

CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
1/16/25

SUBJECT: Proposed Food Car Pod
FILE: PA-25-02
APPLICANTS PRESENT: David (DJ) Lawrence
STAFF PRESENT: Chris Myers, Associate Planner
PUBLIC PRESENT: Karen O'Brien, Paul Reim, Beau J. Genot

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: 1553 11th Street
Tax Lot No.: 31E02BA04900
Site Area: ~22,233 square feet
Neighborhood: Willamette Neighborhood Association
Comp. Plan: Mixed Use
Zoning: Willamette Neighborhood Mixed Use Transitional Zone
Zoning Overlays: No environmental zoning overlays

PROJECT DESCRIPTION:

The applicant requests a Conditional Use Permit to allow a food cart pod at 1553 11th Street. The subject property is not within the Willamette Falls Drive Commercial Design District nor is the subject property within the Willamette Historic District.

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 2: Definitions](#)
- [Chapter 59: Willamette Neighborhood Mixed Use Transitional Zone](#)
- [Chapter 34: Accessory Structures, Accessory Dwelling Units and Accessory Uses](#)
- [Chapter 44: Fences](#)
- [Chapter 46: Off-Street Parking, Loading and Reservoir Areas](#)
- [Chapter 48: Access, Egress, and Circulation](#)
- [Chapter 52: Signs](#)
- [Chapter 55: Design Review](#)
- [Chapter 60: Conditional Uses](#)
- [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:

Chapter 2: Definitions

- This chapter included as a good reference for information when putting together the application. No requirements within this chapter need to be addressed for the application.
- Look at the definition of Accessory Structure

Chapter 59: Willamette Neighborhood Mixed Use Transitional Zone

- 59.030 Permitted Uses
- 59.060 Conditional Uses

Chapter 34: Accessory Structures, Accessory Dwelling Units, and Accessory Uses

- 34.060 Setback Provisions for Accessory Structures (non-dwelling).

Chapter 44: Fences

- 44.020 Sight-obscuring fence; setback and height limitations

Chapter 46: Off-Street Parking, Loading, and Reservoir Areas

- No longer have min or max parking requirements (CFEC)

Chapter 48: Access, Egress, and Circulation

- 48.025 Access Control
- 48.040 Minimum Vehicle Requirements for Non-Residential Uses
- 48.080 Bicycle and Pedestrian Circulation

Chapter 52: Signs

- 52.101 Procedures and Approval Process
- 52.103 Permit
- 52.104 Application
- 52.109 Exemptions
- 52.200 Prohibited Signs
- 52.210 Approval Standards
- 52.300 Permanent Sign Design Standards

Chapter 54 Landscaping

- 54.010

Chapter 55: Design Review

- 55.020 Classes of Design Review
- 55.030 Administration and Approval Process
- 55.070 Submittal Requirements
- 55.120 Site Plan
- 55.130 Grading and Drainage Plans
- 55.140 Architectural Drawings
- 55.150 Landscape Plan

Chapter 60: Conditional Uses

- 60.030 Administrative and Approval Process
- 60.040 Time Limit on Conditional Use Approval
- 60.050 Building Permits for an Approved Conditional Use

- 6.060 Approval Standards and Conditions
- 60.080 Site Plan and Map

Chapter 99: Procedures for Decision Making: Quasi-Judicial

- 99.038 Neighborhood Contact Required for Certain Applications
- 99.060 Approval Authority (pc)
- 99.170 Hearing Procedures

Discussion Points:

Issues and questions to discuss at pre-app

1. Removal of the planter on 11th street sidewalk
2. Concrete retaining wall height/Engineering?
3. PGE box on site near sidewalk
4. Driveway/traffic control for Pool business
5. Steps to be constructed at corner of 11th
 - a. Existing utilities
 - b. Built to code i.e., railings
6. Barrier between seating and driveway for pool house
7. Height of Gazebo, no more than 15 feet at peak

PUBLIC COMMENT:

No public comment received.

ENGINEERING:

Engineering Department comments are attached. contact Clark Ide at 503-722-3437 or CIde@westlinnoregon.gov. with any further Engineering and Public Works questions.

BUILDING:

For building code and ADA questions, contact Adam Bernert at abernert@westlinnoregon.gov or 503-742-6054 or Alisha Bloomfield at 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 or 503-259-1510 with any questions.

TREES:

For information on the tree requirements for this proposal, contact Mike Perkins, City Arborist at mperkins@westlinnoregon.gov or 503-722-4728.

PROCESS:

A Class II Variance is a Planning Commission decision. A public hearing is required. Once the application is declared complete, staff will review the application, send a 20-day public comment notice, and post a notice sign on the property. When the public comment period closes, the Planning Director will prepare a decision. A final decision can take 4-6 months.

There is a 14-day appeal period after the decision. If the decision is not appealed, the applicant may proceed with the development.

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 Service Provider Letter from Tualatin Valley Fire and Rescue; and
5. 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>

- Conditional Use Permit = \$4500 Deposit, Inspection fee \$500
- Class II Design Review = \$4500 Fee, Inspection fee \$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-app Comments

Engineering Contact:

Project Number: PA-25-02
1552 11th Street: Proposed Food Cart Pod

Clark Ide
cide@westlinnoregon.gov
Telephone: (503) 722-3437

Project Description: Proposed Food Cart Pod

Pre-application meeting date: January 16, 2025

The comments provided below are based upon material provided as part of the pre-application packet and are intended to identify potential design challenges associated with the development. Comments are not intended to be exhaustive and do not preclude the engineering department from making additional comments as part of the formal land use application process.

TRANSPORTATION

Minimum Required Improvement:

- Willamette Falls Drive
 - Willamette Falls Drive is classified as a minor arterial.
 - Willamette Falls Drive has approx. 120 feet of ROW along the frontage of the proposed development lot. The City would not request any additional ROW be dedicated across the property frontage.
 - Due to previous ROW improvements to Willamette Falls Drive, the City will require no additional frontage Improvements at the property location.
 - Only one driveway approach per frontage is permitted. However, the City will allow both driveway approaches on Willamette Falls Drive to remain in place as long as the west approach is blocked at the ROW with a physical barrier as discussed in the meeting.
- 11th Street
 - 11th Street is classified as a local street.
 - 11th Street has approx. 60 feet of ROW along the frontage of the proposed development lot. The City would not request any additional ROW be dedicated across the property frontage.
 - Due to previous ROW improvements to 11th Street, the City will require no additional frontage Improvements at the property location.

SANITARY SEWER

Minimum Required Improvement:

- Existing 8" mains currently run along the frontages of the property at Willamette Falls Drive and 11th Street. The 8" mains in the vicinity are large enough to handle the capacity from the proposed development build-out.
- Applicant believes there is currently a 4" lateral tying into the main on Willamette Falls Drive that serves all the existing structures on the property. After review of the proposed development, the existing 4" later will not be sufficient to handle the additional structure tie-ins associated with the



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development build-out. The existing lateral will need to be increased to a minimum 6" diameter.

DOMESTIC WATER

Minimum Required Improvement:

- Existing 12" DI water mains currently run along the frontages of the property at Willamette Falls Drive and 11th Street. The 12" mains in the vicinity are large enough to serve the proposed development build-out.
- After review of the proposed development, the existing water meter will need to be increased from a 5/8" to a 1" size to support the development build-out.
- An increased service line from the 12" DI main on 11th Street to the existing water meter location on the property will likely be required to provide adequate service to the larger water meter. This will be reviewed more thoroughly during the Site Development review process should this project move forward.

SURFACE WATER (STORM SEWER)

Minimum Required Improvement:

- Onsite run-off generated from new impervious areas of greater than 1000 square feet must be captured, treated, detained and conveyed to the nearest public stormwater system in accordance with the *Portland Stormwater Management Manual*, the Uniform Plumbing Code, and *City of West Linn Public Works Standards*.
- Preferred stormwater management would be to capture, treat, and infiltrate on site. If infiltration is not feasible, conveyance to the City system would be required.
- All Stormwater facilities must be designed and accepted by a licensed engineer.
- The City system on Willamette Falls Drive/11th Street has the capacity to serve the proposed development if required.

OTHER

- Please refer to Planning's summary notes for answers to specific questions requested in the Pre-Application Conference Meeting application.
- Per meeting discussion, the existing utility vault, at the location of the proposed stairs at the NW corner of the property, will need to be equipped with a lid conducive to pedestrian traffic or will need to be relocated.
- Per meeting discussion, the City will require physical barriers be installed between the proposed pedestrian walking/seating areas and vehicular drive/parking areas on the site. The location and types of physical barriers will need to be shown on the final site plan for review.
- Any required improvements shall be constructed to meet current City of West Linn Design Standards.



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- Any required improvements in the ROW shall be constructed, inspected and accepted by the City.
- Development shall pay all applicable System Development Charges (SDC) fees prior to issuance of Site Development permit.
- The proposed development will disturb less than 5 acre, therefore a West Linn Erosion Control Permit Application, as outlined in Section 2.0065 of the *City of West Linn Public Works Standards*, will be required prior to the commencement of construction.

From: Willamette Neighborhood Association President <willamettena@westlinnoregon.gov>
Sent: Wednesday, January 15, 2025 12:03 PM
To: Myers, Chris <CMyers@westlinnoregon.gov>
Cc: Beau Genot <beau@5100films.com>
Subject: PA-25-02

Dear Chris,

Please put this in the record for this application.

I am unable to make the pre-app tomorrow but am sending Beau Genot. He has my permission to speak for me/WNA. He is VP of WNA.

I have not mentioned this pre-app to our membership, but I can see several issues that WNA members may have.

- 1). The added traffic
- 2). The lack of parking is already an issue. This would just exasperate it.
- 3). Noise. This is a residential area.

As experienced from the other food cart pod, noise, parking and traffic are a huge issues. The neighbors deserve to have peace and quite in their neighborhood. They are already going to endure, perhaps, the additional noise from the ICON building.

4). Safety - there is an elementary school, pre- school, and day care less than 2 blocks from this project. The additional traffic, plus adding alcohol into the mix is an "accident" waiting to happen.

5). This project will be putting existing businesses at risk. It will take away clientele from the established restaurants and the existing food cart pod (which I understand those food carts are having issues making enough money to stay). This would just make matters worse.

Can the city direct the applicant that only certain "cuisine" food carts would be allowed, so as to not conflict with established businesses and food pod? Do we really need more "eateries"?

6). Potential displacement of a business that has been there and contributing to Main St. the city of West Linn for many years.

I am sure that when I inform WNA of this project, other issues will arise.

Kathie Halicki, WNA President

Willamette Neighborhood Association President
President
Neighborhood Association Presidents