

## DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT	PROJECT No(s). <i>JA-14-02</i>	
NON-REFUNDABLE FEE(S) <i>1450</i>	REFUNDABLE DEPOSIT(S) <i>0</i>	TOTAL <i>1450</i>

**Type of Review (Please check all that apply):**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX)                      | <input type="checkbox"/> Historic Review                                  | <input type="checkbox"/> Subdivision (SUB)                               |
| <input type="checkbox"/> Appeal and Review (AP) *              | <input type="checkbox"/> Legislative Plan or Change                       | <input type="checkbox"/> Temporary Uses *                                |
| <input type="checkbox"/> Conditional Use (CUP)                 | <input type="checkbox"/> Lot Line Adjustment (LLA) */**                   | <input type="checkbox"/> Time Extension *                                |
| <input type="checkbox"/> Design Review (DR)                    | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input checked="" type="checkbox"/> Variance (VAR)                       |
| <input type="checkbox"/> Easement Vacation                     | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures           | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities    | <input type="checkbox"/> Planned Unit Development (PUD)                   | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP)    |
| <input type="checkbox"/> Final Plat or Plan (FP)               | <input type="checkbox"/> Pre-Application Conference (PA) */**             | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG)      |
| <input type="checkbox"/> Flood Management Area                 | <input type="checkbox"/> Street Vacation                                  | <input type="checkbox"/> Zone Change                                     |
| <input type="checkbox"/> Hillside Protection & Erosion Control |   |  |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

<b>Site Location/Address:</b> 2015 8th Ave. West Linn, OR 97068	Assessor's Map No.: 31E02BA0
	Tax Lot(s): 0100
	Total Land Area: 0.94 acres

**Brief Description of Proposal:** Per Design Review (DR) and Conditional Use (CUP) application for this location, dated 12 Nov. 2013: Variance, Class II: Required narrative explaining how proposed work meets Approval Criteria in CDC Section 75.060.

<b>Applicant Name:</b> Jessamyn L. Griffin (Owner's Approved Representative) <small>(please print)</small> Address: 1255 NW 9th Ave. #17 City State Zip: Portland, OR 97209	Phone: 503 230 2337 Email: jessamyn@siteworksportland.com
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<b>Owner Name</b> (required): Marie Lamfrom Charitable Foundation <small>(please print)</small> Address: 2015 8TH Ave. City State Zip: West Linn, OR 97068	Phone: 503 616 5967 Email:
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<b>Consultant Name:</b> <small>(please print)</small> Address: City State Zip:	Phone: Email:
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1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application.**  
 One (1) complete set of digital application materials must also be submitted on CD in PDF format.  
 If large sets of plans are required in application please submit only two sets.

\* No CD required / \*\* Only one hard-copy set needed

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

	1/21/2014	SAME AS APPLICANT (AUTHORIZED AGENT)	1.21.14
Applicant's signature	Date	Owner's signature (required)	Date

# Youth Music Project

West Linn, Oregon

**An Application For:**  
Conditional Use Permit  
Class II Design Review  
Submitted November 12, 2013

**Supplemental Information**  
Narrative: Class II Variance  
CDC Section 58.090(C)(14)

Applicant:  
**Marie Lamfrom Charitable Foundation**  
2015 8<sup>th</sup> Avenue, Suite 202  
West Linn, OR 97068  
Phone: (503) 616-5967  
Contact: Charles Lewis

Prepared by:  
**Siteworks Design|Build**  
1255 NW 9<sup>th</sup> Ave, # 17  
Portland, Oregon 97209  
Phone: 503-230-2337  
Fax: 503-241-6596

Lic/bond/ins CCB# 113920

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# I. INTRODUCTION

## General Information

### Applicant:

Marie Lamfrom Charitable Foundation  
2015 8th Avenue, Suite 202  
West Linn, OR 97068  
Phone: (503) 616-5967  
Contact: Charles Lewis

### Property Owner

Marie Lamfrom Charitable Foundation  
2015 8th Avenue, Suite 202  
West Linn, OR 97068  
Phone: (503) 616-5967  
Contact: Charles Lewis

### Applicant's Representative

Siteworks Design|Build  
1255 NW 9th Ave.  
Portland, OR 97209  
Phone: (503) 230-2337  
Contact: Jessamyn Griffin  
[Jessamyn@siteworksportland.com](mailto:Jessamyn@siteworksportland.com)

### Tax Lot Information:

Tax Lot 0100 on Map 31E02BA0

### Location:

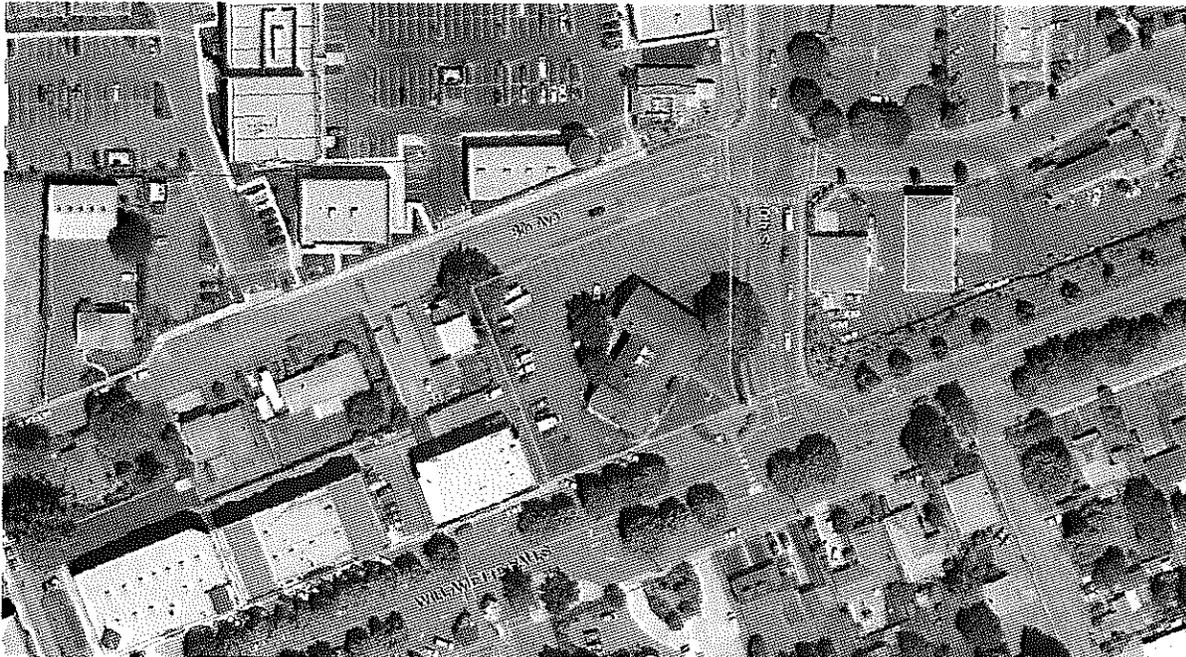
NW Corner of Willamette Falls &  
10th Street West Linn, Oregon

### Current Zoning Districts:

Mixed Use (MU)

### Project Site Area:

+/-0.94 acres



## II. NARRATIVE – CLASS II VARIANCE

**CDC Section: 58.090(C)(14)** – Willamette Falls Drive Commercial District Design Standards – New Construction and Remodels – Glazing

**Issue:** “Clear glass only. No mirrored or tinted glass. No films applied to glass. Lettering on glass is permitted (see subsection (C)(25)(b) of this section).”

**Response:** The design at issue proposes an enhancement and functional upgrade to the building exterior and surrounding landscape of the Youth Music Project, with no change or addition to its existing approved use. As a church, the original building’s stained glass windows did not meet the Willamette Falls Drive Commercial District Design Standards. Clear glazing—conforming to the Design Standard is proposed for typical new windows, with the exception of new replacement stained glass windows at the south side elevation. The proposed additions/alterations are designed to reference and respect the building’s original ecclesiastical character, and therefore pose a variance to these standards. The applicant proposes that enhancing and upgrading the building in a manner which is consistent with and respectful of its existing style will optimize its beneficial impact on the surrounding neighborhood, announcing its cultural presence in a positive manner, and providing a clear and easily identifiable building identity for visitors and students. Despite the non-conformance replacement stained-glass windows at the building’s south elevation, their proposed design has received unanimous approval from the Willamette Neighborhood Association in their August 14, 2013 meeting.

### **Per Variance Approval Standards 75.060:**

A. *“Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of this code, topography, or other circumstances over which the applicant has no control.”*

**Response:** The existing siting, massing, architectural style—and in this case original window color—of the building differs significantly from other properties in the Willamette Falls Drive Commercial District, from which the Design Standards are derived, posing an “exceptional or extraordinary circumstance... over which the applicant has no control”. In order to remain compatible with the architectural style of the building, the proposed replacement stained glass windows differ from the strict requirements of Section 58.090(C)(14) to a style and form more consistent with the building’s original church use.

B. *“The variance is necessary for the preservation of a property right of the applicant, which is substantially the same as a right possessed by owners of other property in the same zone or vicinity.”*

**Response:** The proposed design applies to this standard insofar as it requests the ability to make functional improvements and upgrades to the property, compatible with its supporting architecture, to the same extent as that afforded to surrounding properties.

C. *“The authorization of the variance will not be materially detrimental to the purposes and standards of this code, will not be inconsistent with all other regulatory requirements, and will not conflict with the goals and policies of the West Linn Comprehensive Plan.”*

**Response:** The proposed design meets all other standards of the CDC, notably Section 55.100(B)(6)(a.):

*“The proposed structure(s) scale shall be compatible with the existing structure(s) on site and on adjoining sites. Contextual design is required. Contextual design means respecting and incorporating prominent architectural styles, building lines, roof forms, rhythm of windows, building scale and massing, materials and colors of surrounding buildings in the proposed structure.”*

While the existing building's original colored windows preclude inclusion of compatibility with "adjoining sites" and "surrounding buildings" (see "exceptional and extraordinary circumstance", part (a) above), the proposed design meets all other criteria for Contextual design described in the section, and therefore is consistent with all other regulatory requirements and will not conflict with the goals and policies of the West Linn Comprehensive Plan.

- D. *"The variance request is the minimum variance which would alleviate the exceptional and extraordinary circumstance."*

**Response:** The proposed design meets all other standards of Section 55, 58, and the CDC, differing from the standards only in the stained glass at the south elevation—and will be more compatible with the supporting architecture of the original building. Its non-conformity is minimal in variance from the standard, and alleviates the "exceptional and extraordinary circumstance" posed by the building's unique siting and architectural style by improving its street presence and providing a more clear and legible building identity, thus not jeopardizing the "exceptionally" glazed building's greater conformance with the glazing goals established by the Willamette Falls Drive Commercial District Design Standards.

- E. *"The exceptional and extraordinary circumstance does not arise from the violation of this code."*

**Response:** The "exceptional and extraordinary circumstance" posed by the existing architectural style of the building pre-dates the implementation of the Willamette Falls Drive Commercial District Design Standards, and therefore does not arise from a violation of a code which did not exist at the time of its design and construction.

- F. *"The variance will not impose physical limitations on other properties or uses in the area, and will not impose physical limitations on future use of neighboring vacant or underdeveloped properties as authorized by the underlying zoning classification. (Ord. 1442, 1999)"*

**Response:** As the proposed variance applies to a replacement of glazing within existing window openings, designed to reflect the building's original use, style and scale, and not dominate or noticeably enlarge its perceived existing mass and roofline. As this proposed variance is confined to the building's face and is contained within its overall height and massing, it does not impose physical limitation on other properties, and on future use of neighboring vacant or underdeveloped properties.