

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT PETER SPIR	PROJECT NO(S). MP-17-02	
NON-REFUNDABLE FEE(S) 0	REFUNDABLE DEPOSIT(S) 2800-	TOTAL 2800-

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 checked="" 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"/> 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.

Site Location/Address: 2400-2450 Willamette Falls Drive	Assessor's Map No.: 21E35D
	Tax Lot(s): 2000, 3400, 3500, & 5300
	Total Land Area: 1.58 acres

Brief Description of Proposal:
CONSOLIDATION OF FOUR PARCELS INTO ONE AT SITE OF APPROVED SELF-STORAGE BUILDING

Applicant Name: WEST LINN SELF STORAGE LLC (please print) Phone: 503-804-5545
Address: 29030 SW TOWN CENTER LOOP EAST STE 202 #186 Email: capitalman@onlinenw.com
City State Zip: WILSONVILLE, OR 97070


Owner Name (required): WEST LINN SELF STORAGE LLC (please print) Phone: 503-804-5545
Address: 29030 SW TOWN CENTER LOOP EAST STE 202 #186 Email: capitalman@onlinenw.com
City State Zip: WILSONVILLE, OR 97070


Consultant Name: LEE LEIGHTON (please print) Phone: 503-224-9560
Address: C/O MACKENZIE, 1515 SE WATER AVE., STE 100 Email: lleighton@mcknze.com
City State Zip: PORTLAND, OR 97214


- All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
- The owner/applicant or their representative should be present at all public hearings.
- A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
- 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.

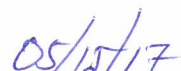
* No CD required / ** Only one hard-copy set needed

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.


 Applicant's signature


 Date


 Owner's signature (required)


 Date

MACKENZIE.

DESIGN DRIVEN | CLIENT FOCUSED

**LOT CONSOLIDATION
(PRELIMINARY
PARTITION PLAT
REVIEW)**

To
City of West Linn

For
Northwest Self Storage
Willamette Falls Drive

Submitted
May 17, 2017

Project Number
2150120.03



MACKENZIE
Since 1960

RiverEast Center | 1515 SE Water Ave, Suite 100, Portland, OR 97214
PO Box 14310, Portland, OR 97293 | T 503.224.9560 | www.mcknze.com



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ATTACHMENTS

1. Application Form
2. Notice of Decision approving development of the Subject Property (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, and WRG-16-02)
3. Proposed Consolidation Plat Drawing
4. Vesting Statutory Warranty Deed
5. City of West Linn Ordinance No. 1384 (vacating Willamette Falls Drive right-of-way)
6. GIS Aerial Photo Vicinity Map



I. PROJECT SUMMARY

Applicant \ : West Linn Self Storage LLC
29030 SW Town Center Loop East Ste 202 #186
Wilsonville, OR 97070
(503) 804-5545
capitalman@onlinenw.com

Site Address: 2400-2450 Willamette Falls Drive
West Linn, OR 97068

Site Acreage: 1.58 Acres combined area

Zoning: General Commercial (GC)

Comprehensive Plan: Commercial

Adjacent Zoning: I-205 to the north, R10 residential (single-family residential detached) to the south, and GC to the east and west

Existing Structures: None

Request: Minor Land Partition (to consolidate four lots of record into one)

Project Contact: Lee Leighton, AICP
Mackenzie
1515 SE Water Avenue, Suite 100
Portland, OR 97214
503-224-9560
lleighton@mcknze.com



II. INTRODUCTION

Description of Request

In 2016, following public hearings on August 17, 2016 and October 5, 2016, the West Linn Planning Commission approved a Conditional Use Permit to construct a four-story self-storage facility (106,487 square feet) at 2400-2450 Willamette Falls Drive, together with approvals for two variances (including a Special Waiver), Class II Design Review, Water Resource Area (WRA) permit, and a Willamette and Tualatin River Protection Area permit (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). A copy of the Notice of Decision, findings, and approval conditions for that set of approvals is attached as Attachment 2.

The Subject Property for that set of approvals consists of four lots of record, consisting of portions of Tracts 32 and 33 of the Willamette Falls subdivision plat, together with vacated rights-of-way. Because the footprint of the proposed building crosses existing property lines, potentially conflicting with Building Code requirements, the Applicant is proposing to replat the Subject Property to consolidate the four existing lots of record into a single parcel. The result will be a net decrease of 3 lots of record, as the four lots are consolidated into one.

The West Linn Planning Director has determined the Partition Procedure to be appropriate for this action.

Existing Site and Surrounding Land Use

The site consists of four vacant parcels at 2400-2450 Willamette Falls Drive - tax lots 2000 and 5300 of Clackamas County Assessor’s Map 2 1E3 5D, and tax lots 3400 and 3500 of Clackamas County Assessor’s Map 2 1E 35DD. The site is located in the Willamette Neighborhood Association. The site is bounded to the north by the on-ramp to I-205, to the east and west by multi-tenant office buildings, and to the south by Willamette Falls Drive and beyond that by single-family detached residences. The site is located in the GC General Commercial zone.

A portion of the site used to be the historic alignment of Willamette Falls Drive, prior to the construction of the I-205 freeway). The street alignment was subsequently vacated by the City and reverted to private ownership.

Description of Proposed Development

The applicant is proposing to replat the Subject Property to consolidate the four existing lots into a single parcel. The result will be a net decrease of three lots of record, as the four lots are consolidated into one.

2 1E 35D 05300	0.06 Acres
2 1E 35D 02000	0.36 Acres
2 1E 35DD 03400	0.51 Acres
2 1E 35DD 03500	0.65 Acres
Consolidated Area	1.58 Acres



Figure 1. Site Aerial Photo

III. NARRATIVE AND COMPLIANCE

85.150 Application – Tentative Plan

A. *The applicant shall submit a completed application which shall include:*

1. *The completed application form(s).*

Response: Attachment 1 contains a copy of the application form.

2. *Copies of the tentative plan and supplemental drawings shall include one copy at the original scale plus one copy reduced in paper size not greater than 11 inches by 17 inches. The applicant shall also submit one copy of the complete application in a digital format acceptable to the City. When the application submittal is determined to be complete, additional copies may be required as determined by the Community Development Department.*

Response: The Applicant submitted a plat drawing prepared by Northwest Surveying (see Attachment 3).

3. *A narrative explaining all aspects of land division per CDC 85.200.*

Response: The Applicant's statement responding to all aspects of CDC 85.200 is included below.

B. *The applicant shall pay the requisite fee. (Ord. 1401, 1997; Ord. 1408, 1998; Ord. 1442, 1999; Ord. 1613 § 19, 2013; Ord. 1621 § 25, 2014; Ord. 1622 § 19, 2014)*

Response: The Applicant paid the appropriate application review fee.

85.160 Submittal Requirements for Tentative Plan

A. *A City-wide map shall identify the site. A vicinity map covering one-quarter-mile radius from the development site shall be provided in the application showing existing subdivisions, streets, and unsubdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets and utilities may be extended to connect to existing streets and utilities.*

Response: The Applicant provided a vicinity map/aerial photo in Attachment 6. The subject property is located in a narrow commercially-zoned area between the Interstate 205 right-of-way and Willamette Falls Drive. The shallow strip of land between the two rights-of-way, and existing office buildings to the east and west of the subject property, provide no need or opportunity to extend public streets through the property to achieve local connectivity. Development plans for the site, which were approved by the City of West Linn, do not require extensions of streets and utilities through the subject property. (See Attachment 4.)

B. *The tentative subdivision plan shall be prepared by a registered civil engineer and/or a licensed land surveyor. A stamp and signature of the engineer or surveyor shall be included on the tentative subdivision plan. A tentative minor partition plan (three lots or less) is only required to be drawn to scale and does not have to be prepared by an engineer or surveyor.*

Response: The Applicant provided a proposed plat drawing prepared by Professional Land Surveyor Clint Stubbs of Northwest Surveying. (See Attachment 3.)

C. *The tentative plan of a subdivision or partition shall be drawn at a scale not smaller than one inch equals 100 feet, or, for areas over 100 acres, one inch equals 200 feet.*

Response: The proposed plat drawing complies with this requirement. (See Attachment 3.)

- D. *The following general information shall be shown on the tentative plan of subdivision or partition:*
1. *Proposed name of the subdivision and streets; these names shall not duplicate nor resemble the name of any other subdivision or street in the City and shall be determined by the City Manager or designee. Street names should be easily spelled, pronounced, and of limited length. All new street names must, to the greatest extent possible, respect and be representative of the surrounding geography and existing street names. Street names should consider any prominent historical City figures or neighborhood themes that exist. Subdivision street names may not reference names of the builder or developer.*
 2. *Date, north arrow, scale of drawing, and graphic bar scale.*
 3. *Appropriate identification clearly stating the drawing as a tentative plan.*
 4. *Location of the proposed division of land, with a tie to the City coordinate system, where established, and a description sufficient to define its location and boundaries, and a legal description of the tract boundaries.*
 5. *Names and addresses of the owner, developer, and engineer or surveyor.*

Response: The proposed plat drawing complies with these requirements. (See Attachment 3.)

- E. *The following existing conditions shall be shown on the tentative plan of a subdivision or partition:*
1. *The location, widths, and names of all existing or platted streets and rights-of-way within or adjacent to the tract (within 50 feet), together with easements and other important features such as section lines, donation land claim corners, section corners, City boundary lines, and monuments.*

Response: The proposed plat drawing complies with this requirement. (See Attachment 3.)

85.170 Supplemental Submittal Requirements for Tentative Subdivision or Partition Plan

The following information shall be submitted to supplement the tentative subdivision plan:

- A. *General.*
1. *Narrative stating how the plan meets each of the applicable approval criteria and each subsection below.*

Response: This document responds to and satisfies this requirement.

2. *Statement or affidavit of ownership of the tract (County Assessor's map and tax lot number).*

Response: The Applicant submitted a copy of the vesting deed, Statutory Warranty Deed recorded as Clackamas County Record No. 2016-074713. (See Attachment 4.) Exhibit A to that deed identifies the four lots of record as Parcels I, II, III, and IV, corresponding to the following Clackamas County tax map/lot numbers:

Parcel I: 2 1E 35DD 03500
Parcel II: 2 1E 35DD 03400
Parcel III: 2 1E 35D 02000
Parcel IV: 2 1E 35D 05300

3. *A legal description of the tract.*

Response: Because this plat will consolidate properties into one parcel of record, the plat drawing itself provides a legal description of the subject property. (See Attachment 3.) Currently, the subject property is legally described as Parcels I through IV as described in the Statutory Warranty Deed recorded as document #2016-074713, Clackamas County Official Records. (See Attachment 4.)

85.190 Additional Information Required and Waiver of Requirements

- A. *The Planning Director may require additional information as part of the application subject to the provisions of CDC 99.035(A).*
- B. *The applicant may request a waiver of any requirements for the application subject to the provisions of CDC 99.035(B) and (C).*

Response: This application was prepared based on guidance from planning staff. The Applicant understands that no supplementary information is required.

85.200 Approval Criteria

No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by condition of approval.

- A. *Streets.*

Response: No new streets are proposed as part of the partition. The subject site is currently served by Willamette Falls Drive. The Applicant is responsible for making street improvements pursuant to Section IV.3 of the Notice of Decision (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). (See Attachment 2.)

- B. *Blocks and lots.*

- 1. *General. The length, width, and shape of blocks shall be designed with due regard for the provision of adequate building sites for the use contemplated; consideration of the need for traffic safety, convenience, access, circulation, and control; and recognition of limitations and opportunities of topography and solar access.*

Response: No new blocks are proposed or required as part of the partition. These provisions are not applicable.

- 2. *Sizes. The recommended block size is 400 feet in length to encourage greater connectivity within the subdivision. Blocks shall not exceed 800 feet in length between street lines, except for blocks adjacent to arterial streets or unless topographical conditions or the layout of adjacent streets justifies a variation. Designs of proposed intersections shall demonstrate adequate sight distances to the City Engineer's specifications. Block sizes and proposed accesses must be consistent with the adopted TSP. Subdivisions of five or more acres that involve construction of a new street shall have block lengths of no more than 530 feet. If block lengths are greater than 530 feet, accessways on public easements or right-of-way for pedestrians and cyclists shall be provided not more than 330 feet apart. Exceptions can be granted when prevented by barriers such as topography, rail lines, freeways, pre-existing development, leases, easements or covenants that existed prior to May 1, 1995, or by requirements of Titles 3 and 13 of the UGMFP. If streets must cross water features protected pursuant to Title 3 UGMFP, provide a crossing every 800 to 1,200 feet unless habitat quality or the length of the crossing prevents a full street connection.*

Response: No new blocks are proposed or required as part of the partition. These provisions are not applicable.

3. *Lot size and shape. Lot or parcel size, width, shape, and orientation shall be appropriate for the location of the subdivision or partition, for the type of use contemplated, for potential utilization of solar access, and for the protection of drainageways, trees, and other natural features. No lot or parcel shall be dimensioned to contain part of an existing or proposed street. All lots or parcels shall be buildable. "Buildable" describes lots that are free of constraints such as wetlands, drainageways, etc., that would make home construction impossible. Lot or parcel sizes shall not be less than the size required by the zoning code unless as allowed by planned unit development (PUD).*

Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

Response: The proposed lot does not contain any part of an existing or proposed street. City of West Linn Ordinance No. 1384, effective January 11, 1996, vacated the Willamette Falls Drive public right-of-way. That ordinance includes a statement that no public utilities are contained within the right-of-way to be vacated, indicating no intent to retain a public works easement within the vacated right-of-way corridor. (See Attachment 5.)

The proposed consolidated lot is buildable, as approved by the Notice of Decision from the August 17, 2016 and October 5, 2016 West Linn Planning Commission meetings (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). (See Attachment 2.)

4. *Access. Access to subdivisions, partitions, and lots shall conform to the provisions of Chapter 48 CDC, Access, Egress and Circulation.*

Response: Access to the proposed lot was approved in the Notice of Decision approving development of the Subject Property (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, and WRG-16-02). (See Attachment 2.)

5. *Double frontage lots and parcels. Double frontage lots and parcels have frontage on a street at the front and rear property lines. Double frontage lots and parcels shall be avoided except where they are essential to provide separation of residential development from arterial streets or adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. A planting screen or impact mitigation easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.*

Response: Not applicable; the proposed lot is not a double frontage lot.

6. *Lot and parcel side lines. The lines of lots and parcels, as far as is practicable, should run at right angles to the street upon which they face, except that on curved streets they should be radial to the curve.*

Response: The partition combines previously existing lots; new lot lines are not being drawn. These provisions are not applicable.

7. *Flag lots. Flag lots can be created where it can be shown that no other reasonable street access is possible to achieve the requested land division. A single flag lot shall have a minimum street frontage of 15 feet for its accessway. Where two to four flag lots share a common accessway, the minimum street frontage and accessway shall be eight feet in width per lot. Common accessways shall have mutual maintenance agreements and*

reciprocal access and utility easements. The following dimensional requirements shall apply to flag lots:

Response: Not applicable, no flag lot is proposed as part of the site development.

C. *Pedestrian and bicycle trails.*

Response: Not applicable, no new pedestrian or bicycle trails are proposed as part of the site development.

D. *Transit facilities.*

Response: Not applicable, transit facilities are not required or proposed as part of the site development.

E. *Grading.*

Response: The preliminary grading plan was approved as part of prior land use approvals for development (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). (See Attachment 2.)

F. *Water.*

G. *Sewer.*

I. *Utility easements.*

Response: Water, sewer, and utility facilities to serve the proposed site development were approved by prior development approvals (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). The proposed consolidation partition supports implementation of the approved development plans. (See Attachment 2.)

J. *Supplemental provisions.*

1. *Wetland and natural drainageways. Wetlands and natural drainageways shall be protected as required by Chapter 32 CDC, Water Resource Area Protection. Utilities may be routed through the protected corridor as a last resort, but impact mitigation is required.*

Response: Wetland and natural drainage protection standards were met through prior development approvals (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). The proposed consolidation partition supports implementation of the approved development plans. (See Attachment 2.)

2. *Willamette and Tualatin Greenways. The Willamette and Tualatin River Greenways shall be protected as required by Chapter 28 CDC, Willamette and Tualatin River Protection.*

Response: Willamette and Tualatin Greenway standards were met through prior development approvals (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). The proposed consolidation partition supports implementation of the approved development plans. (See Attachment 2.)

3. *Street trees. Street trees are required as identified in the appropriate section of the municipal code and Chapter 54 CDC.*

Response: Street tree standards were met through prior development approvals (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). The proposed consolidation partition supports implementation of the approved development plans. (See Attachment 2.)

4. *Lighting. All subdivision street or alley lights shall meet West Linn Public Works Design Standards.*

Response: Lighting standards were met through prior development approvals (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). The proposed consolidation partition supports implementation of the approved development plans. (See Attachment 2.)

5. *Dedications and exactions. The City may require an applicant to dedicate land and/or construct a public improvement that provides a benefit to property or persons outside the property that is the subject of the application when the exaction is roughly proportional. No exaction shall be imposed unless supported by a determination that the exaction is roughly proportional to the impact of development.*

Response: Construction of public street improvements within the Willamette Falls Drive public right-of-way is required through prior development approvals (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). No additional dedication of right-of-way is needed to meet standards. The proposed consolidation partition supports implementation of the approved development plans. (See Attachment 2.)

6. *Underground utilities. All utilities, such as electrical, telephone, and television cable, that may at times be above ground or overhead shall be buried underground in the case of new development. The exception would be in those cases where the area is substantially built out and adjacent properties have above-ground utilities and where the development site's frontage is under 200 feet and the site is less than one acre. High voltage transmission lines, as classified by Portland General Electric or electric service provider, would also be exempted. Where adjacent future development is expected or imminent, conduits may be required at the direction of the City Engineer. All services shall be underground with the exception of standard above-grade equipment such as some meters, etc.*

Response: All utilities are conditioned to meet applicable standards through prior development approvals (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). The proposed consolidation partition supports implementation of the approved development plans. (See Attachment 2.)

7. *Density requirement. Density shall occur at 70 percent or more of the maximum density allowed by the underlying zoning. These provisions would not apply when density is transferred from Type I and II lands as defined in CDC 02.030. Development of Type I or II lands are exempt from these provisions. Land divisions of three lots or less would also be exempt.*

Response: This provision is not applicable because the subject property is located in the General Commercial (GC) zone and is not subject to residential density requirements.

8. *Mix requirement. The "mix" rule means that developers shall have no more than 15 percent of the R-2.1 and R-3 development as single-family residential. The intent is that the majority of the site shall be developed as medium high density multi-family housing.*

Response: This provision is not applicable because the subject property is located in the General Commercial (GC) zone and is not subject to residential density requirements.

9. *Heritage trees/significant tree and tree cluster protection. All heritage trees, as defined in the municipal code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction. All non-heritage trees and clusters of trees (three or more trees with overlapping dripline; however, native oaks need not have an overlapping dripline) that are considered significant by virtue of their size, type, location, health, or numbers shall be saved pursuant to CDC 55.100(B)(2). Trees are defined per the municipal code as having a trunk six inches in diameter or 19 inches in circumference at a point five feet above the mean ground level at the base of the trunk. (Ord. 1377, 1995; Ord. 1382, 1995; Ord. 1401, 1997; Ord. 1403, 1997; Ord. 1408, 1998; Ord. 1425, 1998; Ord. 1442, 1999; Ord. 1463, 2000; Ord. 1526, 2005; Ord. 1544, 2007; Ord. 1584, 2008; Ord. 1590 § 1, 2009; Ord. 1604 § 64, 2011; Ord. 1613 § 20, 2013; amended during July*



2014 supplement; Ord. 1635 § 34, 2014; Ord. 1636 § 56, 2014; Ord. 1647 § 8, 2016; Ord. 1650 § 1 (Exh. A), 2016)

Response: All tree standards, including heritage tree considerations, were met through prior development approvals (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02). The proposed consolidation partition supports implementation of the approved development plans. (See Attachment 2.)

IV. CONCLUSION

This application to consolidate four parcels through the partition review/approval process was prepared based on guidance from planning staff. The information included in this report, combined with the West Linn Planning Commission Notice of Decision for proposed development (CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02), demonstrates all applicable standards necessary for the requested partition approval are met.

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Total Land Area: 1.58 acres

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Phone: 503-804-5545

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Consultant Name: LEE LEIGHTON
(please print)

Phone: 503-224-9560

Address: C/O MACKENZIE, 1515 SE WATER AVE., STE 100

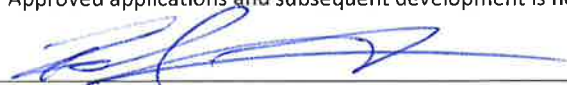

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1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed 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.

	05/15/17		05/15/17
Applicant's signature	Date	Owner's signature (required)	Date

WEST LINN PLANNING COMMISSION

FINAL DECISION AND ORDER

CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02

IN THE MATTER OF A PROPOSAL TO DEVELOP A FOUR STORY SELF-STORAGE FACILITY AT 2400-2450 WILLAMETTE FALLS DRIVE REQUIRING A CONDITIONAL USE PERMIT, CLASS II DESIGN REVIEW, WATER RESOURCE AREA PERMIT, WILLAMETTE AND TUALATIN RIVER PROTECTION PERMIT, TWO CLASS II VARIANCES.

I. Overview

At their meetings of August 17, 2016 and October 5, 2016, the West Linn Planning Commission ("Commission") held a public hearing to consider the request by Northwest Self Storage West Linn, to approve a Conditional Use Permit to construct a four story self-storage facility (106,487 square feet) at 2400-2450 Willamette Falls Drive, also requiring two variances (including a Special Waiver), Class II Design Review, Water Resource Area (WRA) permit and a Willamette and Tualatin River Protection Area permit. The approval criteria include Community Development Code (CDC) Chapter 60; Chapter 55; Chapter 75; Chapter 28; Chapter 32; and Chapter 19. The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The hearing commenced with a staff report presented by Peter Spir, Associate Planner. Planning Consultant Lee Leighton, presented for the applicant. There was no public testimony. The hearing was closed and a motion was made by Commissioner Mathews and seconded by Commissioner Walvatne to approve the application with eight conditions of approval. The motion passed unanimously.

II. The Record

The record was finalized at the October 5, 2016, hearing. The record includes the entire file from CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, and WRG-16-02

III. Findings of Fact

- 1) The Overview set forth above is true and correct.
- 2) The applicant is Northwest Self Storage West Linn.
- 3) The Commission finds that it has received all information necessary to make a decision based on the Staff Report and attached findings; and the evidence in the whole record, including any exhibits received at the hearing.

IV. Findings

The Commission adopts the Staff Report dated August 17, 2016, and Addendums for October 5, 2016, as its findings, which are incorporated by this reference. The Commission concludes that all of the required approval criteria are met subject to the following conditions of approval:

1. Site Plans. With the exception of modifications required by these conditions, the project shall substantially conform to all submitted drawings dated 5/11/16 (T1.0), Topographical Survey (page 1), C1.0, C1.2, C1.3, C2.0, C3.0, C4.0, SL1.0, A1.0, A2.1, A3.1, and A4.1 as amended by the Mackenzie August 9, 2016 submittal including the revised Sheet C3 (stormwater facility, grading) and the Schott and Associates Mitigation plan dated August 9, 2016 and revised Appendix C: "Willamette Falls Site Development and Mitigation Planting Plan".

2. Engineering Standards. All public improvements and associated facilities including street improvements, utilities, grading, onsite stormwater design, street lighting, easements, and easements locations are subject to the City Engineer's review, modification, and approval. These improvements must be designed, constructed, and completed prior to issuance of the Building Certificate of Occupancy or secured by instruments acceptable to the City Engineer.

(b). An ODOT Miscellaneous Permit must be obtained for all work in the highway right of way.

3. Street Improvements. The applicant shall complete half street improvements, including pavement improvements, curbs, planter strips, street trees, street lights, sidewalks, pedestrian crossings, and street storm drainage for those portions of Willamette Falls Drive abutting the subject properties.

4. Onsite Stormwater Improvements. The applicant shall provide aboveground onsite stormwater facilities per the Mackenzie August 9, 2016 submittal including the revised Sheet C3.0. The design of the onsite stormwater facilities shall be subject to the City Engineer's review and approval. The onsite stormwater facilities shall be constructed and completed prior to issuance of the Building Certificate of Occupancy.

5. Tree Protection. The applicant shall provide appropriate root zone protections, at the direction of the City Arborist, for the significant on-site oak tree at the northeast corner of the site and a nearby off-site madrone.

6. East Driveway. The applicant shall prepare, sign and record an access consolidation and cross-over easement document including an agreement to the abandonment of the east driveway and construction of a driveway connection (consistent with the dimensional standards of CDC Chapter 48), to the existing driveway on the adjacent tax lot 3600 if, at such time, that access is made available by the adjacent property owner, through that tax lot to Willamette Falls Drive. The access consolidation and cross-over easement shall be reviewed and approved by the City Engineer. The abandoned east driveway corridor shall be subsequently restored and revegetated with native vegetation. The removal of the east driveway approach, associated infrastructures and restoration in the public right of way shall be reviewed and approved by the City Engineer.

7. Fire Flow. The applicant shall perform a fire flow test and submit a letter from Tualatin Valley Fire and Rescue showing adequate fire flow is present prior to the issuance of the final building certificate of occupancy.

8. Mitigation/ Re-Vegetation. Prior to occupancy the applicant shall complete mitigation/re-vegetation per CDC 32.090 and CDC 32.100 and must be consistent with the applicant's

mitigation plan. See Schott and Associates Mitigation plan dated August 9, 2016 and revised Appendix C: "Willamette Falls Site Development and Mitigation Planting Plan".

V. Order

The Commission concludes that CUP-16-01, DR-16-02, VAR-16-02/03, WAP-16-06, WRG-16-02 is approved based on the Record, Findings of Fact and Findings above.



MICHAEL BABBITT, CHAIR
WEST LINN PLANNING COMMISSION

10-7-16
DATE

This decision may be appealed to the City Council pursuant to the provisions of Chapter 99 of the Community Development Code and any other applicable rules and statutes. This decision will become effective 14 days from the date of mailing of this final decision as identified below.

Mailed this 7th day of OCTOBER, 2016.

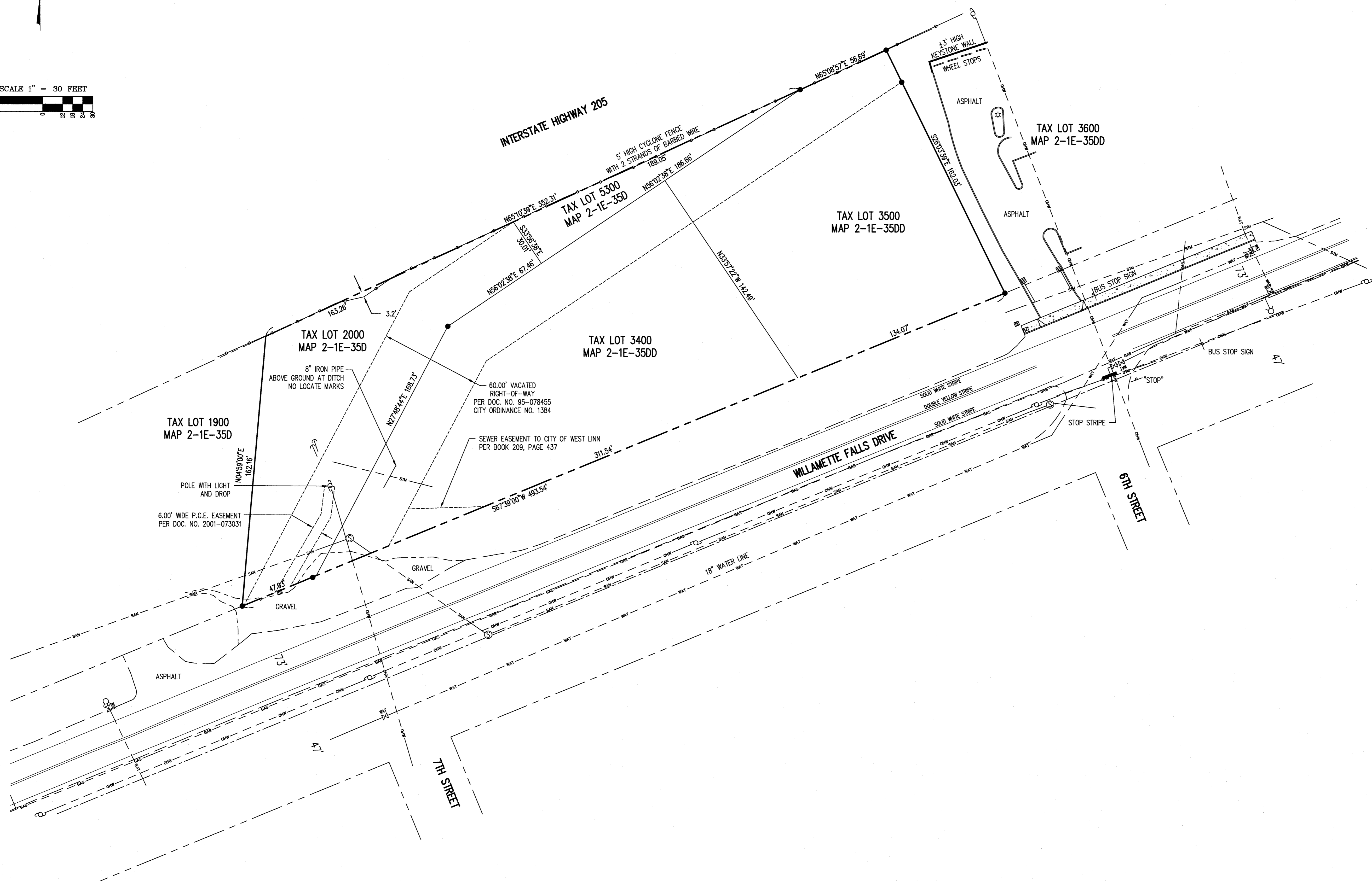
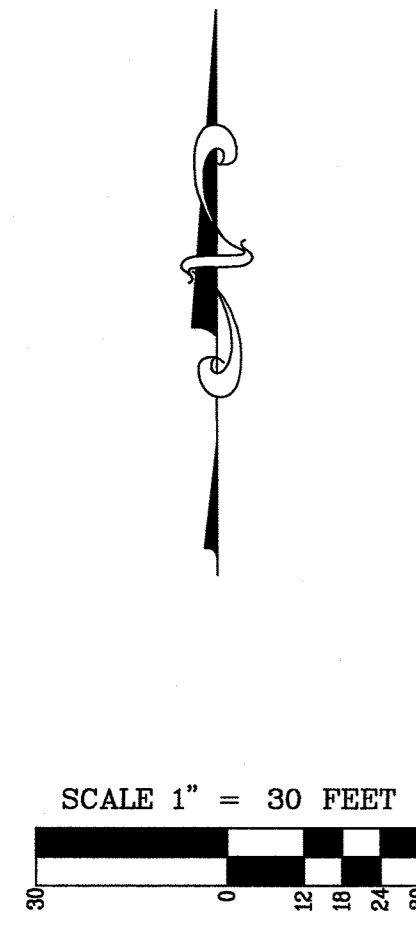
Therefore, this decision becomes effective at 5 p.m., OCTOBER 21, 2016.

PROPOSED LOT CONSOLIDATION PLAT

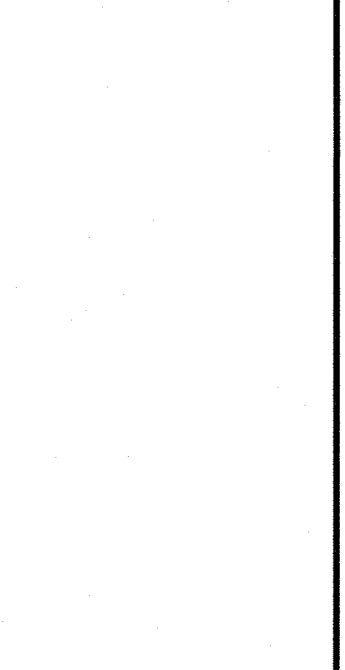
LOCATED IN THE SE 1/4, SECTION 35,
TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M.,
CITY OF WEST LINN,
CLACKAMAS COUNTY, OREGON
MAY 2, 2017

NOTES

- 1) THE SURVEYED PROPERTY HAS MULTIPLE ADDRESSES, AS FOLLOWS:
TAX LOTS 2000, 3400 AND 5300 - 2400 WILLAMETTE FALLS DRIVE
TAX LOT 3500 - 2450 WILLAMETTE FALLS DRIVE
- 2) THE AREA OF THE CONSOLIDATED PROPERTIES IS 1.576 ACRES.
- 3) THERE ARE NO EXISTING BUILDINGS ON THE PROPERTIES.
- 4) THE EASEMENTS ARE BASED ON TITLE EXCEPTIONS CONTAINED IN THE DEED FOR THE PROPERTY. THERE ARE NO PROPOSED EASEMENTS AT THIS TIME.



NORTHWEST SURVEYING, INC.
1815 NW 18TH PLACE, SUITE 2090
SEASIDE, OR 97138
PH: (503) 848-2127 FAX: (503) 848-2179
CL: JULIUS@northwestsurveying.com



OREGON
WESTLINN,

DRAWING NO.: 1392 PRELIM PLAT
SCALE: AS NOTED
DRAWING GENERATED BY: LD2004
DRAWN BY: CHS
CHECKED BY: SFT
PREPARED FOR:
NORTHWEST SELF STORAGE
14855 SE 82ND DRIVE
CLACKAMAS, OR 97015

REVISIONS:
INITIAL RELEASE: MAY 10, 2017

REGISTERED PROFESSIONAL LAND SURVEYOR
Clinton H. Stubbs, Jr.
OREGON
JANUARY 16, 2002
CLINTON H. STUBBS, JR.
55469LS
RENEWAL DATE: 06/30/18

JOB NUMBER
1392
SHEET
1 OF 1

GRANTOR:
VK Northwest, Inc., an Oregon corporation and
VK Northwest, Inc.
5665 Meadows Road, Suite 140
Lake Oswego, OR 97035

GRANTEE:
West Linn Self Storage LLC, an Oregon limited
liability company
29030 SW Town Center Loop East Ste 202 #186
Wilsonville, OR 97070

SEND TAX STATEMENTS TO:
West Linn Self Storage LLC, an Oregon limited
liability company
29030 SW Town Center Loop East, Suite 202
#188
Wilsonville, OR 97070

AFTER RECORDING RETURN TO:
West Linn Self Storage LLC, an Oregon limited
liability company
29030 SW Town Center Loop East, Suite 202
#188
Wilsonville, OR 97070

Escrow No: 3626074031TLW-TTPOR50

CODE 003-002
00409329, 21E35D 02000
2400-2450 Willamette Falls Drive
West Linn, OR 97068

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

VK Northwest, Inc., an Oregon corporation and VK Northwest, Inc., Grantor, conveys and warrants to

West Linn Self Storage LLC, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

See Exhibit A attached hereto and made a part hereof.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$1,095,000.00.
(See ORS 93.030)

Subject to and excepting:

See Exhibit B attached hereto and made a part hereof.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

3626074031TLW-TTPOR50
Deed (Warranty-Statutory)

3626074031

Recorded by TICOR TITLE

DATED: 10/31/16

VK Northwest, Inc., an Oregon corporation

BY: Katen Patel
Katen Patel, President, Director and Shareholder

BY: Vipul Patel
Vipul Patel, Secretary, Director and Shareholder

BY: Manish Patel
Manish Patel, Director and Shareholder

BY: Jayanti Patel
Jayanti Patel, Director and Shareholder

State of OREGON

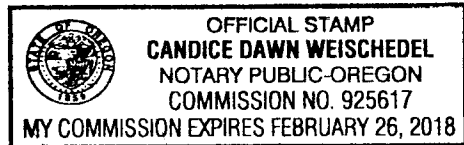
COUNTY of Multnomah

This instrument was acknowledged before me on October 31, 2016

by Katen Patel, President, Director and Shareholder of VK Northwest, Inc., an Oregon corporation.

Candice Dawn Weischedel
Notary Public - State of Oregon

My commission expires: 2/26/18



State of OREGON

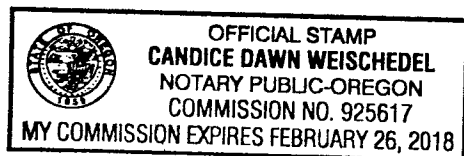
COUNTY of Multnomah

This instrument was acknowledged before me on October 31, 2016

by Vipul Patel, Secretary, Director and Shareholder of VK Northwest, Inc., an Oregon corporation.

Candice Dawn Weischedel
Notary Public - State of Oregon

My commission expires: 2/26/18



State of OREGON

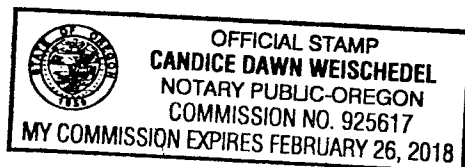
COUNTY of Multnomah

This instrument was acknowledged before me on October 31, 2016

by Manish Patel, Director and Shareholder of VK Northwest, Inc., an Oregon corporation.

Candice Dawn Weischedel
Notary Public - State of Oregon

My commission expires: 2/26/18



State of OREGON

COUNTY of Multnomah

This instrument was acknowledged before me on October 31, 2016

by Jayanti Patel, Director and Shareholder of VK Northwest, Inc., an Oregon corporation.

Candice Dawn Weischedel
Notary Public - State of Oregon

My commission expires: 2/26/18

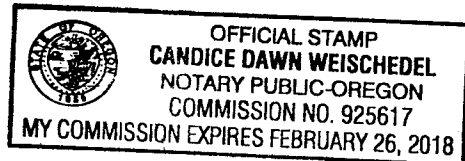


Exhibit A

PARCEL I:

Part of Tract 32, WILLAMETTE TRACTS, in the City of West Linn, County of Clackamas and State of Oregon, described as follows:

Beginning at the Southeast corner of said Tract 32; thence South 67° 39' along the South line of said tract 108.00 feet to the Southwest corner of the A.R. Taggart tract as described in Deed recorded July 16, 1965 in Book 660, Page 154, Deed Records, and true point of beginning of the tract herein to be described; thence Northerly 150.00 feet to the Northwest corner thereof and a point on the Northwesterly boundary of said Tract 32; thence Southwesterly along said Northwesterly boundary 202.00 feet to the Northwest corner of the Jesse J. Shannon et ux, tract as described in Book 217, Page 627, Deed Records; thence at right angles, Southerly boundary of said Tract 32; thence North 67° 39' along said Southerly boundary 192.00 feet, more or less, to the true point of beginning.

TOGETHER WITH that portion of Willamette Falls Drive which inured thereto by City of West Linn Vacation Order No. 1384, in the County of Clackamas and State of Oregon.

PARCEL II:

The Westerly one acre of Tract 32, WILLAMETTE TRACTS, in the City of West Linn, County of Clackamas and State of Oregon, EXCEPT the Easterly portion thereof, described in Deed recorded December 31, 1932 in Deed Book 217, Page 627, described as follows:

Beginning at the most Northerly corner of the Westerly 1 acre of Tract 32; thence along county road, Southerly 202 feet; thence at right angles Southerly to a street along the right-of-way of Portland Railway, Light and Power Company car line; thence along the car line Easterly about 130 feet to the Southerly corner of John Robinson tract and the Easterly corner of said tract "belonging to parties of the first part (Wilkinson)"; thence Northerly along the line of said Wilkinson tract to the point of beginning.

TOGETHER WITH that portion of Tract 32, WILLAMETTE TRACT, in the City of West Linn, County of Clackamas and State of Oregon, lying Westerly of the Westerly line of that certain tract conveyed to C. Ray Means and Margaret C. Means, husband and wife, by Deed recorded July 20, 1975, as Recorder's Fee No. 76-24397.

TOGETHER WITH that portion of Willamette Falls Drive which inured thereto by City of West Linn Vacation Ordinance No. 1394, in the County of Clackamas and State of Oregon.

PARCEL III:

The Easterly half of Tract 33, WILLAMETTE TRACTS, in the City of West Linn, County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of said Tract 33 in said Willamette Tracts, which is an iron bolt; thence North 86° 40' West along the North line of said Tract 33, a distance of 209.4 feet to an iron bolt; thence South 03° 20' West a distance of 273.3 feet to the Southeasterly line of said tract; thence North 66° East a distance of 21.4 feet; thence North 17° 10' East a distance of 137.3 feet; thence North 53° 45' East a distance of 204.4 feet to the place of beginning.

TOGETHER WITH that portion of vacated Willamette Falls Drive which inured thereto by reason of Vacation Ordinance No. 1384, recorded December 19, 1995 as Fee No. 95-078455,

EXCEPT that part conveyed to the State of Oregon by and through its State Highway Commission by Recorder's Fee No. 67-617.

PARCEL IV:

A portion of the vacated portion of Willamette Falls Drive in the Plat of Willamette Tracts, and in the Southeast one-quarter of Section 35, Township 2 South, Range 1 East, of the Willamette Meridian, in the City of West Linn, Clackamas County, Oregon, said parcel being more particularly described as follows:

Commencing at an angle point on the southerly line of Interstate Highway No. 205 (centerline station 848 + 80.72 PS); thence North 65° 10' 59" East along said southerly line, 281.18 feet to the point of beginning of the herein described parcel, said point of beginning being the point of intersections of said southerly line with the northerly line of Willamette Falls Drive (vacated by Order. 1384 FJ:95-78455); thence continuing along said southerly line of Interstate Highway 205, North 65° 10' 59" East, 189.13 feet to the point of intersection of said southerly line and the centerline of said Willamette Falls Drive (vacated); thence leaving said southerly line along said centerline of Willamette Falls Drive (vacated) South 56° 03' 22" West 186.74 feet; thence leaving said centerline North 33° 58' 38" West, 30.00 feet to the point of beginning.

Exhibit B

1. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Easement, including the terms and provisions thereof
In favor of: City of West Linn
Purpose: Sewer
Recording Date: January 22, 1931
Recording No: Book 209, Page 437
Affects: Parcel II

2. The ownership of said Land does not include rights of access to or from the street, highway, or freeway abutting said Land, such rights having been relinquished by deed to State of Oregon

Recorded: November 6, 1967
Recorders No.: 67-000917
Affects: Access to I-205

3. The ownership of said Land does not include rights of access to or from the street, highway, or freeway abutting said Land, such rights having been relinquished by deed to State of Oregon

Recorded: January 12, 1968
Recorders No.: 68-000716
Affects: Access to I-205

4. The ownership of said Land does not include rights of access to or from the street, highway, or freeway abutting said Land, such rights having been relinquished by deed to State of Oregon

Recorded: August 25, 1971
Recorders No.: 71-020927
Affects: Access to I-205

5. Any irregularities, reservations, easements or other matters in the proceedings occasioning the abandonment or vacation of the street/road shown below:

Name: Portion of vacated Willamette Falls Drive
Recorded: December 11, 1995
Recorders No.: 95-078455

6. The ownership of said Land does not include rights of access to or from the street, highway, or freeway abutting said Land, such rights having been relinquished by deed to State of Oregon

Recorded: April 24, 1998
Recorders No.:98-034964
Affects: Access to I-205

7. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: April 24, 1998
Recording No: 98-034964

8. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Easement, including the terms and provisions thereof
In favor of: Portland General Electric Company
Purpose: Underground distribution line
Recording Date: September 7, 2001
Recording No: 2001-073031
Affects: 6 foot strip in Parcel III (see map attachment)

9. Maintenance Agreement, including the terms and provisions thereof

Between: City of West Linn and The West Linn Law Center
For Private stormwater treatment facilities
Recording Date: October 2, 2002
Recording No.: 2002-093963
Affects: Parcel III and other property

Return to. C R Means
3696 520 Trail Rd.
Tualatin, OR 97062

ORDINANCE NO. 1384

AN ORDINANCE VACATING PORTIONS OF THE PUBLIC RIGHT-OF-WAY OF WILLAMETTE FALLS DRIVE IN THE CITY OF WEST LINN, OREGON.

WHEREAS, the City Council of the City of West Linn, Oregon, on November 27, 1995, passed a motion to hold a public hearing to consider adoption of an ordinance for the vacation of portions of the right-of-way of Willamette Falls Drive, West Linn, Oregon; more particularly described herein; and

WHEREAS, after proper publication and posting of notice, a public hearing was held on December 11, 1995; and

WHEREAS, the vacation of this public right-of-way will facilitate the reconfiguring of adjoining tax lots to allow development of said lots; and

WHEREAS, there are no public utilities located in this public right-of-way; and

WHEREAS, City Council finds that the owners of a majority of the property affected by the vacation have not objected in writing that the vacation will not substantially affect the market value of the property abutting the vacated portion, and that the public interest would not be prejudiced by the proposed vacation; now therefore,

THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

Section 1. The following described portion of a public street right-of-way in the City of West Linn, Clackamas County, Oregon, is hereby declared to be vacated, to wit:

A portion of "Willamette Falls Drive" southeast one-quarter of Section 35, T2S, R1E, W.M., City of West Linn, Clackamas County, Oregon, said portion being more particularly described as follows:

The portion of "Willamette Falls Drive" lying between the northerly line of 7th Avenue and the southerly line of Interstate Highway Number 205 and adjoining on the westerly side by Tract 33 and on the easterly side of Tract 32 per the plat of "Willamette Tracts," a plat of record, filed as "Plat 147" in the Clackamas County Surveyor's office.

Section 2. This ordinance shall take effect on the 11th day of January, 1996.

Section 3. Upon vacation, title to the vacated area shall pass to abutting properties pursuant to ORS 271.140.

Page 1 - ORDINANCE

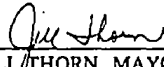
I CERTIFY THIS TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL ON
FILE IN MY OFFICE.

CITY OF WEST LINN, OREGON

Mary Walsh
RECORDER

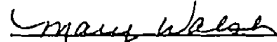
95-078455

THIS ORDINANCE ADOPTED BY THE CITY COUNCIL THIS 11th DAY OF
December, 1995.



JILL THORN, MAYOR

ATTEST:



MARK WALSH, CITY RECORDER

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p:\user\...\ordnancs



Page 2 - ORDINANCE

2.

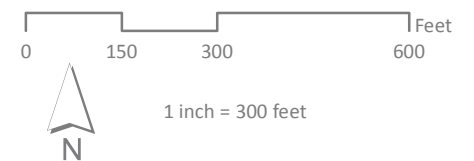
STATE OF OREGON 95-078455
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 29212 \$10.00
DATE AND TIME: 12/19/95 10:00 AM
JOHN KAUFFMAN, COUNTY CLERK

**WEST LINN
SELF STORAGE
VICINITY MAP 1/4 MILE
West Linn, Oregon**

LEGEND

-  Subject Site
-  Tax Lots

ATTACHMENT 6



SOURCE DATA: Metro RUS Lite Base Data, Feb 2017
GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic

Date: 5/12/2017 Map Created By: ENR
File: Vicinity Map Project No: 2150120.00



MACKENZIE.

P 503.224.9560 • F 503.228.1285 • W MCKNZE.COM
RiverEast Center, 1515 SE Water Avenue, #100, Portland, OR 97214

Portland, Oregon • Vancouver, Washington • Seattle, Washington

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Image courtesy of USGS Earthstar Geographics SIO © 2017 Microsoft