



CITY OF
West Linn
 PLANNING AND DEVELOPMENT

PLANNING MANAGER DECISION

DATE: September 25, 2015

FILE NO.: DR-15-14

REQUEST: Class I Historic Design Review application to repaint the building at 1720 Willamette Falls Dr.

PLANNER: Darren Wyss, Associate Planner

 Planning Manager

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GENERAL INFORMATION

**OWNER/
APPLICANT:** Ann Chay
1980 Willamette Falls Drive
West Linn, OR 97068

SITE LOCATION: 1720 Willamette Falls Drive

SITE SIZE: 0.37 acres

**LEGAL
DESCRIPTION:** Assessor's Maps and Tax Lot - 31E02BA01800

**COMP PLAN
DESIGNATION:** Commercial
Low Density Residential

ZONING: General Commercial
Single-Family Residential Detached R-10
Willamette Commercial District Overlay Zone

**APPROVAL
CRITERIA:** Community Development Code (CDC) Chapters 11, 19, 58, and 99

120-DAY RULE: The application declared complete on September 4, 2015. The 120-day period ends on January 2, 2016.

PUBLIC NOTICE: Notice was mailed to property owners within 300 feet of the subject property and all Neighborhood Associations on September 11, 2015. A sign was placed on the property on September 14, 2015. The notice was also posted on the City's website. Therefore, public notice requirements of CDC Chapter 99 have been met.

EXECUTIVE SUMMARY

The application is for a Class I Historic Design Review, per CDC 58.030, to repaint the building at 1720 Willamette Falls Dr. The property is zoned R-10 (back portion) and General Commercial (front portion) and is located in the Willamette Falls Drive Commercial District.

The applicable CDC Chapters include:

- Chapter 11, Single-Family Residential Detached R-10
- Chapter 19, General Commercial (GC) Zoning District
- Chapter 58, Willamette Falls Drive Commercial District Design Standards
- Chapter 99, Procedures for Decision Making: Quasi-Judicial

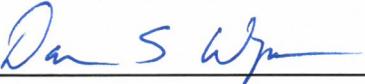
Public comments:

Staff received no written comments.

DECISION

The Planning Manager (designee) approves this application (DR-15-14), based on: 1) the findings submitted by the applicant, which are incorporated by this reference, and 2) supplementary staff findings included in the Addendum below. With these findings, the applicable approval criteria are met.

The provisions of the Community Development Code Chapter 99 have been met.



Darren Wyss, Associate Planner

September 25, 2015
DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of the mailing date listed below. The cost of an appeal is \$400. The appeal must be filed by an individual who has established standing by submitting comments prior to the date identified in the public notice. Appeals will be heard by City Council.

Mailed this 28th day of September, 2015.

Therefore, the 14-day appeal period ends at 5 p.m., on October 12, 2015.

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
DR-15-14**

Staff recommends adoption of the findings for approval contained within the applicant's submittal, with the following additions:

CHAPTER 11, SINGLE-FAMILY RESIDENTIAL DETACHED R-10

Staff Finding 1: The proposal does not alter the lot size, setbacks, building size/height, or use and the only change is the color of the building. All criteria are met.

CHAPTER 19, GENERAL COMMERCIAL (GC) ZONING DISTRICT

Staff Finding 2: The proposal does not alter the lot size, setbacks, building size/height, or use and the only change is the color of the building. All criteria are met.

CHAPTER 58, WILLAMETTE FALLS DRIVE COMMERCIAL DISTRICT DESIGN STANDARDS

58.050 PERMITTED USES

All uses permitted by the underlying General Commercial zone shall be allowed pursuant to CDC 19.030, 19.040, 19.050, and 19.060 and shall require the application of the standards of this chapter. Residential use of the second floor and the rear portion only of the ground floor, with no access onto Willamette Falls Drive, is permitted by application through this chapter. Residential use may only comprise 50 percent or less of the total square footage of the building combined. Commercial uses shall dominate the first floor. (Ord. 1401, 1997)

Staff Finding 3: No use is proposed. The proposal is only to repaint the building. This criterion is met.

58.090 STANDARDS

C. The following standards shall apply to new construction and remodels.

26. Paint colors. Body color typically included white, cream, or a light, warm color of low intensity. Accents, trims, windows, etc., should be dark-colored. Contrasting colors should be compatible. Existing colors shall not enjoy protected status when repainting is proposed. A palette or color wheel of acceptable 1880 – 1915 period colors shall be the basis for color selection. No other colors are allowed. The palette is available at the Community Development Department.

Staff Finding 4: The proposal is to repaint the building the same color scheme that exists currently. The body color is proposed to be olive green with contrasting color of white for the trim and windows. The colors are consistent with the period colors. This criterion is met.

PD-1 AFFADAVIT OF NOTICE

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:

GENERAL

File No. DR-15-14 Applicant's Name Ann Chay
Development Name _____
Scheduled Meeting/Decision Date 9-25-15

NOTICE: Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

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) _____

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted:

Times (published date) _____ (signed) _____
City's website (posted date) _____ (signed) _____

SIGN

At least 10 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

(date) 9-14-15 (signed) Dan S Upm

NOTICE: Notices were sent at least 14 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE B

A. The applicant (date) 9-11-15 (signed) S. Schryer
B. Affected property owners (date) 9-11-15 (signed) S. Schryer
C. School District/ Board (date) _____ (signed) _____
D. Other affected gov't. agencies (date) _____ (signed) _____
E. Affected neighborhood assns. (date) 9-11-15 (signed) S. Schryer
W.U. All

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: 9-11-15 (signed) S. Schryer

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.

(date) _____ (signed) _____

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

(date) 9-28-15 (signed) Dan S Upm

PD-2 NOTICE MAILING PACKET

CITY OF WEST LINN NOTICE OF UPCOMING PLANNING MANAGER DECISION FILE NO. DR-15-14

The West Linn Planning Manager is considering a request for a Class I Historic Design Review application to repaint the building at 1720 Willamette Falls Dr.

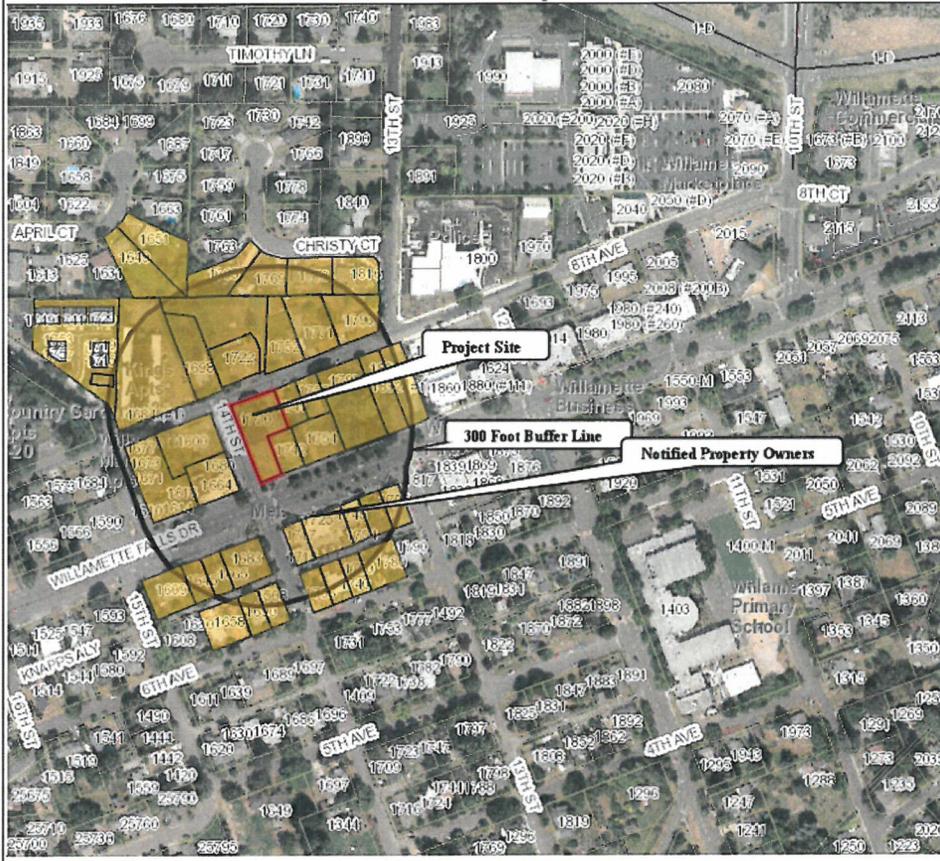
The decision will be based on the approval criteria in Chapter 58 of the Community Development Code (CDC). The approval criteria from the CDC are available for review at City Hall, at the City Library, and at <http://www.westlinnoregon.gov/cdc>.

You have been notified of this proposal because County records indicate that you own property within 300 feet of this property (Tax Lot 1800 of Clackamas County Assessor's Map 31E 02BA) or as otherwise required by Chapter 99 of 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 [https:// http://westlinnoregon.gov/planning/1720-willamette-falls-drive-class-i-historic-review-commercial-minor-alteration](https://http://westlinnoregon.gov/planning/1720-willamette-falls-drive-class-i-historic-review-commercial-minor-alteration) or copies may be obtained for a minimal charge per page. A public hearing will not be held on this decision. **Anyone wishing to present written testimony for consideration on this matter shall submit all material before 4:00 p.m. on September 25, 2015. Persons interested in party status should submit their letter along with any concerns related to the proposal by the comment deadline.** For further information, please contact Darren Wyss, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503)722-5512 or dwyss@westlinnoregon.gov.

Any appeals to this decision must be filed within 14 days of the final decision date with the Planning Department. **It is important to submit all testimony in response to this notice. City Council will not accept additional evidence if there is an appeal of this proposal.** 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.

1720 Willamette Falls Drive Notification Map



Scale 1:3,600 - 1 in = 300 ft
Scale is based on 8-1/2 x 11 paper size

Map created by: SSHROYER
Date Created: 04-Sep-15 03:42 PM
WEST LINN GIS

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Source: West Linn GIS (Geographic Information System) MapOptix.



PLANNING MANAGER DECISION 2015-09-25

DR-15-14: MAIL 9/11/15; WL TIDINGS: N/A

CITIZEN CONTACT INFORMATION

To lessen the bulk of agenda packets, land use application notice, and to address the worries of some City residents about testimony contact information and online application packets containing their names and addresses as a reflection of the mailing notice area, this sheet substitutes for the photocopy of the testimony forms and/or mailing labels. A copy is available upon request.

PD-3 COMPLETENESS LETTER



City of
West Linn

September 4, 2015

Ann Chay
1980 Willamette Falls Drive
West Linn, OR 97068

RE: DR-15-14 (Design Review-Repaint Building at 1720 Willamette Falls Dr.)

Dear Ann:

Your application received on September 4, 2015, has been deemed complete. The City has 120 days to exhaust all local review. That period lapses on January 2, 2016.

Staff will now prepare the staff report and 14-day public notice of a Director's Decision. If there is any need for more information or clarification from you, I will be in touch.

Otherwise, please feel free to contact me if you have any questions or comments, or if you wish to meet.

Sincerely,



Darren Wyss
Associate Planner
503-722-5512
dwyss@westlinnoregon.gov

PD-4 APPLICANT'S SUBMITTAL



Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068
Telephone 503.656.4211 • Fax 503.656.4106 • westlinnoregon.gov

DEVELOPMENT REVIEW APPLICATION

For Office Use Only			
STAFF CONTACT: DARREN WYSS	PROJECT NO(S): DR-15-14		
NON-REFUNDABLE FEE(S): 250 -	REFUNDABLE DEPOSIT(S): 0	TOTAL:	250 -

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 checked="" type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP)(Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Tualatin River Greenway |
| <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 River Greenway |
| <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.

Site Location/Address: 1720 WILLAMETTE FALLS DR. WEST LINN, OR. 97068	Assessor's Map No.: Tax Lot(s): EP 0 4 2015 Total Land Area:
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Brief Description of Proposal:
 REPAINT EXTERIOR OF BUILDING.

Applicant Name: (please print) FOXTRON CONSTRUCTION Address: ANN CHAY City State Zip: 1980 WILLAMETTE FALLS DR. WEST LINN, OR 97068 #120-343	Phone: 503-358-7680 Email:
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Owner Name (required): (please print) ANN CHAY Address: 1980 WILLAMETTE FALLS DR. WEST LINN, OR 97068 #120-343 City State Zip: WEST LINN, OR. 97068	Phone: 503-358-7680 Email: CHAYLLC@gmail.com
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Consultant Name: (please print) 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 copy 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.

 Applicant's signature	9-15- Date	 Owner's signature (required)	9-4-15 Date
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Class I Historic Design Review to repaint the building at 1720 Willamette Falls Dr. The paint color will remain the same as the current scheme of light olive body and accenting white trim (see photo below), which is consistent with the standards of CDC 58.090.C.26.



PD-5 PUBLIC COMMENTS

No public comments were received.