

**CITY OF WEST LINN**  
**PRE-APPLICATION CONFERENCE MEETING**  
**SUMMARY NOTES**  
**August 3, 2023**

**SUBJECT:** Proposed Conditional use to permit a microschool in an existing retail space located at 19066 Willamette Drive

**FILE:** PA-23-11

**APPLICANTS PRESENT:** Brett Schulz and Alison Morton

**STAFF PRESENT:** John Floyd, Associate Planner

**PUBLIC PRESENT:** None

*These pre-application summary notes have been prepared for the applicant to identify applicable code sections and critical issues for the proposed application and summarize the application process and fees\*. Pre-Application summary notes are based on preliminary information and may not include all considerations. Contact the assigned planner for additional information regarding the process, approval criteria, submittal requirements, questions, and clarifications. Pre-Application Conference summary notes are valid for eighteen months from the meeting date. Once a complete application is submitted, the final decision can take 6-10 months.*

**SITE INFORMATION:**

Site Address: 19066 Willamette Drive  
Legal Description: Subdivision CEDAROAK PARK 468 PT LTS 16 & 17  
Tax Lot No.: 21E23AA00700  
Site Area: 1.195 per Clackamas County Assessor  
Neighborhood: Neighborhood Association  
Comp. Plan: Commercial  
Zoning: GC – General Commercial  
Zoning Overlays: Habitat Conservation Area (High Value), Water Resource Area

**PROJECT DESCRIPTION:**

The applicant proposes to convert a former dance/fitness studio (Oregon Ballet Theatre) into a two-classroom microschool. Four staff people are expected to be on site, with 30 special needs children over 5 years of age in total. No physical changes are proposed to the site or exterior of the building, other than signage. Interior changes will include the addition of a bathroom, additional sink, and a kitchenette.

**APPLICABLE COMMUNITY DEVELOPMENT CODE SECTIONS:**

Approval standards and criteria in effect when an application is *received* will be applied to the proposed development. The following Community Development Code (CDC) Chapters apply to this proposal:

- [Chapter 19: General Commercial, GC](#)
- [Chapter 55: Site Plan Review](#) – Only if site/exterior building changes are proposed – please make findings regarding CDC 55.020
- [Chapter 46: Off-Street Parking, Loading, and Reservoir](#) Area – Project exempted from minimum parking standards per CFEC – only applicable if changes proposed to existing parking or circulation
- [Chapter 60: Conditional Use](#)
- [Chapter 99: Procedures for Decision Making: Quasi-Judicial](#)

**KEY ISSUES & CONSIDERATIONS**

Staff has identified the following development issues, design considerations, or procedural issues that you should be aware of as you prepare your formal application for submittal. The identification of these issues or considerations here does not preclude the future identification of additional issues or

considerations:

- The existing building was constructed in 2008, approved as Building D in DR-06-43. The most recent use is a dance/fitness studio (Oregon Ballet Theatre).
- Schools of less than 200 students are a Conditional use in the GC Zone (CDC 19.060.23)
- The project site is not subject to minimum parking requirements pursuant to the Climate Friendly and Equitable Community rules adopted by the state. Note, these rules are subject to legal challenges by multiple jurisdictions, and may be revoked or modified in the future.
- A traffic impact analysis (TIA) will be required with this project to document and analyze changes in trip generation and distribution, and the adequacy of the site to accommodate pick-up and drop-off traffic. See CDC 85.170(B)(2) and the West Linn Public Works Design Standards for TIA requirements.
- As the project fronts Highway 43, We recommend your transportation engineer coordinate with ODOT on the preparation of the study to avoid surprise comments and revisions during application review.
- The discretionary approval criteria area can be found in [CDC 60.070.A](#)

**PUBLIC COMMENT:**

None

**ENGINEERING:**

The Engineering department comments are attached. For further details, contact Clark Ide at 503-722-3437 or [cide@westlinnoregon.gov](mailto:cide@westlinnoregon.gov).

**BUILDING:**

For building code and ADA questions, contact Adam Bernert at [abernert@westlinnoregon.gov](mailto:abernert@westlinnoregon.gov) or 503-742-6054 or Alisha Bloomfield at [abloomfield@westlinnoregon.gov](mailto:abloomfield@westlinnoregon.gov) or 503-742-6053.

**TUALATIN VALLEY FIRE & RESCUE:**

A Service Provider Permit must be provided with this application - <https://www.tvfr.com/399/Service-Provider-Permit>. Contact Jason Arn at [jason.arn@tvfr.com](mailto:jason.arn@tvfr.com) or 503-259-1510 with any questions.

**TREES:**

For information on the tree requirements for this proposal, contact the Ron Jones, City Arborist at [rjones@westlinnoregon.gov](mailto:rjones@westlinnoregon.gov) or 503-722-4728.

**PROCESS:**

A conditional use permit is a quasi-judicial decision by the Planning Commission. A public hearing is required. The applicant must present their proposal to the Planning Commission at the hearing. Once the application is complete, staff will review the application, schedule a public hearing date, send a 20-day public comment notice, and post a notice sign on the property. Staff will prepare a report with a recommendation available 10 days before the public hearing. A final decision can take 6-10 months.

After the Planning Commission decides, there is a 14-day appeal period. If the decision is not appealed, the applicant may proceed with the development.

**NEIGHBORHOOD MEETING:**

Before applying for a conditional use permit, the applicant must conduct a neighborhood meeting to discuss the proposed development with the [Robinwood Neighborhood Association](#), per [CDC 99.038](#). The meeting should be scheduled at the association's regularly scheduled monthly meeting or at another time at the association's discretion. The purpose of the neighborhood meeting is to identify potential issues or conflicts regarding a proposed application to address them before the application is submitted. Please email Tony Bracco at [RobinwoodNA@westlinnoregon.gov](mailto:RobinwoodNA@westlinnoregon.gov) to schedule a meeting.

**HOW TO SUBMIT AN APPLICATION:**

Submit a complete application in a single PDF document through the [Submit a Land Use Application](#) web portal. A complete application should include:

1. A [development application](#);
2. A project summary outlining the scope of the project;
3. Full written responses to approval criteria in the identified CDC chapters;
4. A traffic impact analysis
5. [A Service Provider Letter from Tualatin Valley Fire and Rescue](#); and
6. Demonstration of compliance with Neighborhood Association meeting requirements per [CDC 99.038\(E1-5\)](#).

#### **COMPLIANCE NARRATIVE:**

Written responses supported by substantial evidence must address all applicable approval standards and criteria. Written materials must explain how and why the proposed application will meet each applicable approval criteria. "Not Applicable" is not an acceptable response to the approval criteria.

Submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in writing, that the Planning Manager waive the requirement. The applicant must identify the specific grounds for the waiver. The Planning Manager will respond with a written determination about the waiver request before applying.

#### **APPLICATION FEES & DEPOSITS:**

The Planning Division Fee Schedule can be found on our website: <https://westlinnoregon.gov/finance/current-fee-schedule>

- Deposit for a Conditional use permit = \$4,500
- Fee for Final Inspection of a Conditional Use Permit = \$ 500

Applications with deposits will be billed monthly for time and materials. Please provide the name and address of the party responsible for the final invoice in your application.

#### **Timelines:**

Once the application and payment are received, the City has 30 days to determine if the application is complete. If the application is incomplete, the applicant has 180 days to complete it or provide written notice to staff that no other information will be provided. Once complete, the City has 120 days from the completeness determination to make a final decision on the application. Typical land use applications can take 6-10 months from beginning to end.

**\* DISCLAIMER:** *These pre-application notes have been prepared per [CDC Section 99.030.B.7](#). The information provided is an overview of the proposal considerations and requirements. Staff responses are based on limited material presented at the pre-application conference. New issues and requirements can emerge as the application is developed. Failure to provide information does not constitute a waiver of the applicable standards or requirements. The applicant has the burden of proof to demonstrate that all approval criteria have been satisfied. These notes do not constitute an endorsement of the proposed application or assure project approval.*



## PRE-APPLICATION CONFERENCE

Thursday, August 3, 2023

Willamette Room  
City Hall  
22500 Salamo Rd

10:00 am: **Proposed Conditional Use**  
Applicant: **Brett Schulz/Allsion Morton**  
Property Address: **19066 Willamette Drive**  
Neighborhood Assn: **Robinwood Neighborhood Association**  
Planner: **John Floyd**

Project #: **PA-23-11**



\*The pre-application conference will be conducted in-person.



City of  
**West Linn**

Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068  
Telephone 503.742.6060 • westlinnoregon.gov

## Pre-Application Conference Request

For Staff to Complete:

**PA** PA-23-11

**Conference Date:** 8/3/23

**Time:** 10:00

**Staff Contact:** John Floyd

**Fee:** \$350

Pre-application conferences are held on the first and third Thursdays of the month between 9:00 am and 1:00 pm. Appointments must be made by 5:00 pm, 15 days before the meeting date. The applicant has a choice of an in-person or virtual meeting. To schedule a conference, submit this form, a site plan, and accompanying materials through the [Submit a Land Use Application](#) web page. The City will contact you to collect payment. Pre-application notes are valid for 18 months.

### Property Owner Information

**Name:** Douglas and Ruthann Seely Joint Trust  
**Email:** investseely@yahoo.com  
**Phone #:** (503) 789-0018  
**Address:** 1780 SW Advance Rd  
West Linn, OR 97068

### Applicant Information

**Name:** Brett Schulz  
**Email:** brett@brettschulz.com  
**Phone #:** (503) 222-9099  
**Address:** 2500 NE Sandy Blvd, Suite H  
Portland, OR 97232

**Address of Subject Property (or tax lot):** 19066 Willamette Dr, Building D, West Linn OR.

### REQUIRED ATTACHMENTS:

- ☐ A project narrative with a detailed description of the proposed project. Briefly describe the physical context of the site.
- ☐ A list of questions or issues the applicant would like the City to address.
- ☐ A dimensional site plan that shows:
  - ☐ North arrow and scale
  - ☐ Location of existing trees (a tree survey is highly recommended)
  - ☐ Streets Abutting the property and width of right of way
  - ☐ Location of creeks and/or wetlands (a wetland delineation is highly recommended)
  - ☐ Property Dimensions, existing buildings, and building setbacks
  - ☐ Slope map (if slope is 25% or more)
  - ☐ Location of existing utilities (water, sewer, etc.)
  - ☐ Conceptual layout, design, proposed buildings, building elevations, and setbacks
  - ☐ Location of all easements (access, utility, etc.)
  - ☐ Vehicle and bicycle parking layout (including calculation of required number of spaces, based on use and square footage of building), if applicable
  - ☐ Location of existing and proposed access and driveways. Include the proposed circulation system for vehicles, pedestrians, and bicycles, if applicable.
  - ☐ Proposed stormwater detention system with topographic contours

I certify that I am the owner or authorized agent of the owner:

**APPLICANT:**

**DATE:** 6-20-2023

The undersigned property owner authorizes the requested conference and grants city staff the **right of entry** onto the property to review the application.

**PROPERTY OWNER:** Douglas E. Seely, Trustee

**DATE:** 6/20/2023

## **Project Narrative – Bright Schoolhouse Microschool**

June 21, 20023

A Conditional Use is sought to allow an E occupancy nonprofit microschool in a retail zone. The school will have two classrooms each containing a maximum of 30 special needs children older than age 5.

No physical changes are proposed to the site or the exterior of the building other than signage. All construction work will be inside the existing building, consisting of the addition of one bathroom, some additional sinks and a kitchenette.

Previous use was a fitness studio. Applicant believes that this previous use had more traffic impact than the proposed use. The fitness studio had multiple classes per day with members arriving and departing at multiple times during the day. The proposed school will generate significantly fewer car trips, with students being dropped off at approx. 8:00 am and picked up at approx. 3:00 pm.

Applicant believes that negative impacts to the community from the proposed school are negligible or non-existent, and that the proposed use will be a benefit to the community.

STORM WATER DESIGN NOTE:  
TEXT FROM THE CITY OF PORTLAND STORMWATER DESIGN MANUAL  
Facilities designed in accordance with the simplified approach are presumed to comply  
with the City's pollution reduction and flow control requirements (see Chapter 1.0).  
SYSTEM IS DESIGNED FOR A 25 YEAR STORM EVENT FOR TREATMENT AND DETENTION REQUIREMENTS.

LEGEND & ABBREVIATIONS

	PROJECT BENCHMARK
	EXISTING CATCH BASIN
	EXISTING SANITARY SEWER MANHOLE
	EXISTING UTILITY POLE
	RIGHT-OF-WAY LATH SET
	SPOT ELEVATION
	PERIGEE CONTROL POINT (AS NOTED)
	MONUMENT FOUND (AS NOTED)
	EXISTING EDGE OF PAVEMENT
	EXISTING WATER LINE (SIZE AS NOTED)
	EXISTING STORM LINE
	RIGHT-OF-WAY LINE
	CENTER LINE
	PROPERTY LINE
	EXISTING SANITARY LINE
	EXISTING CENTER OF CREEK
	EXISTING SANITARY LINE
	CATCH BASIN
	CONCRETE
	EXISTING
	INVERT ELEVATION
	STORM DRAIN MANHOLE
	SANITARY SEWER MANHOLE
	ELEVATION
	LANDSCAPED AREA

TAX LOTS 100, 102, & 1100  
MAP 2-IE-23AA  
PART OF LOTS 15, 16, 17 & 18  
CEDAR OAK PARK  
CITY OF WEST LINN  
CLACKAMAS CTY, OREGON

ZONING GC

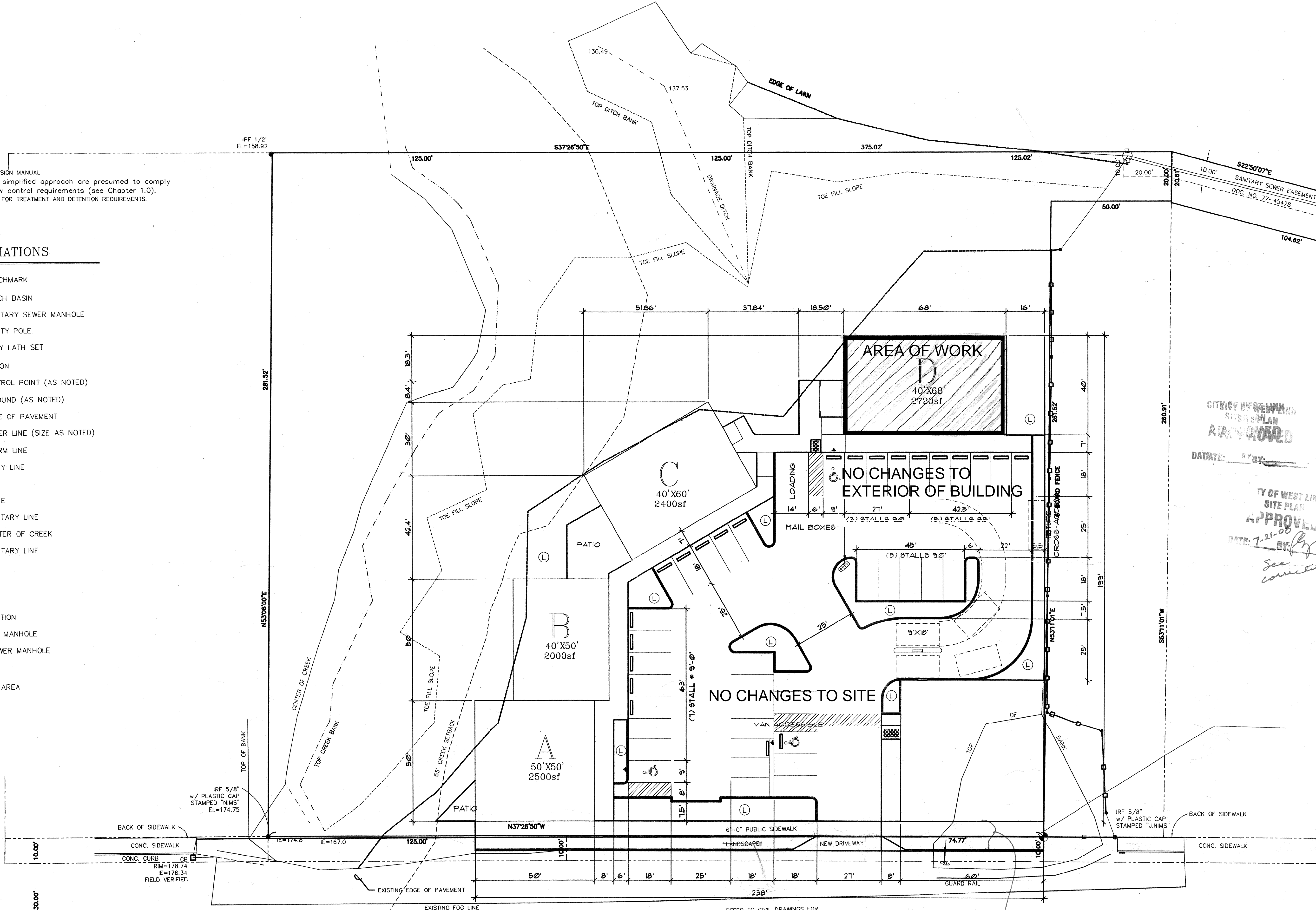
13120 SF NET LEASABLE  
40 PARKING SPACES (1:328 AVG.)  
11 COMPACT 8'X16'  
29 STD. 9'X18' (3 HDOP)  
1 LOADING BAY (14'X20')

REDUCTION CREDITS  
10% PARKING ALLOWANCE STD.  
10% TRANSIT ALLOWANCE

SITE AREAS

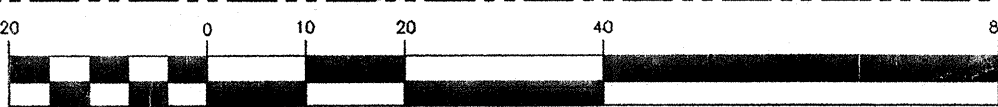
TOTAL SITE  
BLDG. FOOTPRINT  
ASPHALT PAVING

91,458  
9,620  
11,025



SITE PLAN

GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

CITY OF WEST LINN  
SITE PLAN  
APPROVED

DATE: 7-21-00 BY: [Signature]

CITY OF WEST LINN  
SITE PLAN  
APPROVED  
DATE: 7-21-00 BY: [Signature]  
See correction

NOTES & REVISIONS:

ROWELL  
ENGINEERING  
& DESIGN INC.  
CIVIL - STRUCTURAL ENGINEERING  
10570 SE Washington St.  
PORTLAND, OR. 9726  
PH: (503) 254-6292  
FAX: (503) 254-6761

REGISTERED PROFESSIONAL  
ENGINEER  
68367PE  
OCT 22, 1998  
TODD T. ROWELL  
EXPIRES: DEC. 31, 08

SITE PLAN  
BUILDING D  
WILLAMETTE VILLAGE  
19084 WILLAMETTE DR.  
WEST LINN, OREGON

PROJECT #WILLAMETTE VILLAGE  
DATE: 4/25/08

SHEET

S-1

OF

1

12' s/w req'd  
w/ cut outs for street  
trees 20' oc per landscape plan

**From:** [Brett Schulz](#)  
**To:** [Floyd, John](#); [Allison Morton](#)  
**Subject:** Re: Pre-Application Meeting for 19066 Willamette Drive, West linn  
**Date:** Tuesday, July 25, 2023 5:31:08 PM

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John,

Apologies for the delay in getting back to you. Allison has been traveling.

1. There will be a maximum of four adult staff.
2. Do you see any obstacles to approval?
3. Can you please advise how best to arrange our narrative?
4. We are not proposing any actual work other than MEP changes that will require trade permits. Assuming we are granted Planning approval, will we need a building permit?

Thank you.

Please note that I generally check email only when I am at my desk.

If your message is urgent or time sensitive, please text or call me.

Brett

**Brett Schulz** architect pc, LEED AP  
2500 NE Sandy Blvd, Suite H  
Portland, OR 97232  
(503) 222-9099  
[www.brettschulz.com](http://www.brettschulz.com)

On Fri, Jul 21, 2023 at 9:53 AM Floyd, John <[JFloyd@westlinnoregon.gov](mailto:JFloyd@westlinnoregon.gov)> wrote:

Hi Brett,

rd

I'm reviewing your pre-application materials for our July 3 meeting with city staff. I'm wondering if you have an approximate employee count that will be on site at any one time?

Also, do you have any specific questions for the city that we could research ahead of time?

Thanks,

John

,

**John Floyd**

*Associate Planner*

Planning

Pronouns: he, him, his

22500 Salamo Rd.

West Linn, Oregon 97068

[JFloyd@westlinnoregon.gov](mailto:JFloyd@westlinnoregon.gov)

[westlinnoregon.gov](http://westlinnoregon.gov)

503-742-6058



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