



CITY OF West Linn

STAFF REPORT FOR THE PLANNING COMMISSION

FILE NUMBER: ZC-20-01

HEARING DATE: October 21, 2020

REQUEST: Comprehensive Plan Map Amendment from Mixed-Use to Medium-High Density Residential and associated Zoning Map Amendment from Willamette Neighborhood Mixed-Use Transitional Zone to R-2.1 at 1791 Blankenship Road

APPROVAL CRITERIA: Community Development Code (CDC) Chapters 99 and 105.

STAFF REPORT PREPARED BY: Chris Myers, Associate Planner

Planning Manager's Initials DSW

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GENERAL INFORMATION

OWNER/APPLICANT: Jeremy Barnett
19363 Willamette Drive, #111
West Linn, OR 97068

CONSULTANT: Robert Price
3935 NE 72nd Avenue
Portland, OR 97213

SITE LOCATION: 1791 Blankenship Road

LEGAL DESCRIPTION: Clackamas County Assessor's Map T2S R1E 35CB Taxlot 2600

SITE SIZE: 15,315 square feet

ZONING: Willamette Neighborhood Mixed-Use Transitional Zone

COMP PLAN DESIGNATION: Mixed-Use

120-DAY PERIOD: This application became complete on August 18, 2020. The 120-day maximum application-processing period ends on December 16, 2020

PUBLIC NOTICE: Public notice was mailed to the all neighborhood associations and affected property owners on September 30, 2020. The property was posted with a notice sign on October 8, 2020. The notice was published in the West Linn Tidings on October 7, 2020. The notice requirements of CDC Chapter 99 have been met.

EXECUTIVE SUMMARY

The applicant is proposing a Comprehensive Plan Map Amendment from Mixed-Use to Medium-High Density Residential and associated Zoning Map Amendment from Willamette Neighborhood Mixed-Use Transitional Zone to R-2.1 at 1791 at 1791 Blankenship Road. The property is 15,315 square feet and takes access from 13th Street. Access directly to Blankenship is prohibited by a large structural retaining wall. Currently the site has one single-family dwelling that is vacant. The property contains no environmental overlays.

The applicant has requested the zone change to correct a zoning mistake and utilize the property to its highest and best use. The property was previously zoned R-2.1, until 2004 when the City initiated a zone change to Mixed-Use. If the zone change is approved, the applicant plans to construct multi-family housing on the property. The Willamette Neighborhood Mixed-Use Working Group, appointed by City Council in November 2018, recommended the City evaluate this property (as well as several others) for a potential rezone. The reason for the recommendation was the property location away from the commercial core does not meet the transitional purpose of the Mixed-Use zone (see Exhibit PC-2). The West Linn Planning Commission is tasked with making a recommendation to the West Linn City Council on the proposed Comprehensive Plan and Zoning Map Amendments.

Site Conditions:

The property has a slope of approximately 9% from north to south. There are no environmental overlays, such as floodplain, water resource areas, habitat conservation, or wetlands. Access is from 13th Street, which dead ends to the south at the I-205 freeway.

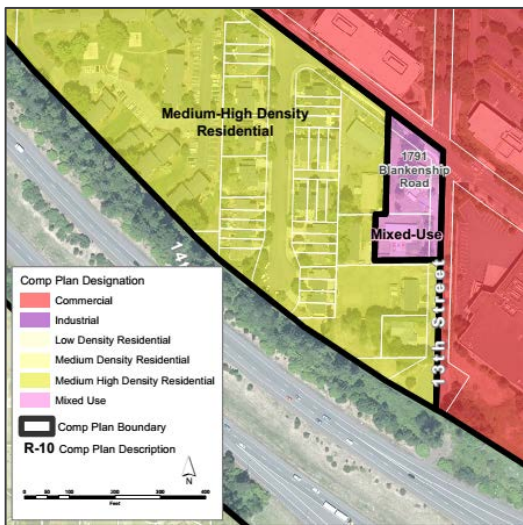
The rear of the property (western property lines) abuts an R-2.1 Single-Family and Multiple-Family Residential zone. The front of the property (eastern property lines) are adjacent to a General Commercial (GC) zone that currently contains a Parkrose Hardware Store (50,000 square feet of retail space) and other smaller retailers such as Dutch Bros Coffee and Subway Sandwiches. South of the proposed zone change is one additional property zoned Mixed-Use and an area zoned R-2.1 Single-Family and Multiple-Family Residential. To the north of the property, across Blankenship Road, is zoned Office Business Center (OBC) with various office related businesses on site.

Surrounding Land Use and Zoning: The subject property is zoned Willamette Neighborhood Mixed-Use Transitional Zone. Adjacent land uses and zoning include:

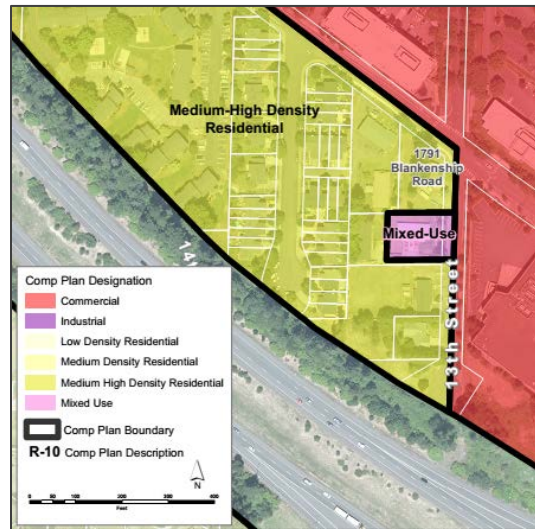
Direction From Site	Zoning	Land Use
North	OBC	Office Business Center
South	MU/R-2.1	Mixed-Use and SF/MF Residential
East	GC	Commercial (Parkrose Hardware)
West	R-2.1	Single-Family and Multiple-Family Residential

Project Description: Comprehensive Plan Map Amendment from Mixed-Use to Medium-High Density Residential and associated Zoning Map Amendment from Willamette Neighborhood Mixed-Use Transitional Zone to R-2.1 at 1791 Blankenship Road, as it was zoned prior to 2004. With the City’s continued investment in the Willamette Falls Drive “Main Street” area and the consistent vacancies within the River Falls Plaza (location of the Parkrose Hardware Store), the applicant asserts that the commercial viability of the site has been diminished and therefore to achieve the highest and best use the site should be reverted back to R-2.1.

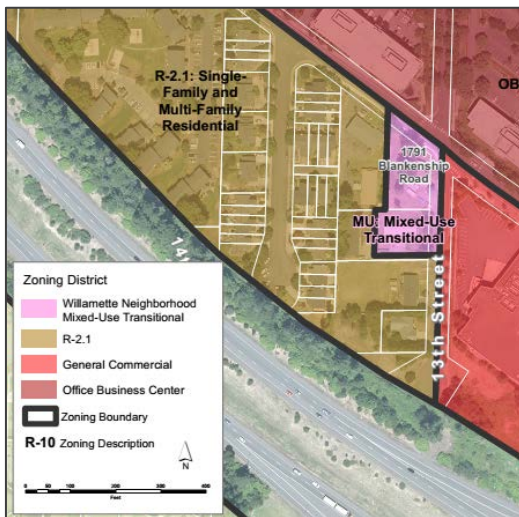
The Willamette Neighborhood Mixed-Use Working Group, appointed by City Council in November 2018, recommended the City evaluate this property (as well as several others) for a potential rezone. The reason for the recommendation was the property location away from the commercial core does not meet the transitional purpose of the Mixed-Use zone (see Exhibit PC-2).



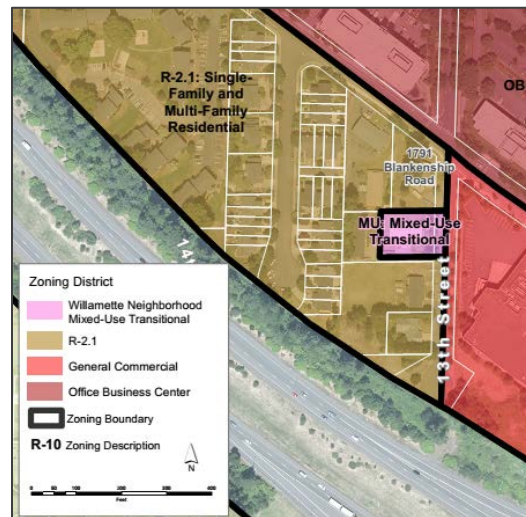
Existing Comp Plan Designations



Proposed Comp Plan Designations



Existing Zoning Boundaries



Proposed Zoning Boundaries

Applicable Community Development Code Approval Criteria:

- Chapter 99, Procedures for Decision Making: Quasi-Judicial; and
- Chapter 105, Amendments to the Code and Map

Public comments:

As of the publication date of this report, staff has not received any public comments for the Planning Commission review of ZC-20-01.

RECOMMENDATION

Staff recommends the Planning Commission recommend approval of application ZC-20-01, 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.

ADDENDUM
PLANNING COMMISSION STAFF REPORT
October 21, 2020

**STAFF EVALUATION OF THE PROPOSAL'S COMPLIANCE
WITH APPLICABLE CODE CRITERIA**

I. CHAPTER 105, AMENDMENTS TO THE CODE AND MAP

105.040 QUASI-JUDICIAL AMENDMENTS AND PROCEDURES

Quasi-judicial amendments to this code and to the map shall be in accordance with the procedures set forth in this code and the following:

(...)

C. The Planning Commission shall make a recommendation to the Council on a zone change application which also involves a concurrent application for a Comprehensive Plan Map amendment. The Council shall decide the applications on the record as provided by CDC 99.060(C).

Staff Finding 1: The applicant proposes a Comprehensive Plan Map Amendment from Mixed-Use to Medium-High Density Residential and associated Zoning Map Amendment from Willamette Neighborhood Mixed-Use Transitional Zone to R-2.1. The Planning Commission will hold a public hearing on October 21, 2020 for the purpose of making a recommendation to City Council on the proposal. City Council is tentatively scheduled to hold a public hearing and make a decision on November 9, 2020. The criteria are met.

105.050 QUASI-JUDICIAL AMENDMENTS AND STANDARDS FOR MAKING DECISION

A decision to approve, approve with conditions, or to deny an application for a quasi-judicial amendment shall be based on all of the following standards:

A. The standards set forth in CDC 99.110(A), which provide that the decision shall be based on consideration of the following factors:

1. The applicable Comprehensive Plan policies as identified in subsection C of this section and map designation.

Staff Finding 2: Applicable policies from the Comprehensive Plan are included and responded to below (See Staff Finding 6).

2. The applicable standards of any provision of this code or other applicable implementing ordinance.

Staff Finding 3: Applicable criteria related to a Comprehensive Plan or Zoning Map Amendment are found in CDC Chapters 99 and 105. Both chapters are addressed in this Addendum.

B. The standards set forth in CDC 99.110(B), which provide that, in making the decision, consideration may also be given to the following:

1. Proof of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or Zoning Map as it relates to the property which is the subject of the development application.

Staff Finding 4: The applicant does not argue that a mistake was made in the change of zone to this site in 2004. Rather the applicant asserts that the zone change is inconsistent as it relates to the property. The 2004 zone change has not created a benefit to the site and therefore the site is sitting in a “limbo” type status in which commercial enterprises have shown no interest in the past sixteen years. The applicant further asserts that the site has too many adverse characteristics and too few strengths to be an attractive commercial site, thus re-establishing the medium-high density designation and zoning to the property will eliminate the inconsistency.

Further assertions made by the applicant highlight the challenge of this site as a commercial space. Although the site has a Blankenship Road address, access is taken from 13th Street, thus making access difficult for delivery trucks due to the angle and slope of 13th Street. Additionally, visually the site is partially hidden from Blankenship Road which is less than ideal for a commercial business.

The Willamette Neighborhood Mixed-Use Working Group, appointed by City Council in November 2018, recommended the City evaluate this property (as well as several others) for a potential rezone. The reason for the recommendation was the property location away from the commercial core does not meet the transitional purpose of the Mixed-Use zone (see Exhibit PC-2).

2. Factual oral testimony or written statements from the parties, other persons and other governmental agencies relevant to the existing conditions, other applicable standards and criteria, possible negative or positive attributes of the proposal or factors in sub-section A or (B)(1) of this section.

Staff Finding 5: The applicant submittal is found in Exhibit PC-1. The Mixed-Use Working Group recommendation to evaluate rezoning this property is found in Exhibit PC-2. No other written comments were submitted prior to the publishing of this Staff Report. The opportunity for oral statements and written testimony will be offered at the Planning Commission hearing on October 21, 2020.

C. The Comprehensive Plan, Plan and Ordinance Revision Process, and Specific Policy No. 4, which provides that the decision shall be based on consideration of the following criteria:

1. Conformance with the Comprehensive Plan policies and criteria.

Staff Finding 6: Applicable policies from the West Linn Comprehensive Plan include:

- **Goal 1: Citizen Involvement, Policy 2**
- **Support neighborhood associations as a forum for discussion and advice on issues affecting the community.**
- **Goal 1: Citizen Involvement, Policy 4**
Provide timely and adequate notice of proposed land use matters to the public to ensure that all citizens have an opportunity to be heard on issues and actions that affect them.

As required by CDC Chapter 99, the applicants held a pre-application conference and neighborhood meeting with the Willamette Neighborhood Association. The City mailed notice of the public hearing to all affected parties 20 days in advance of the hearing, and posted a notice of the hearing on the site and in the West Linn Tidings 10 days in advance. Prior to and during the hearing before the Planning Commission, interested parties have the opportunity to submit evidence and testimony and again before the City Council. A public notice and hearing will also be conducted before the City Council.

- **Goal 2: Land Use Planning, Section 1, Policy 7.**
The following are criteria that shall be used when designating residential areas. This list is not exhaustive, but helps determine what types of residential densities are appropriate, given topographical constraints, available public facilities, etc.
c. Medium-high density residential lands will meet all of the following criteria:
 - i) Areas that do not rely solely on local streets for the provision of access;**
 - ii) Areas that are not subject to development limitations such as topography, flooding, or poor drainage;**
 - iii) Areas where the existing facilities have the capacity for additional development;**
 - iv) Areas within one-quarter mile of public transit;**
 - v) Areas within short distances of general commercial shopping center or office-business centers;**
 - vi) Areas in close proximity to parks and schools.**

The applicant asserts that the subject site does not have development limitations such as topography, flooding, or poor drainage. The subject site, and surrounding development, have existing services and facilities. The services and facilities have adequate capacity to accommodate additional dwelling units. Additionally, the subject property is within one-quarter mile of public transportation on Blankenship Road. Furthermore, the subject site across the street from both a commercial center as well as an office business center.

- **Goal 6: Air, Water, and Land Resources Quality, Section 1, Policies 3 and 4**
3. Reduce pollution from vehicle emissions by pursuing an energy efficient urban form that provides for connectivity and reduces the number of vehicle miles traveled.
4. Encourage the use of alternative modes of transportation, including mass transit, walking, and bicycling.

The proposed Comprehensive Plan and Zoning Map Amendments would reduce average daily trips to the site. This reduction includes delivery trucks, customers, and other commercial traffic. The Amendments are an opportunity to reduce commercial traffic thus resulting in a consistent urban form and more efficient residential development of the site. The subject site is within one-quarter mile of public transportation, is adjacent to a bike lane on Blankenship Road, and is within walking distance of several shops, restaurants, a salon, a bank, and an office business center.

- ***Goal 9: Economic Development, Goal 1***
Encourage the recruitment, retention, expansion, and economic viability of West Linn business and industry.
- ***Goal 9: Economic Development, Policy 1 and 2***
Recruit and encourage businesses, particularly those that provide family-wage jobs, to locate in West Linn.
Support retail businesses and services that enhance the community and provide wanted goods and services.

The subject site as a Mixed-Use zone property will likely never generate commercial business, as shown by the 16 year absence of any commercial venture on this site. The difficult access and lack of visibility will make it difficult to recruit commercial businesses to the subject property. The type of business that a property of this size and location will typically attract, would generate very few jobs and are generally not family-wage occupations. Furthermore, the number of jobs generated by small retail services are typically few.

- ***Goal 10: Housing, Goal 2***
Assure good functional and aesthetic design of multi-family and clustered single-family developments.

The applicant asserts the proposal for a zone change would assure that Goal 2 is achieved through the Class II Design Review process.

- ***Goal 10: Housing, Goal 3***
Encourage the development of affordable housing for West Linn residents of all income levels.
- ***Goal 10: Housing, Policy 2***
Provide the opportunity for development of detached and attached single-family units, duplexes, garden apartments, town houses, row houses, multiplex units and boarding houses, lodging or rooming houses, and manufactured housing.

The proposed Comprehensive Plan and Zoning Map Amendments would help satisfy Goal 3 and Policy 2. The site was originally planned to develop as multi-family housing before the zone change to Mixed-Use in 2004. Re-establishing the medium-high density residential designation will afford the opportunity to replace one single-family house with upwards of six

rental units. Previous staff evaluations of buildable lands in the community identified the subject site as one with redevelopment potential.

- ***Goal 11: Public Facilities and Services, General Goal***
Require that essential public facilities and services (transportation, storm drainage, sewer, and water service) be in place before new development occurs and encourage the provision of other public facilities and services.

The proposed Comprehensive Plan and Zoning Map Amendments are located in an existing neighborhood with water, sewer, and stormwater infrastructure available adjacent to the property in 13th Street. The City Engineer has confirmed there is adequate capacity to service new development. Transportation facilities are also in place, including access to public transportation within one-quarter mile of the proposal.

- ***Goal 12: Transportation, Goal 1 (d)***
Maintains the cohesiveness of the City's neighborhoods.

The proposed Comprehensive Plan and Zoning Map Amendments would allow for a more appropriate type and amount of traffic along 13th Street. Commercial development on the subject site will generate commercial vehicle traffic, as well as an increase in overall traffic volumes to the site. The letter prepared by Morrison Transportation Consulting, dated June 20, 2020 (see Exhibit PC-1) provides technical data that commercial use of the site will create higher traffic counts than any type of residential development. Lower levels of site generated traffic will help to promote the cohesiveness of the existing neighborhood.

- ***Goal 13: Energy Conservation, Policies 4 and 5***
4. Encourage mass transit use.
5. Promote location of housing, shopping, and employment uses in close proximity to each other and well connected by transit consistent with policies included in Chapter 2 of this Plan.

The proposed Comprehensive Plan and Zoning Map Amendments would allow subsequent multi-family development at 1791 Blankenship Road. These actions would encourage mass transit use because of the proximity to available bus service on Blankenship Road. The rezone would also promote the location of housing within walking and biking distance of shopping and employment opportunities.

2. *There is a public need for the change or the change can be demonstrated to be in the interest of the present and future community.*

Staff Finding 7: The physical characteristics of the site make the potential for commercial use difficult, causing an inconsistency when the rezone to Mixed-Use occurred in 2004. Access is taken from a local street (13th Street) not from Blankenship Road, which is classified as a collector. The retaining wall along Blankenship Road and the steep slope on 13th Street make

this an unlikely space for successful commercial development. Re-establishing the property to medium-high density residential, as it was zoned before the 2004 change, would allow the property to redevelop to its highest and best use. The rezone would also allow the efficient and effective use of existing water, sewer, stormwater, public transit, and transportation infrastructure. The proximity of the properties to employment and commercial services will allow for reduced vehicle trips and emissions as walking and biking will be a viable option.

3. *The changes will not adversely affect the health, safety and welfare of the community.*

Staff Finding 8: Because adequate public facilities, including police and fire protection, are available to serve the properties and because of the proximity to employment, commercial services, and public transit, staff believes the proposal will not adversely affect the health, safety, or welfare of the community.

D. Transportation Planning Rule compliance.

1. *Review of applications for effect on transportation facilities. When a development application, whether initiated by the City or by a private interest, includes a proposed comprehensive plan amendment zone change or land use regulation change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule: "TPR"). "Significant" means the proposal would:*

a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

b. Change standards implementing a functional classification system; or

c. As measured at the end of the planning period identified in the adopted transportation system plan:

1) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

2) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

3) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Staff Finding 9:

The applicant submitted a Transportation Impact Study by Morrison Transportation Consulting dated July 20, 2020 (see Exhibit PC-1). The study concluded the proposed Comprehensive Plan and Zoning Map amendments would potentially decrease peak hour traffic volumes. This conclusion was based on a transition from potential commercial development on the site to a maximum of seven dwelling units allowed after approval of the amendments. The City finds there is no significant change caused by the proposal. Neither the functional classification nor the standards implementing the functional classification will

change. Levels of travel or access will remain consistent with the functional classifications and the proposal will not reduce or worsen the performance of an existing or planned transportation facility below the minimum acceptable performance standard.

- 2. Amendments that affect transportation facilities. Amendments to the Comprehensive Plan and land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:*
- a. Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.*
 - b. Amending the TSP or Comprehensive Plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of OAR 660-012-0060 of the TPR.*
 - c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.*
 - d. Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.*

Staff Finding 10: The City has determined, through review of the applicant submittal of a Transportation Impact Study (See Staff Finding 9), the proposal will not significantly affect a transportation facility and therefore is not subject to these standards.

- 3. Traffic impact analysis. A traffic impact analysis shall be submitted with a plan amendment or land use district change application.*

Staff Finding 11: The applicant submitted a Transportation Impact Study that addressed the State Transportation Planning Rule requirements (See Staff Finding 9). The study found the proposal would not significantly affect a transportation facility.

II. CHAPTER 99, PROCEDURES FOR DECISION MAKING: QUASI-JUDICIAL

99.030 APPLICATION PROCESS: WHO MAY APPLY, PRE-APPLICATION CONFERENCE, REQUIREMENTS, REFUSAL OF APPLICATION, FEES

(...)

B. Pre-application conferences.

- 1. Subject to subsection (B)(4) of this section, a pre-application conference is required for, but not limited to, each of the following applications:*

(...)

b. Amendments to the Comprehensive Plan

c. Amendments to the Zoning Map.

(...)

Staff Finding 12: The applicant attended a pre-application conference with City staff on February 6, 2020. The criteria are met.

99.038 NEIGHBORHOOD CONTACT REQUIRED FOR CERTAIN APPLICATIONS

Prior to submittal of an application for any subdivision, conditional use permit, multi-family project, planned unit development of four or more lots, non-residential buildings over 1,500 square feet, or a zone change that requires a Comprehensive Plan amendment, the applicant shall contact and discuss the proposed development with any affected neighborhood as provided in this section. (...)

E. An application shall not be accepted as complete unless and until the applicant demonstrates compliance with this section by including with the application:

- 1. A copy of the certified letter to the neighborhood association with a copy of return receipt;*
- 2. A copy of the letter to officers of the association and to property owners within 500 feet, including an affidavit of mailing and a copy of the mailing list containing the names and addresses of such owners and residents;*
- 3. A copy of the required posted notice, along with an affidavit of posting;*
- 4. A copy of the minutes of the meetings, produced by the neighborhood association, which shall include a record of any verbal comments received, and copies of any written comments from property owners, residents, and neighborhood association members. If there are no minutes, the applicant may provide a summary of the meeting comments. The applicant shall also send a copy of the summary to the chair of the neighborhood association. The chair shall be allowed to supplement the summary with any additional comments regarding the content of the meeting, as long as such comments are filed before the record is closed;*
- 5. An audiotape of the meeting; and*
- 6. In the event that it is discovered by staff that the aforementioned procedures of this section were not followed, or that a review of the audio tape and meeting minutes show the applicant has made a material misrepresentation of the project at the neighborhood meeting, the application shall be deemed incomplete until the applicant demonstrates compliance with this section.*

Staff Finding 13: The applicant attended a Willamette Neighborhood Association meeting on July 8, 2020. The applicant submitted all required materials and they are found in Exhibit PC-1. The criteria are met.

99.060 APPROVAL AUTHORITY

B. Planning Commission authority. The Planning Commission shall have the authority to:

- 1. Make a recommendation to approve, deny, or approve with conditions to the Council:*

- a. A quasi-judicial Comprehensive Plan Map amendment (Chapter 105 CDC).
- b. A quasi-judicial zone change application pursuant to Chapter 105 CDC, excluding applications requesting the designation or removal of a designation for a historic resource. (...)
- C. City Council Authority. The Council shall have the authority to:
 - 1. Approve, deny, or approve with conditions applications for the following development applications:
 - a. A quasi-judicial Comprehensive Plan Map amendment (Chapter 105 CDC).
 - b. A quasi-judicial zone change application pursuant to Chapter 105 CDC. (...)

Staff Finding 14: The proposal will be heard by the West Linn Planning Commission at a public hearing on October 21, 2020 for the purposes of making a recommendation to the West Linn City Council on the proposed Zoning Map Amendment. The City Council is tentatively scheduled to hold a public hearing and make a final decision on November 9, 2020. The criteria are met.

99.080 NOTICE

Notice shall be given in the following ways:

- A. Class A Notice. (...)

Staff Finding 15: The applicant proposal has been properly noticed by the City. Please see Staff Report for the Planning Commission Exhibit PC-4 below. The criteria are met.

EXHIBIT PC-1 APPLICANT SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT Wyss	PROJECT NO(S). ZC-20-01	PRE-APPLICATION NO. PA-20-01
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S) \$3,000	TOTAL \$ 3,000

Type of Review (Please check all that apply):

- | | | |
|----------------------------------------------------------------|---------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal and Review (AP) | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Lot Line Adjustment (LLA) | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input 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 checked="" 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: 1791 BLANKENSHIP ROAD	Assessor's Map No.: T2S, R1E, Sec. 35CB
	Tax Lot(s): 2600
	Total Land Area: 15,315 +/- sf

Brief Description of Proposal: Zone change from MU (Mixed Use) to R-2.1 (Single-Family and Multi-Family Residential) on full site of 15,315 +/- sf

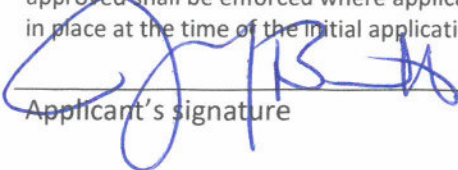
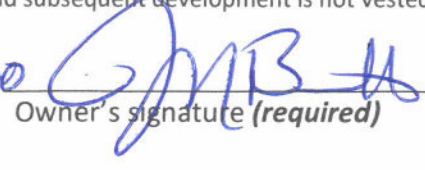
Applicant Name: JEREMY BARNETT <small>(please print)</small>	Phone: 971-404-5141
Address: 19363 Willamette Drive, #111	Email: localbarnett@gmail.com
City State Zip: West Linn, OR 97068	

Owner Name (required): Jeremy Barnett <small>(please print)</small>	Phone: 971-404-5141
Address: 19363 Willamette Drive, #111	Email: localbnarnett@gmail.com
City State Zip: West Linn, OR 97068	

Consultant Name: Robert Price <small>(please print)</small>	Phone: 503-807-4009
Address: 3935 NE 72ND AVENUE	Email: rprice1145@gmail.com
City State Zip: Portland, OR 97213	

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 decision may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **One complete hard-copy set of application materials must be submitted with this application.**
One complete digital set of application materials must also be submitted electronically in PDF format.
If large sets of plans are required in application please submit one set.

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	7/20/2020 Date	 Owner's signature (required)	7/20/2020 Date
-------------------------------------------------------------------------------------------------------------	-------------------	----------------------------------------------------------------------------------------------------------------------	-------------------

I. Introduction

Seventeen Ninety One (1791) Blankenship Road is a relatively small site located on the southeasterly corner of the intersection of Blankenship Road and 13th Street. The legal description is Township 2 South, Range 1 East, Section 35CB, Tax Lot 2600 (T2S R1E 35CB – 2600). The site is 15,315 square feet, or approximately 0.35 acre in size. The site currently supports one single family dwelling that is vacant. Vehicle access is gained by a driveway on 13th Street, on the easterly side of the site. However, technical frontage is on Blankenship Road, although direct access from the subject site to Blankenship Road is impossible based on the existing retaining wall along the Blankenship Road frontage. This retaining wall is approximately eight (8) feet in height, at its maximum point. Due to the topographic slope of the general vicinity, the site slopes from north to south, from Blankenship Road south to the cul-de-sac end of 13th Street. Beyond the cul-de-sac is the I-205 right-of-way. North of Blankenship Road 13th Street is named as Summerlinn Drive.

This site is owned by Jeremy Barnett, who is also the applicant for the Zone Change from MU (Mixed Use) to R-2.1 (Single-Family and Multi-Family Residential). Jeremy purchased the site in August 2017, and has made some attempts to sell the site as a “commercial” property. However, based on the physical circumstances of the site, and the relationship between the site and the shopping center located directly adjacent to the east, across 13th Street, the subject site is not viewed by any prospective purchasers as a viable commercial site. At least one interested party has asked about residential development on the site.

The land uses in the immediate vicinity is a mix of several different types of land uses. To the east, across 13th Street, is the former “Albertson’s” store and several other business in free-standing structures, as well as some in-line row shops. While the Albertson’s store has long since closed, other smaller businesses have come and gone in the shopping center, indicating that there may be some instability in the site as a major commercial center. Recent reports indicate that Parkrose Hardware may be taking over the former Albertson’s store.

To the south along the westerly side of 13th, development is single level single family homes. All dwellings are occupied. There are four (4) additional dwellings on 13th Street, south of the subject site. To the north, across Blankenship Road, development is a combination of residential on Summerlinn Drive and office buildings fronting on Blankenship Road. Uphill of these office structures on Blankenship Road, there are several large residential developments, comprised primarily of rental and condominium units in multi-unit structures. To the west, along Virginia Street, there are numerous dwellings on lots of varying size. These dwellings are either duplexes or single family dwellings.

Land use and zoning in the immediate vicinity is a mix of residential and commercial. The subject site is zoned MU (Mixed Use), while other dwellings downhill on 13th Street are zoned R-2.1. Zoning to the east is commercial in recognition of the shopping center. Zoning to the west along Virginia Street is R2.1. In all, there appear to be only two or three properties in the vicinity that are zoned MU.

There are no documented environmental overlays in this area of the Willamette Neighborhood.

All required and necessary services and utilities are available to properties in the area. This includes domestic and fire suppression water supply, sanitary sewer, storm drainage, police and fire protection, and other traditional urban services and utilities.

Jeremy Barnett proposes to amend the zoning of the subject site from MU to R-2.1, followed by a Class II Design Review action to approve the design of the six (6) units that Jeremy is proposing to develop on the subject site. Because these two land use actions are distinctly different and subject to slightly different standards, it was determined, at the suggestion of city staff, that these two land use actions be applied for separately. Therefore, this first application will be for the zone change from the existing MU (Mixed Use) to R-2.1 (Single-Family and Multi-Family Residential). Assuming success with the zone change, the second application will be for Class II Design Review II obtain approval of the design of the project.

The project Jeremy proposes is a six-unit multi-family development, possibly in two structures separated by parking and recreation areas. While the preliminary design of the project is entirely conceptual, Jeremy envisions six units, each with three (3) bedrooms and 2.0 to 2.5 bathrooms. The size of the units will allow for flexibility in the types of residents, and all units will be for rent at market rates. None of the units will be for subsidized or rent-controlled circumstances. The project will be architecturally designed and will include a variety of amenities to make the units even more attractive.

The proposed zone change from MU to R-2.1 will address the approval criteria contained in Chapter 105 (*Amendments to the Code and Map*), specifically 105.040, *Quasi-Judicial Amendments and Procedures* and Section 105.050, *Quasi-Judicial Amendments and Standards for Decision-Making*. Sections 105.040 and 105.050 make reference back to Chapter 99, *Procedures for Decision Making: Quasi-Judicial*. As such, there are a variety of standards and criteria that must be suitably addressed to support the zone change. Section II of this narrative, *II. Addressing the West Linn Community Development Code*, contains all of the supporting information for the proposed zone change from MU to R-2.1.

As required under 99.038, "neighborhood contact" is required for "any multi-family project". Because this project is a multi-family project, contact with the Willamette Neighborhood is necessary. Jeremy and his land use consultant, Robert Price, attended the monthly meeting of the WNA on June 10, 2020. However, because of the COVID-19 pandemic, this particular meeting of WNA was not properly advertised. For the July 8, 2020 meeting, Jeremy and Robert returned to the WNA for its properly advertised July monthly meeting for a second presentation. Therefore, the requirements for the required neighborhood contact in 99.038 of the West Linn Community Development Code have been fully satisfied. Meeting minutes produced by WNA for both meetings have been included in the application package, as well as the attendance roster for both meetings. An audio recording of the July 8, 2020 meeting is also included.

II. West Linn Community Development Code (CDC)

This application for a Zone Change from the existing MU (Mixed Use) to R-2.1 (Single-Family and Multi-Family Residential) on the subject site located at 1791 Blankenship Road is submitted as the first step in a dual step process to amend the zoning on the subject site, and the obtain approval for a Class II Design Review for a six unit multi-family development. This two-step approach was advised by city staff, and agreed to by the property owner and applicant, Jeremy Barnett.

The purpose of the proposed zone change is to re-acquire the R-2.1 zoning that was the zoning of the subject site until 2004. At that time, a judicial zone change, instituted by the City of West Linn, was completed based largely on the assumption that there may be a market for small ancillary and adjacent parcels to the Albertson's Shopping Center. However, since 2004, circumstances have changed considerably. Albertson's has vacated that large anchor space in the shopping center, and other smaller business have "come and gone" from various other retail commercial spaces in the shopping center. In the end, the viability of the shopping center has generally been diminished. In addition, the improvement of the Willamette commercial area, across the I-205 freeway, has likely had a significant impact on similar development on the north side of the I-205 freeway. That, coupled with the uncertainty of the future of the former Albertson's shopping center, will result in a better use of the subject site as a residential site than for commercial purposes.

There are several Chapters of the West Linn Community Development Code (CDC) that are appropriate and applicable to the proposed zone change. These Chapters of the CDC are:

- **Chapter 105 – Amendments to the Code and Map**
- **Chapter 99 – Procedures for Decision Making: Quasi Judicial**
- **Chapter 16 – Single-Family and Multiple-Family Residential, R-2.1**
- **Chapter 59 – Willamette Neighborhood Mixed Use Transitional Zone**

These four (4) Chapters are addressed below, in the order listed above. Any other Chapters or specific items, standards, criteria, requirements, etc. that surface during the addressing of the four (4) Chapters listed above will be addressed following the addressing of the four (4) Chapters. Other "*Applicable CDC Chapters*" as listed on page 1 of the "*Pre-Application Conference Meeting – Summary Notes, February 6, 2020*" will apply to the second of the land use applications that will be submitted by the applicant, for a Class II Design Review. These include, but may not be limited to, Chapters 46, 48, 54, 55, and 92.

Chapter 105 – Amendments to the Code and Map

- 105.010 Purpose

Finding: This subchapter sets out the basic Purpose of this Chapter, which is to provide the standards and procedures for “. . . . the quasi-judicial changes to the map as provided by code chapters setting forth the procedures and by the Comprehensive Plan.” It is also noted that “Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes or to address changes in the law.” This application does not argue that any mistakes have occurred, or that there have been changes in the law. Rather, we believe that there have been changes in community conditions, needs and desires relative to the subject site that render it of little value for commercial development. The changing character of the Albertson’s Shopping Center, plus the continuing need for multi-family housing, and the property owner’s desire to be able to develop the property in a manner that will be a benefit to the community, the Willamette Neighborhood, and the property owner/applicant.

- 105.040 Quasi-Judicial Amendments and Procedures

Finding: While A. of this Chapter applies to the subject application for zone change from MU (Mixed Use) to R-2.1 (Single-Family and Multi-Family Residential) without an application for a concurrent Comprehensive Plan Map amendment, other parts of this Chapter, specifically, B. and C. do not apply because they do not match the land use action required for this particular zone change.

105.040.A states, “The Planning Commission shall make a recommendation to the Council, on a zone change application which does not involve Comprehensive Plan amendments as provided by CDC 99.060-(B).” Because this application requires a public hearing before the West Linn Planning Commission (WLPC), and the application does not involve an amendment of the Comprehensive Plan, the Planning Commission will take all information, evidence, testimony, etc. into consideration, then make a recommendation to the City Council on what action the Council should consider taking.

The applicant understands this process and agrees to it

- 105.050 Quasi-Judicial Amendments and Standards for Making Decision

A decision to approve, approve with conditions, or to deny an application for a quasi-judicial amendment shall be based on all of the following standards:

A. The standards set forth in CDC 99.110(A), which provide that the decision shall be based on consideration of the following factors:

1. The applicable Comprehensive Plan Policies as identified in subsection C of this section and map designation.

Finding: The appropriate and applicable policies of the Comprehensive Plan are identified and addressed below, in subsection C. of this subchapter 105.050;

2. The applicable standards of any provision of this code or other applicable implementing ordinance.

Finding: As part of the Pre-Application Conference meeting between the applicant and city staff, the “applicable CDC Chapters” were provided by staff as part of the conference process, and as part of the “*Summary Notes, dated February 6, 2020, page 1*”. No other sections of the CDC or other city codes appear to have any applicability to this application. Therefore, with the addressing of appropriate and applicable chapters of the CDC, this standard or factor, has been satisfied.

B. *The standards set forth in CDC 99.110(B), which provide that, in making the decision, consideration may also be given to the following:*

1. *Proof of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or Zoning Map as it relates to the property which is the subject of the development application.*

Finding: In the past two decades, there has been significant change in the local neighborhood, on both sides of the I-205 corridor. There have been new residential developments, new commercial buildings, a significant increase in commercial opportunities on the south side of the I-205 corridor, and an apparent reduced interest in commercial/retail development and activities on the north side of the corridor. The residential character of the northerly side of the corridor of the Willamette Neighborhood has been strengthened by recent residential developments uphill from Blankenship Road, while the commercial character appears to have largely shifted to the south side of the corridor.

The applicant does not argue that a “mistake” was made in the zoning of the site to MU, but, in retrospect, the change of zoning from R-2.1 to MU in 2004 has not benefitted the subject site, causing it to be in somewhat of a “limbo” status – too many adverse characteristics of the site and immediate surrounding vicinity, not enough “strengths” to be attractive as a commercial site. At this point, the site really “needs” to be returned to the original R-2.1 zoning to allow it to develop to its fullest potential as a residential site.

Maintaining the site in the MU zoning creates somewhat of an “inconsistency” in the zoning pattern because the subject site is one of only two sites zoned MU on the south side of the corridor. This inconsistency creates an issue of development and build-out of the local neighborhood, considering there has been significant development within the Willamette Neighborhood since 2004. The applicant wishes to shed this inconsistency that adversely impacts the developability of his site. While the site is not vacant, it has a vacant single family dwelling built in 1944, and this existing dwelling has deteriorated to the point that it would require a significant investment to bring it to current standards. The applicant believes it would be money better spent in re-developing the site with multi-family residential housing units.

When these considerations are paired with the physical circumstances of the site which do not promote commercial development, it appears that the logical conclusion to is re-zone the site to R-2.1. It should be noted that, although the site has frontage and is addressed on Blankenship Road, the site has no practical or usable frontage on

Blankenship Road. Access is taken from frontage on 13th Street, with one curb cut, or driveway. It should be noted that 13th Street is sloping downhill from the intersection with Blankenship Road, and the intersection has no “landing” on 13th Street, making it difficult to access and merge onto Blankenship Road. This may be especially true of trucks, regardless of size.

Finally, a commercial/industrial real estate broker viewed the subject site and concluded, within ten seconds, that the subject site is not at all suitable for any type of commercial development. He noted that there is no “connection” or “relationship” between the subject site and the Albertson’s Shopping Center, thus making the MU zoning largely inappropriate for any commercial development.

All of this combines together to emphasize the concept that the site and the immediate vicinity in the neighborhood may well have changed in character such that the subject site is best suited for residential development. Commercial use of the subject site would continue the apparent “inconsistency” in the current zoning and the potential “highest and best use” of the subject site.

2. *Factual oral testimony or written statements from the parties, other persons and other governmental agencies relevant to the existing conditions, other applicable standards and criteria, possible negative or positive attributes of the proposal or factors in sub-section A or B(1) of this section.*

Finding: Oral statements and written testimonials will be offered at the Planning Commission hearing.

C. *The Comprehensive Plan, Plan and Ordinance Revision Process, and Specific Policy No. 4 which provides that the decision shall be based on considerations of the following criteria:*

1. *Conformance with the Comprehensive Plan policies and criteria.*

Finding: The West Linn Comprehensive Plan (“Comp Plan”) is separated into several Goals, Policies and Recommended Action Measures for a variety of subjects. The proposed zone change from MU to R-2.1 must remain in conformance with the various applicable and appropriate Goals. For example, **Goal 1 is “Citizen Involvement”**. The proposed zone change must contact the Willamette Neighborhood Association (WNA) and provide the opportunities for citizen review, input, and comment. This has been done through two meetings with WNA by the applicant, on June 10th and July 8th, 2020. Public hearings before the West Linn Planning Commission and the West Linn City Council will provide the opportunities for citizen input to the planning process. Therefore, the proposed zone change is consistent with Goal 1.

For **Goal 2: Land Use Planning**, under Section 1: Residential Development, Goals 1 and 2 seek “to provide for a variety of living environments and densities”, and to “allow a mix of residential and commercial uses in Commercial Districts and ensure compatibility of these districts with the residential character of existing neighborhoods”. The subject

site is capable of supporting either residential or retail commercial uses, but this area of the Willamette Neighborhood is a mix of both residential and commercial uses and, more specifically, a mix of single family and multi-family housing. The site will continue to meet this character if developed for residential use rather than for commercial use. It appears that 13th Street is the current limit of commercial development west of the 10th Street/I-205 interchange. For protection of existing residential uses in the local neighborhood, it may be best if the subject site is developed for residential purposes in order to maintain this separation.

As a medium-high density area, this local neighborhood area may have some limitations, the slope at Blankenship Road is such that direct vehicle access from Blankenship Road to the subject site is not possible. Rather, access is taken only from 13th Street, a sloping street taking intersection with Blankenship Road at a somewhat awkward location. With regard to traffic, access to the site from 13th Street can be problematic for delivery trucks.

According to the 2013 *“Existing Residential Units and Buildable Lands Summary”*, the Willamette Neighborhood is the largest of all neighborhoods in West Linn, and contains the largest number of residential dwelling units. This large number of residential units likely reflects the size of the neighborhood as well as the development potential of vacant lands and lands that can be re-developed. For the criteria contained under Goal 2, Policy 7, sub item c., the subject site may not meet all of the stated criteria, but certainly meets most of the six (6) criteria. Further, Policy 8 states *“Protect residentially zoned areas from the negative impacts of commercial, civic, and mixed use development, and other potentially incompatible land uses”*. With local development on the southerly side of Blankenship Road being almost exclusively residential west of 13th Street, the subject site is an outlier when it comes to potential non-residential development. In order to protect the residential character of this local area, residential development of the subject site certainly promotes, strengthens and satisfies this Goal.

Under Section 3: Mixed Use/Commercial Development, the historic Willamette District has been, is, and will remain one of the first and most prominent commercial areas in West Linn. The Albertson’s Shopping Center on the north side of I-205, and the “mirror-image” commercial center on the south side of I-205, plus the historic Willamette Falls area which is currently being upgraded and improved to provide even more commercial development opportunities. Based on this focus of commercial development, the subject site is not and should not be a focus for commercial development. 13th Street provides an excellent opportunity to limit future commercial development to existing commercial areas.

Goal 3 states *“Encourage retail commercial uses to be located in centers that facilitate one-stop shopping and discourage strip commercial development.”* In this particular case, development of the subject site for any type of commercial use will be counter to this Goal and will extend commercial development across 13th Street, thus extending

“strip commercial development” into an area where it is not appropriate. Therefore, the subject site simply does not support compliance and compatibility with this Goal, or with Goal 4. In fact, any commercial development on the subject site may not comply or promote any of the eight (8) Goals in this Section.

In reviewing the **Goal 2: Land Use, Comprehensive Plan** (Figure 2-1), it is noted that the subject site and the site located directly adjacent to the south on the west side of 13th Street are the only two (2) properties designated for “Mixed Use” development. No such Mixed Used development has taken place since re-designation of these two properties in 2003. As two small properties that may have been intended as commercial extensions of the Albertson’s Shopping Center, they simply have not drawn any interest for commercial or mixed use development. Because they are outliers, they will promote strip commercial development into a residential area with which the commercial uses will not be fully compatible. It would appear best that these two parcels be re-designated back to R-2.1, which is in keeping with the rest of the local neighborhood south of Blankenship Road.

Under **Goal 6: Air, Water, and Land Resources Quality**, Section 1: Air Quality has an important Policy that reads “3. *Reduce pollution from vehicle emissions by pursuing an energy efficient urban form that provides for connectivity and reduces the number of vehicle miles traveled.*” This is an important Policy because maintaining the site under MU zoning where commercial development is possible, it will encourage use of delivery trucks to the site where traffic access is difficult and vehicle miles traveled, for both trucks and personal vehicles, are likely to increase rather than decrease. This would be in conflict with this Policy. This is an opportunity to limit potential commercial growth to being east of 13th Street, resulting in a better urban form and a more efficient residential development of the subject site.

For **Goal 9: Economic Development**, Policies 1 and 2, respectively, state “*Recruit and encourage businesses, particularly those that provide family-wage jobs to locate in West Linn*”, and “*Support retail businesses and services that enhance the community and provide wanted goods and services.*” The MU zone provides for retail commercial uses that may not provide the type of family wage jobs the city is seeking. Small convenience retail uses likely will not provide the family-wage jobs, and the “wanted goods and services” that are the target of these two Policies. On that basis, perhaps it is not best to maintain the MU zoning on the subject site, waiting for the “silver bullet” use to come along that will develop a significant economic base on this 15,315 square foot (0.35 acre) site. Whatever commercial use that may be established on the subject site will be at lower employment densities, and may not be family-wage jobs. It would appear that such development opportunities will not satisfy or fulfill this Goal, and the appropriate Policies.

Goal 10: Housing provides Goals and Policies that support and promote housing in West Linn, both single family and multiple family housing. Because West Linn is a

growing community, a variety of housing types, styles, sizes and economic levels are necessary. While the MU zoning on the subject site may allow for residential development, the allowed density of development under the MU zoning is less than what the site is able to support. The density under the MU zoning is four (4) multi-family units, while under the R-2.1 zone; the maximum potential development is seven (7) multi-family units. Although the site is small, the difference of three (3) units can be significant. With fewer units, development costs of the site are generally higher and, thus rent levels may also be higher. With more units under the R-2.1 zoning, as the applicant proposes to build, there will be more housing opportunities for a wider variety of people at a greater range of income levels. It is noted in the “*Background and Findings*” portion of the narrative for this Goal that “*Housing affordability is an issue in West Linn.*” Any commercial development of the subject site under the MU zoning will take away potential housing, thus leading to a potential issue of contributing to the future housing affordability for the city. Residential development would help to address this issue.

Goal 2, “*Assure good functional and aesthetic design of multi-family and clustered single-family developments*”, will be guaranteed through the required Class II Design Review process. Goal 3, “*Encourage the development of affordable housing for West Linn Residents of all income levels*”, will be supported if the subject site is developed for residential purposes, but will not be supported at all if the site remains zoned MU and allows potential commercial development. The proposed multi-family development under the R-2.1 zoning that is proposed for the subject site by the applicant will definitely contribute to satisfying Goal 3 through rental housing that is affordable while being an asset for the Willamette Neighborhood and the City of West Linn as a whole. Figure 10-3, “*Buildable Lands Inventory*” identifies this specific site as one with “*Infill Potential*”, which is definitely true. That is the proposal by the applicant, to re-develop the subject site, which serves the vision of the Comp Plan.

Under **Goal 12: Transportation**, the “sub goal” 1.d. states “*Provide a transportation system for the City of West Linn that:*

d. Maintains the cohesiveness of the City’s neighborhoods.”

Use of the subject site for commercial development will cause site generated commercial traffic to extend onto 13th Street, where such traffic has not been before. Such heavier traffic, at greater levels than at the current time, will not contribute to the cohesiveness of the local neighborhood. The “opinion letter” prepared by Morrison Transportation Consulting dated June 20, 2020 provides technical information that site generated commercial traffic will create considerably more traffic than any type of residential development. Such lower level of site generated traffic will definitely promote the cohesiveness of the existing local neighborhood and will protect the existing residential development from conflicting and “non-conforming” traffic, especially on 13th Street. Because 13th Street is a “Local” street, which will “. . . . have the sole function of providing access to immediate, adjacent land”, commercial development will cause 13th Street to be used for an unintended traffic use. Further, it appears that the commercial

development of the subject site will not fulfill one or more of the Streets Policies 1. through 12.

Finally, the "Vision Statement and Action Plan for the Willamette Neighborhood of West Linn" has been specifically built for the Willamette Neighborhood. However, this local area plan is very general and does not address residential development specifically. Instead, it is more general in terms of what the neighborhood seeks. Comparing the future of the subject site under the current MU zoning versus the proposed R-2.1 zoning, the future of the subject site appears to be more favorable to the local neighborhood under a residential infill plan than if developed for commercial use. One sub-goal under Goal #6 states "*Development needs to be consistent with the value of the area*". The area west of 13th Street and to the south of Blankenship Road is entirely residential and should remain that way in order to maintain consistency, compatibility, and non-conflicting. Commercial development of the subject site will not be consistent with Goal #6, and will not improve the value of the local area. It is the applicant's conclusion that residential development is much more consistent with the local neighborhood and, thus, the Willamette Neighborhood Plan.

2. *There is a public need for the change or the change can be demonstrated to be in the interest of the present and future community.*

Finding: Because of the physical characteristics of the site, use of the site for commercial purposes is questionable. The slope of the site, the retaining wall along the entire northerly side of the site that effectively separates the site from any access to Blankenship Road, the 13th Street access is on a sloping street which could make truck access difficult, the proximity of the site to the "backside" of the Albertson's Shopping Center, and the size and shape of the lot all combine together to "create" a site that does not meet the real estate mantra of "location, location, location". The site is truly separated from other viable commercial areas, and has no attribute(s) that would make the site attractive to someone who wishes to develop a commercial use that is in keeping with the "uses permitted outright" in the somewhat limited list contained in subchapter 16.030. The lack of visible frontage along Blankenship Road makes the site potentially difficult to locate because it is addressed on Blankenship Road, and the person unfamiliar with neighborhood could have difficulty in even finding the site. While a sign on Blankenship Road could direct people to the site, an advertising sign may add nothing to the local neighborhood.

3. *The changes will not adversely affect the health, safety and welfare of the community.*

Finding: There is no indication that a change of the zone from MU to R-2.1 would, in itself, adversely impact the local health, safety, and welfare of the community. In terms of safety, the proposed zone change from MU to R-2.1 would result in less impact on local traffic and transportation systems, because the potential future commercial development in the MU zone would exceed the site generated traffic from a development of up to seven (7) multi-family residential units. Also, with less truck traffic resulting from

the lack of deliveries to a potential commercial use on the subject site, potential health impacts seem unlikely.

With regard to welfare of the community, housing is always in demand, especially multi-family housing, and the potential of the site under the proposed R-2.1 zoning for seven (7) units exceeds the potential of the site if continuing to be zoned MU is only four (4) units. The advantage of three (3) units additional on the site may not appear to be significant, but that is relative. If the site remains zoned MU where a commercial use could be established, any potential for housing would be completely lost.

D. Transportation Planning Rule compliance

Finding: It has been determined by qualified professional transportation consultants that there is no need for a Traffic Impact Study (TIS) because the change of level of use will be less with the proposed R-2.1 zoning over the existing MU zoning. Because this will be the case, only an “opinion letter” from the team’s transportation consultant will be required, according to city staff. This “opinion letter” is included as part of this application package. With this opinion letter, compliance with the Transportation Planning Rule will continue without change or interruption with the proposed zoning of R-2.1. And because there will be less site generated traffic on the site under the R-2.1 zoning, as opposed to the existing MU zoning, there will be no adverse impact on local transportation facilities (105.050.D.1). There will be no needed amendments that will affect transportation facilities (105.050.D.2) as a result of the proposed zone change. Again, no TIS is needed or required because of the “direction” of change in site generated traffic resulting from the proposed R-2.1 zoning rather than the existing MU zoning (105.050.D.3).

• *105.060 Condition of Approval*

Finding: The applicant understands that the Planning Commission may make a recommendation of: approval; approval with conditions; or denial based on the record of the proceedings. The City Council may then take the recommendation of the Planning Commission and either: concur with the Planning Commission’s recommendation; concur with the Planning Commission’s recommendation with conditions, but with one or more of the conditions modified; remand the recommendation to the Planning Commission for additional review and consideration.

Chapter 99 – Procedures for Decision Making: Quasi-Judicial

• *99.010 Purpose*

Finding: The applicant understands the Purpose of this Chapter, and agrees with the subchapters/sections that are appropriate and applicable to this particular application.

• *99.030 Application Process:*

Finding: Under the provisions of 99.030.A, this application for zone change has been submitted by Jeremy Barnett, the owner of the subject property. The applicant is assisted by Robert Price, Consultant and his duly authorized representative.

Under the requirements of 99.030.B.1.c, a Pre-Application Conference was held with city staff on February 6, 2020. Summary Notes from that conference are included with this application package.

- 99.033 *Fees*

Finding: The required deposit of \$3,000, as noted on page 2 of the Summary Notes, has been paid by the applicant who understands that additional charges may be applicable, and that this \$3,000 is only a deposit against an as-yet undetermined total fee for the zone change.

- 99.038 *Neighborhood Contact Required for Certain Applications*

Finding: As noted in the initial paragraph for this subchapter, any “multi-family project” requires contact and discussion with the appropriate neighborhood organization prior to submitting the application. Because this project is a two part project involving first a zone change, followed by a Class II Design Review, the applicant is required to interact with the Willamette Neighborhood. While a zone change without a Comprehensive Plan amendment does not technically require this neighborhood meeting, the applicant, himself a resident of the Willamette Neighborhood agreed to meet with the WNA early on.

The applicant and his representative have met with WNA twice in the months of June and July. This was required because the June meeting was adversely impacted by the COVID-19 pandemic in that the notice of that meeting was not sent out by the neighborhood until June 2, 2020, thus not meeting the meeting notification requirements. The applicant agreed to return to the WNA for its July meeting for a “do over”, this time with proper notice. All letters, notices, etc. connected or related to these two meetings are included with this application package. Thus this requirement has been fully and completely satisfied.

While this initial zone change application is not a: 1.) subdivision; 2.) conditional use permit; 3.) multi-family project; 4.) planned unit development of four or more lots; 5.) non-residential buildings over 1,500 square feet; or, 6.) a zone change that requires a Comprehensive Plan amendment, it appears that no neighborhood contact is actually required. The requirement for the neighborhood contact is actually for the Class II Design Review for a multi-family project, or the second of the two (2) applications. However, the applicant determined that the neighborhood contact (meetings) would be held BEFORE submittal of either of the two applications needed for this total project.

For purposes of this subchapter, the following neighborhood contact related items are included:

1. A letter to Kathie Halicki, President of the WNA, sent by registered mail, return receipt requested;
2. No letter(s) were sent to “one designee” of the WNA, based on Kathie Halicki’s direction that no such letters to “one designee” was needed;
3. Copy of the mailing list for all properties within 500 feet of the subject site, based on the current GIS roster maintained by Clackamas County;
4. A map of the notification area, with the subject site at the epicenter;
5. A photo of the posted notice on the subject site.
6. Affidavits of posting of the site, and mailing of the notices to properties within 500 feet of the subject site;
7. Copies of minutes for both the June 10th and July 8th WNA meetings;
8. Copies of the sign-in sheets for attendance at both the June 10th and July 8th meetings of WNA;
9. An audiotape of the July 8th meeting.

It should be noted that the required registered letter to Kathie Halicki, the notification letters to property owners within 500 feet, and the posting of the site were all accomplished on June 18, 2020, thus meeting the 20-day requirement for the July 8th meeting. Therefore, this specific requirement for notification and neighborhood contact has been fully satisfied.

- 99.040 through 99.330

Finding: The balance of this Chapter is largely given to the city’s administrative functions, duties and obligations. It is incumbent upon the City of West Linn to fulfill these requirements, standards, etc.

Chapter 16 – Single-Family and Multiple-Family Residential, R-2.1

- 16.010 Purpose

Finding: The R-2.1 zone is a medium high density residential zone that provides for either single family or multi-family development within the limits of the allowable density for the zone. In the *Purpose* description for this zone, it states that this zone “. is to provide for urban development at levels which relate to the site development limitations, proximity to commercial development and public facilities and public transportation, and to the surrounding development pattern.” This zone is also intended for higher density residential development. Based on the local neighborhood area, the R-2.1 zone fits with the current development patterns, considering the local site development patterns, the availability of public facilities and services, and the proximity to transportation facilities. As such, the proposed zone change to R-2.1 from the existing MU will serve the stated purpose o the R-2.1 zone.

- 16.020 Procedures and Approval Process

Finding: Because the proposed future development of the subject site is a permitted use under the R-2.1 zone, the R-2.1 zone is the proper and appropriate zone for the subject site. This was recognized by the city which zoned the subject site R-2.1 until 2004, when it was determined that the site ought to be zoned MU. Now, returning

to the R-2.1 zone will bring the site back into conformance with what it was zoned in the past which, the applicant argues, was the appropriate zone for the site to begin with. The lack of development opportunities for commercial development is the reason for returning to the historic R-2.1 zone. Under the current city processes and procedures, review and approval by the West Linn Planning Commission , with concurrence by the West Linn City Council. It should be noted that none of the code sections referenced in 16.020.D (1 through 5) will be applicable to the proposed zone change, or the proposed development of the site.

- 16.030 *Permitted Uses*

Finding: Under 16.030, the proposed future development and use of the site for “multiple-family residential unit” is an allowed use permitted outright.

- 16.040 *Accessory Uses*

- 16.050 *Uses and Development Permitted Under Prescribed Conditions*

- 16.060 *Conditional Uses*

Finding: These three (3) subchapters do not apply to the proposed future development of the site for multi-family residential purposes. However, as part of the R-2.1 zone, there are numerous “uses and development permitted under prescribed conditions” and also numerous “conditional uses”. While the applicant does not propose any “accessory uses”, “uses and development permitted under prescribed conditions”, or “conditional uses”, they would all be possible under the R-2.1 zone.

- 16.070 *Dimensional Requirements, Uses Permitted Outright and Uses Permitted under Prescribed Conditions.*

Finding: Under the provisions of 16.070.A. of this subchapter, the subject site could be available for:

1. development as a single-family detached unit,
2. attached single-family unit,
3. duplex,
4. boarding, lodging or rooming house, or
5. multiple-family unit.

Based on the description of each residential development opportunity above, the following development densities are available for the respective type of housing, given the subject site is 15,315 square feet in total area:

1. at 4,000 square feet per single family detached units – 3.8 units;
2. at 2,700 square feet per attached single-family unit – 5.7 units;
3. at 7,000 square feet per duplex, or 3,500 square feet per unit – 2.19 duplexes;
4. at 7,000 square feet per boarding, lodging or rooming house – 2.19 units;
5. at 2,100 square feet per multi-family unit – 7.3 units.

Under the provisions of 16.070.B. and C. of this subchapter, the existing minimum front lot line length exceeds the required minimum dimension of 35 feet, and the minimum average lot width of the site exceeds the required minimum of 35 feet. With regards to 16.070.E., F., and G., the minimum yard dimension or minimum building setback of the various yards listed in 1. through 4. can be met for several of the potential development uses listed above under 16.070.A., including multi-family development.

For the height provision under 16.070.F.1, 35 feet can be accommodated for “garden apartment low rise unit”.

Under 16.070.G., lot coverage for all types of residential development is limited to 50 percent. This dimension can be accommodated on the subject site for most of the types of residential development allowed under 16.070.A., above.

16.070.H and I. may be applicable depending on the type and size of residential units proposed for the subject site as part of the Class II Design Review which will follow the successful zone change.

- *16.080 Dimensional Requirements, Conditional Uses*

Finding: While the applicant ultimately proposes a 6-unit multi-family development, other potential Conditional Uses may be development on the subject site. If that is to be the case (which is not what the applicant is proposing), the proposed Conditional Use carries other additional dimensional requirements that must be adhered to.

- *16.090 Other Applicable Development Standards*

Finding: These “other development standards”, as listed in 16.090.A., 1. through 10. do not apply directly to the proposed zone change, but are to be considered as part of the Class II Design Review.

Under 16.090.B., the provisions of Chapter 55 of the West Linn CDC will apply to the proposed project, but only as part of the Class II Design Review, not the proposed zone change.

Chapter 59 – Willamette Neighborhood Mixed Use Transitional Zone

- *59.010 Purpose*

Finding: The Willamette Neighborhood Mixed Use Transitional Zone, designated MU in the code, has been “built” specifically for the Willamette Neighborhood as a transitional zone between commercial and residential zones. This MU zone attempts to act as a “buffer” between the residential and commercial uses in the local neighborhood. Permitted Uses as listed in 59.030 are a mix of various residentially oriented uses and what might be called “lightweight” commercial retail uses, usually less than warehouse uses. This zone will experience a different level of site generated traffic, meaning that suitable public transportation facilities are needed.

- 59.020 *Procedures and Approval Process*

Finding: Residential development, including multi-family development, is permitted outright in the existing MU zone. However, because some commercial retail uses are also part of the uses permitted outright. Because the proposed future development of the subject site is a permitted use under the MU zone, but at a lesser density level than in other residential zones, including the R-2.1 zone, the MU zone may not be the best zoning for the subject site. Until 2004, the subject site was zoned R-2.1 at which time the city initiated a zone change for this specific site (amongst others) to MU. Now, returning to the R-2.1 zone will bring the site back into conformance with what it was zoned in the past which, the applicant argues, was the appropriate zone for the site to begin with. The lack of development opportunities for commercial development is the reason for returning to the historic R-2.1 zone. Under the current city processes and procedures, review and approval by the West Linn Planning Commission, with concurrence by the West Linn City Council. It should be noted that none of the code sections referenced in 59.020.D (1 through 5) will be applicable to the proposed zone change, or the proposed development of the site.

- 59.030 *Permitted Uses*

Finding: Under 59.030, the proposed future development and use of the site for “multi-family dwelling” is an allowed use permitted outright. Although worded slightly differently than for the permitted use “multiple-family residential unit” in 16.030, they are the same uses.

- 59.040 *Accessory Uses*

- 59.050 *Uses and Development Permitted Under Prescribed Conditions*

- 59.060 *Conditional Uses*

Finding: These three (3) subchapters generally do not apply to the proposed future development of the site for multi-family residential purposes. However, as part of the MU zone, there are numerous “uses and development permitted under prescribed conditions” and also numerous “conditional uses”. While the applicant does not propose any “accessory uses”, “uses and development permitted under prescribed conditions”, or “conditional uses”, they would all be possible under the MU zone. These uses listed in 59.040.2 and 59.050,1. through 8. Tend to be focused more on commercial uses than residential uses. While the applicant does not propose any “accessory uses”, “uses and development permitted under prescribed conditions”, or “conditional uses”, they would all be possible under the MU zone.

- 59.070 *Dimensional Requirements, Uses Permitted Outright and Uses Permitted under Prescribed Conditions.*

Finding: Under 59.070.A, the dimensions stated will apply to the subject site regardless of the type of proposed development, whether residential or commercial. The front lot line is required to be 35 feet (59.070.A.1.), which is met by the subject site. Average minimum lot width is 50 feet (59.070.A.2.) which is satisfied by the dimensions of this site. Minimum lot depth shall be not less than 90 feet (59.070.A.3.), which is

fulfilled by the subject site yard dimensions and setbacks (59.070.A.4.) will be reviewed as part of the Class II Design Review, but can be met on this site. The same applies to the maximum building height of 35 feet (59.070.A.5.). Maximum building size for all floors shall not exceed 6,000 square feet (59.070.A.6.). This will be determined at the Class II Design Review.

Based on the stated building floor area ratio not to exceed 0.4 except that the ground floor shall not exceed 5,000 square feet, the maximum potential development for the subject site will be five (5) units, at most.

Finally, the minimum lot size is to range between 4,500 square feet and 10,000 square feet. However, because the site is an existing lot of record at 15,315 square feet, the site legally may be developed in accordance with the MU standards.

Under 59.070.B., the Design Standards will be set when the project is reviewed as a Class II Design Review.

- *59.080 Additional Use Requirements*

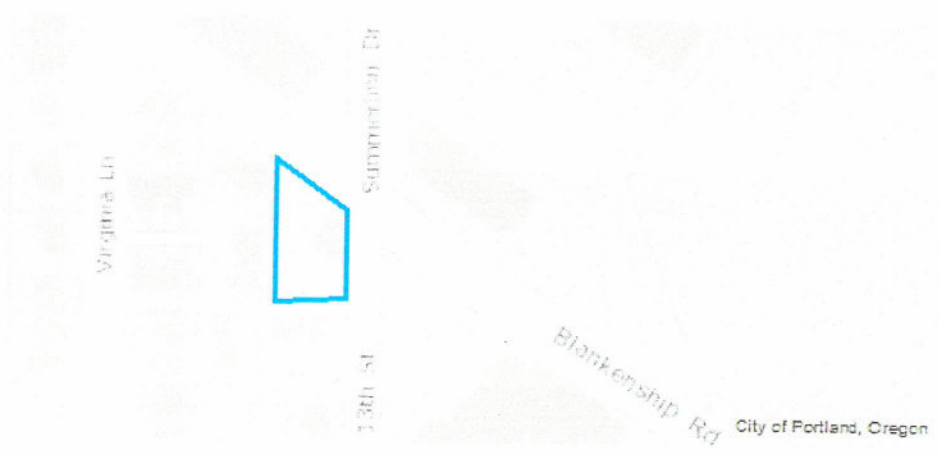
Finding: These additional use requirements are focused on commercial uses and will not apply to residential uses.

- *59.090 Dimensional Requirements, Conditional Uses*

Finding: This criteria does not apply to consideration of a zone change for the subject site.

- *59.100 Other Applicable Development Standards*

Finding: The listed standards in 59.100.1. through 15. Will not apply directly to the proposed zone change from MU to R-2.1. These standards will be reviewed during the Class II Design Review process for whatever use(s) might be proposed for the site under the existing MU zoning.



1791 BLANKENSHIP RD

WEST LINN

PROPERTY

⚠ This property is not within the City of Portland or its service districts. The data below may not be complete. Please refer to your jurisdiction for more information.

Year Built	1944	Assessor	
Building Area	3,392 sq ft	Last Sale	
Neighborhood	WILLAMETTE	Price	\$0.00
Jurisdiction	West Linn / Clackamas	Date	11/01/2004
Elevation	188 ft (approximate)		
		Property Values (2017)	
		Market Value	\$303,026.00
		Assessed Value	\$0.00

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
February 6, 2020

SUBJECT: Proposed multi-family housing (two triplexes) at 1791 Blankenship Road with potential zone change to R-2.1

FILE: PA-20-01

ATTENDEES: Applicant: Jeremy Barnett, Jerry Lawson
Public: Kathie Halicki (Willamette NA)
Staff: Darren Wyss (Planning), Amy Pepper (Engineering)

The following is a summary of the meeting discussion. Additional information may be provided to address any "follow-up" items identified during the meeting. These are PRELIMINARY comments. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note the disclaimer statement below.

Project Details

Site Address: 1791 Blankenship Road
Tax Not No.: 2S 1E 35CB tax lot 2600
Site Area: 15,315 sq. ft.
Neighborhood: Willamette Neighborhood Association
Comp. Plan: Mixed-Use
Zoning: Willamette Neighborhood Mixed-Use Transitional
Environmental Overlays: None
Applicable CDC Chapters: Chapter 46: Off-Street Parking, Loading and Reservoir Areas
Chapter 48: Access, Egress, and Circulation
Chapter 54: Landscaping
Chapter 55: Design Review
Chapter 59: Willamette Neighborhood Mixed-Use Transitional Zone
Chapter 92: Required Improvements
Chapter 105: Amendments to the Code and Map

Summary

The applicant proposes to construct multi-family housing (two triplexes) at 1791 Blankenship Road. The development would take access from one curb cut on 13th Street. An eight-foot public utility easement will be dedicated along the street frontages. Blankenship Road is fully developed, and no street improvements are required. 13th Street has a functional classification of Local Street and has sufficient right-of-way width for required half-street improvements to include a parking lane. Water, stormwater, and sanitary sewer lines are available under 13th Street. Please contact the City Arborist to identify significant trees on the property.

The Mixed-Use (MU) zoning has a maximum building size of 6,000 square feet. A zone change to R-2.1 (previous zoning before the change to MU in 2004) would eliminate the maximum floor-to-area ratio for multi-family housing. Parking requirements for multi-family housing are found in Chapter 46, including exceptions to transfer spaces to public right-of-way or decrease minimum requirements for access to transit. Twenty-five percent of the site will require landscaping. Multi-family housing requires a shared outdoor space (play or picnic area, tennis/basketball court, etc.).

City Arborist: contact Mike Perkins at mperkins@westlinnoregon.gov or 503-742-6046

Engineering Comments: contact Amy Pepper at apecpper@westlinnoregon.gov or 503-722-3437

Tualatin Valley Fire & Rescue Comments: contact Jason Arn at jason.arn@tvfr.com or 503-259-1510

Process

Multi-family housing requires a Class II Design Review and public hearing before the Planning Commission. Address the submittal requirements and respond to the criteria of CDC Chapter 55 and associated/referenced regulations in Chapters 46, 48, 54, 59, and 92. "Not applicable" is not an acceptable response to the approval criteria.

The Planning Manager may waive the submittal requirements if the applicant submits a written request. Such a request must identify the specific grounds for the waiver and must be submitted in letter form (email is acceptable).

A neighborhood meeting is required per 99.038. Contact the Willamette Neighborhood Association to request a meeting.

A zone change requires a public hearing before the Planning Commission, who makes a recommendation, and a public hearing before the City Council for a final decision. Address the submittal requirements and respond to the criteria in CDC Chapter 105.

The deposit for a Class II Design Review is four percent of construction value with a maximum of \$20,000, plus a \$300 inspection fee. A zone change application requires a \$3,000 deposit. The City recommends pursuing the zone change application before applying for design review.

You may access the West Linn Community Development Code (CDC) online at <http://westlinnoregon.gov/cdc>. Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete. If the City determines that the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided.

Once the application is declared complete, staff will prepare a staff report and schedule a date for the Planning Commission public hearing (for either a zone change or design review) and City Council public hearing for a zone change. There is a 14-day appeal period following the decision. Appeals for design review decisions are made to the City Council. Appeals for zone change decisions are made to the Oregon Land Use Board of Appeals. If no appeal is received by the close of the appeal period, the decision is final, and the applicant may move forward with the development.

Pre-application notes expire after 18 months. After 18 months, if no application is approved or in process, a new pre-application conference is required.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application *or provide any assurance of potential outcomes*. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application develops. Pre-application notes expire after 18 months. After 18 months, if no application is approved or in process, a new pre-application conference is required. Any changes to the CDC standards may require a different design or submittal.

Robert Price

Planning Consultant

3935 N.E. 72nd Avenue
Portland, OR 97213-5711

503-281-1037
Cell 503-807-4009
rprice1145@gmail.com

June 17, 2020

Ms Kathie Halicki, President
Willamette Neighborhood Association
2307 Falcon Drive
West Linn, OR 97068

Subject: Appearance at monthly WNA meeting in July

Dear Kathie:

As is required under Chapter 99.038.C. of the City of West Linn Community Development Code (CDC), this letter is being sent to you via Registered Mail – Return Receipt Requested as a means of notifying the Willamette Neighborhood Association of our interest in making an appearance before the Willamette Neighborhood Association (WNA) to discuss our project. While we made an appearance and presentation before the WNA on June 10th, the COVID-19 issues resulted in that meeting not being properly noticed to the public. As such, we have sent letters of notice to neighbors within 500 feet of the subject site, reminding those residents/neighbors of the upcoming meeting on July 8th. A copy of that generic letter is attached.

Based on our earlier discussions, the WNA will provide an agenda spot for Jeremy Barnhart and I to make a similar presentation on July 8th to the one we made at the June 10th meeting. We will discuss both the zone change from MU to R-2.1, as well as the Design Review II for the general site plan for the six (6) multi-family units to be developed on the subject site.

It is also noted that there is no additional “designee” for the WNA to whom a similar letter should be sent. 99.038.C notes that this letter “shall be sent to the president of the neighborhood association, and to one designee as submitted to the City by the neighborhood association” Since there is no other “designee”, no additional letter will be sent.

With this letter to you, our obligation under 99.038 regarding notification of the WNA is complete. Thank you for your help and advice during this process, in spite of the “roadblocks” placed by the COVID-19 pandemic. We will see you on July 8th at 7:00 PM.

Sincerely,


Robert Price

Robert Price
Planning Consultant
3935 N.E. 72nd Avenue
Portland, OR 97213-5711

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**RETURN RECEIPT
REQUESTED**


VIA REG. MAIL
RETURN RECEIPT

Ms. KATHIE HALICKI, PRES.
WILLAMETTE NEIGHBORHOOD ASSN.
2307 FALCON DRIVE
WEST LINN, OR 97068

**RETURN RECEIPT
REQUESTED**

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>																
<p>1. Article Addressed to: KATHIE HALICKI, PRES. WILLAMETTE NEIGHBORHOOD ASSN. 2307 FALCON DRIVE WEST LINN, OR 97068</p>  <p>9590 9402 5641 9308 3809 17</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>																
<p>2. Article Number (Transfer from service label) RE 041 619 875 US</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input checked="" type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input checked="" type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>																

Registered No. **RE041619875US**

Date Stamp: 0039 12


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	Extra Services & Fees \$12.80	<input type="checkbox"/> Signature Confirmation \$ _____
	<input type="checkbox"/> Registered Mail \$ _____	<input type="checkbox"/> Signature Confirmation Restricted Delivery \$ _____
	<input type="checkbox"/> Return Receipt (hardcopy) \$ \$2.85	
	<input type="checkbox"/> Return Receipt (electronic) \$ \$0.00	
	<input type="checkbox"/> Restricted Delivery \$ _____	Total Postage & Fees \$13.35
	Customer Must Declare Full Value \$ 0.00	Received by JL on 08/2020
<p>Domestic Insurance up to \$50,000 is included based upon the declared value. International Indemnity is limited. (See Reverse).</p> <p>OFFICIAL USE</p> <p>PORTLAND, OR 97238</p>		
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	ROBERT PRICE 3935 NB 72nd PORTLAND, OR 97213
	TO	KATHIE HALICKI, PRES. WILLAMETTE NEIGHBORHOOD ASSN. 2307 FALCON DRIVE WEST LINN, OR 97068
PS Form 3806, Registered Mail Receipt		Copy 1 - Customer (See Information on Reverse)
April 2015, PSN 7530-02-000-9051		For domestic delivery information, visit our website at www.usps.com

Robert Price

Planning Consultant

3935 N.E. 72nd Avenue
Portland, OR 97213-5711

503-281-1037
Cell 503-807-4009
rprice1145@gmail.com

June 17, 2020

Dear Willamette Neighborhood resident and neighbor:

Jeremy Barnett has purchased the property located at 1791 Blankenship Road on the north side of I-205 in the Willamette Neighborhood. The site sits just west (across 13th) from the former Albertson's shopping center, on the corner of 13th and Blankenship. At the present time, there is a single family dwelling on the site that Jeremy occupies. His plan is to rezone the property, obtain Design Review II approval, and develop a 6-unit multi-family complex on the site. Six units is the maximum allowable on the subject site after the proposed rezone.

At the present time, the site is zoned MU (Mixed Use Transitional) that allows residential development on a limited basis. Jeremy is proposing that the site be re-zoned to R-2.1 (Single Family and Multiple Family Residential). The site was zoned R-2.1 until 2004 when the city decided that the MU zoning might be more useful based on the development of the shopping center directly to the east. Unfortunately, the shopping center has struggled and there is little to no call for the MU zoning on the subject site. Under the MU zoning, only five (5) units would be possible using the floor area ration used for that zone. Under the R-2.1 zoning, maximum density will be six (6) units.

Although we have already made an appearance before the Willamette Neighborhood on Wednesday, June 10th to explain our project, that meeting was not properly noticed to the public because of the COVID-19, so we must re-appear before the WNA again on July 8th at the WNA's regularly scheduled monthly meeting to be held in Willamette Park. At the July meeting, there may be other items on the agenda for this regularly scheduled monthly neighborhood meeting.

When: Wednesday, July 8, 2020 at 7:00 PM

Where: Willamette Park, near the stage/gazebo

Who: Willamette Neighborhood Association and applicant Jeremy Barnett

We encourage all neighbors to review this proposed zone change and development plan, and provide your comments, either in person at the July 8th meeting or by written comments to either the City of West Linn (Darren Wyss), Kathie Halicki, President of the WNA, or the applicant Jeremy Barnett or his consultant Robert Price. The zone change will be heard in public hearing first before the West Linn Planning Commission, hopefully in September 2020. Following that approval, there will be another hearing before the West Linn Planning Commission to review the development plan, likely later in the year.

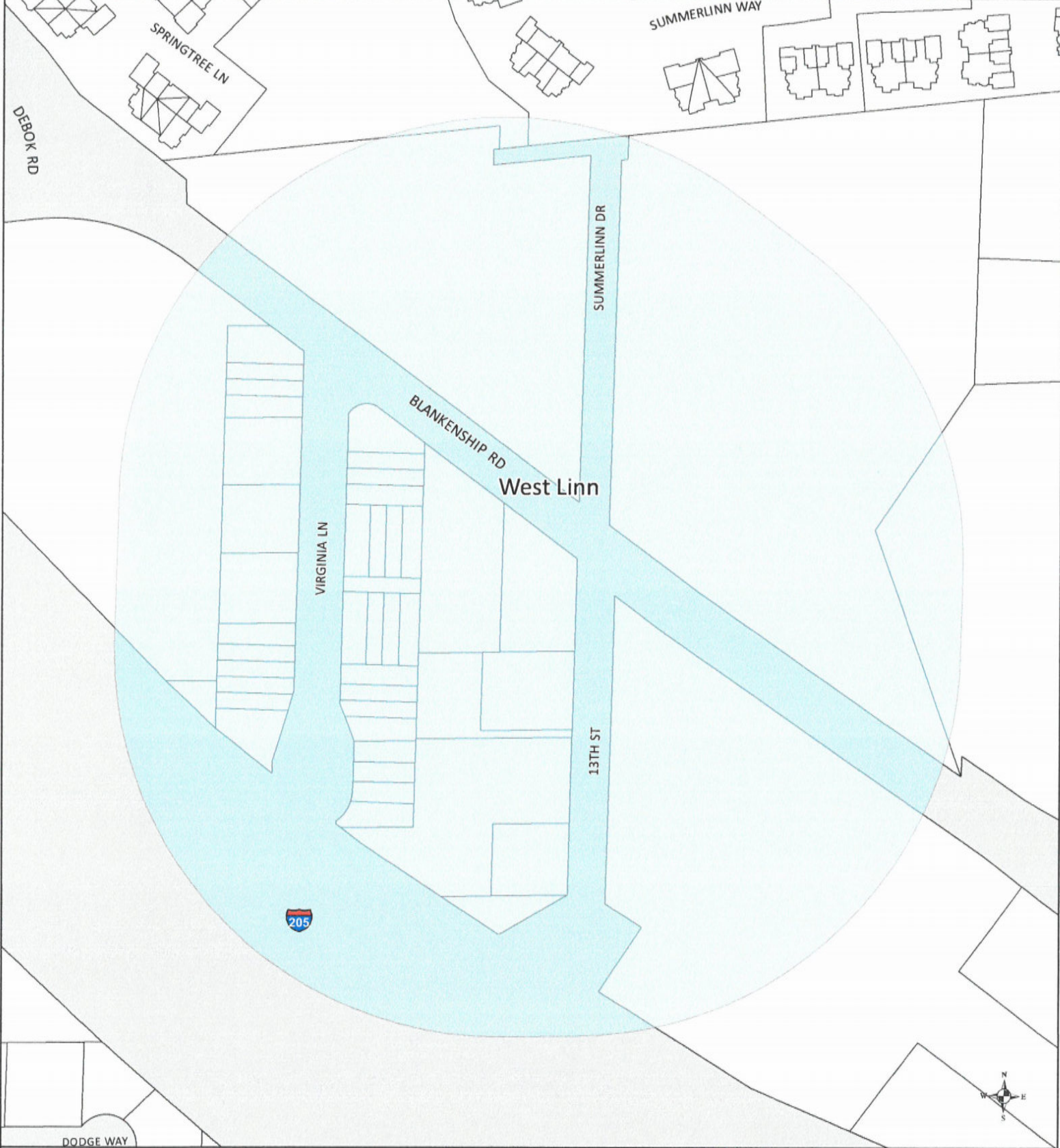
Thank you and we look forward to seeing you at the WNA meeting on July 8th.

PARCEL_NUMBER	TLNO	TAXPAYER
00407768	21E35BC03100	CITY OF WEST LINN
00407884	21E35CB01200	S & G SUMMERLINN LLC
01553376	21E35CB01301	BROWN WILLIAM T
01553385	21E35CB01302	COTO LINDA K
00407544	21E35C 00200	WILT DIANE M TRUSTEE
01553394	21E35CB01303	BERGGREN DOUGLAS WAYNE TRUSTEE
01553401	21E35CB01304	RUSHFORTH LESSLI
00407919	21E35CB01400	CHS INVESTMENT CO
00408026	21E35CB02500	AAKT ENTERPRISES LLC
01553651	21E35CB01329	SOTTILARE ANGELICA
01553642	21E35CB01328	LABUNSKY TIMOTHY
01553633	21E35CB01327	JENKINS JEFFREY S & ALLENA F
00407928	21E35CB01500	CHS INVESTMENT CO
00408035	21E35CB02600	BARNETT JEREMY
01553624	21E35CB01326	LIEBOWITZ HEIDI
01553615	21E35CB01325	BORDEN DAVID P
01553606	21E35CB01324	INAMA ANTHONY
01553599	21E35CB01323	HENRIOT LILIAN NADHIM
00407937	21E35CB01600	CHS INVESTMENT CO
01553679	21E35CB01331	VIRGINIA LANE HOMEOWNERS LTS 5-12
01553553	21E35CB01319	STENBERG CORNELIA A M & ERIK G
01553562	21E35CB01320	SPARWASSER SHANNON R
01553571	21E35CB01321	FLEMING NICOLE E
01553580	21E35CB01322	HENRIOT DIANE
01810491	21E35C 00802	SO LINN LLC
01553410	21E35CB01305	EGAN KAITLIN M
01553429	21E35CB01306	HAGEMENAS KATHLEEN F
00408044	21E35CB02700	WILBERSCHIED JACK R
00408053	21E35CB02800	MURRAY PETER TRUSTEE
01553438	21E35CB01307	ARONE DANIEL & JESSICA
01553544	21E35CB01318	XIE JAMES YANG
01553447	21E35CB01308	WHITE AMY & DELEON
00407857	21E35CB00900	STATE OF OREGON
01553535	21E35CB01317	CHS INVESTMENTS COMPANY
01553456	21E35CB01309	SHAMROCK SEVEN LLC
01553526	21E35CB01316	HFR LLC
01553465	21E35CB01310	NOLAN SIDNEY D JR & MARY L
01553517	21E35CB01315	GRUBBE CORA JANE TRUSTEE
05022054	21E35CB02901	ENGS FAMILY LONE PINE LLC
01553508	21E35CB01314	SIMPSON TRAVIS I
01553492	21E35CB01313	HANG MALIVANN
00408080	21E35CB03000	CITY OF WEST LINN
00408062	21E35CB02900	ENGS FAMILY LONE PINE LLC
00407599	21E35C 00801	BLACKHAWK NEVADA LLC
05002363	21E35BC90000	KG INVESTMENT CO LLC
00407866	21E35CB01000	WILLAMETTE TERRACE-76 LLC
01553660	21E35CB01330	ROBY JEANNE
01553474	21E35CB01311	LEWIS MATTHEW J
01553483	21E35CB01312	FRITTS KARLA C






MAILADDR	MAILCITY	.S'AILZI	SITUS_CITY	SITUS_ZIP
22500 SALAMO RD #600	WEST LINN	O 9706f	ADDRESS	
16731 GREENBRIAR RD	LAKE OSWEGO	O 9703f	WEST LINN	97068
1997 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
1999 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
27050 SW PETES MOUNTAIN RD	WEST LINN	O 9706f	WEST LINN	97068
2051 BAY MEADOWS DR	WEST LINN	O 9706f	WEST LINN	97068
2003 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
2009 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
4960 IRELAND LN	WEST LINN	O 9706f	WEST LINN	97068
2002 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
22791 SW ULSKY RD	WEST LINN	O 9706f	WEST LINN	97068
12019 RIVERFRONT PARK DR	BAKERSFIELD	C, 9331f	WEST LINN	97068
2009 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
19363 WILLAMETTE DR #111	WEST LINN	O 9706f	WEST LINN	97068
2008 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
2010 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
2012 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
1826 BARNES CIR	WEST LINN	O 9706f	WEST LINN	97068
2009 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
NO MAILING ADDRESS	AVAILABLE		ADDRESS	
2022 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
2020 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
2018 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
1826 BARNES CIR	WEST LINN	O 9706f	WEST LINN	97068
108 KINGS CT	SAN CARLOS	C, 9407f	WEST LINN	97068
2021 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
2023 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
PO BOX 1524	HOOD RIVER	O 9703f	WEST LINN	97068
20175 MARSH RD	BEND	O 9770f	WEST LINN	97068
2025 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
2024 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
2027 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
TRANSPORTATION BLDG	SALEM	O 9731f	ADDRESS	
2009 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
3494 CHELAN DR	WEST LINN	O 9706f	WEST LINN	97068
1045 DOLLAR ST	WEST LINN	O 9706f	WEST LINN	97068
2775 NW GLENWOOD DR	CORVALLIS	O 9733f	WEST LINN	97068
1405 N MERIDIAN	NEWBERG	O 9713f	WEST LINN	97068
3490 RIVERKNOLL WAY	WEST LINN	O 9706f	WEST LINN	97068
2032 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
2034 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
22500 SALAMO RD #600	WEST LINN	O 9706f	ADDRESS	
3490 RIVERKNOLL WAY	WEST LINN	O 9706f	WEST LINN	97068
1800 BLANKENSHIP RD STE 325	WEST LINN	O 9706f	WEST LINN	97068
1502 SW MONTGOMERY	PORTLAND	O 9720f	ADDRESS	
2 CENTERPOINTE DR STE 210	LAKE OSWEGO	O 9703f	WEST LINN	97068
2000 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
2038 VIRGINIA LN	WEST LINN	O 9706f	WEST LINN	97068
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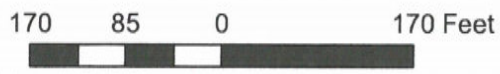
SITUS

NO SITUS
1730 BLANKENSHIP RD
1997 VIRGINIA LN
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2444 TANNLER DR
2001 VIRGINIA LN
2003 VIRGINIA LN
2005 VIRGINIA LN
1771 BLANKENSHIP RD
2002 VIRGINIA LN
2004 VIRGINIA LN
2006 VIRGINIA LN
2009 VIRGINIA LN
1791 BLANKENSHIP RD
2008 VIRGINIA LN
2010 VIRGINIA LN
2012 VIRGINIA LN
2014 VIRGINIA LN
2013 VIRGINIA LN
NO SITUS
2022 VIRGINIA LN
2020 VIRGINIA LN
2018 VIRGINIA LN
2016 VIRGINIA LN
1855 BLANKENSHIP RD
2021 VIRGINIA LN
2023 VIRGINIA LN
2180 13TH ST
2176 13TH ST
2025 VIRGINIA LN
2024 VIRGINIA LN
2027 VIRGINIA LN
NO SITUS
2026 VIRGINIA LN
2029 VIRGINIA LN
2028 VIRGINIA LN
2031 VIRGINIA LN
2030 VIRGINIA LN
2150 13TH ST
2032 VIRGINIA LN
2034 VIRGINIA LN
NO SITUS
2170 13TH ST
1800 BLANKENSHIP RD
NO SITUS
1709 BLANKENSHIP RD
2000 VIRGINIA LN
2038 VIRGINIA LN
2036 VIRGINIA LN



Address Notification Map

-  Railroads
-  City Boundaries Line
-  500' Buffer
-  Streets
-  Parcels



DEPARTMENT OF INFORMATION TECHNOLOGY & COMMUNICATIONS
 CLACKAMAS COUNTY
 GEOGRAPHIC INFORMATION SYSTEMS
 17 LIBRARY COURT
 GRESHAM, OR 97030

The information on this map was derived from digital datasets from Clackamas County GIS. Clackamas County is not responsible for any errors, omissions, or unavailability of data. Clackamas County cannot be held responsible for any errors, omissions, or unavailability of data. Clackamas County cannot be held responsible for any errors, omissions, or unavailability of data. Clackamas County cannot be held responsible for any errors, omissions, or unavailability of data.



MEETING NOTICE

PROPOSAL: ZONE CHANGE FROM MU TO R-2.1;
DESIGN REVIEW II FOR 6-UNIT MULTI-FAMILY COMPLEX.
MEETING DATE: WEDNESDAY, JULY 8, 2020
TIME: 7:00 PM
PLACE: WILAMETTE PARK
CONTACT PERSON: JEREMY BARNETT 971-404-5141
PHONE NUMBER: OR ROBERT PRICE 503-807-4009

MEETING NOTICE

PROPOSAL: ZONE CHANGE FROM MU TO R-2.1;
DESIGN REVIEW II FOR 6-UNIT MULTI-FAMILY COMPLEX.

MEETING DATE: WEDNESDAY, JULY 8, 2010

TIME: 7:00 PM

PLACE: WILLAMETTE PARK

CONTACT PERSON: JEREMY BARNETT 971-404-5141

PHONE NUMBER: OR ROBERT PRICE 503-807-4009

APPLICANT NOTE:
Upon completion, submit this form with your Current Planning development application

NEIGHBORHOOD MEETING
AFFIDAVIT OF MAILING

STATE OF OREGON)
) ss
County of Washington)

I, ROBERT PRICE, being duly sworn, depose and say that on the 18th
day of JUNE, 2020 I caused to have mailed to each of the persons on the attached
list a notice of a meeting to discuss a proposed development at 1791 BLANKENSHIP ROAD,
WBST Linn 97068 copy of which notice so mailed is attached hereto and made a part
hereof.

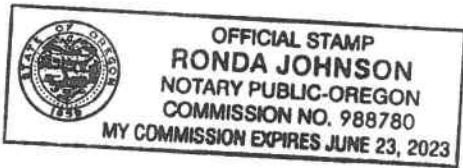
I further state that said notices were enclosed in envelopes plainly addressed to said persons and were
deposited on the date indicated above in the United States Post Office with postage prepaid thereon.

Robert Price
Signature

Subscribed and sworn to, or affirmed, before me this 9th day of July, 2020.

Ronda Johnson
Notary Public for the State of Oregon
County of Multnomah

My Commission expires: June 23, 2023



APPLICANT NOTE:

Upon completion, submit this form with your Current Planning development application

NEIGHBORHOOD MEETING AFFIDAVIT OF POSTING NOTICE

Name of Applicant JEREMY BARNETT
Subject Property: Tax Lot(s) 2600 Tax Map(s) T2S, R1B, 35CB
Address or General Location: 1791 BLANKENSHIP ROAD, WEST LINN

I, ROBERT PRICE, do swear or affirm that I am (represent) the party initiating interest in a proposed REZONING FROM MU TO R-2.1 affecting the land located at 1791 BLANKENSHIP ROAD, WEST LINN and that pursuant to did on the 18th day of JUNE, 2020 personally post the notice indicating that the site may be proposed for a ZONING CHANGE AND CLASS II DESIGN REVIEW application.

The sign was posted at ON 13th STREET FRONTAGE
(Location of sign on property)

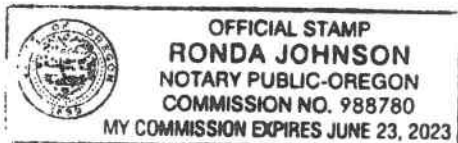
Map attached showing approximate sign notice location. (check if attached)

This 9th day of July, 2020

Robert Price
Signature

Subscribed and sworn to, or affirmed, before me this 9 day of July, 2020

Ronda Johnson
Notary Public for the State of Oregon
County of Multnomah



My Commission expires: June 23, 2023

Willamette Neighborhood Association Draft Meeting Minutes June 10, 2020

Kathie Halicki brought the meeting to order at 7:02 p.m.

WNA Board present: Kathie Halicki, President, Julia Simpson, Vice President, Elizabeth Rocchia, Treasurer and Mary Baumgardner, Secretary.

The quorum was met.

Treasurer report: Elizabeth R. reported a balance of \$2,567.72

Approval of minutes from 3/11/20 meeting: Unanimous approval

New Business:

Nominations were opened. Dick Bany moved to maintain the current board members.

Near the end of the meeting, a person who had arrived after the nominations, requested to nominate Steve Fearing for Vice President. No vote was taken at that time.

Bob Price, developer and Jeremy Barnett, property owner, gave an informational presentation on proposed 6-plex which will require a zone change from MU to R 2.1. They will be coming back to the July WNA meeting for update.

Keisha Brewster presented the latest information: The timing was suggested for 1 sign per year for the next 2 years. It was determined that the cost is still prohibitive at this time. It was voted on and approved for \$300 to be allocated from association funds for sign permit & postcards.

It was suggested to hold future meetings in Willamette Park, weather allowing, due to Covid concerns.

There was a unanimous vote to approve an Eagle Scout project involving Mason Bee houses to be installed in the community.

ODOT RealTime sign project will be closing I-205 periodically between I-5 and Abernethy Bridge. Polling continues online.

Willamette Falls construction is ongoing and updates are available on City of West Linn/Public Works. Contact Lance or Danielle with Public Works with questions or concerns about construction and GO Bond projects.

Post Office lease has been extended thru 7/31/20, Gramor will extend through end of 2020.

City Manager interviews are ongoing.

The Clackamas County DA is reviewing the Fesser case and released findings will be available on the city website. The City Council is discussing the ongoing issues relating to the WLPD. Officer Tony Reeves, aka Daniel "Tony" Poitras' termination has since been announced by John Williams, Acting City Manager as of June 2020.

City council election applications are now available.

This document is posted on WNA page.

Meeting adjourned at 8:29pm

Submitted by Mary Baumgardner

Willamette Neighborhood Association Agenda 7/8/2020 @ 7:00pm

At Willamette Park (stage area)

Please remember to bring your chairs and masks, we will be social distancing

Welcome

Minutes = Mary

Treasurer = Elizabeth

- Election of WNA officers: President = Kathie Halicki, V.P. = Julia Simpson or Steve Fearing, Treasurer = Elizabeth Rocchia, Secretary = Mary Baumgardner

- Land Use – 1791 Blankenship – 10 minutes, pre-ap qualification, zone change from MU to R 2.1 and then to build 6 apartment units.

- Gateway signs - Keisha

- Updates

- Public testimony/concerns

Willamette Neighborhood Association Draft Meeting Minutes July 8, 2020

Kathie Halicki brought the meeting to order at 7:00 p.m.

WNA Board present: Kathie Halicki, President, Julia Simpson, Vice President, Elizabeth Rocchia, Treasurer and Mary Baumgardner, Secretary.

The quorum was met.

Approval of minutes from 6/10/20 meeting: Unanimous approval

Treasurer report: Elizabeth R. reported a balance of \$2,567.72

New Business:

Board officer elections resulted in re-election of all existing officers.

Main Street update: New Director, Rebecca Hollenbeck was introduced by Pauline Beatty.

Ms. Hollenbeck let us know that they have hired a new Wednesday Market manager and that the market has commenced its season; every Wednesday afternoon from 3:30-7:30 with support from Willamette Ale and Cider House generously allowing the market to occupy their property and adjacent side street for the purpose. There has also been outreach to local area businesses and restaurants in coordination with the city also, to support them during the stressful time of the construction and Covid 19. A site called West Linn To Go is being supported on the city's website for updates on current operations and to go food options. "Open For Business" signs have been distributed and Locable.com site has been created for local event updates. Finally, a grant to relieve restaurants of the permit fee to seek additional café seating on sidewalks is being written.

Bob Price, developer and Jeremy Barnett, property owner, gave a 2nd informational presentation on proposed 6-plex which will require a zone change from MU to R 2.1.

Several neighbors to the property in question were present to receive clarification and voice concerns about changing setbacks and height of proposed construction.

Willamette Falls main street update: There will be no median at this time. Future consideration is possible. The old benches were discussed to be given to the McLean House after minor reburishment. The new benches will be black metal and will coordinate with the bollards and bike racks, also black. The Centennial Bricks have been relocated to a more prominent placement per popular demand. It was noted that the old Stein gas station is now in receivership and that a call to brainstorm potential uses be made.

The White Oak Savannah play area was discussed per request from PRAB. The SONA resolution to keep the play area simple, with natural elements and a portapotty rather than built bathroom with shower was discussed and residents in attendance all voiced their agreement for this preference as well.

There was a sign-up sheet made available for those interested in having a mason bee house located on their property for the Eagle Scout project discussed last month.

Post Office lease has been extended thru 7/31/20, Gramor is expected to extend through end of 2020.

City Manager finalist panel interview is available to view on City website.

City council election applications are now available.

This document is posted on WNA page.

Meeting adjourned at 8:40pm

Submitted by Mary Baumgardner

WNA Sign-in Sheet: 6/10/20

Kathie Halicki
Julia Simpson
Elizabeth Rocchia
Mary Baumgardner
Bob Price
Jeremy Barnett
Terence Shumaker
Lonnie Shumaker
Mary O'Malley
Shannon Campagna
Jennifer Aberly
Ken Bietschek
Dick Bailey
Shirley Bailey
Vicki Hood
Jeff Hood
Terry Meyers
Debbie Meyers
Steve Fearing
Jo McMahon
Nicole Mitchell
Eric Roleau
John McCabe
Keisha Brewster
Monika Diner
Daphne Wysham

WNA Sign-in Sheet: 7/8/20

Members:

Kathie Halicki

Julia Simpson

Elizabeth Rocchia

Mary Baumgardner

Jeremy Barnett

Terry Meyers

Debbie Meyers

Pauline Beatty

Dick Bailey

Shirley Bailey

Vicki Hood

Jeff Hood

Ron Mobley

Jan Mobley

John Hansen

Amy Dickson

Mark Poitz

Kaitlyn Poitz

Siu Eng

Nicole Mitchell

Jen Aberg

John McCabe

Guest:

Bob Price

Rebecca Hollenbeck

July 20, 2020

Morrison Transportation Consulting

Sean Morrison, P.E.
6911 NE Willowgrove St.
Hillsboro, OR 97124
503 250-2378
503 547-0674
sean.morrison@comcast.net

City of West Linn Public Works Department
Attention: Amy Pepper, Senior Project Engineer
22500 Salamo Road
West Linn, Oregon 97068

Re: 1791 Blankenship Road Zone Change – West Linn, Oregon

Transportation Impact Study (TIS)

West Linn File Number PA-20-01
MTC Project Number 2020-11

Dear Ms. Pepper,

This Transportation Impact Study (TIS) supports the proposed property rezoning summarized by the February 6, 2020 West Linn Pre-Application conference for File Number PA-20-01. The following items are specifically addressed:

1. Property Description and Proposed Land Use Actions
2. Trip Generation
3. Summary

1. PROPERTY DESCRIPTION AND PROPOSED LAND USE ACTIONS

The subject property is located at 1791 Blankenship Road and is described as Clackamas County Assessor's map and tax lot 2S 1E 35CB 2600. The property is 0.35 acres in size. The property location is illustrated in the attached Figure 1.

Tax lot 2600 is currently developed with a single-family residence and has direct access to 13th Street. The proposed land use action contemplates a Zone Change from Willamette Neighborhood Mixed-Use Transitional (MU) to Single-Family and Multiple-Family Residential (R-2.1). Based on communication by West Linn engineering staff and pre-application conference notes, a transportation impact study (TIS) is necessary to address Transportation Planning Rule (TPR) criteria outlined in Oregon Administrative Rule (OAR) 660 012-0060 in addition to West Linn Community Development Code (CDC) criteria as applicable.

2. TRIP GENERATION

Transportation Planning Rule Analysis

The Zone Change land use action requires a TIS to address TPR requirements, including a comparison of reasonable worst-case development scenarios based on allowed uses in both the current and proposed zone designations. Scenario assumptions are as follows:

Current			
West Linn Mixed Use Transitional (MU)	0.35 Acres 15,315 SF	Per City of West Linn Pre-Application conference meeting summary notes and CDC Section 59.030, assume 6,000 SF medical/dental services.	6,000 SF
Proposed			
West Linn Single-Family and Multiple-Family Residential (R-2.1)	0.35 Acres 15,315 SF	Per West Linn CDC Section 16.030, the R-2.1 zone allows numerous residential uses. Assume 2,100 SF per dwelling unit.	7 DU

Trip generation estimates for the reasonable worst-case development scenarios in the current and proposed zone designations are generated using data from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition, and are summarized in the following table.

Current MU Zone Designation					
Medical-Dental Office Building	720	6,000 SF	6	15	21
Proposed R-2.1 Zone Designation					
Multi-Family Low Rise	220	7 DU	2	2	4
Change in Trip Generation with Zone Change			(4)	(13)	(17)

¹ Trip generation estimated using the *Average Rate* for ITE Codes 220 and 720 per recommended practice in the *ITE Trip Generation Handbook*, 3rd Edition.

As identified in the table above, reasonable worst-case development in the proposed R-2.1 zone designation generates 17 fewer PM peak hour trips over the existing MU zone designation.

Because the trip generation is anticipated to decrease with the proposed R-2.1 zone, additional transportation analysis is not necessary for TPR evaluation purposes.

3. SUMMARY

Based on the analysis materials presented in this TIS for the proposed Zone Change, reasonable worst-case development in the proposed R-2.1 zone designation generates 17 fewer PM peak hour trips than in the existing MU zone designation.

Because trip generation potential decreases in the PM peak hour, the proposed re-zone results in less transportation system impact. As such, additional transportation analysis is not necessary to address Transportation Planning Rule (TPR) criteria outlined in Oregon Administrative Rule (OAR) 660 012-0060 or West Linn Community Development Code (CDC) approval criteria.

Sincerely,

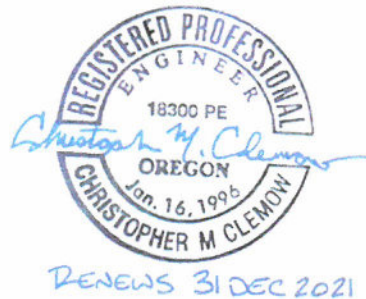


Sean Morrison
Transportation Analyst



Christopher M. Clemow, PE. PTOE
Transportation Engineer

Attachments: Figure 1 – Site Location

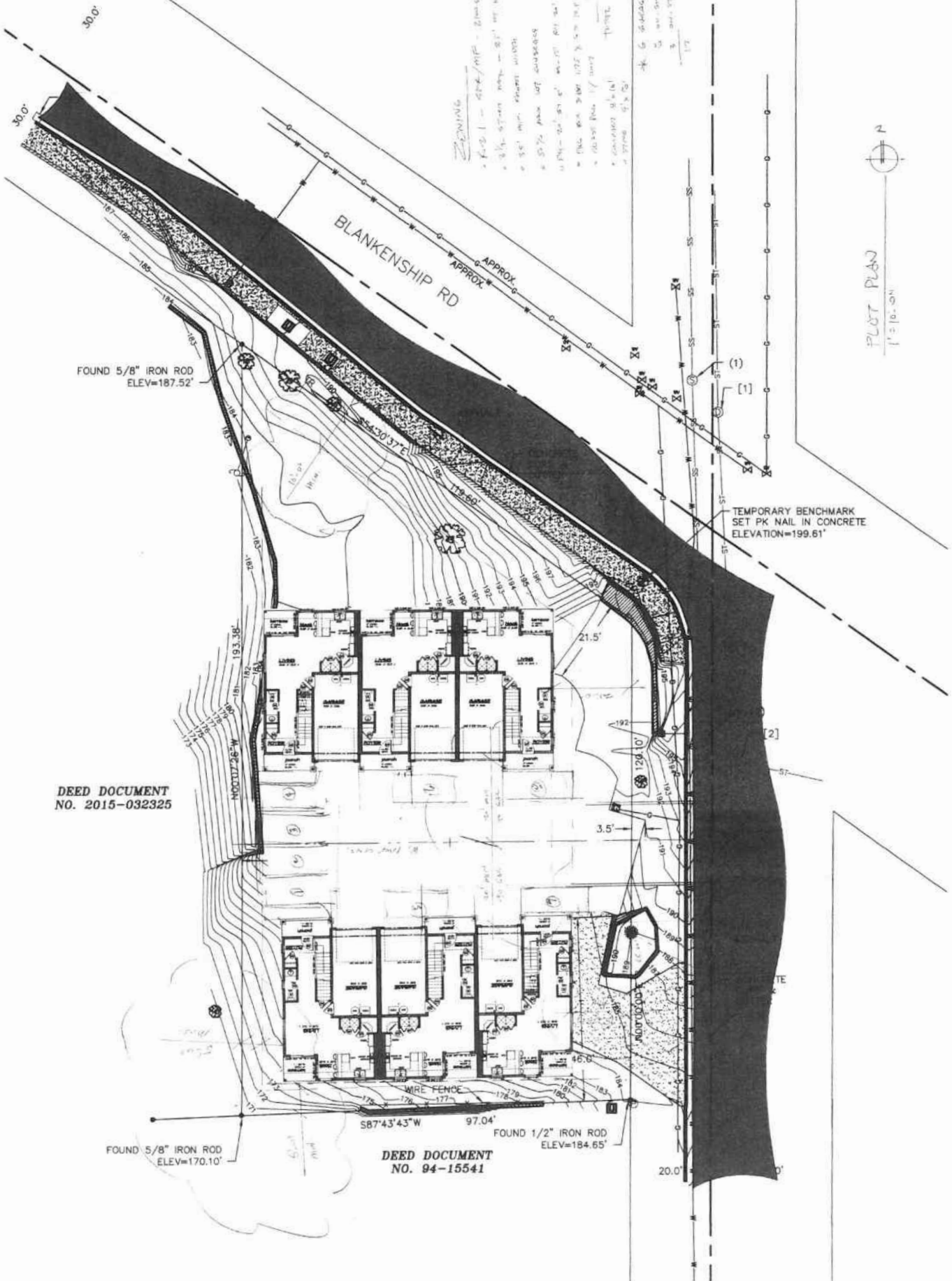




KRAUSE ARCHITECT PC
 137A STREET
 WEST LINN, OREGON 97138
 TEL: 503-253-1100
 FAX: 503-253-1101
 www.krausearchitect.com

COVER SHEET, PLOT PLAN & VICINITY MAP
 PROJECT: 137A STREET TRI-PLEX
 OWNER: JEREMY BARRETT
 DATE: NOVEMBER 13, 2018
 ARCHITECT: J.C. KRAUSE
 PLOT PLAN: J.C. KRAUSE
 NEIGS 0005:
 11-15-2018
 11-15-2018

137A



Handwritten notes:
 1. 137A - 137B - 137C - 137D - 137E - 137F - 137G - 137H - 137I - 137J - 137K - 137L - 137M - 137N - 137O - 137P - 137Q - 137R - 137S - 137T - 137U - 137V - 137W - 137X - 137Y - 137Z - 137AA - 137AB - 137AC - 137AD - 137AE - 137AF - 137AG - 137AH - 137AI - 137AJ - 137AK - 137AL - 137AM - 137AN - 137AO - 137AP - 137AQ - 137AR - 137AS - 137AT - 137AU - 137AV - 137AW - 137AX - 137AY - 137AZ - 137BA - 137BB - 137BC - 137BD - 137BE - 137BF - 137BG - 137BH - 137BI - 137BJ - 137BK - 137BL - 137BM - 137BN - 137BO - 137BP - 137BQ - 137BR - 137BS - 137BT - 137BU - 137BV - 137BW - 137BX - 137BY - 137BZ - 137CA - 137CB - 137CC - 137CD - 137CE - 137CF - 137CG - 137CH - 137CI - 137CJ - 137CK - 137CL - 137CM - 137CN - 137CO - 137CP - 137CQ - 137CR - 137CS - 137CT - 137CU - 137CV - 137CW - 137CX - 137CY - 137CZ - 137DA - 137DB - 137DC - 137DD - 137DE - 137DF - 137DG - 137DH - 137DI - 137DJ - 137DK - 137DL - 137DM - 137DN - 137DO - 137DP - 137DQ - 137DR - 137DS - 137DT - 137DU - 137DV - 137DW - 137DX - 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137IT - 137IU - 137IV - 137IW - 137IX - 137IY - 137IZ - 137JA - 137JB - 137JC - 137JD - 137JE - 137JF - 137JG - 137JH - 137JI - 137JJ - 137JK - 137JL - 137JM - 137JN - 137JO - 137JP - 137JQ - 137JR - 137JS - 137JT - 137JU - 137JV - 137JW - 137JX - 137JY - 137JZ - 137KA - 137KB - 137KC - 137KD - 137KE - 137KF - 137KG - 137KH - 137KI - 137KJ - 137KK - 137KL - 137KM - 137KN - 137KO - 137KP - 137KQ - 137KR - 137KS - 137KT - 137KU - 137KV - 137KW - 137KX - 137KY - 137KZ - 137LA - 137LB - 137LC - 137LD - 137LE - 137LF - 137LG - 137LH - 137LI - 137LJ - 137LK - 137LL - 137LM - 137LN - 137LO - 137LP - 137LQ - 137LR - 137LS - 137LT - 137LU - 137LV - 137LW - 137LX - 137LY - 137LZ - 137MA - 137MB - 137MC - 137MD - 137ME - 137MF - 137MG - 137MH - 137MI - 137MJ - 137MK - 137ML - 137MN - 137MO - 137MP - 137MQ - 137MR - 137MS - 137MT - 137MU - 137MV - 137MW - 137MX - 137MY - 137MZ - 137NA - 137NB - 137NC - 137ND - 137NE - 137NF - 137NG - 137NH - 137NI - 137NJ - 137NK - 137NL - 137NM - 137NO - 137NP - 137NQ - 137NR - 137NS - 137NT - 137NU - 137NV - 137NW - 137NX - 137NY - 137NZ - 137OA - 137OB - 137OC - 137OD - 137OE - 137OF - 137OG - 137OH - 137OI - 137OJ - 137OK - 137OL - 137OM - 137ON - 137OO - 137OP - 137OQ - 137OR - 137OS - 137OT - 137OU - 137OV - 137OW - 137OX - 137OY - 137OZ - 137PA - 137PB - 137PC - 137PD - 137PE - 137PF - 137PG - 137PH - 137PI - 137PJ - 137PK - 137PL - 137PM - 137PN - 137PO - 137PP - 137PQ - 137PR - 137PS - 137PT - 137PU - 137PV - 137PW - 137PX - 137PY - 137PZ - 137QA - 137QB - 137QC - 137QD - 137QE - 137QF - 137QG - 137QH - 137QI - 137QJ - 137QK - 137QL - 137QM - 137QN - 137QO - 137QP - 137QQ - 137QR - 137QS - 137QT - 137QU - 137QV - 137QW - 137QX - 137QY - 137QZ - 137RA - 137RB - 137RC - 137RD - 137RE - 137RF - 137RG - 137RH - 137RI - 137RJ - 137RK - 137RL - 137RM - 137RN - 137RO - 137RP - 137RQ - 137RR - 137RS - 137RT - 137RU - 137RV - 137RW - 137RX - 137RY - 137RZ - 137SA - 137SB - 137SC - 137SD - 137SE - 137SF - 137SG - 137SH - 137SI - 137SJ - 137SK - 137SL - 137SM - 137SN - 137SO - 137SP - 137SQ - 137SR - 137SS - 137ST - 137SU - 137SV - 137SW - 137SX - 137SY - 137SZ - 137TA - 137TB - 137TC - 137TD - 137TE - 137TF - 137TG - 137TH - 137TI - 137TJ - 137TK - 137TL - 137TM - 137TN - 137TO - 137TP - 137TQ - 137TR - 137TS - 137TT - 137TU - 137TV - 137TW - 137TX - 137TY - 137TZ - 137UA - 137UB - 137UC - 137UD - 137UE - 137UF - 137UG - 137UH - 137UI - 137UJ - 137UK - 137UL - 137UM - 137UN - 137UO - 137UP - 137UQ - 137UR - 137US - 137UT - 137UU - 137UV - 137UW - 137UX - 137UY - 137UZ - 137VA - 137VB - 137VC - 137VD - 137VE - 137VF - 137VG - 137VH - 137VI - 137VJ - 137VK - 137VL - 137VM - 137VN - 137VO - 137VP - 137VQ - 137VR - 137VS - 137VT - 137VU - 137VV - 137VW - 137VX - 137VY - 137VZ - 137WA - 137WB - 137WC - 137WD - 137WE - 137WF - 137WG - 137WH - 137WI - 137WJ - 137WK - 137WL - 137WM - 137WN - 137WO - 137WP - 137WQ - 137WR - 137WS - 137WT - 137WU - 137WV - 137WW - 137WX - 137WY - 137WZ - 137XA - 137XB - 137XC - 137XD - 137XE - 137XF - 137XG - 137XH - 137XI - 137XJ - 137XK - 137XL - 137XM - 137XN - 137XO - 137XP - 137XQ - 137XR - 137XS - 137XT - 137XU - 137XV - 137XW - 137XX - 137XY - 137XZ - 137YA - 137YB - 137YC - 137YD - 137YE - 137YF - 137YG - 137YH - 137YI - 137YJ - 137YK - 137YL - 137YM - 137YN - 137YO - 137YP - 137YQ - 137YR - 137YS - 137YT - 137YU - 137YV - 137YW - 137YX - 137YY - 137YZ - 137ZA - 137ZB - 137ZC - 137ZD - 137ZE - 137ZF - 137ZG - 137ZH - 137ZI - 137ZJ - 137ZK - 137ZL - 137ZM - 137ZN - 137ZO - 137ZP - 137ZQ - 137ZR - 137ZS - 137ZT - 137ZU - 137ZV - 137ZW - 137ZX - 137ZY - 137ZZ



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

BUILDING FACADE OFFSETS (IF REQUIRED) NEEDED:
ENTRANCES 1/4" @ INTERVALS MIN./AT EACH
CORNER AND 1/8" MIN. NEEDED IN CORNER REDUCTION
ALLOWED = 4'-6" PROVIDED

NOTE

EXTEND ALL FLUES A MIN. OF 2'-0"
ABOVE ANY PART OF THE BUILDING WITH
A 10'-0" HORIZONTAL RADII

NOTE

ALL GRADES SHOWN ARE APPROXIMATE.
CONTRACTOR SHALL VERIFY ALL
EXISTING AND FINISH GRADES



LEFT-SIDE ELEVATION

SCALE: 1/4" = 1'-0"

1/2" ARCH COMPOSITION
SHAKLES

1/2" x 8" x 4"
LAP SIDING

1/2" x 4" x 8"
CEDAR TRIM



JE KRAUSE
ARCHITECT PC

1000 SW 10TH AVE
SUITE 100
PORTLAND, OREGON 97205

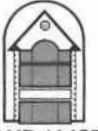
THIS PLAN AND THE INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF JE KRAUSE ARCHITECT PC AND ARE NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF JE KRAUSE ARCHITECT PC. ALL RIGHTS ARE RESERVED. © 2019

TITLE: EXTERIOR ELEVATIONS - FRONT & LEFT
PROJECT: 13TH STREET TRI-PLEX
OWNER: JEREMY BARNETT

DATE: NOVEMBER 13, 2019
PROJECT NO.: 1910
REVISIONS:
11-18-2019

JE KRAUSE ARCHITECT PC ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OR VALIDITY OF CONTRACTOR/OWNER SUPPLIED INFORMATION. THE CONTRACTOR/OWNER IS RESPONSIBLE TO CHECK THE PLANS, EXISTING SITE CONDITIONS, UTILITIES, AND TO NOTIFY THE ARCHITECT OF ANY ERRORS, OMISSIONS OR DISCREPANCIES PRIOR TO THE START OF CONSTRUCTION. DISCREPANCIES MAY RESULT IN ADDITIONAL COST TO THE OWNER.

NO. **A2**
OF NINE



J.E. KRAUSE
ARCHITECT P.C.
1000 SW 4TH AVENUE
SUITE 200
PORTLAND, OREGON 97204

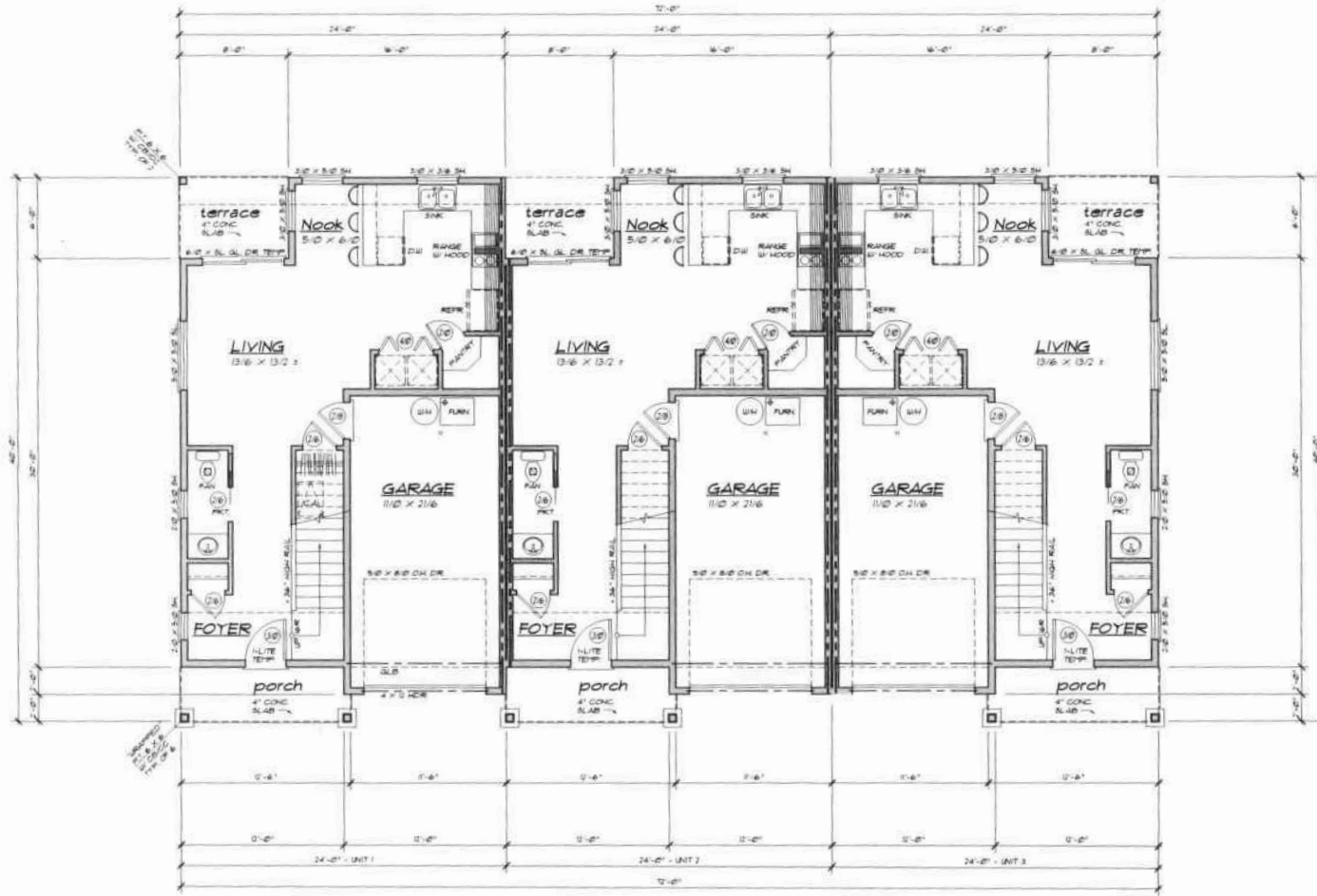
THIS PLAN AND THE CONSTRUCTION OF THE BUILDING IS SUBJECT TO THE APPROVED AND CONTROLLED BY THE ARCHITECT. THE CONTRACTOR IS TO OBTAIN ALL NECESSARY PERMITS AND TO OBTAIN ALL NECESSARY APPROVALS FROM THE LOCAL AGENCIES. THE ARCHITECT IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF THE BUILDING OR FOR THE SAFETY OF THE OCCUPANTS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THESE PLANS.

13TH STREET
WEST LANE, OREGON 97006

FILE: MAIN FLOOR PLAN
PROJECT: 13TH STREET TRI-FLEX
OWNER: JEREMY BARNETT

DATE: NOVEMBER 13, 2015
PROJECT NO.: 1310
REVISIONS:
11-18-2015

NO. **A4**
OF NINE



- GENERAL NOTES:**
1. ALL EXTERIOR WALLS TO BE 2" x 8" VIDS AT 16" O.C. (TOP ONLY)
 2. ALL INTERIOR WALLS TO BE 2" x 4" STUDS AT 16" O.C. (TOP AND)
 3. ADAPTE A PORTION OF (1) & 4 STUDS AS BEAM SUPPORTS AT REAR WALL.
 4. ALL WINDOW AND SLIDING GLASS DOOR DOORS BACKLAME TO 84" UNITS (VERIFY ALL ROUGH OPENINGS)
 5. BIDDING/ISSUE CENTER INTERIOR BEARING WALLS
 6. PROVIDE EXPOSED COMBUSTION AIR FOR ALL FIREPLACES AND STOVES
 7. CONNECT ALL EXPOSED EXTERIOR TUBING AND TO HOUSE POWER SOURCE
 8. PROVIDE 3/4" TYPE "X" GIBBS AT ALL ACCESSIBLE AREA UNDER STAIRS
 9. PROVIDE ALL LISTED RAILS AT ALL RAMPAGE AND STAIR WELLS LOCATIONS AS REQUIRED BY MANUFACTURER
 10. PROVIDE 3/4" HIGH NON-COMBUSTIBLE PLATFORM FOR ALL BAR FILING APPLIANCES LOCATED IN GARAGE
 11. PROVIDE 1/2" DIA. x 8" AT CONCRETE FILLED STEEL PIPE BOLLARD IN GARAGE FOR PROTECTION OF RAMPAGE AND DRIVE WHEELS (SPREAD IN 8" DIA. x 24" CONCRETE FOOTING)
 12. PROVIDE GARDEN SEWER BENTIC ATTACHED (STANDARD) AS PER MECHANICAL CODE PERmits
 13. STRUCTURES OVER SWAMP SQUARE FEET SHALL BE SPANNLED OVER 12" x 12" POSTS ON SOILS AS PER PER CODES
 14. FIRE BLOCKING REQUIRED AT CONSTRUCTION JOINTS AND WALL CHANGES EXCEEDING 4'-0" IN HEIGHT. AS PER SET ARCH PERMITS
 15. TRIMKIT 1" x 2" x 1/2" PLATE SINKING ON RAIL LENGTH OF DRAGED SHALL UNDER PER CODE (SET PERMITS)
 16. ALL ROOMS CONTAINING BATHING OR SPA FACILITIES SHALL BE PROVIDED A MECHANICAL VENTILATION SYSTEM CONTROLLED BY A DEDICATED FRESH OR RECYCLED AIR FLOW CONTROL. AS PER SET ARCH PERMITS
 17. PROVIDE GARDEN FLOODING ALARMS PER PERMITS
 18. ALL ATIC ACCESS DOWNSTAIRS TO BE VENTILATED PER PERMITS
 19. ALL SWP W/ CO-OP TO BE PER TABLE 1001.01 (PAGE 1 CALCS)

MAIN FLOOR PLAN EACH UNIT
SCALE: 1/4" = 1'-0"
586 SF

J.E. KRAUSE ARCHITECT P.C. ASSUMES NO RESPONSIBILITY FOR THE ACCURACY / VALIDITY OF CONTRACTOR / OWNER SUPPLIED INFORMATION. THE CONTRACTOR / OWNER IS RESPONSIBLE TO CHECK THE PLANS, EXISTING SITE CONDITIONS, ETC. AND TO NOTIFY THE ARCHITECT OF ANY ERRORS, OMISSIONS OR DISCREPANCIES PRIOR TO THE START OF CONSTRUCTION. DISCREPANCIES MAY RESULT IN ADDITIONAL COST TO THE OWNER.

PC-2 MU WORKING GROUP RECOMMENDATION

Memorandum

Date: April 16, 2018

To: West Linn Planning Commission

From: Willamette Neighborhood Mixed-Use Transitional Zone Working Group

Subject: Final Recommendations

The Willamette Neighborhood Mixed-Use Transitional Zone Working Group (MU Working Group), appointed by the West Linn City Council on November 7, 2017, has reached consensus on a final recommendation related to the two purposes assigned by City Council:

1. To review and update as necessary the list of permitted and conditional uses in the Willamette Neighborhood Transitional Zone (Chapter 59: MU Zone).
2. Consider a definition of mixed-use.

The MU Working Group met four times from early January to late March 2018. The meetings were well organized and the discussions efficient and effective. A good number of property owners attended the meetings, which was not only helpful to them, but assisted the group in further understanding the current limitations of the zone. The full text of recommendations for the two purposes are attached, but here is a brief description of what is ready to proceed through the legislative process:

- Minor amendment to definition of “mixed-use” that is located in the West Linn Comprehensive Plan and add this amended definition to the West Linn Community Development Code (CDC) Chapter 2: Definitions.
- Amendments to the Permitted, Accessory, Permitted with Prescribed Conditions, and Conditional Uses found in CDC Chapter 59: MU Zone.
- Minor amendments to four current use definitions, and the addition of one new use definition, into CDC Chapter 2: Definitions.
- Addition of a new accessory use in CDC Chapter 19: General Commercial Zone to provide consistency with the recommendation to CDC Chapter 59: MU Zone.


In addition, the MU Working Group discussed other changes related to Chapter 59: MU Zone. These discussions were a natural extension of the group’s purpose and intended to identify additional measures to improve the function and economic potential of the zone. The topics were tied to the location of all 30 properties currently in the MU Zone, the transitional purpose of the zone, and the design/dimensional restrictions in the zone.

Based on the discussions, the MU Working Group reached consensus on a set of recommendations for future consideration by City Council. The group proposes these recommendations be added to the planning docket for further evaluation and potential changes in the near future. They are as follows:

- Consider rezoning the properties along 8th Avenue, between 10th and 13th Streets, from Mixed-Use to General Commercial as they don't meet the transitional purpose of the zone. Staff contacted the property owners for feedback and seven of the eight responded in support of a potential change.
- Consider rezoning the properties along 8th Avenue, between 13th and 14th Streets, from R-10: Single-Family Detached Residential to at least Mixed-Use, if not some to General Commercial as these properties actually meet the transitional purpose of the zone. Staff contacted the property owners for feedback and four of the six on the south side responded in support and one each responded in support and not in support out of the five properties on the north side of 8th Avenue.
- Evaluate more appropriate zoning for MU Zone properties separated from the historic commercial core (Properties 1-2, 3-4, and 27-30 on attached map) as they do not meet the transitional purpose of the zone. This could be undertaken at the same time as 8th Avenue.
- Consider changes to the dimensional/design standards for Chap. 59: MU Zone to make them more flexible for potential redevelopment of properties in the future. Some ideas for potential changes: allowing a zero lot line at the front yard and side yard abutting a street, move from maximum building size to lot coverage standard, making maximum FAR 0.45, eliminating maximum lot size, and removing the residential style design standards.
- Consider evaluating how parking is managed in the Willamette Main Street area, especially the on-site parking exemptions found in CDC Chapter 58: Willamette Falls Drive Commercial Design District.

On behalf of the MU Working Group, we would like to thank City Council for the opportunity to develop these recommendations for consideration.

Respectfully,



Shannen Knight
Chair, MU Working Group

PC-3 COMPLETENESS LETTER



CITY OF
West Linn

August 18, 2020

Jeremy Barnett
19363 Willamette Drive #111
West Linn, OR 97068

SUBJECT: Application for Zone Change at 1791 Blankenship Road (ZC-20-01)

Dear Mr. Barnett:

Your application submitted on July 23, 2020 has been deemed **complete**. The City has 120 days to exhaust all local review; that period ends December 16, 2020.

Please be aware that the determination of a complete application does not guarantee a recommendation of approval from staff for your proposal as submitted – it signals that staff believes you have provided the necessary information for the City to render a decision on your proposal.

A 20-day notice of public hearing before the Planning Commission (tentatively scheduled for October 7 or 21, 2020) to make a recommendation to the City Council on the proposal will be prepared and mailed. City Council is the final decision-maker for this application (tentatively scheduled for November 9, 2020).

The staff report will be available 10 days before the hearing. You should attend the hearing.

Please contact me at 503-742-6064, or by email at dwyss@westlinnoregon.gov if you have any questions or comments.

Sincerely,

Darren Wyss
Acting Planning Manager

EXHIBIT PC-4 AFFIDAVIT AND NOTICE PACKET

AFFIDAVIT OF NOTICE
Type A

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:

PROJECT

File No.: ZC-20-01

Applicant's Name: Jeremy Barnett

Development Name: 1791 Blankenship Road

Scheduled Decision Date: Planning Commission recommendation on October 21, 2020

MAILED NOTICE

Notices were mailed at least 20 days prior to the decision date per Section 99.080 of the Community Development Code to:

1	Jeremy Barnett, Applicant	9/30/20	<i>Lynn Schroder</i>
2	Robert Price, Applicant Consultant	9/30/20	<i>Lynn Schroder</i>
3	Metro	9/30/20	<i>Lynn Schroder</i>
4	Clackamas County	9/30/20	<i>Lynn Schroder</i>
5	ODOT	9/30/20	<i>Lynn Schroder</i>
6	Property Owners within 500 feet	9/30/20	<i>Lynn Schroder</i>
7	All Neighborhood Associations	9/30/20	<i>Lynn Schroder</i>
8	City of Lake Oswego	9/30/20	<i>Lynn Schroder</i>

TIDINGS

Notice was posted in the West Linn Tidings at least 10 days prior to the decision date.

10/7/20	<i>Lynn Schroder</i>
---------	----------------------

WEBSITE

Notice was posted on the City's website at least 10 days prior to the decision date.

9/30/20	<i>Lynn Schroder</i>
---------	----------------------

SIGN

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

10/8/20	<i>Chris Myers</i>
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STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the decision date.

10/8/20	<i>Chris Myers</i>
---------	--------------------

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

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**CITY OF WEST LINN PLANNING COMMISSION
PUBLIC HEARING NOTICE
FILE NO. ZC-20-01**

The West Linn Planning Commission will hold a virtual public hearing, on **Wednesday, October 21, 2020, starting at 6:30 p.m.** to consider a request for a Comprehensive Plan Map Amendment from Mixed-Use to Medium-High Density Residential and associated Zoning Map Amendment from Willamette Neighborhood Mixed-Use Transitional Zone to R-2.1 at 1791 Blankenship Road. The purpose of the public hearing is to make a recommendation to the West Linn City Council on the proposal.

A recommendation by the Planning Commission to approve or deny this request will be based upon the applicable criteria found in Chapters 99 and 105 of the Community Development Code (CDC). The hearing will be conducted in accordance with the rules of Section 99.170 of the CDC.

You have been notified of this proposal because County records indicate that you own property within 500 feet of the affected site on Clackamas County Assessor Map 21E35CB, Tax Lot 2600 or as required by Chapter 99 of the CDC.

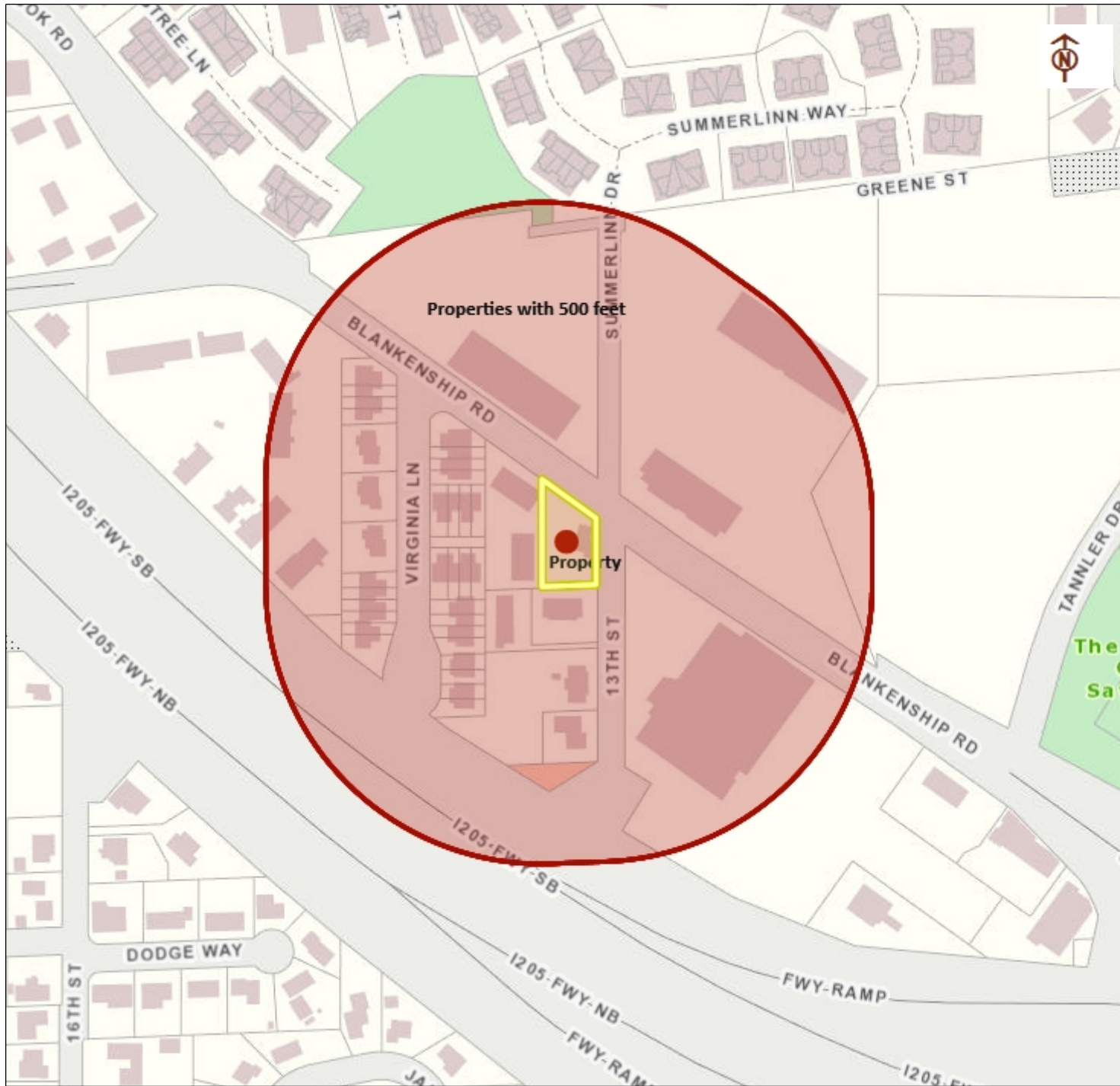
The complete application is available for inspection at no cost or via the web site at <https://westlinnoregon.gov/planning/1791-blankenship-road-zone-change> or copies can be obtained for a minimal charge per page. The staff report will be posted on the website ten days before the hearing and available for inspection at City Hall. For further information, please contact Associate Planner Chris Myers, City Hall, 22500 Salamo Road, West Linn, OR 97068, or cmyers@westlinnoregon.gov or 503-742-6063.

Anyone wishing to present written testimony for consideration shall submit all materials before 12:00 pm on October 21, 2020. Written comments can be emailed to cmyers@westlinnoregon.gov or mailed to City Hall.

The public can watch the meetings online at www.westlinnoregon.gov/meetings or on Cable Channel 30. To speak during the meeting, go to <https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup> to **complete the speaker sign-up form before 12:00 pm on the day of the meeting.** Instructions on how to access the virtual meeting will be emailed before the meeting. If you do not have email access or need assistance under the American with Disabilities Act, please call 503-742-6061 for assistance 48 hours before the meeting.

It is important to submit all testimony in response to this notice. All comments submitted for consideration should relate specifically to the applicable criteria. Failure to raise an issue at the hearing or by written comment, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes raising the issue on appeal to the Land Use Board of Appeals.

ZC-20-01 Properties within 500 feet of Site Property



Legend

- City Limit
- ⋯ Unimproved ROW
- Parks and Open Space
- City Owned Property

0 0.06 0.11 Miles



1: 4,514



Notes

This map was automatically generated using Geocortex Essentials.



**NOTICE OF UPCOMING
PLANNING COMMISSION DECISION**

**PROJECT # ZC-20-01
MAIL: 09/30/20 TIDINGS: 10/7/20**

CITIZEN CONTACT INFORMATION

To lessen the bulk of agenda packets and land use application notice, and to address the concerns 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.

EXHIBIT PC-5 ORDINANCE 1716 COMP PLAN MAP AMENDMENT

ORDINANCE NO. 1716

AN ORDINANCE AMENDING THE WEST LINN COMPREHENSIVE PLAN MAP FROM MIXED-USE TO MEDIUM-HIGH DENSITY RESIDENTIAL FOR THE PROPERTY LOCATED AT 1791 BLANKENSHIP ROAD

WHEREAS, Chapter II, Section 4, of the West Linn City Charter provides: Powers of the City. The City shall have all powers which the Constitution, statutes and common law of the United States and of this State now or hereafter expressly or implied grant or allow the City, as fully as though this Charter specifically enumerated each of those powers; and

WHEREAS, the City of West Linn Community Development Code (CDC) Chapter 99 provides approval criteria for quasi-judicial decision-making and Chapter 105 provides approval criteria for amendments to the CDC and maps; and

WHEREAS, the Applicant sought approval for a comprehensive plan map amendment at 1791 Blankenship Road (Clackamas County Assessor Map 2S-1E-35CB, Taxlot 2600) to change the plan designation from Mixed-Use to Medium-High Density Residential; and

WHEREAS, the map amendment requires a modification to the West Linn Comprehensive Plan Map, which requires a West Linn Planning Commission recommendation and the West Linn City Council to approve by ordinance; and

WHEREAS, the West Linn Planning Commission (PC) held a public hearing, which was noticed in accordance with City standards, on October 21, 2020, and unanimously recommended approval of the Applicant request ; and

WHEREAS, the West Linn City Council held a public hearing, which was noticed in accordance with City standards, on November 9, 2020, to consider the PC recommendation, receive public testimony, and evaluate the decision-making criteria; and

WHEREAS, the Council decision is based on the findings contained in these Whereas Clauses, together with the findings, conclusions, and substantial evidence found in the associated land use record file ZC-20-01, which is incorporated by this reference.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. West Linn Comprehensive Plan Map Amendment. The West Linn Comprehensive Plan Map shall be amended to show the Medium-High Density Residential and Mixed-Use boundaries as depicted in Exhibit A for the Property identified on Clackamas County Assessor Map 2S-1E-35CB, Taxlot 2600 (1791 Blankenship Road).

SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. Savings. Notwithstanding this amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced, shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance or portions of the ordinance were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 2-5) need not be codified and the City Recorder or designee is authorized to correct any cross-references and any typographical errors.

SECTION 5. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the _____ day of _____, 2020, and duly PASSED and ADOPTED this _____ day of _____, 2020.

RUSSELL B. AXELROD, MAYOR

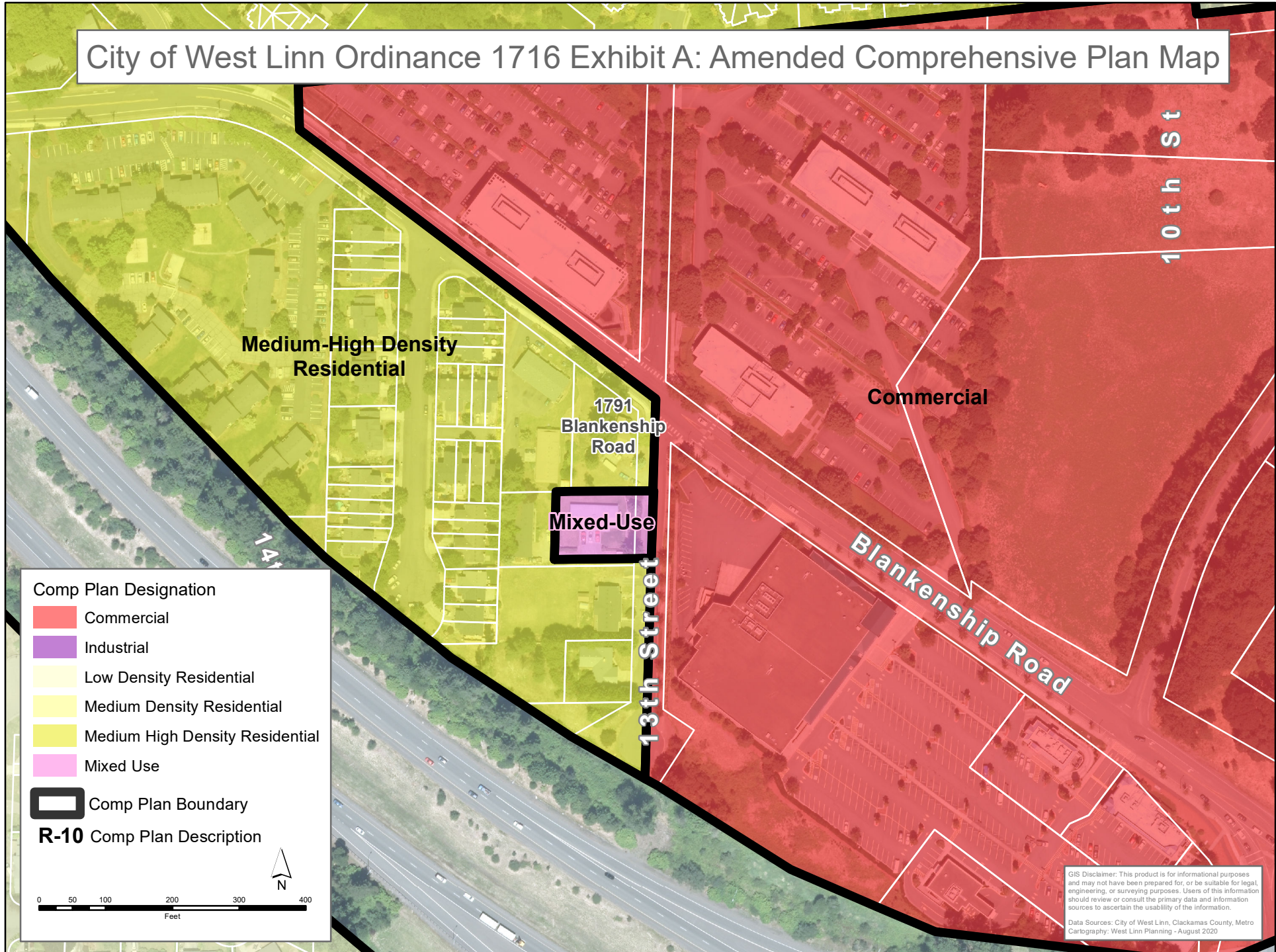
ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

City of West Linn Ordinance 1716 Exhibit A: Amended Comprehensive Plan Map



Comp Plan Designation

- Commercial
- Industrial
- Low Density Residential
- Medium Density Residential
- Medium High Density Residential
- Mixed Use

Comp Plan Boundary

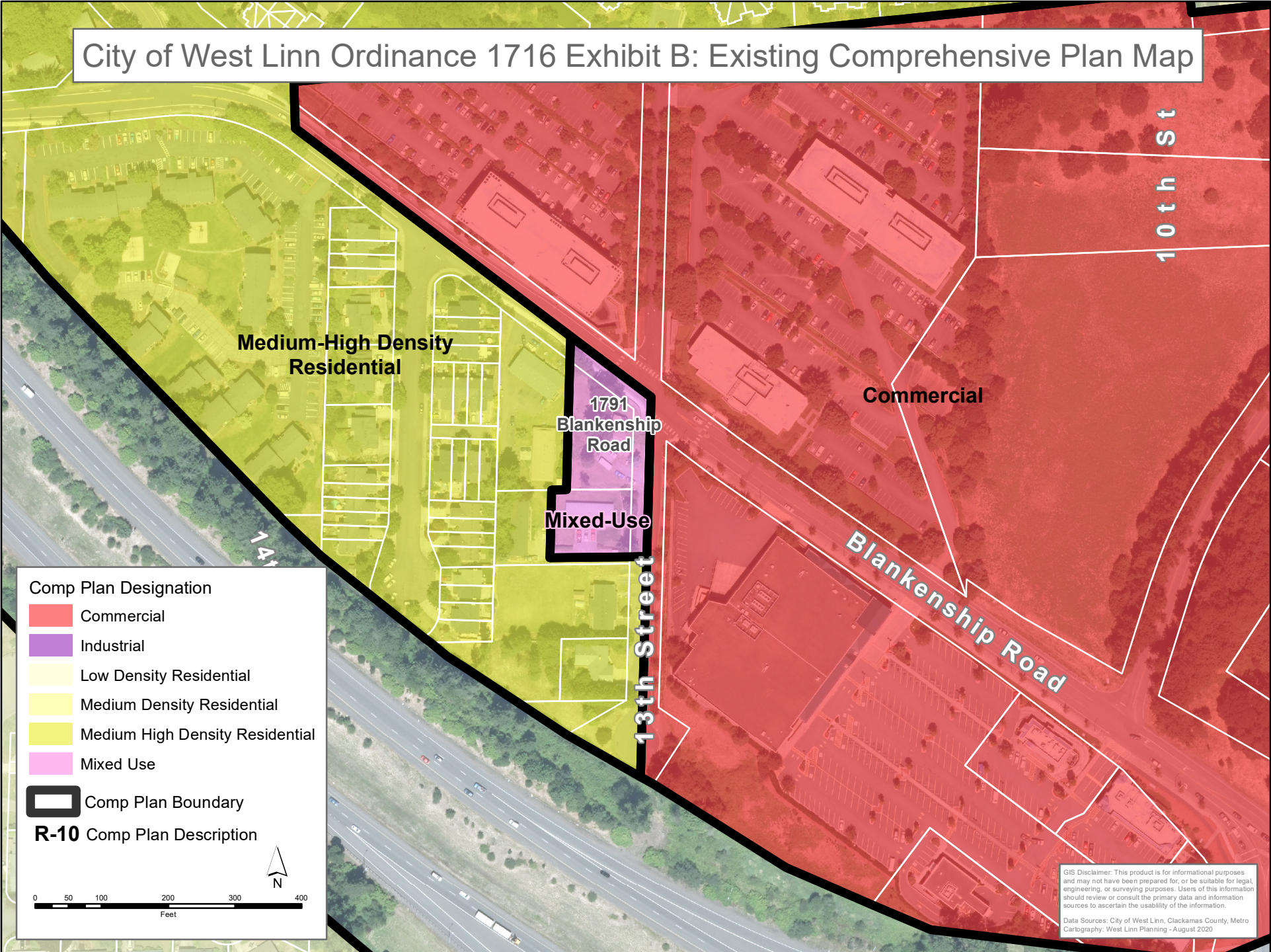
R-10 Comp Plan Description

0 50 100 200 300 400
Feet

N

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Data Sources: City of West Linn, Clackamas County, Metro
Cartography: West Linn Planning - August 2020

City of West Linn Ordinance 1716 Exhibit B: Existing Comprehensive Plan Map



Comp Plan Designation

- Commercial
- Industrial
- Low Density Residential
- Medium Density Residential
- Medium High Density Residential
- Mixed Use

Comp Plan Boundary

R-10 Comp Plan Description

0 50 100 200 300 400
Feet

N

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.
Data Sources: City of West Linn, Clackamas County, Metro
Cartography: West Linn Planning - August 2020

EXHIBIT PC-6 ORDINANCE 1717 ZONING MAP AMENDMENT

ORDINANCE NO. 1717

AN ORDINANCE AMENDING THE WEST LINN ZONING MAP FROM WILLAMETTE NEIGHBORHOOD MIXED-USE TRANSITIONAL TO R-2.1 FOR THE PROPERTY LOCATED AT 1791 BLANKENSHIP ROAD

WHEREAS, Chapter II, Section 4, of the West Linn City Charter provides: Powers of the City. The City shall have all powers which the Constitution, statutes and common law of the United States and of this State now or hereafter expressly or implied grant or allow the City, as fully as though this Charter specifically enumerated each of those powers; and

WHEREAS, the City of West Linn Community Development Code (CDC) Chapter 99 provides approval criteria for quasi-judicial decision-making and Chapter 105 provides approval criteria for amendments to the CDC and maps; and

WHEREAS, the Applicant sought approval for a zoning map amendment at 1791 Blankenship Road (Clackamas County Assessor Map 2S-1E-35CB, Taxlot 2600) to change the zoning from Willamette Neighborhood Mixed-Use Transitional to R-2.1; and

WHEREAS, the zoning map amendment requires a modification to the West Linn Zoning Map, which requires a West Linn Planning Commission recommendation and the West Linn City Council to approve by ordinance; and

WHEREAS, the West Linn Planning Commission (PC) held a public hearing, which was noticed in accordance with City standards, on October 21, 2020, and unanimously recommended approval of the Applicants request ; and

WHEREAS, the West Linn City Council held a public hearing, which was noticed in accordance with City standards, on November 9, 2020, to consider the PC recommendation, receive public testimony, and evaluate the decision-making criteria; and

WHEREAS, the Council decision is based on the findings contained in these Whereas Clauses, together with the findings, conclusions, and substantial evidence found in the associated land use record file ZC-20-01, which is incorporated by this reference.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. West Linn Zoning Map Amendment. The West Linn Zoning Map shall be amended to show the Willamette Neighborhood Mixed-Use Transitional and R-2.1 boundaries as depicted in Exhibit A for the Property identified on Clackamas County Assessor Map 2S-1E-35CB, Taxlot 2600 (1791 Blankenship Road).

SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. Savings. Notwithstanding this amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced, shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance or portions of the ordinance were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 2-5) need not be codified and the City Recorder or designee is authorized to correct any cross-references and any typographical errors.

SECTION 5. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the _____ day of _____, 2020, and duly PASSED and ADOPTED this _____ day of _____, 2020.

RUSSELL B. AXELROD, MAYOR

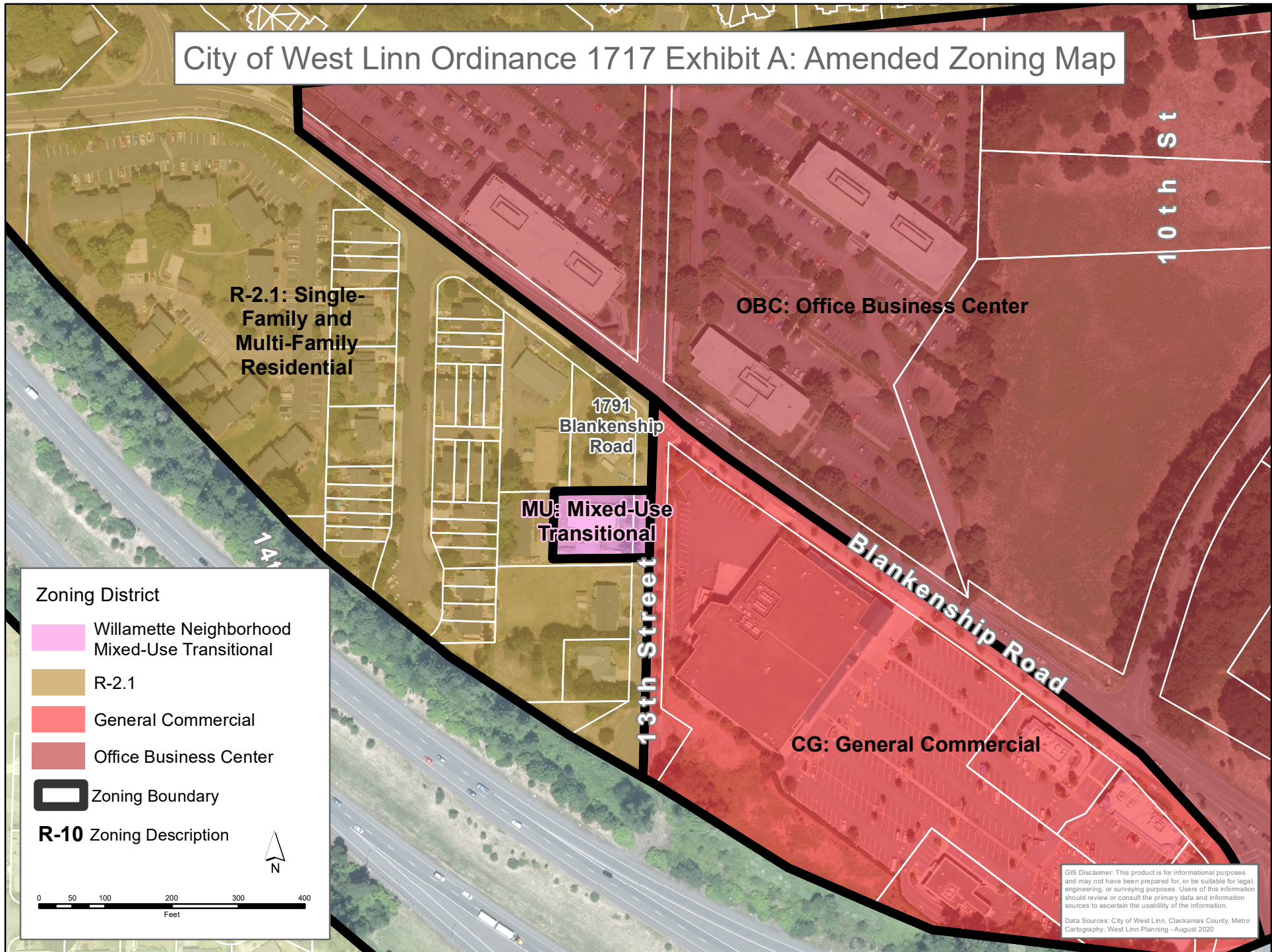
ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

City of West Linn Ordinance 1717 Exhibit A: Amended Zoning Map

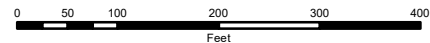


Zoning District

- Willamette Neighborhood Mixed-Use Transitional
- R-2.1
- General Commercial
- Office Business Center

Zoning Boundary

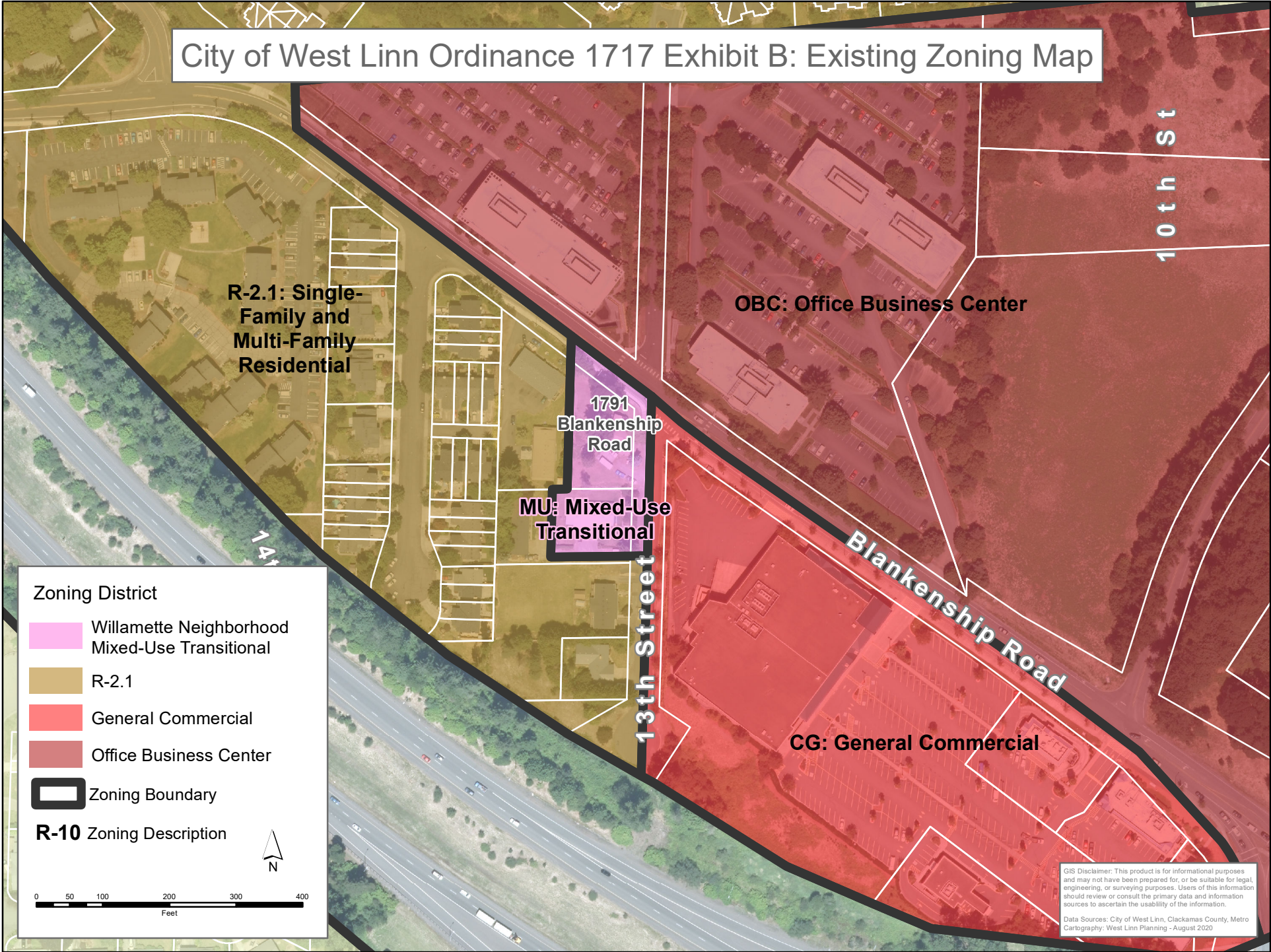
R-10 Zoning Description



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.

Data Sources: City of West Linn, Clackamas County, Metro
Cartography: West Linn Planning - August 2020

City of West Linn Ordinance 1717 Exhibit B: Existing Zoning Map



R-2.1: Single-Family and Multi-Family Residential

OBC: Office Business Center

1791
Blankenship
Road
MU: Mixed-Use Transitional

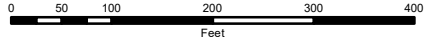
CG: General Commercial

Zoning District

- Willamette Neighborhood Mixed-Use Transitional
- R-2.1
- General Commercial
- Office Business Center

Zoning Boundary

R-10 Zoning Description



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