

BETH SMOLENS WILLAMETTE NA PRESIDENT 1852 4TH AVE WEST LINN OR 97068

KEVIN BRYCK ROBINWOOD NA DESIGNEE 18840 NIXON AVE WEST LINN OR 97068 TAMER WILLAMETTE LLC 3560 SW TROY ST PORTLAND, OR 97219

MCDONALDS CORP ONE MCDONALDS PLAZA OAK BROOK, IL 60523

ALEX KACHIRISKY HIDDEN SPRINGS NA PRESIDENT 6469 PALOMINO WAY WEST LINN OR 97068

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

KRISTIN CAMPBELL SKYLINE RIDGE NA PRESIDENT 1391 SKYE PARKWAY WEST LINN OR 97068

ALMA COSTON BOLTON NA DESIGNEE PO BOX 387 WEST LINN OR 97068

DOREEN VOKES SUNSET NA SEC/TREAS 4972 PROSPECT ST WEST LINN OR 97068

DR-12-13 MCDONALDS





June 6, 2012

John Llacuna Stantec Architecture 12034-134th Court Northeast Suite 102 Redmond, WA 98052

SUBJECT: McDonald's completeness (DR-12-13)

Dear Mr. Llacuna:

Your application, re-submitted on June 5, 2012 has been found to be **complete**. The City has 120 days to exhaust all local review and appeals. That period lapses on September 23, 2012.

This is a Planning Director's decision. After public notice, you can anticipate a decision before or after July 6, 2012.

Please contact me at 503-723-2539 or by email at pspir@westlinnoregon.gov if you have any questions or comments.

Sincerely,

Peter Spir

Peter Spir Associate Planner

p:Complete Application DR-12-13 McDonalds driveway

Spir, Peter

From: Sent: To: Subject: Spir, Peter Thursday, May 24, 2012 2:50 PM 'Llacuna, John' McDonalds canopies

John

I may have missed it but where in the submittal are the pictures showing the color and materials for the canopy over the menu board/ordering area?

I scale them out on sheet SP 1 as being 9' wide by 9' 4" long.

I would also like to know the scale of the main menu board on sheet SD 1.

It states NTS but that really does not help me figure out the total sign size which is different from the 31.1 sq ft. viewable area. We regulate the total sign dimension including the frame.

Also, the "order here" and "drive thru" directional signs are not permitted as proposed. Directional signs are limited to three square feet each and no more than five feet high.

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Thanks

Peter

From: Sent: To: Subject: Spir, Peter Tuesday, June 12, 2012 7:52 AM 'Wayne Rask' RE: parking /access

Wayne

First off let me say that I sympathize with your situation. You make excellent points. My difficulty is that I am obliged to follow the zoning code which allows up to 200 feet to satisfy the coffee shops parking requirements.

46.070 MAXIMUM DISTANCE ALLOWED BETWEEN PARKING AREA AND USE

A. Off-street parking spaces for single- and two-family dwellings shall be located on the same lot with the dwelling. (NOT APPLICABLE)

B. (APPLICABLE) 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:

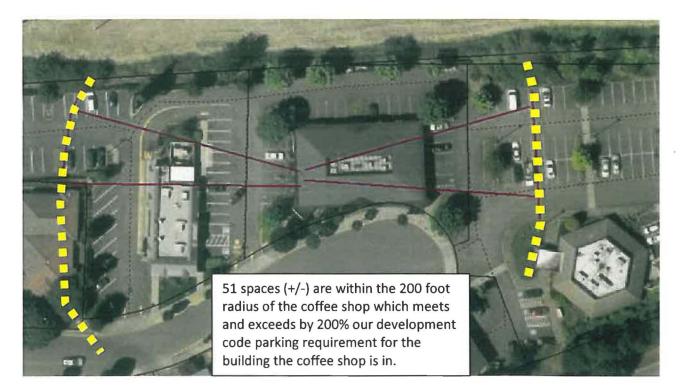
1. Shared parking areas for commercial uses which require more than 40 parking spaces may provide for the spaces in excess of the required 40 spaces up to a distance of 300 feet from the entryway to the commercial building or use.

2. Industrial and manufacturing uses which require in excess of 40 spaces may locate the required spaces in excess of the 40 spaces up to a distance of 300 feet from the entryway to the building.

3. Employee parking areas for carpools and vanpools shall be located closer to the entryway to the building than general employee parking.

4. Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, the applicant shall ensure that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces and all parking area development standards continue to apply for stacked parking.

5. 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. (Ord. 1547, 2007)



I must also make note of the fact that the lot that the coffee shop sits on has 23 spaces that do not require walking through McDonald's parking area.

Best regards Peter

From: Wayne Rask [mailto:wayne@raskgrp.com] Sent: Monday, June 11, 2012 5:51 PM To: Spir, Peter Subject: Re: parking /access

Peter, I have the Agreement. Thank you.

While I agree with the your math, I must argue that permitting the outcome is irresponsible. Currently, there are only 18 parking spaces that are not land-locked (by virtue drive-up of traffic) to the entrances of McDonalds and the Willamette Coffee house. McDonalds proposes to eliminate 8 of them. Of the remaining 10, three are Handicap Access. These shared parking spaces are the most accessible to the business' front doors. It does little good to include in the total parking count the additional parking northwest of McDonalds if one must traverse two lanes of drive-up traffic to walk to and from them.

McDonalds expects to thrive from the additional drive-up lane, but the landmark neighborhood-coffee shop will struggle to survive without the parking. The victim of avoidable decisions.

I implore you to rethink the livability consequences of the McDonalds application.

----- Original Message -----

CITY OF

From: <u>Spir, Peter</u> To: <u>Wayne Rask</u> Sent: Friday, June 08, 2012 12:19 PM Subject: parking /access

Wayne

In the old file for the McDonalds approved in 1995 there is reference to an access and parking agreement that was supposed to be recorded for the purpose of allowing patrons to drive through and use parking spaces on adjoining lots. I cannot find a copy of that agreement (signed or otherwise). You may want to get a title company to track that down at the Clackamas County Recorder's office.

Peter

Peter Spir Pspir@westlinnoregon.gov Associate Planner 22500 Salamo Rd. West Linn, OR 97068 P: (503) 723-2539 F: (503) 656-4106 Web: westlinnoregon.gov

<u>West Linn Sustainability</u> Please consider the impact on the environment before printing a paper copy of this email. <u>Public Records Law Disclosure</u> This e-mail is subject to the State Retention Schedule and may be made available to the public. Spir, Peter

From: Sent: To: Subject: Spir, Peter Friday, June 08, 2012 8:51 AM 'Wayne Rask' RE: McDonalds Restaurant proposed site plan amendment

Hi Wayne

Here is how I looked at the parking issue:

The McDonald's comprises 3,044 square feet which translates to a requirement of 31 spaces. Because of the drive through window, that number can be reduced by five spaces to 26. The McDonald's property currently has 43 parking spaces. This proposal will eliminate 12 spaces dropping the number down to 31 spaces. The 31 spaces exceed the required minimum parking* amount by five spaces. If you do not factor in the drive through allowed deduction, McDonalds still meets the required parking.

	Required Parking*	Current Parking	Proposed Parking	Spaces Eliminated
Parking	26	43	31	12

*Factors in the five space reduction for drive through lane

To determine the parking requirements for your retail building, I assumed a square footage of 6500 square feet which may be a bit over the actual amount. The retail category requires one space per every 240 square feet. That translates into 27 spaces. Your retail building has 23 spaces immediately surrounding it so that is very close to the 27 spaces. Most of your buildings patrons can park within 12-15 feet of the building. There is a large parking lot 70 feet east of your building that has 47 spaces to share with Shari's. Therefore, you meet the required parking standard even with the 12 fewer spaces at McDonalds.

Shari's Restaurant has 4,100 square feet which translates into 41 spaces at one space per 100 square feet. In addition to the large block of 47 spaces, Shari's has a further six spaces next to their restaurant. Most of their patrons have to walk 82 or more feet to get to their entrance.

Between your retail building and Shari's a total of 68 parking spaces are required by code. You have 76 parking spaces available which exceeds the minimum required number of spaces. (The code allows a further 10% fewer spaces given the likelihood of "cross-patronage" between the stores so you could have 61 spaces and still be legal.)

Given that all the uses: McDonalds, your retail center and Shari's meet or exceed the required parking (even after we factor in the 12 fewer spaces at McDonalds) I do not see any basis under the parking chapter of the Community Development Code to deny McDonalds proposal.

Certainly there may be private agreements between the parties regarding shared parking, but private contracts and agreements are not enforced by the City.

If you have further information that speaks to this issue or contradicts these findings, do not hesitate to let me know at 503-723-2539 or pspir@westlinnoregon.gov

Best regards

Peter



From: Wayne Rask [mailto:wayne@raskgrp.com]
Sent: Thursday, June 07, 2012 7:06 PM
To: Spir, Peter
Subject: McDonalds Resturant proposed site plan amandment

Hi Peter, Wayne Rask here. You will recall that I represent the interest of the tenant's in the retail building to the immediate east (?) of the McDonalds Restaurant. Thank you for the sending the applicant's site plan drawing.

I've been in contact with the designer and I spoke to McDonald's counsel. In so doing I've learned they intend to eliminate 10 parking stalls. You indicated that the city would

not deny the application based on the city's understanding of the parking loss because the development would still have enough parking stalls to meet the City's requirements. I challenge your conclusion and respectfully ask you to explain how the City reached that conclusion. Did you realize 10 stall would be eliminated, and do you appreciate the strategic location of the stall in jeopardy?

As a practical matter, many of the parking stalls for the development are located in an area with restricted accessibility, and that restrictive condition will be made worse if McDonalds moves ahead with their current plan.

Has the applicant submitted a final design that is under consideration, and is the city willing to reconsider their conclusions regarding the adequacy of the remaining parking configuration without a formal action initiated by the neighbors?

-Wayne Rask (503) 260-3900

----- Original Message -----From: <u>Spir, Peter</u> To: <u>wayne@raskgrp.com</u> Sent: Wednesday, May 23, 2012 1:53 PM Subject: McDonalds

FILE NO.: DR-12-06

REQUEST: CLASS I DESIGN REVIEW FOR SELECT CHANGES IN THE WALMART PARKING LOT, SCREENING THE HVAC SYSTEM AND A PALLET RECYCLING AREA AT 19133 WILLAMETTE DRIVE

APPLICANT'S SUBMITTAL



DEVELOPMENT REVIEW ADDUCATION

STAFF CONTACT			
	5	For Office Use Only PROJECT NO(S).	
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NON-REFUNDABLE) UNSY	REFUNDABLE DEPOSIT(S)	TOTAL 4 1350
pe of Review (Pl	ease check all that apply	<i>y</i>):	
Annexation (ANX)	Hist	oric Review	Subdivision (SUB)
Appeal and Review		slative Plan or Change	Temporary Uses *
Conditional Use (Line Adjustment (LLA) */**	Time Extension *
Design Review (D		or Partition (MIP) (Preliminary Plat or Plan	
Easement Vacatio		-Conforming Lots, Uses & Structures Ined Unit Development (PUD)	Water Resource Area Protection/Single Lot (WAP)
Final Plat or Plan		Application Conference (PA) */**	Water Resource Area Protection/Wetland (WAP) Willa mette & Tualatin River Greenway (WRG)
] Flood Manageme		et Vacation	Zone Change
	& Erosion Control		
Home Occupa different or a	ation, Pre-Application, Sidev dditional application forms,	valk Use, Sign Review Permit, and Tem available on the City website or at City	porary Sign Permit applications require Hall.
ite Location/Add	dress:		Assessor's Map No.: 01680345
2100 8 th COUR	T, WEST LINN, OR 97	7068	Tax Lot(s): 21E35D 00901
			Total Land Area: 0.75 Acres
rief Description	of Proposal: CONST	RUCT A SIDE BY SIDE DRIVE-	THRU AT EXISTING RESTAURANT.
RELOCATION O	F TRASH CORRAL IS	REQUIRED AS IS MOVING GA	S METER
pplicant Name:	MINDY MAYER		Phone: (503) 685-5002
ddress:	8655 SW CITIZENS	DRIVE #201	Email:
City State Zip:	WILSONVILLE, OR 9	7070	Mindy.Mayer@partners.mcd.com
wner Name (req	uired): MCDONALD'S (CORPORATION	Phone: (800) 244-6227
(please print) ddress:	ONE MCDONAL	D'S PLAZA	Email:
	OAK BROOK, II		
ity State Zip:			and the second
	STANTEC ARCHITE	CTURE, INC.	Phone: (425) 298-1066
	STANTEC ARCHITEC	CTURE, INC. Γ NE, SUITE 102	Phone: (425) 298-1066 Email: John.Llacuna@stantec.com
Consultant Name	STANTEC ARCHITEC 12034 134 TH COUR REDMOND, WA 980	Г NE, SUITE 102	
Consultant Name (please print) address: City State Zip: 1. All application fee 2. The owner/applic 3. A denial or approv 4. Three (3) complete One (1) complete	12034 134 TH COUR REDMOND, WA 980 es are non-refundable (excl ant or their representative val may be reversed on app te hard-copy sets (single si set of digital application m	T NE, SUITE 102 52 uding deposit). Any overruns to depo should be present at all public hearing beal. No permit will be in effect until t	Email: John.Llacuna@stantec.com
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Transmittal



Stantec Architecture Inc. 12034 - 134th Court Northeast Suite 102 Redmond WA 98052 Tel: (425) 298-1000 Fax: (425) 298-1019

To:	Peter Spir Planning and Development	From:	John Llacuna
Company:	City of West Linn	Ø	For Your Information
Address:	22500 Salamo Road	M	For Your Approval
	#1000	${\bf \nabla}$	For Your Review
	West Linn, OR 97068		As Requested
Phone:	(503) 656-4211		
Date:	March 28, 2012		
File:	2007041070 Task:200.000		
Delivery:	Fed Ex		

Reference: Development Review Application – McDonald's – 2100 8th Court

Attachment:

Copies	Doc Date	Pages	Description	
1			Development Review Application	
3			11x17 Site Drawings	
3			24x36 Site Drawings	
1			CD of PDFs	
1			Review Fee For \$1,350	

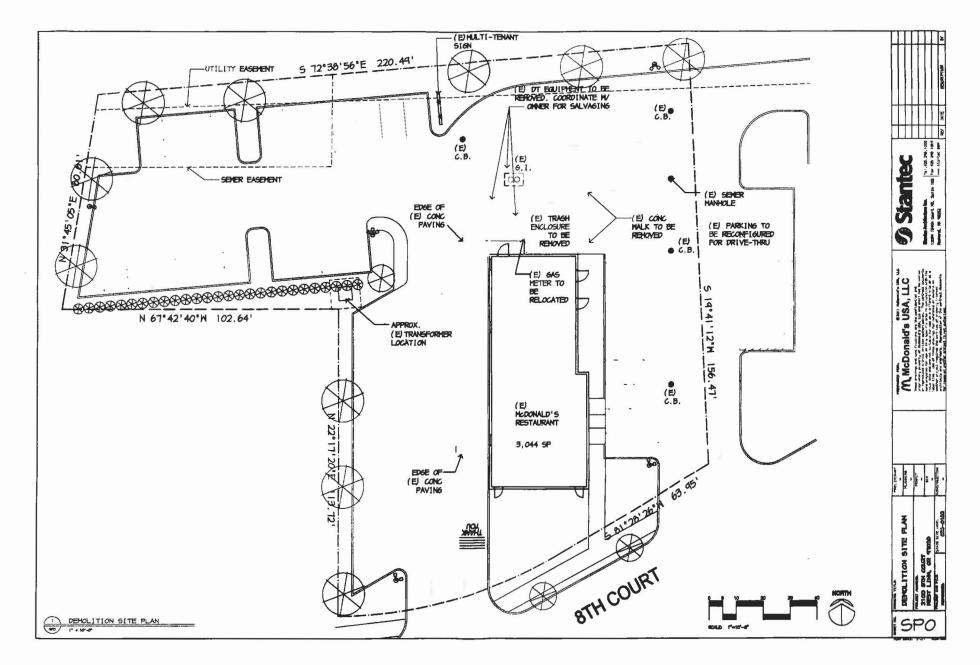
Please accept our Development Review Application to remodel an existing drive-thru.

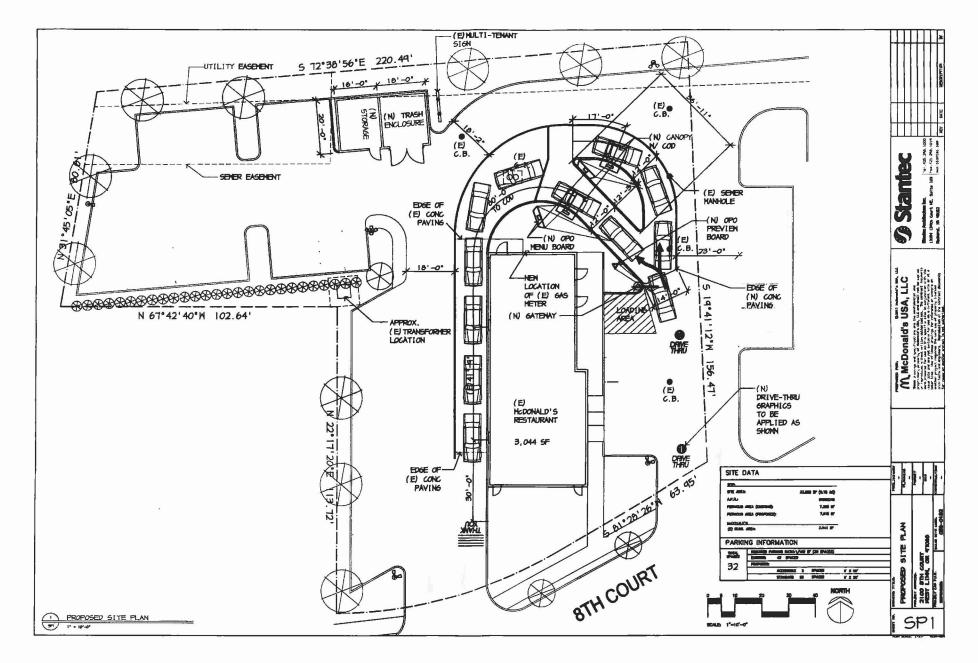
Thank you,

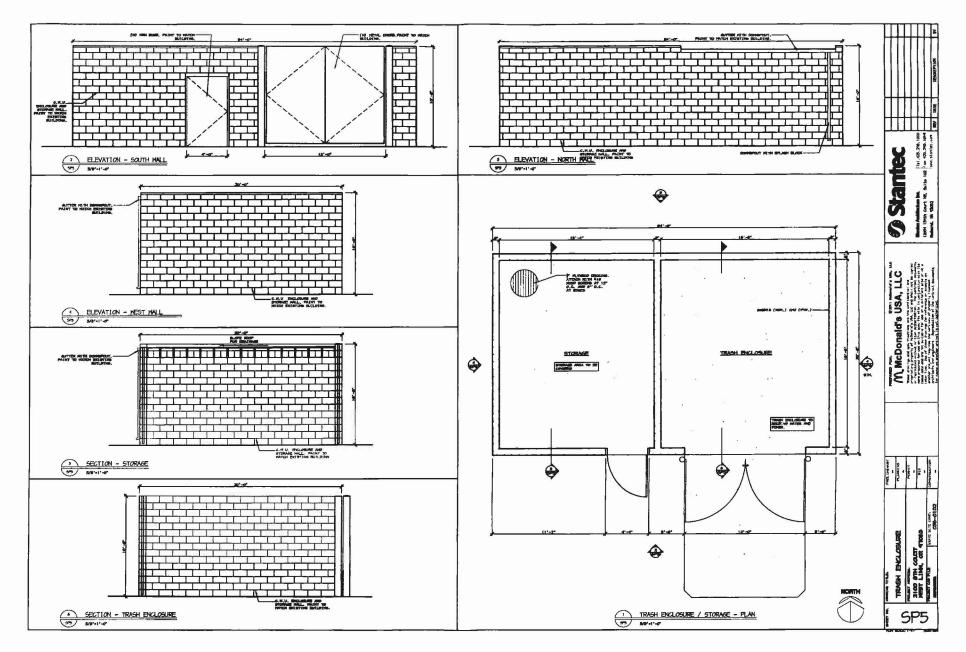
John Llacuna Tel: (425) 298-1066 Fax: (425) 298-1019 John.llacuna200@stantec.com

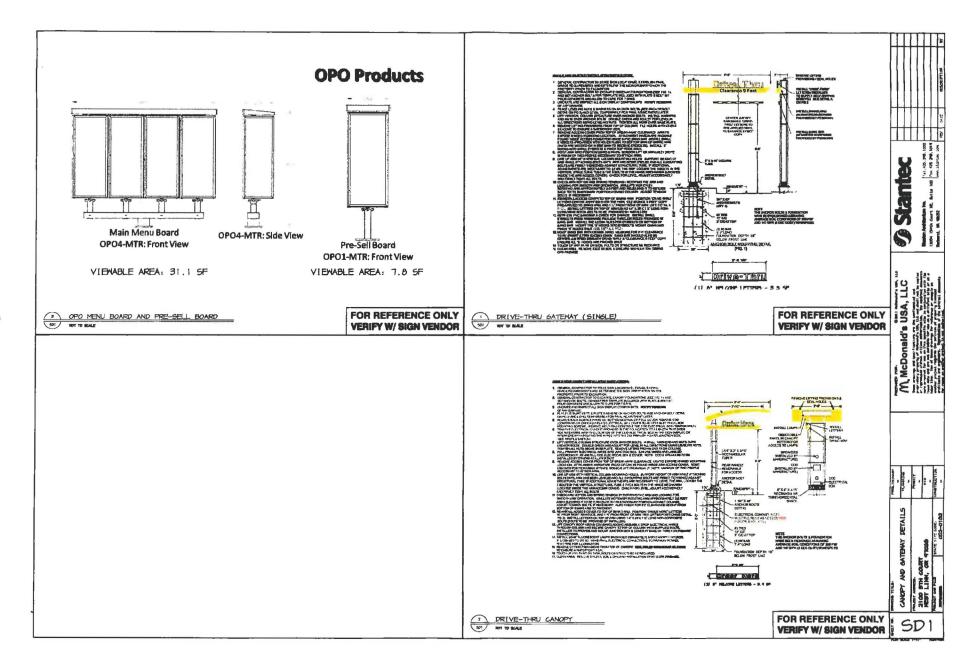


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Stantec Architecture Inc. 12034 - 134th Court Northeast Suite 102 Redmond WA 98052 Tel: (425) 298-1000 Fax: (425) 298-1019

May 7, 2011

Attention: Peter Spir City of West Linn 22500 Salamo Road West Linn, OR 97068

Reference: McDonald's Class I Design Review Submittal Narrative

Dear Mr. Spir

On behalf of our client, McDonald's, we are submitting a Class I Design Review application. The scope of work will be to convert a single lane drive-thru to a more efficient side-by-side drive-thru. Changes will be made to landscaping, parking, and the trash enclosure.

This submittal also includes the following signage: (2) Menu Boards, (2) "Order Here" signs and (1) "Drive-Thru" sign.

The design issues in the Pre-application Summary Notes dated March 15, 2012 have been listed below, followed by our response.

1. Drive-thru Lane – 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.

Response: The secondary drive-thru lane has been changed from 10' to 12' wide. We will not apply for a Class II Variance. See Sheet SP1.

2. 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.

Response: 32 spaces are still being proposed with this application.

3. 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.

Response: The landscaped area will increase from 7,385 SF to 7,615 SF. The Site Area is 33,058 SF, which will put the landscaping percentage to 23%. See Site Data on Sheet SP1 and Sheet L1.

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

Response: See Sheet SP1 for the new location and Sheet SP5 for the trash enclosure design.

Stantec

Attention: Peter Spir Page 2 of 2

Reference: McDonald's Class I Design Review

Please feel free to call or email me if you have any questions.

Sincerely,

STANTEC ARCHITECTURE INC.

John Llacuna, Architect, LEED AP Assist Project Manager

Tel: (425) 298-1000 Fax: (425) 298-1019 john.llacuna@stantec.com

Attachments: 1 – Pre-Application Conference Meeting Summary Notes

c. File



Stantec Architecture Inc. 12034 - 134th Court Northeast Suite 102 Redmond WA 98052 Tel: (425) 298-1000 Fax: (425) 298-1019



May 8, 2011

Attention: Peter Spir City of West Linn 22500 Salamo Road West Linn, OR 97068

Reference: McDonald's Class I Design Review – Response Letter

Dear Mr. Spir

The following is our response to your letter dated April 25, 2012.

1. The submittal did not include any submittal narrative or response to approval criteria for the Class I Design Review.

Response: A narrative/ response letter has been attached.

 Specifically, the Class I Design Review requires a full and complete response to the submittal requirements per CDC 55.070((D) (1), E-F), (no site analysis is required). Because the landscape area is being modified, you will need to submit a new landscape plan per 55.150. You should also state in the submittal that you want to get approval for the signs. (Alternately you could apply for the sign permits separately or at a later date.).

Response: A new landscape plan has been included. We want to get approval for the signs with this submittal.

 The approval criterion is identified in Section 55.090. You need to provide responses to 55.090(A) (2) and (3). For 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). The landscaping standards of 54.020(E) must be met. The recycling and waste disposal standards of 55.100(I) (5) and 55.100(O) must be responded to.

Response: The building exterior is not part of the scope of work. See Sheet SP1 for parking and trash enclosure location. See Sheet SP5 for trash enclosure details. See Sheet LS1, for the landscaping plan.

4. The proposed signs must meet the approval criteria of 52.210 and the standards of 52.300 which allow a maximum of 32 square feet for all signs associated with take-out lanes. Whereas staff can reasonably make an interpretation that the sign code provision was intended to provide one 32 square foot menu board for each take out lane, the proposed 7.8 square foot "Pre-Sell" boards clearly exceeds the permitted amount. You can either delete those signs from your application or apply for a Class II Variance. (A Class II Variance would cost \$1,900 (deposit fee) and require a Planning Commission hearing. Staff would not estimate more than a 40-50% chance for the variance being approved.)

Response: The "Pre-Sell" boards have been removed from the plans. We will not pursue a Class II Variance.

Stantec

Attention: Peter Spir Page 2 of 2

Reference: McDonald's Class I Design Review

5. You also need to complete a development review application form with signatures:

Response: The completed application was submitted with our initial package.

Please feel free to call or email me if you have any questions.

Sincerely,

STANTEC ARCHITECTURE INC.

John Llacuna, Architect, LEED AP

Tel: (425) 298-1000 Fax: (425) 298-1019 john.llacuna@stantec.com

Attachment: City of West Linn Completeness Letter Dated 4/25/12

c. File

	2012 DRIVE-THRU REMODEL	DRAWING INDEX
MMCDONAId's	NORTHWEST REGION	Drive-Thru % SP0 Pemolition i Site Plan % SP1 Proposed Site Plan % SP5 Trash Enclosure % SQL_SuperturbutEquipment Details % %
2100 BTH COURT WEST LINN, OR 97068	BUILDING INFORMATION: ADDRESS: STATE SITE CODE 000-0102	
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	TRASH ENCLOSURE	
	DESIGNER OF RECORD: DISCIPLINE NAME: ADDRESS PHONE.	
	ARCHITECT: STANTEC ARCHITECTURE 12034 134TH COURT NE #102, REDHOND, NA 48052 425-248-1000	
	AREA CONSTRUCTION MANAGER:	
	MANAGER DOUG BATES 12131 113TH AVE NE #103, KIRKLAND, HA 98034	
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