



CITY OF West Linn

STAFF REPORT PLANNING MANAGER DECISION

DATE: May 19, 2021

FILE NO.: DR-21-06/LLA-21-03/VAR-21-02

REQUEST: Approval of a Class I Design Review, Lot Line Adjustment, and Class I Variance at 1593 Willamette Falls Drive

PLANNER: Betty Avila, Associate Planner

Planning Manager

DSW

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GENERAL INFORMATION

APPLICANT:	Denise von Tagen 1102 SW Schaeffer Road West Linn, OR 97068
CONSULTANT:	Keith Abel Design LLC 5757 Ridgetop Court Lake Oswego, OR 97035
OWNER:	Same as applicant
SITE LOCATION:	1593 Willamette Falls Drive
SITE SIZE:	10,000 square feet
LEGAL DESCRIPTION:	Assessor's Map 31E-02BC Tax 2000
COMP PLAN DESIGNATION:	Mixed Use
ZONING:	Willamette Neighborhood Mixed-Use Transitional Zone
APPROVAL CRITERIA:	Community Development Code (CDC): Chapter 48: Access, Egress and Circulation; Chapter 55: Design Review; Chapter 59: Willamette Neighborhood Mixed-Use Transitional Zone; Chapter 75: Variances and Special Waivers; Chapter 85: General Provisions; and Chapter 99: Procedures for Decision Making: Quasi-Judicial.
120-DAY RULE:	The application became complete on April 20, 2021. The 120-day period ends August 18, 2021.
PUBLIC NOTICE:	Notice was mailed to property owners within 300 feet of the subject property and to all neighborhood associations on April 22, 2021. A sign was placed on the property on April 22, 2021. The notice was also posted on the City's website on April 22, 2021. Therefore, public notice requirements of CDC Chapter 99 have been met.

BACKGROUND

The applicant seeks approval for a Class I Design Review, Lot Line Adjustment, and Class I Variance to allow for the construction of a two-car garage located at 1593 Willamette Falls Drive. The garage would be a 1,176 sq. ft. and will contain a personal art studio. Additionally, the application also involves a lot line adjustment to consolidate the two lots into one to accommodate the accessory structure. A Class I Variance is also needed to reduce the side yard setback from 7.5 feet to 6 feet and a rear yard setback reduction from 20 feet to 16 feet and 3 inches. The property meets dimensional standards of the Willamette Neighborhood Mixed-Use Transitional Zone (MU). Access will be from Knapps Alley located in the rear of the property. The properties to the east are zoned General Commercial and those on the west are zoned MU. The properties to the north are zoned MU and to south are zoned Single-Family residential detached and attached/duplex, R-5.

Public comments:

No public comments were submitted.

DECISION

The Community Development Director (designee) approves this application (DR-21-06), based on: 1) the findings submitted by the applicant, which are incorporated by this reference, 2) supplementary staff findings included in the Addendum below, and 3) the addition of conditions of approval below. With these findings, the applicable approval criteria are met. The conditions are as follows:

- 1. Site Plan. With the exception of modifications required by these conditions, the project shall conform to Plan Sheets found in Exhibit PD-1.**
- 2. Engineering Standards. All public improvements and facilities associated with the approved site design, including but not limited to street improvements, driveway approaches, curb cuts, utilities, grading, onsite and offsite stormwater, street lighting, easements, easement locations, and connections for future extension of utilities are subject to conformance with the City Municipal Code and Community Development Code. These must be designed, constructed, and completed prior to issuance of Certificate of Occupancy by the Building Official.**

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



Betty Avila, Associate Planner

May 19, 2021

Date

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of the mailing date. The appeal fee is \$400. The appeal must be filed by an individual who has established standing by submitting comments before the decision date. Approval will lapse 3 years from the effective approval date if the final plat is not recorded.

Mailed this 19th day of May 2021.

Therefore, the 14-day appeal period ends at 4 p.m. on June 2, 2021.

ADDENDUM
APPROVAL CRITERIA AND FINDINGS
DR-21-06/LLA-21-03/VAR-21-02

This decision adopts the findings for approval contained within the applicant's submittal, with the following exceptions and additions:

I. Chapter 48: Access, Egress and Circulation

48.025 ACCESS CONTROL

B. Access control standards.

1. Traffic impact analysis requirements. The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also CDC [55.125](#), Transportation Impact Analysis.)

Staff Finding 1: No traffic impact analysis (TIA) is required since none of the criteria of 85.170(B) (2) are met. For example, an Average Daily Trip count (ADT) increase of 250 is typically required before a TIA is needed. The criteria are met.

2. The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.

Staff Finding 2: The proposal does not require backing onto a public street. The proposed driveway to the garage would be constructed in the Southwest corner of the lot and take access from Knapps Alley. The criteria are met.

3. Access Options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (planned access shall be consistent with adopted public works standards and TSP). These methods are "options" to the developer/subdivider.

a) Option 1. Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.

b) Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.

c) Option 3. Access is from a public street adjacent to the development lot or parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in subsection (B)(6) of this section.

Staff Finding 3: The existing access is from Willamette Falls Drive, although there is currently no driveway to the home and the parking is off-street. The proposed garage will have access through Knapps Alley. The criteria are met.

4. Subdivisions fronting onto an arterial street.

(...)

5. Double frontage lots.

Staff Finding 4: Staff incorporates the findings found on page 4 of the applicant's submittal (Exhibit PD-4). The criteria are met.

6. Access Spacing.

a. The access spacing standards found in the adopted TSP shall be applicable to all newly established public street intersections...variance section in the adopted TSP.

b. Private drives and other access ways are subject to the requirements of CDC 48.060.

Staff Finding 5: The applicant proposal does not include any new public street intersections. The proposal is for one private drive access off Knapps Alley. Please see Staff Findings 12 to 14 for compliance with CDC 48.060. The criteria are met.

7. Number of access points. For single-family (detached and attached), two-family, and duplex housing types, one street access point is permitted per lot or parcel, when alley access cannot otherwise be provided; except that two access points may be permitted corner lots...

Staff Finding 6: The parcel is a corner lot and will have an access point to Knapps Alley. The criteria are met.

8. Shared driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. (...)

a. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent lot or parcel develops. "Developable" means that a lot or parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

b. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

c. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, lot or parcel configuration, and similar conditions) prevent extending the street/driveway in the future

Staff Finding 7: The applicant proposes one access to Knapps Alley, a public street. The criteria are met.

C. Street connectivity and formation of blocks required. In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

- 1. Block length and perimeter. The maximum block length shall not exceed 800 feet or 1,800 feet along an arterial.*
- 2. Street standards. Public and private streets shall also conform to Chapter 92 CDC, Required Improvements, and to any other applicable sections of the West Linn Community Development Code and approved TSP.*
- 3. Exception. Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of CDC 85.200(C), Pedestrian and Bicycle Trails, or cases where extreme topographic (e.g., slope, creek, wetlands, etc.) conditions or compelling functional limitations preclude implementation, not just inconveniences or design challenges.*

Staff Finding 8: No land division is proposed. The proposed development is located in a fully developed area with an existing street grid pattern and no new connections are feasible. There currently are two historic lots on the property that are being consolidated such that the proposed accessory structure is not on its individual parcel but an incidental use to the main residence. The criteria are met.

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

A. Direct individual access from single-family dwellings and duplex lots to an arterial street, as designated in the transportation element of the Comprehensive Plan (...)

Staff Finding 9: The subject property is bordered by two local streets and an alley and will take access from the alley onto the local street. The criteria are met.

B. When any portion of any house is less than 150 feet from the adjacent right-of-way, access to the home is as follows:

- 1. One single-family residence, including residences with an accessory dwelling unit as defined in CDC 02.030, shall provide 10 feet of unobstructed horizontal clearance. Dual-track or other driveway designs that minimize the total area of impervious driveway surface are encouraged. (...)*
- 3. Maximum driveway grade shall be 15 percent...*
- 4. The driveway shall include a minimum of 20 feet in length between the garage door and the back of sidewalk, or, if no sidewalk is proposed, to the paved portion of the right-of-way.*

Staff Finding 10: The applicant proposes that the garage will be pushed back enough to allow for off-street parking between the garage and the rear property line so as to not have the vehicles block off access to Knapps Alley. The grade will be less than 15%. The criteria are met.

C. When any portion of one or more homes is more than 150 feet from the adjacent right-of-way, the provisions of subsection B of this section shall apply in addition to the following provisions.

(...)

D. Access to five or more single-family homes...waived by variance.

(...)

I. Gated accessways to residential development other than a single-family home are prohibited.

Staff Finding 11: Staff incorporates the findings found on page 7 of the applicant's submittal (Exhibit PD-4). The criteria are met.

48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS

A. Minimum curb cut width shall be 16 feet.

B. Maximum curb cut width shall be 36 feet...

(...)

C. No curb cuts shall be allowed any closer to an intersecting street right-of-way line than the following:

(...)

6. On a local street when intersecting any other street, 35 feet.

D. There shall be a minimum distance between any two adjacent curb cuts on the same side of a public street, except for one-way entrances and exits, as follows:

(...)

3. Between any two curb cuts on the same lot or parcel on a local street, 30 feet.

(...)

Staff Finding 12: There are no curb cuts proposed for this project as no access will be put into an area that has a curb. The criteria are met.

E. A rolled curb may be installed...

F. Curb cuts shall be kept at a minimum...

Staff Finding 13: Staff incorporates the findings found on page 4 of the applicant's submittal (Exhibit PD-4). The criteria are met.

G. Adequate line of sight pursuant to engineering standards should be afforded at each driveway or accessway.

Staff Finding 14: The applicant proposes one accessway that meets engineering standards. The criteria are met.

II. CHAPTER 55, DESIGN REVIEW

55.090 APPROVAL STANDARDS – CLASS I DESIGN REVIEW

The Planning Director shall make a finding with respect to the following criteria when approving, approving with conditions, or denying a Class I design review application:

A. The provisions of the following sections shall be met:

1. CDC 55.100(B)(1) through (4), Relationship to the natural and physical environment, shall apply except in those cases where the proposed development site is substantially developed and built out with no remaining natural physical features that would be impacted.

55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW

B. Relationship to the natural and physical environment.

1. The buildings and other site elements shall be designed and located so that all heritage trees, as defined in the municipal code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction.

Staff Finding 15: The subject property contains no heritage trees. The criteria are met.

2. All heritage trees, as defined in the municipal code, all trees and clusters of trees (“cluster” is defined as three or more trees with overlapping driplines; however, native oaks need not have an overlapping dripline) that are considered significant by the City Arborist...that this code section will not necessarily protect all trees deemed significant. a. Non-residential and residential projects on Type I and II lands shall protect all heritage trees and all significant trees and tree clusters by limiting development in the protected area. (...)

Staff Finding 16: The subject property contains no Type I or II lands, does not contain any wetlands or protected stream corridors, is not located in the FEMA-mapped floodplain, and is not shown to have landslide potential in Map 16 of the Natural Hazard Mitigation Plan. The criteria are met.

b. Non-residential and residential projects on non-Type I and II lands shall set aside up to 20 percent of the protected areas for significant trees and tree clusters, plus any heritage trees. (...)

Staff Finding 17: The subject property contains no Type I or II lands. The applicant is not requesting to remove any of the trees that are on site. The criteria are met.

c. Where stubouts of streets occur on abutting properties, and the extension of those streets will mean the loss of significant trees, tree clusters, or heritage trees (...)

d. For both non-residential and residential development, the layout shall achieve at least 70 percent of maximum density for the developable net area. (...)

e. For arterial and collector street projects, including Oregon Department of Transportation street improvements, the roads and graded areas shall avoid tree clusters where possible. (...)

f. If the protection of significant tree(s) or tree clusters is to occur in an area of grading that is necessary for the development of street grades, per City construction codes, which will result in an adjustment in the grade of over or under two feet (...)

Staff Finding 18: The proposal is for the construction of an accessory building. No new streets are proposed and the parcels are being consolidated. The criteria are met.

3. *The topography and natural drainage shall be preserved to the greatest degree possible.*

Staff Finding 19: The subject property is located in a built out neighborhood and the applicant does not propose any significant grading. The criteria are met.

4. *The structures shall not be located in areas subject to slumping and sliding. The Comprehensive Plan Background Report's Hazard Map, or updated material as available and as deemed acceptable by the Planning Director, shall be the basis for preliminary determination.*

Staff Finding 20: The subject property is not identified as a landslide risk in any of the City's hazard maps. The site is in a relatively flat area. The criteria are met.

2. *CDC 55.100(B)(5) and (6), architecture, et al., shall only apply in those cases that involve exterior architectural construction, remodeling, or changes.*

5. *There shall be adequate distance between on-site buildings and on-site and off-site buildings on adjoining properties to provide for adequate light and air circulation and for fire protection.*

Staff Finding 21: Staff incorporates the findings found on page 12 of the applicant's submittal (Exhibit PD-4). The criteria are met.

6. *Architecture.*

a. *The proposed structure(s) scale shall be compatible with the existing structure(s) on site and on adjoining sites. Contextual design is required. Contextual design means respecting and incorporating prominent architectural styles, building lines, roof forms, rhythm of windows, building scale and massing of surrounding buildings in the proposed structure. The materials and colors shall be complementary to the surrounding buildings.*

b. *While there has been discussion in Chapter 24 CDC about transition, it is appropriate that new buildings should architecturally transition in terms of bulk and mass to work with, or fit, adjacent existing buildings. This transition can be accomplished by selecting designs that "step down" or "step up" from small to big structures and vice versa (see figure below). Transitions may also take the form of carrying building patterns and lines (e.g., parapets, windows, etc.) from the existing building to the new one.*

c. *Contrasting architecture shall only be permitted when the design is manifestly superior to adjacent architecture in terms of creativity, design, and workmanship, and/or it is adequately separated from other buildings by distance, screening, grade variations, or is part of a development site that is large enough to set its own style of architecture.*

d. *Human scale is a term that seeks to accommodate the users of the building and the notion that buildings should be designed around the human scale (i.e., their size and the average range of their perception). Human scale shall be accommodated in all designs by, for example, multilight windows that are broken up into numerous panes, intimately scaled entryways, and visual breaks (exaggerated eaves, indentations, ledges, parapets, awnings, engaged columns, etc.) in the facades of buildings, both vertically and horizontally. The human scale is enhanced by bringing the building and its main entrance up to the edge of the sidewalk. It creates a more dramatic and interesting streetscape and improves the "height and width" ratio referenced in this section.*

- e. *The main front elevation of commercial and office buildings shall provide at least 60 percent windows or transparency at the pedestrian level to create more interesting streetscape and window shopping opportunities. One side elevation shall provide at least 30 percent transparency. Any additional side or rear elevation, which is visible from a collector road or greater classification, shall also have at least 30 percent transparency. Transparency on other elevations is optional. The transparency is measured in lineal fashion. For example, a 100-footlong building elevation shall have at least 60 feet (60 percent of 100 feet) in length of windows. The window height shall be, at minimum, three feet tall. The exception to transparency would be cases where demonstrated functional constraints or topography restrict that elevation from being used. When this exemption is applied to the main front elevation, the square footage of transparency that would ordinarily be required by the above formula shall be installed on the remaining elevations at pedestrian level in addition to any transparency required by a side elevation, and vice versa. The rear of the building is not required to include transparency. The transparency must be flush with the building elevation.*
- f. *Variations in depth and roof line are encouraged for all elevations. To vary the otherwise blank wall of most rear elevations, continuous flat elevations of over 100 feet in length should be avoided by indents or variations in the wall. The use of decorative brick, masonry, or stone insets and/or designs is encouraged. Another way to vary or soften this elevation is through terrain variations such as an undulating grass area with trees to provide vertical relief.*
- g. *Consideration of the micro-climate (e.g., sensitivity to wind, sun angles, shade, etc.) shall be made for building users, pedestrians, and transit users, including features like awnings.*
- h. *The vision statement identified a strong commitment to developing safe and attractive pedestrian environments with broad sidewalks, canopied with trees and awnings.*
- i. *Sidewalk cafes, kiosks, vendors, and street furniture are encouraged. However, at least a four-foot-wide pedestrian accessway must be maintained per Chapter 53 CDC, Sidewalk Use.*

Staff Finding 22: The proposed accessory structure will mimic the architecture of the main home and will use similar materials and the same color palette. The proposed structure will blend seamlessly into the neighborhood as it echoes the historic structures found in the Willamette Historic District. The criteria are met.

3. *Pursuant to CDC 55.085, the Director may require additional information and responses to additional sections of the approval criteria of this section depending upon the type of application.*

Staff Finding 23: The Planning Manager does not require any additional information. The criteria are met.

B. *An application may be approved only if adequate public facilities will be available to provide service to the property at the time of occupancy.*

Staff Finding 24: The subject property is bordered by 15th Street which has water, sewer, and storm infrastructure available. The City Engineer has confirmed there is adequate capacity to service the proposal. The criteria are met.

III. CHAPTER 59, WILLAMETTE NEIGHBORHOOD MIXED-USE TRANSITIONAL ZONE

59.030 PERMITTED USES The following are uses permitted outright in this zone:

1. Single-family detached dwelling; (...)

59.040 ACCESSORY USES

Accessory uses are allowed in this zone as provided by Chapter 34 CDC.

Staff Finding 26: The applicant proposes to construct a new accessory structure. The criteria are met.

59.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

A. Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:

- 1. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.*
- 2. The average minimum lot width shall be 50 feet.*
- 3. The average minimum lot depth shall not be less than 90 feet.*
- 4. The minimum yard dimensions or minimum building setback area from the lot line shall be:*
 - a. For a front yard, 12 feet minimum and 20 feet maximum to the structure, except that a porch, patio, or pedestrian amenity may be six feet from the front property line.*
 - b. For an interior side yard, seven and one-half feet.*
 - c. For a side yard abutting a street, 12 feet.*
 - d. For a rear yard, 20 feet. However, where the use abuts a residential district, the setback distance required in the residential district shall apply, and within the setback area a buffer of at least 10 feet of landscaping in addition to a fence is required.*

Staff Finding 27: Staff incorporates the findings found on page 17 of the applicant's submittal (Exhibit PD-4). The criteria are met.

5. The maximum building height shall be two stories above grade, or 35 feet, whichever is less.

Staff Finding 28: The proposed accessory structure is 18'-4" high. The criteria are met.

6. Maximum building size for all floors shall not exceed 6,000 square feet above grade excluding porches.

Staff Finding 29: The applicant proposes to construct an accessory structure that is 1,176 square feet. Neither building exceeds 6,000 square feet. The criteria are met.

7. The building floor area ratio shall be 0.4, except that the ground floor of the building shall not exceed 5,000 square feet.

Staff Finding 30: The subject property is 10,000 square feet. The applicant proposes to construct a 1,176 square foot accessory structure. Floor area ratio does not apply to detached garages, accessory dwelling units and accessory structures per Community Development Code Chapter 2: Definitions.

The ground floor of the single-family home is 1,596 square feet, which does not exceed 5,000 square feet. The criteria are met.

8. The minimum lot size shall be 4,500 square feet and the maximum lot size shall be 10,000 square feet, unless defined as an existing lot of record.

Staff Finding 31: The subject property is composed of two lots and will be combined with a lot line adjustment to total 10,000 square feet in area. The proposed garage is an incidental use to the primary home, hence combining the two lots. The criteria are met.

B. Design standards. All uses in the mixed-use zone shall comply with the provisions of Chapter 55 CDC, except for CDC 55.100(B)(7)(a), (b), (c), (h), (i), and (j). Further, single-family and duplex residential uses shall also comply with the Class I design review standards. In addition, the design standards described below apply to all uses.

1. Residential-style building with single story porch on the front, and on the side where it abuts a street.

Staff Finding 32: The subject property is a corner lot and the applicant proposes to construct a garage which is an incidental use to the main residence. The entrance for the garage has a relationship with the main home as the doors face the home's west side. The proposed garage does not architecturally compete with the main home. The criteria are met.

2. New sidewalk construction shall be allowed to match the historical sidewalk standards in this zone.

Staff Finding 33: No new sidewalk construction is proposed. The criteria are met.

3. Off-street parking shall be behind, under, or on the side of building.

4. Garages shall not extend any closer to the street than the street-facing facade of the house.

Staff Finding 34: The proposed accessory structure will contain a two-car garage that will have the garage doors facing the rear of the property. The proposed garage is no closer to Willamette Falls Drive than the proposed home as the home is located 40'-9" away from the property line and the garage would be 42' away from the front property line. The criteria are met.

5. There shall be no illuminated outdoor advertising on accessory buildings, equipment, or vending machines

6. These design standards, subsections (B)(1) through (5) of this section, shall not apply to public facilities such as reservoirs, water towers, treatment plants, fire stations, pump stations, power transmission facilities, etc. It is recognized that many of these facilities, due to their functional requirements, cannot readily be configured to meet these design standards. However, attempts shall be made to make the design sympathetic to surrounding properties through compatible architecture, enhanced landscaping, setbacks, buffers, and other reasonable means.

Staff Finding 35: The applicant does not propose any outdoor advertising nor any public facilities. The criteria are met.

59.080 ADDITIONAL USE REQUIREMENTS

In addition to all other provisions of this section, the following additional requirements may apply:

- A. Permitted uses may only be open from 6:00 a.m. to 10:00 p.m. and are subject to the noise provisions of Chapter 55 CDC.*
- B. Exterior business activity shall not take place beyond the rear wall of the building when the subject property abuts a residential district, except for parking and refuse storage. Refuse storage must be buffered or enclosed and may not abut a property line that adjoins a residential zone.*

Staff Finding 36: The applicant does not propose any uses that are open to the general public nor any exterior business activity. The criteria are met.

IV. CHAPTER 75, VARIANCE

A. Class I Variance. Class I variances provide minor relief from certain code provisions where it can be demonstrated that the modification will not harm adjacent properties, and it conforms with any other code requirements. Class I variances are allowed for the following code provisions:

- 1. Required Yard and Minimum Lot Dimensional Requirements. Required yards may be modified up to 20 percent, lot dimensions by up to 10 percent and lot area by up to five percent if the decision-making authority finds that the resulting approval:*
 - a. Provides for a more efficient use of the site;*
 - b. Preserves and incorporates natural features into the overall design of the project;*
 - c. Does not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazards; and*
 - d. Provides for safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation.*
- 2. Off-street parking dimensional and minimum number of space requirements may be modified up to 10 percent if the decision-making authority finds that the use is designed for a specific purpose, which is intended to be permanent in nature.*
- 3. Dimensional sign requirements may be modified up to 10 percent if the decision making authority finds that the proposed larger sign is:*
 - a. Necessary for adequate identification of the use on the property; and*
 - b. Compatible with the overall site plan, the structural improvements, and with the structures and uses on adjoining properties.*
- 4. Landscaping requirements in the applicable zone may be modified up to 10 percent if the decision-making authority finds that the resulting approval:*
 - a. Provides for a more efficient use of the site;*
 - b. Preserves and incorporates natural features into the overall design of the project; and*
 - c. Will have no adverse effect on adjoining property.*

Staff Finding 37: The applicant has applied for a Class I Variance to reduce the side and rear yard setback requirement to allow for the proposed garage. The reduction would allow the proposed expansion to encroach into the side yard setback by the maximum allowed, 20% or 1.5', for a Class I Variance. Additionally, the applicant also requests a rear yard variance to encroach into the rear yard setback by 3'-9", with the maximum allowed being 20% or 4'. The applicant is not proposing any changes to the off-street parking on the subject property. The applicant is not proposing a sign or landscaping. Findings do not show an adverse impact on the adjoining property located at 1547 Willamette Falls Drive. The criteria are met.

V. Chapter 85 General Provisions

85.210 Property Line Adjustments – Approval Standards

A. The Director shall approve or deny a request for a property line adjustment based on the criteria stated below:

1. An additional lot or parcel shall not be created by the line adjustment.

Staff Finding 38: The applicant proposal is to consolidate two lots into one lot, thus reducing the number of lots. No additional lots or parcels are proposed to be created. The criteria is met.

2. The existing property shall not be reduced in size by the adjustments below the minimum lot or parcel size established by the approved zoning for that district. The property line adjustment shall not enlarge, increase or extend the non-conformity of a non-conforming lot or non-conforming structure.

Staff Finding 39: The property contains neither a non-conforming lot nor a non-conforming structure. The applicant is proposing to consolidate the two lots so that they can construct an accessory structure (the proposed garage). The property is zoned Mixed Use (MU), which has a minimum lot size of 4,500 sq. ft. which is being met with the consolidation of the two parcels. This criteria is met.

3. Property line adjustments shall be either:

a. A straight line (see Figure 1 example);

b. A line with maximum of two 45- to 90-degree turns (see Figure 2 example); or

c. A maximum of three turns less than 45 degrees (see Figure 3 example).

(The following figures are only intended as examples.)

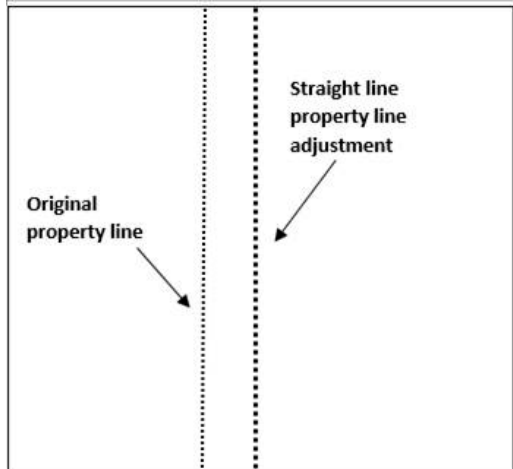


Figure 1.

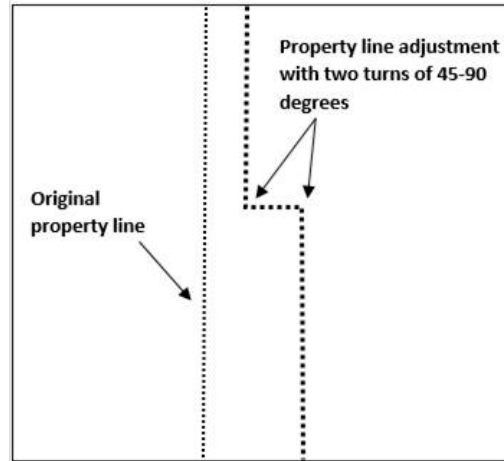


Figure 2.

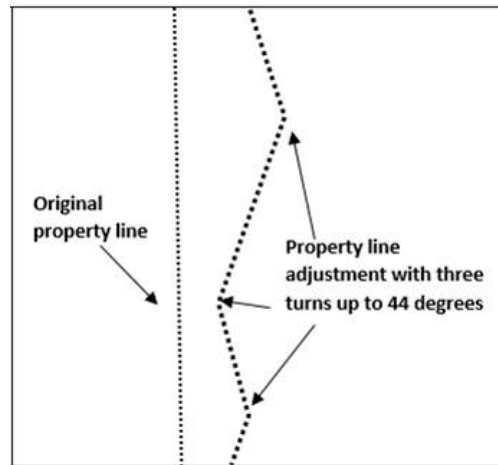


Figure 3.

Staff Finding 40: The applicant proposes to consolidate the two lots and have the property lines be in a straight line. This criteria is met.

4. *The property line adjustment shall not create a lot or parcel that violates applicable site development regulations.*

Staff Finding 41: The applicant is combining the two lots of record to be a total of 10,000 square feet which is allowed by the zoning designation, Mixed Use (MU). This criteria is met.

5. *The property line adjustment will not adversely affect existing easements or existing utilities unless an easement vacation is obtained, replacement easements are established, or any required utility relocations are paid for by the applicant.*

Staff Finding 42: The applicant does not propose to affect any existing easement or utilities on the property. The criteria is met.

6. *Proposed property line adjustments that cannot meet these standards are subject to review under CDC 99.060(B)(2)(e).*

Staff Finding 43: The proposed consolidation of two parcels into one lot meets the standards per Staff Findings 38 through 42. The criteria is met.

7. *Any appeal must be filed in accordance with CDC 99.240.*

B. *The provisions of CDC 85.070 shall also apply to property line adjustments.*

Staff Finding 44: The applicant understands the process and right to appeal the decision. The provisions of CDC section 85.070 "ADMINISTRATION AND APPROVAL PROCESS" are satisfied by this application and by the applicant's provided proof of ownership (see Exhibit PD-1) for the two lots of record subject to the proposal. The application is being processed in agreement with the provisions of CDC Chapter 99. The criteria are met.

PD-1 APPLICANT SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT <i>Darren Wyss</i>	PROJECT NO(S). DR-21-06 LLA-21-03 VAR-21-02	PRE-APPLICATION NO. <i>PA-20-17</i>
NON-REFUNDABLE FEE(S) \$2,100 + \$1,000 + \$825	REFUNDABLE DEPOSIT(S)	TOTAL \$3,925

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 checked="" type="checkbox"/> Lot Line Adjustment (LLA) | <input type="checkbox"/> Time Extension |
| <input checked="" type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input checked="" 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 checked="" type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

Site Location/Address:

*1593 Willamette Falls Dr.
West Linn, OR 97068*

Assessor's Map No.: *31E02BC02000*

Tax Lot(s): *land 2, Block 6*

Total Land Area: *100' x 100' = 10,000' Sq*

Brief Description of Proposal: *Lot line adjustment to combine lots 1 & 2 of Block 6 into one lot. Construct a 1,176sq. foot, 2 car garage on lot next to our existing home. We plan to retire on this property*

Applicant Name: *Denise von Tagen*

Phone: *971-219-4912*

Address: *same as owner*

Email: *fdvontagen@gmail.com*

City State Zip:

Owner Name (required): *Frederick & Denise von Tagen*

Phone: *971-219-4912*

Address: *1102 S.W. Schaeffer Road*

Email: *fdvontagen@gmail.com*

City State Zip: *West Linn, OR 97068*

Consultant Name: *Keith Abel Design LLC*

Phone: *503-784-5815*

Address: *5757 RidgeTop Ct.*

Email:

City State Zip: *Late Oswego, OR 97035*

keith.abel@comcast.net

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 requests under the provisions in place at the time of the initial application.



Dennis Dionfag
Applicant's signature

3-30-21
Date

Dennis Dionfag
Owner's signature (required)

3-30-21
Date

48.025 ACCESS CONTROL

A. Purpose. The following access control standards apply to public, industrial, commercial and residential developments including land divisions. Access shall be managed to maintain an adequate level of service and to maintain the functional classification of roadways as required by the West Linn Transportation System Plan.

B. Access control standards.

1. Traffic impact analysis requirements. The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also **CDC 55.125**, Transportation Impact Analysis.)

2. The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.

3. Access options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (planned access shall be consistent with adopted public works standards and TSP). These methods are “options” as approved by the City Engineer.

a) Option 1. Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted. *We will create off street parking with entrance and egress to garage from Knapps alley*

b) Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., “shared driveway”). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive. *This will not be a shared driveway. Access is to Knapps alley and then exit onto 15th street or 16th street.*

c) Option 3. Access is from a public street adjacent to the development lot or parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in subsection (B)(6) of this section. *Access is not directly to or from a public street. It is to Knapps alley and then to a public street (15th or 16th street).*

4. Subdivisions fronting onto an arterial street. New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local

or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots (e.g., includes flag lots and mid-block lanes). *This is for a garage for an existing home, Not a subdivision.*

5. Double-frontage lots. When a lot or parcel has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. When a lot or parcel has frontage opposite that of the adjacent lots or parcels, access shall be provided from the street with the lowest classification. *We will access the garage from Knapps Alley, not Willamette Falls Drive which is has a lot of traffic.*

6. Access spacing.

a. The access spacing standards found in the adopted Transportation System Plan (TSP) shall be applicable to all newly established public street intersections and non-traversable medians. Deviation from the access spacing standards may be granted by the City Engineer if conditions are met as described in the access spacing variances section in the adopted TSP. *We are creating a lot line adjustment to create one lot from our existing two lots, therefore we will reduce vehicles in the public parking areas*

b. Private drives and other access ways are subject to the requirements of **CDC 48.060**. *We are surface to surface access with no need for cutting and curbing. No neighbors will be inconvenienced by our access to our garage.*

7. Number of access points. For single-family (detached and attached), two-family, and duplex housing types, one street access point is permitted per lot or parcel, when alley access cannot otherwise be provided; except that two access points may be permitted corner lots (i.e., no more than one access per street), subject to the access spacing standards in subsection (B)(6) of this section. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with subsection (B)(8) of this section, in order to maintain the required access spacing, and minimize the number of access points. *We will have only one access point, a two vehicle garage and one driveway to Knapps Alley.*

8. Shared driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:

- a. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. “Stub” means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent lot or parcel develops. “Developable” means that a lot or parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential). *With our lot line adjustment making two lots into one, and the building of the garage, there is no possibility of future development.*
- b. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval. *An easement will not be necessary with our building plan.*
- c. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, lot or parcel configuration, and similar conditions) prevent extending the street/driveway in the future. *No exceptions being required.*
- C. Street connectivity and formation of blocks required. In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards: *There are no large properties on our block that could be subdivided.*
1. Block length and perimeter. The maximum block length shall not exceed 800 feet or 1,800 feet along an arterial. *Our lot length is 100 feet and cannot be lengthened.*
 2. Street standards. Public and private streets shall also conform to Chapter **92 CDC**, Required Improvements, and to any other applicable sections of the West Linn Community Development Code and approved TSP. *We are not developing an area that would allow a private street. By making two lots into one, we are eliminating more traffic on our block.*
 3. Exception. Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of **CDC 85.200(C)**, Pedestrian and Bicycle Trails, or cases where extreme topographic (e.g., slope, creek, wetlands, etc.) conditions or compelling functional limitations preclude implementation, not just inconveniences or design challenges. (Ord. 1635 § 25, 2014; Ord. 1636 § 33, 2014; Ord. 1650 § 1 (Exh. A), 2016; Ord. 1675 § 40, 2018) *Our lot is 100' x 100', with one existing residence and one proposed garage. Our use is single family and would not provide access for pathways or bike trail.*

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

A. Direct individual access from single-family dwellings and duplex lots to an arterial street, as designated in the transportation element of the Comprehensive Plan, is prohibited for lots or parcels created after the effective date of this code where an alternate access is either available or is expected to be available by imminent development application. Evidence of alternate or future access may include temporary cul-de-sacs, dedications or stubouts on adjacent lots or parcels, or tentative street layout plans submitted at one time by adjacent property owner/developer or by the owner/developer, or previous owner/developer, of the property in question.

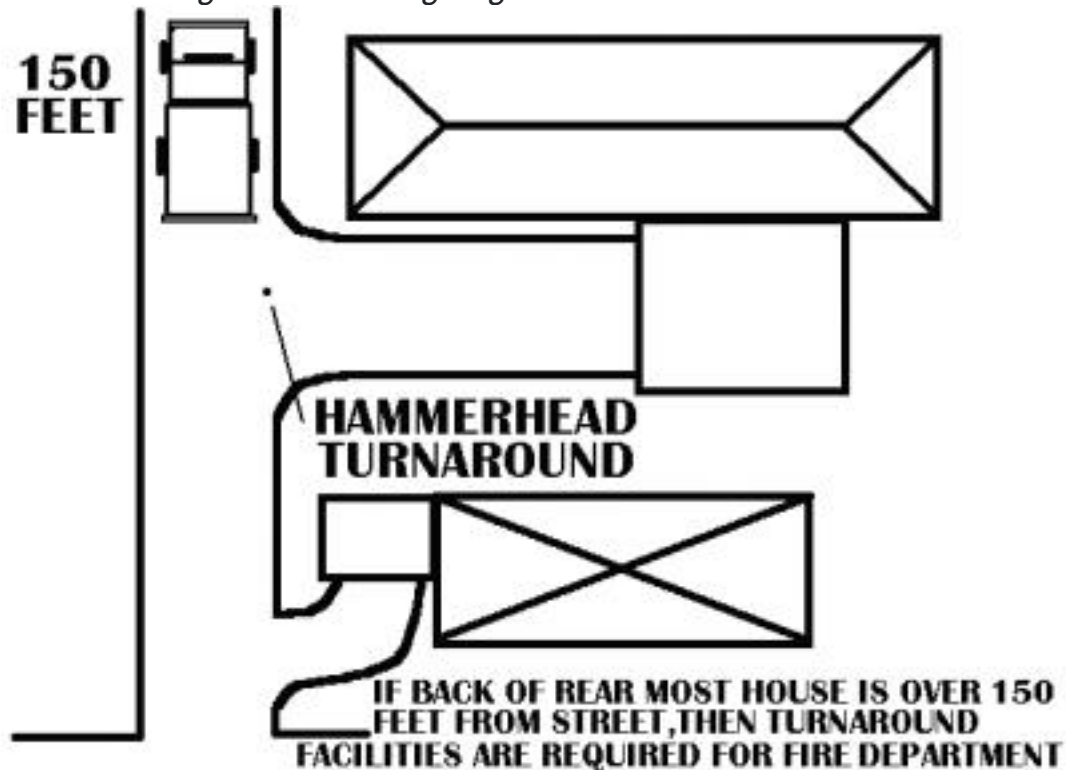
In the event that alternate access is not available as determined by the Planning Director and City Engineer, access may be permitted after review of the following criteria:

1. Topography. *Our topography is flat land with elevation change of less than 2 feet.*
2. Traffic volume to be generated by development (i.e., trips per day). *There will be less traffic volume. We are senior citizens, owning two vehicles. Presently, there is a small business in the home that has 3-4 vehicles.*
3. Traffic volume presently carried by the street to be accessed. *We will lessen the town traffic by at least one vehicle.*
4. Projected traffic volumes. *We plan two vehicles in garage, eliminating vehicles being parked on Willamette Falls drive public parking spaces.*
5. Safety considerations such as line of sight, number of accidents at that location, emergency vehicle access, and ability of vehicles to exit the site without backing into traffic. *I know of no accidents on Knapps alley in the past twenty years. Knapps Alley between 15 and 16th st. sees less than 10-12 vehicles per day*
6. The ability to consolidate access through the use of a joint driveway. *There are no adjoining driveways.*
7. Additional review and access permits may be required by State or County agencies. *Knapps Alley belongs to West Linn city.*

B. When any portion of any house is less than 150 feet from the adjacent right-of-way, access to the home is as follows:

1. One single-family residence, including residences with an accessory dwelling unit as defined in **CDC 02.030**, shall provide 10 feet of unobstructed horizontal clearance. Dual-track or other driveway designs that minimize the total area of impervious driveway surface are encouraged. *Back of proposed garage will be 16' from alley.*
2. Two to four single-family residential homes equals a 14- to 20-foot-wide paved or all-weather surface. Width shall depend upon adequacy of line of sight and number of homes. *We plan to pave the surface between 15th and our lot lines.*

3. Maximum driveway grade shall be 15 percent. The 15 percent shall be measured along the centerline of the driveway only. Variations require approval of a Class II variance by the Planning Commission pursuant to Chapter 75 CDC. Regardless, the last 18 feet in front of the garage shall be under 12 percent grade as measured along the centerline of the driveway only. Grades elsewhere along the driveway shall not apply. *Our driveway will essentially be level.*
4. The driveway shall include a minimum of 20 feet in length between the garage door and the back of sidewalk, or, if no sidewalk is proposed, to the paved portion of the right-of-way. *We plan on aligning our garage with our residence, which is 6 feet from alley. There is no traffic congestion in the alley which would hinder safe entrance or egress from our garage.*



- C. When any portion of one or more homes is more than 150 feet from the adjacent right-of-way, the provisions of subsection B of this section shall apply in addition to the following provisions.
1. A turnaround may be required as prescribed by the Fire Chief. *No need for a turnaround, as we can enter and exit on 15th st.*
 2. Minimum vertical clearance for the driveway shall be 13 feet, six inches. *There are no trees, power lines above our proposed driveway.*
 3. A minimum centerline turning radius of 45 feet is required unless waived by the Fire Chief. *We will have adequate turning radius.*

4. There shall be sufficient horizontal clearance on either side of the driveway so that the total horizontal clearance is 20 feet. *there is no obstruction in either direction from the proposed driveway.*

D. Access to five or more single-family homes shall be by a street built to full construction code standards. All streets shall be public. This full street provision may only be waived by variance. *The alley is public and there are no driveways accessing the alley on our block;*

E. Access and/or service drives for multi-family dwellings shall be fully improved with hard surface pavement: *We are a single family home.*

1. With a minimum of 24-foot width when accommodating two-way traffic; or

2. With a minimum of 15-foot width when accommodating one-way traffic. *We will access an existing Alley*

Horizontal clearance shall be two and one-half feet wide on either side of the driveway. *Accessing an existing Alley that has been there about 100 years.*

3. Minimum vertical clearance of 13 feet, six inches. *Vertical clearance is only limited by the power lines that are well above 15 feet.*

4. Appropriate turnaround facilities per Fire Chief's standards for emergency vehicles when the drive is over 150 feet long. Fire Department turnaround areas shall not exceed seven percent grade unless waived by the Fire Chief. *Our lot is only 100' long, bordered by 15th street (a public thoroughfare), so does not require a turn around.*

5. The grade shall not exceed 10 percent on average, with a maximum of 15 percent. *Our lot and back alley way are essentially flat with no grade.*

6. A minimum centerline turning radius of 45 feet for the curve. *Our centerline turning radius falls within these guidelines.*

F. Where on-site maneuvering and/or access drives are necessary to accommodate required parking, in no case shall said maneuvering and/or access drives be less than that required in Chapters 46 and **48 CDC**. *Our maneuvering requirements fall within the required guidelines.*

G. The number of driveways or curb cuts shall be minimized on arterials or collectors. Consolidation or joint use of existing driveways shall be required when feasible. *There will be no curb cuts on our driveway to access the alley.*

H. In order to facilitate through traffic and improve neighborhood connections, it may be necessary to construct a public street through a multi-family site. *This is a single family site and does not require a public street.*

I. Gated accessways to residential development other than a single-family home are prohibited. (Ord. 1408, 1998; Ord. 1463, 2000; Ord. 1513, 2005; Ord. 1584, 2008; Ord. 1590 § 1, 2009; Ord. 1636 § 34, 2014). *This is an existing lot and is Not a development.*

55.020 CLASSES OF DESIGN REVIEW

A. Class I Design Review. The following are subject to Class I Design Review:

1. Modification of an office, commercial, industrial, public or multi-family structure for purposes of enhancing the aesthetics of the building and not increasing the interior usable space (e.g., covered walkways or entryways, addition of unoccupied features such as cupolas, clock towers, etc.). *not modifying office or commercial property*
2. Significant road realignment (when not part of a subdivision or partition plat process). "Significant" shall be defined by the length of the realignment and/or extent of redesign, and/or the natural features or human-made structures that will be impacted or removed. *No road realignment*
3. Addition or reduction of less than five percent of total square footage of a commercial, office, public, multi-family, or industrial building. *A single family lot*
4. Modification of a landscape plan (including water features, ponds, pergolas, arbors, artwork, sculptings, etc.). *we will add trees and landscaping.*
5. Minor modifications and/or upgrades of pump stations, reservoirs, and storm detention facilities. *None*
6. Americans with Disability Act compliance that significantly alters the exterior of the building (ramps are exempt). *This is a personal residence.*
7. Freestanding art and statuary over five feet tall. *none*
8. Other land uses and activities may be added if the Planning Director makes written findings that the activity/use will not increase off-site impacts and is consistent with the type and/or scale of activities/uses listed above. *Adding garage.*
9. No design review is required if the applicant proposes to repair or replace one of the listed items. The Planning Director shall make the determination of whether an applicant is proposing a repair or replacement. However, Class I design review applies when one of the following improvements is part of a minor redesign or remodel.
 - a. Sidewalks on private property.
 - b. Loading docks.
 - c. Addition or reduction of parking stalls.
 - d. Revised parking alignment.
 - e. Revised circulation.
 - f. Revised points of ingress/egress to a site.
 - g. Heating, ventilation, and air conditioners (HVAC) that are visible from the public right-of-way.

55.030 ADMINISTRATION AND APPROVAL PROCESS

A. A pre-application conference is required before submitting a development plan application for design review as provided by **CDC 99.030(B)**. *Done Dec. 16,2020*

B. The application shall be submitted by the record owner(s) of the property, authorized agent, *Keith Abel Design will submit all paper work.*

C. Action on the development plan application shall be as provided by Chapter **99 CDC**, Procedures for Decision-Making: Quasi-Judicial, and the following:

1. The Planning Director for Class I design review applications, or Planning Commission for Class II design review applications, shall approve, approve with conditions, or deny the application based on findings related to the applicable criteria set forth in **CDC 99.110** and this chapter.

2. A decision by the Planning Director may be reviewed by the City Council.

D. Substantial modifications made to the approved development plan will require reapplication (e.g., more or fewer lots, different architectural design, etc.). (Ord. 1474, 2001; Ord. 1597 § 14, 2010)

55.070 SUBMITTAL REQUIREMENTS

A. The design review application shall be initiated by the property owner or the owner's agent, or *Keith Able Design to file all paper work*

B. A pre-application conference, per **CDC 99.030(B)**, shall be a prerequisite to the filing of an application. *Done Dec. 16,2020*

C. Documentation of any required meeting with the respective City-recognized neighborhood association per **CDC 99.038**.

D. The applicant shall submit a completed application form and:

1. The development plan for a Class I design review shall contain the following elements:

a. A site analysis (**CDC 55.110**) only if the site is undeveloped;

b. A site plan (**CDC 55.120**); *submitted by Keith Able Design*

c. Architectural drawings, including building envelopes and all elevations (**CDC 55.140**) only if architectural work is proposed; and *by Keith Able Design*

d. Pursuant to **CDC 55.085**, additional submittal material may be required.

55.090 APPROVAL STANDARDS – CLASS I DESIGN REVIEW

The Planning Director shall make a finding with respect to the following criteria when approving, approving with conditions, or denying a Class I design review application:

A. The provisions of the following sections shall be met:

1. **CDC 55.100(B)(1)** through (4), Relationship to the natural and physical environment, shall apply except in those cases where the proposed development site is substantially developed and built out with no remaining natural physical features that would be impacted. *The garage relates perfectly with the home....it looks like a barn from the late 19th to early 20th century and will blend beautifully with the neighborhood.*

2. **CDC 55.100**(B)(5) and (6), architecture, et al., shall only apply in those cases that involve exterior architectural construction, remodeling, or changes. *Architecture of garage will mimic home.*
3. Pursuant to **CDC 55.085**, the Director may require additional information and responses to additional sections of the approval criteria of this section depending upon the type of application.
4. The design standards or requirements identified in the base zone shall apply.
 - B. An application may be approved only if adequate public facilities will be available to provide service to the property at the time of occupancy. *This is a private residence.*
 - C. The Planning Director shall determine the applicability of the approval criteria in subsection A of this section. (Ord. 1408, 1998; Ord. 1544, 2007; Ord. 1675 § 44, 2018)

55.110 SITE ANALYSIS

The site analysis shall include:

- A. A vicinity map showing the location of the property in relation to adjacent properties, roads, pedestrian and bike ways, transit stops and utility access.
Provided by survey done by Centerline Concepts
- B. A site analysis on a drawing at a suitable scale (in order of preference, one inch equals 10 feet to one inch equals 30 feet) which shows: *by Centerline Concepts or Keith Abel*
 1. The property boundaries, dimensions, and gross area.
 2. Contour lines at the following minimum intervals:
 - a. Two-foot intervals for slopes from zero to 25 percent; and
 - b. Five- or 10-foot intervals for slopes in excess of 25 percent.
 3. Tables and maps identifying acreage, location and type of development constraints due to site characteristics such as slope, drainage and geologic hazards, including a slope analysis which identifies portions of the site according to the land types (I, II, III and IV) defined in Chapter **02 CDC**.
 4. The location and width of adjoining streets.
 5. The drainage patterns and drainage courses on the site and on adjacent lands.
 6. Potential natural hazard areas including:
 - a. Floodplain areas pursuant to the site's applicable FEMA Flood Map panel;
 - b. Water resource areas as defined by Chapter **32 CDC**;
 - c. Landslide areas designated by the Natural Hazard Mitigation Plan, Map 16; and
 - d. Landslide vulnerable analysis areas, designated by the Natural Hazard Mitigation Plan, Map 17.
 7. Resource areas including:
 - a. Wetlands;

- b. Riparian corridors;
 - c. Streams, including intermittent and ephemeral streams;
 - d. Habitat conservation areas; and
 - e. Large rock outcroppings.
8. Potential historic landmarks and registered archaeological sites. The existence of such sites on the property shall be verified from records maintained by the Community Development Department and other recognized sources.
9. Identification information including the name and address of the owner, developer, project designer, lineal scale and north arrow.
10. Identify Type I and II lands in map form. Provide a table which identifies square footage of Type I and II lands also as percentage of total site square footage. (Ord. 1408, 1998; Ord. 1425, 1998; Ord. 1442, 1999; Ord. 1463, 2000; Ord. 1526, 2005; Ord. 1544, 2007; Ord. 1565, 2008; Ord. 1590 § 1, 2009; Ord. 1613 § 13, 2013; Ord. 1621 § 25, 2014; Ord. 1635 § 27, 2014; Ord. 1636 § 38, 2014; Ord. 1662 § 9, 2017)

55.120 SITE PLAN. *Done by Keith Abel*

55.125 TRANSPORTATION ANALYSIS

Certain development proposals required that a Traffic Impact Analysis (TIA) be provided which may result in modifications to the site plan or conditions of approval to address or minimize any adverse impacts created by the proposal. The purpose, applicability and standards of this analysis are found in **CDC 85.170(B)(2)**. (Ord. 1584, 2008) *We will remove two vehicles from on street parking, do not anticipate any impact on traffic.*

55.130 GRADING AND DRAINAGE PLANS

For Type I, II and III lands (refer to definitions in Chapter **02 CDC**), a registered civil engineer must prepare a grading plan and a storm detention and treatment plan pursuant to **CDC 92.010(E)**, at a scale sufficient to evaluate all aspects of the proposal, and a statement that demonstrates: *We will be doing no grading or detention treatment*

- A. The location and extent to which grading will take place indicating general contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed.
- B. All proposed storm detention and treatment facilities comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards. *All drainage deposits into existing storm drains and no storm detention.*
- C. There is sufficient factual data to support the conclusions of the plan. *The home was originally built in 1910.*

D. Per **CDC 99.035**, the Planning Director may require the information in subsections A, B and C of this section for Type IV lands if the information is needed to properly evaluate the proposed site plan.

E. For Type I, II and III lands (refer to definitions in Chapter **02 CDC**), the applicant must provide a geologic report, with text, figures and attachments as needed to meet the industry standard of practice, prepared by a certified engineering geologist and/or a geotechnical professional engineer, that includes: *We are adding garage to an existing home, no report necessary.*

1. Site characteristics, geologic descriptions and a summary of the site investigation conducted;
2. Assessment of engineering geological conditions and factors;
3. Review of the City of West Linn's Natural Hazard Mitigation Plan and applicability to the site; and
4. Conclusions and recommendations focused on geologic constraints for the proposed land use or development activity, limitations and potential risks of development, recommendations for mitigation approaches and additional work needed at future development stages including further testing and monitoring.

F. Identification information, including the name and address of the owner, developer, project designer, and the project engineer. (Ord. 1463, 2000; Ord. 1613 § 15, 2013; Ord. 1622 § 28, 2014; Ord. 1662 § 10, 2017)

55.150 LANDSCAPE PLAN, *this will be completed when plans have been approved.*

55.170 EXCEPTIONS TO UNDERLYING ZONE, YARD, PARKING, SIGN PROVISIONS, AND LANDSCAPING PROVISIONS

A. The Planning Director may grant an exception to the dimensional building setback or yard requirements in the applicable zone based on findings that the approval will satisfy the following criteria:

1. A minor exception that is not greater than 20 percent of the required setback. *Our plan aligns with this requirement.*
2. A more efficient use of the site.
3. The preservation of natural features that have been incorporated into the overall design of the project.
4. No adverse affect to adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazard. *There will be no adverse affect to our adjoining neighbors.*
5. Safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation.

B. The Planning Director may grant an exception to the off-street parking dimensional and minimum number of space requirements in the applicable zone so long as the following criteria are met: *planning a garage, not off street parking.*

1. The minor exception is not greater than 10 percent of the required parking;
2. The application is for a use designed for a specific purpose which is intended to be permanent in nature (for example, a nursing home) and which has a low demand for off-street parking; or *planned single residence garage.*
3. There is an opportunity for sharing parking and there is written evidence that the property owners are willing to enter into a legal agreement; or *We will not be sharing the garage.*
4. Public transportation is available to the site reducing the standards and will not adversely affect adjoining uses, and there is a community interest in the preservation of particular natural feature(s) of the site which make it in the public interest to grant an exception to parking standards. We apply with all parking standards.

C. The Planning Director may grant an exception to the sign dimensional requirements in the applicable zone when the following criteria are met: no signs planned.

1. The minor exception is not greater than 10 percent of the required applicable dimensional standard for signs;
2. The exception is necessary for adequate identification of the use on the property; and
3. The sign will be compatible with the overall site plan, the structural improvements, and with the structures and uses on adjoining properties.

D. The Planning Director may grant an exception to the landscaping requirements in the applicable zone based on findings that the following criteria will be met: landscape will blend with existing landscape.

1. A minor exception that is not greater than 10 percent of the required landscaped area.
2. A more efficient use of the site.
3. The preservation of natural features that have been incorporated into the overall design of the project.
4. No adverse effect to adjoining property.

55.180 MAINTENANCE

Our property has always been, and will always be, an asset visually to the Willamette historic community. We love being a part of this community!

59.010 PURPOSE

The purpose of the mixed use/transitional zone is to provide for a transitional area between commercial and residential zones with a desirable mix of residential land uses with limited commercial land uses. The limited commercial uses allowed in this district are selected for their compatibility with residential uses and their ability to meet the needs of the neighborhood. Uses in this district are intended to be compatible with the design and aesthetic qualities of the adjacent neighborhood. This zone is intended to implement the Willamette neighborhood plan as authorized by the policies set forth in the Comprehensive Plan. (Ord. 1515, 2005; Ord. 1547, 2007). *Our home and proposed garage conform in all aspects to the mixed use and transitional zone neighborhood.*

59.020 PROCEDURES AND APPROVAL PROCESS

A. A use permitted outright, **CDC 59.030**, is a use that requires no approval under the provisions of this code. If a use is not listed as a use permitted outright, it may be held to be a similar unlisted use under the provisions of Chapter **80 CDC**.

Our use is permitted: existing home, detached garage. Therefore requires no approval.

B. A use permitted under prescribed conditions, **CDC 59.050**, is a use for which approval will be granted provided all conditions are satisfied, and: *our use falls within the permitted conditions.*

1. The Planning Director shall make the decision in the manner provided by **CDC 99.060(A)(2)**, Administrative Procedures, except that no notice shall be required; and

2. The decision may be appealed by the applicant to the Planning Commission as provided by **CDC 99.240(A)**.

C. The approval of a conditional use (**CDC 59.060**) is discretionary with the Planning Commission. The approval process and criteria for approval are set forth in Chapter **60 CDC**, Conditional Uses. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter **80 CDC**.

D. The following code provisions may be applicable in certain situations:

1. Chapter **65 CDC**, Non-conforming Uses Involving a Structure. *our use is conforming to neighborhood use.*

2. Chapter **66 CDC**, Non-conforming Structures. *Structure conforms*

3. Chapter **67 CDC**, Non-conforming Uses of Land. *A garage is a conforming structure for use to an existing home*

4. Chapter **68 CDC**, Non-conforming Lots, Lots of Record. *our existing two lots are combined into one lot that conforms to all existing code requirements*

5. Chapter **75 CDC**, Variance. (Ord. 1515, 2005; Ord. 1547, 2007) *our application for variance is common and very logical for the existing conditions.*

59.030 PERMITTED USES

The following are uses permitted outright in this zone:

1. Single-family detached dwelling; *this is a detached garage to an existing home*

59.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

A. Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:

1. The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet. *Our front lot line is proposed to be 100'.*
2. The average minimum lot width shall be 50 feet. *Our lot would be 100' x 100'*
3. The average minimum lot depth shall not be less than 90 feet. *The depth of our lot is 100'.*
4. The minimum yard dimensions or minimum building setback area from the lot line shall be:
 - a. For a front yard, 12 feet minimum and 20 feet maximum to the structure, except that a porch, patio, or pedestrian amenity may be six feet from the front property line. *Our existing home is 40' 9" back from Willamette Falls Dr. And the proposed garage is an additional 15" further back from Willamette Falls Dr.*
 - b. For an interior side yard, seven and one-half feet. *We are applying for a variance for the side yard to be 6' from the west property line. Our neighbor has an existing 6' tall fence adjoining our property making the side yard useless.*
 - c. For a side yard abutting a street, 12 feet. *The other side yard for the Garage would not be abutting a street. It would face the existing home.*
 - d. For a rear yard, 20 feet. However, where the use abuts a residential district, the setback distance required in the residential district shall apply, and within the setback area a buffer of at least 10 feet of landscaping in addition to a fence is required. *Our garage would be parallel to our existing home which is 16'3" from the alley.*
5. The maximum building height shall be two stories above grade, or 35 feet, whichever is less. *Our building height would be less than 20' above grade.*
6. Maximum building size for all floors shall not exceed 6,000 square feet above grade excluding porches. *The total size of the single story building will be 1,176 sq. ft.*
7. The maximum building floor area ratio shall be 0.4, except that the ground floor of the building shall not exceed 5,000 square feet. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of

lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter 66 CDC. *We are planning a single floor above grade building. Combined with our existing home, the footprint totals 2,244 sq. ft. We are also planning a below grade storage area of 1,040 sq.ft. below the garage.*

8. The minimum lot size shall be 4,500 square feet and the maximum lot size shall be 10,000 square feet, unless defined as an existing lot of record. *Our lot will be an existing lot of record.*

B. Design standards. All uses in the mixed-use zone shall comply with the provisions of Chapter 55 CDC, except for CDC 55.100(B)(7)(a), (b), (c), (h), (i), and (j). Further, single-family and duplex residential uses shall also comply with the Class I design review standards. In addition, the design standards described below apply to all uses. *From Willamette Falls drive, our garage will look like a historic barn That matches our home using like materials.*

1. Residential-style building with single story porch on the front, and on the side where it abuts a street. *The entrance to the garage is from the side and has a porch.*

2. New sidewalk construction shall be allowed to match the historical sidewalk standards in this zone. *We will not be doing a sidewalk as the historic district has just completed a beautiful sidewalk on Willamette Falls Dr.*

3. Off-street parking shall be behind, under, or on the side of building. *Our off street parking will be in the garage.*

4. Garages shall not extend any closer to the street than the street-facing facade of the house. *our garage will be set more than 1' further back from Willamette Falls Dr.*

5. There shall be no illuminated outdoor advertising on accessory buildings, equipment, or vending machines . No signs. The structure will be a garage with a front room to be used as a private art studio.

6. These design standards, subsections (B)(1) through (5) of this section, shall not apply to public facilities such as reservoirs, water towers, treatment plants, fire stations, pump stations, power transmission facilities, etc. It is recognized that many of these facilities, due to their functional requirements, cannot readily be configured to meet these design standards. However, attempts shall be made to make the design sympathetic to surrounding properties through compatible architecture, enhanced landscaping, setbacks, buffers, and other reasonable means. (Ord. 1515, 2005; Ord. 1547, 2007; Ord. 1565, 2008; Ord. 1675 § 50, 2018) *Our design will be a definite asset to the Willamette historic district look, appeal and function of the community.*

75.020 CLASSIFICATION OF VARIANCES

A. **Class I Variance.** **Class I variances** provide minor relief from certain code provisions where it can be demonstrated that the modification will not harm adjacent properties, and it conforms with any other code requirements. **Class I variances** are allowed for the following code provisions:

1. Required Yard and Minimum Lot Dimensional Requirements. Required yards may be modified up to 20 percent, lot dimensions by up to 10 percent and lot area by up to five percent if the decision-making authority finds that the resulting approval: *We are requesting only a small variance*
 - a. Provides for a more efficient use of the site; *The area between our proposed garage and our neighbor's six foot fence is space that cannot be used beneficially or aesthetically. A building on one side and a fence on the other inhibits plant growth*
 - b. Preserves and incorporates natural features into the overall design of the project; *a smaller unusable area is better than a larger one. The only thing to be done between the two properties is to gravel it, no room for plants. Not useable.*
 - c. Does not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazards; *less room for unwanted undergrowth will reduce fire potential, yet remains sufficient space for air circulation.*
 - d. Provides for safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation. *Reducing the unusable space on one side of the garage increases the useable space between the house and the garage and allows more room for plants, lawn etc. on the east side.*
2. Off-street parking dimensional and minimum number of space requirements may be modified up to 10 percent if the decision-making authority finds that the use is designed for a specific purpose, which is intended to be permanent in nature. *The garage will be permanent and reduces the vehicles on the streets by two.*
3. Dimensional sign requirements may be modified up to 10 percent if the decision-making authority finds that the proposed larger sign is: *This will be a home and garage and will not have signs.*
 - a. Necessary for adequate identification of the use on the property; *identification will be the street number on the house porch.*
 - b. Compatible with the overall site plan, the structural improvements, and with the structures and uses on adjoining properties. *The landscaping will enhance the neighborhood and the structure will be complimentary to the existing home and surrounding neighborhood.*
4. Landscaping requirements in the applicable zone may be modified up to 10 percent if the decision-making authority finds that the resulting approval: *the addition of 2-3 trees are planned as well as a garden along the front fence line.*
 - a. Provides for a more efficient use of the site; *moving cars off the roadway is a definite benefit to Willamette. A pleasing structure will enhance the neighborhood beauty*
 - b. Preserves and incorporates natural features into the overall design of the project; *the plan is to use native shrubs, trees, and plants and lawn. The garage building will use natural wood and mimic the construction of the home.*
 - c. Will have no adverse effect on adjoining property. *The design will add to the beauty of the adjoining property and to the historic look of Willamette downtown.*

Class II Variance. We are not applying for class II variance.

C. Special Waivers. Special waivers are only applicable in mixed use and non-residential zoning districts. Special waivers may be granted by the approval authority when it can be shown that the proposed site design provides a superior means of furthering the intent and purpose of the regulation to be waived. A special waiver involves a waiver of a standard to permit a specific proposed development. It does not require demonstration of a hardship. It is a request to modify specific requirements in order to provide a superior site design that would not otherwise be possible under the standard requirements of the code.

1. The Planning Commission may approve a special waiver due to the unique nature of the proposed development if it finds that there is sufficient evidence to demonstrate that the proposed development: *When we purchased property in 2001, there was a small barn that was falling down and we removed it. This proposed garage will have the look of a beautiful barn.*

a. Demonstrates that the proposed development can comply with the regulation to be waived, but the waiver provides an alternative means of furthering the purpose of the regulation to be waived; *We request the normal variance of 10%*

b. Will not be materially detrimental to the public welfare or injurious to other property in the area when compared with the impacts of development otherwise permitted; the variance will have no negative affect on the neighbors or the neighborhood.

c. Provides adequate area for aesthetic design treatment to mitigate potential visual impacts from the use on surrounding properties and uses; the requested variance would have a positive affect to surrounding properties.

d. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features. (Ord. 1622 § 9, 2014)

Yes, the property size and location of the garage would have positive affect on the Willamette town.

85.210 PROPERTY LINE ADJUSTMENTS – APPROVAL STANDARDS

A. The Director shall approve or deny a request for a property line adjustment based on the criteria stated below:

1. An additional lot or parcel shall not be created by the property line adjustment. *No additional parcel requested. We are requesting that two lots be made into one.*
2. The existing property shall not be reduced in size by the adjustments below the minimum lot or parcel size established by the approved zoning for that district. The property line adjustment shall not enlarge, increase or extend the non-conformity of a non-conforming lot or non-conforming structure. *No interior property lines are requested to be reduced. No exterior lines are being requested to be enlarged. We want our two lots made into one to accommodate our own off street parking garage.*
3. Property line adjustments shall be either: *We are not requesting any line adjustment referenced in the figures below. Rather, we want to eliminate the line between our two lots and make it **one lot**.*

- a. A straight line (see Figure 1 example);
- b. A line with maximum of two 45- to 90-degree turns (see Figure 2 example); or
- c. A maximum of three turns less than 45 degrees (see Figure 3 example).
(The following figures are only intended as examples.)

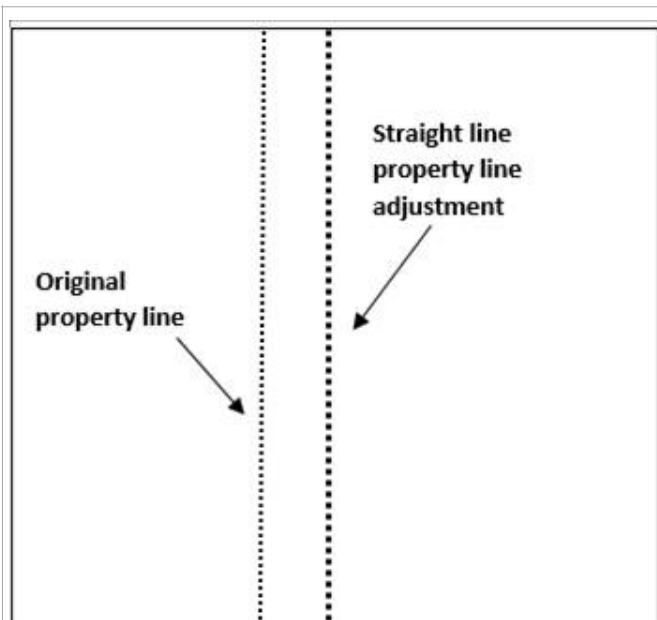


Figure 1.

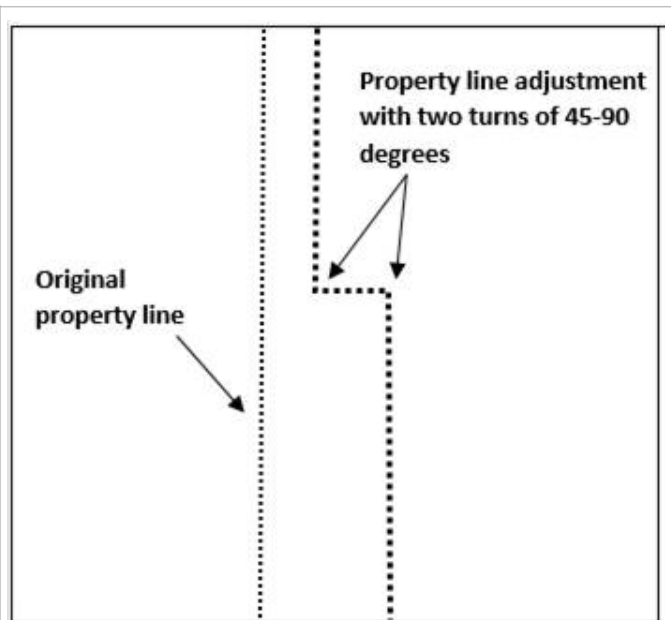


Figure 2.

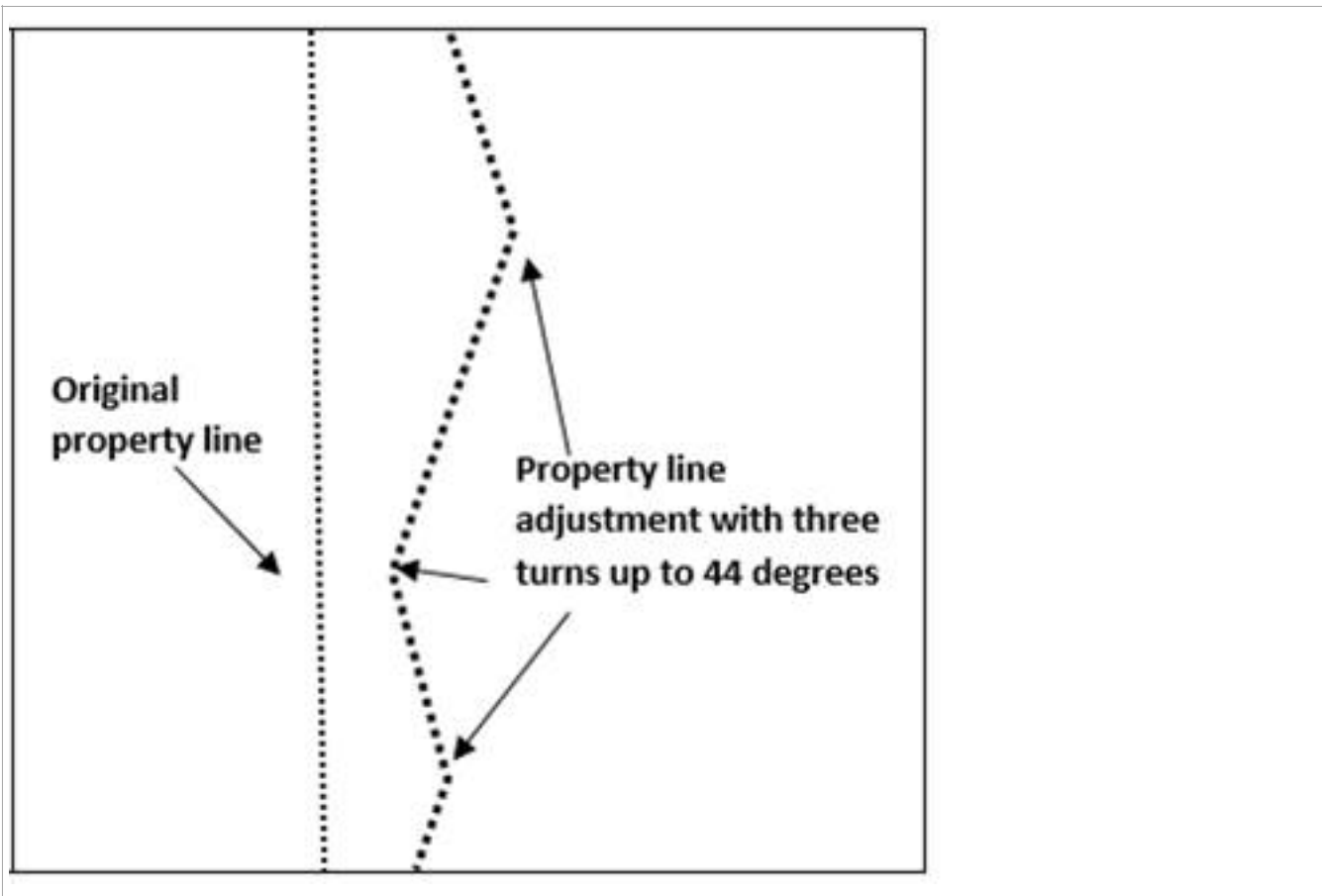
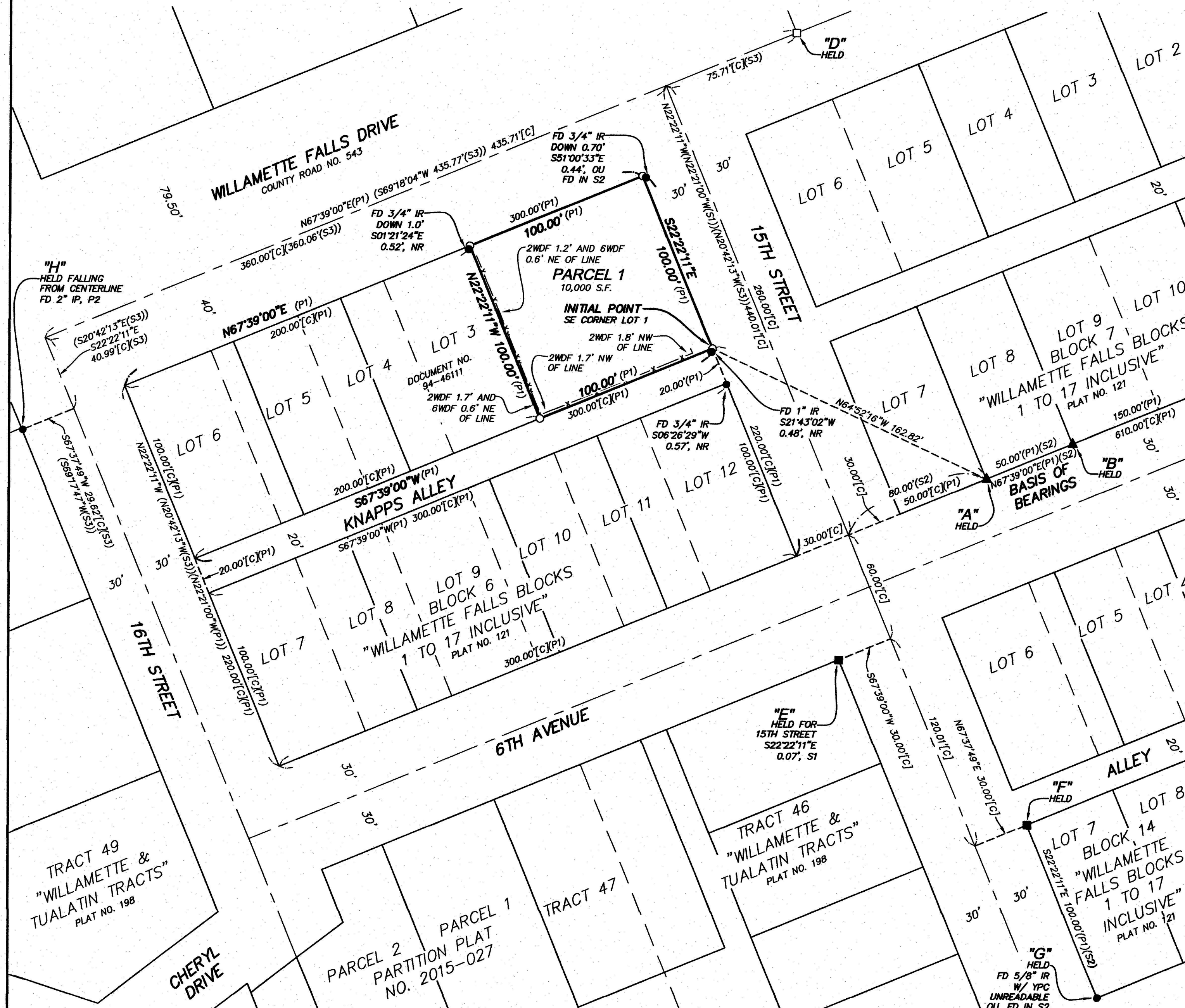


Figure 3.

4. The property line adjustment shall not create a lot or parcel that violates applicable site development regulations. Two lots are being combined into one lot 100'x100'.
5. The property line adjustment will not adversely affect existing easements or existing utilities unless an easement vacation is obtained, replacement easements are established, or any required utility relocations are paid for by the applicant. *No existing easements or existing utilities will be affected .*
6. Proposed property line adjustments that cannot meet these standards are subject to review under **CDC 99.060(B)(2)(e)**. *We comply with all standards.*
7. Any appeal must be filed in accordance with **CDC 99.240**. *We will not be filing an appeal.*
- B. The provisions of **CDC 85.070** shall also apply to property line adjustments. (Ord. 1401, 1997; Ord. 1442, 1999; Ord. 1635 § 35, 2014; Ord. 1636 § 57, 2014; Ord. 1675 § 54, 2018) *We comply with all standards for a lot line adjustment.*

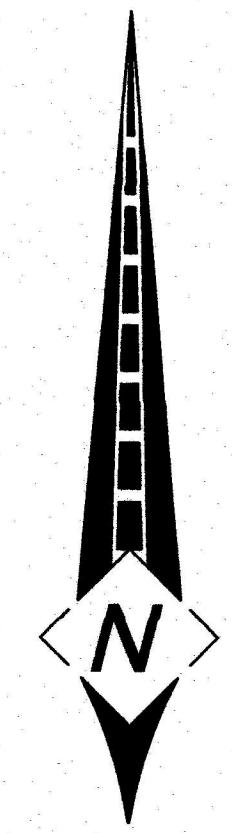
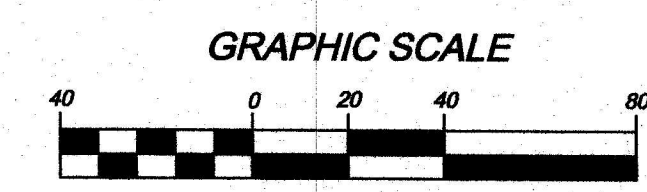
PRELIMINARY PARTITION PLAT

A REPLAT OF LOTS 1 AND 2, BLOCK 6, "WILLAMETTE FALLS
BLOCKS 1 TO 17 INCLUSIVE", PLAT NO. 121, LOCATED
IN THE N.W. 1/4 SECTION 2, T.3S., R.1E., W.M.
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON
MARCH 2, 2021 SCALE 1"=40'
PLANNING FILE NO.
SHEET 1 OF 1



LEGEND:

- SET 5/8" x 30" IRON ROD W/ RED PLASTIC CAP MARKED "CENTERLINE CONCEPTS" ON _____ 2021
 - △ SET 1.17" COPPER DISC (BERNTSEN BP1) MARKED "_____" ON _____ 2021
 - FOUND MONUMENT AS NOTED
 - FOUND 5/8" IRON ROD W/ YELLOW PLASTIC CAP MARKED "LS 475" NO RECORD UNLESS NOTED OTHERWISE
 - FOUND 5/8" IRON ROD W/ ORANGE PLASTIC CAP MARKED "HPR INC" OU, 3/4" IRON PIPE FOUND IN S3
 - ▲ FOUND 5/8" IRON ROD W/ RED PLASTIC CAP MARKED "CENTERLINE CONCEPTS INC" FROM S2
- () = RECORD DISTANCES & BEARINGS
[C] = CALCULATED DISTANCE
OU = ORIGIN UNKNOWN
NR = NO RECORD
IP = IRON PIPE
IR = IRON ROD
FD = FOUND
W/ = WITH
YPC = YELLOW PLASTIC CAP
R/W = RIGHT OF WAY
S.F. = SQUARE FEET
DOCUMENT NO. = DEED DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS
SN = SURVEY NUMBER, CLACKAMAS COUNTY SURVEYOR'S OFFICE
S1 = SN 25595
S2 = SN 29756
S3 = SN 2020-004
P1 = "WILLAMETTE FALLS BLOCKS 1 TO 17 INCLUSIVE" PLAT NO. 121
P2 = "WILLAMETTE & TUALATIN TRACTS" PLAT NO. 198



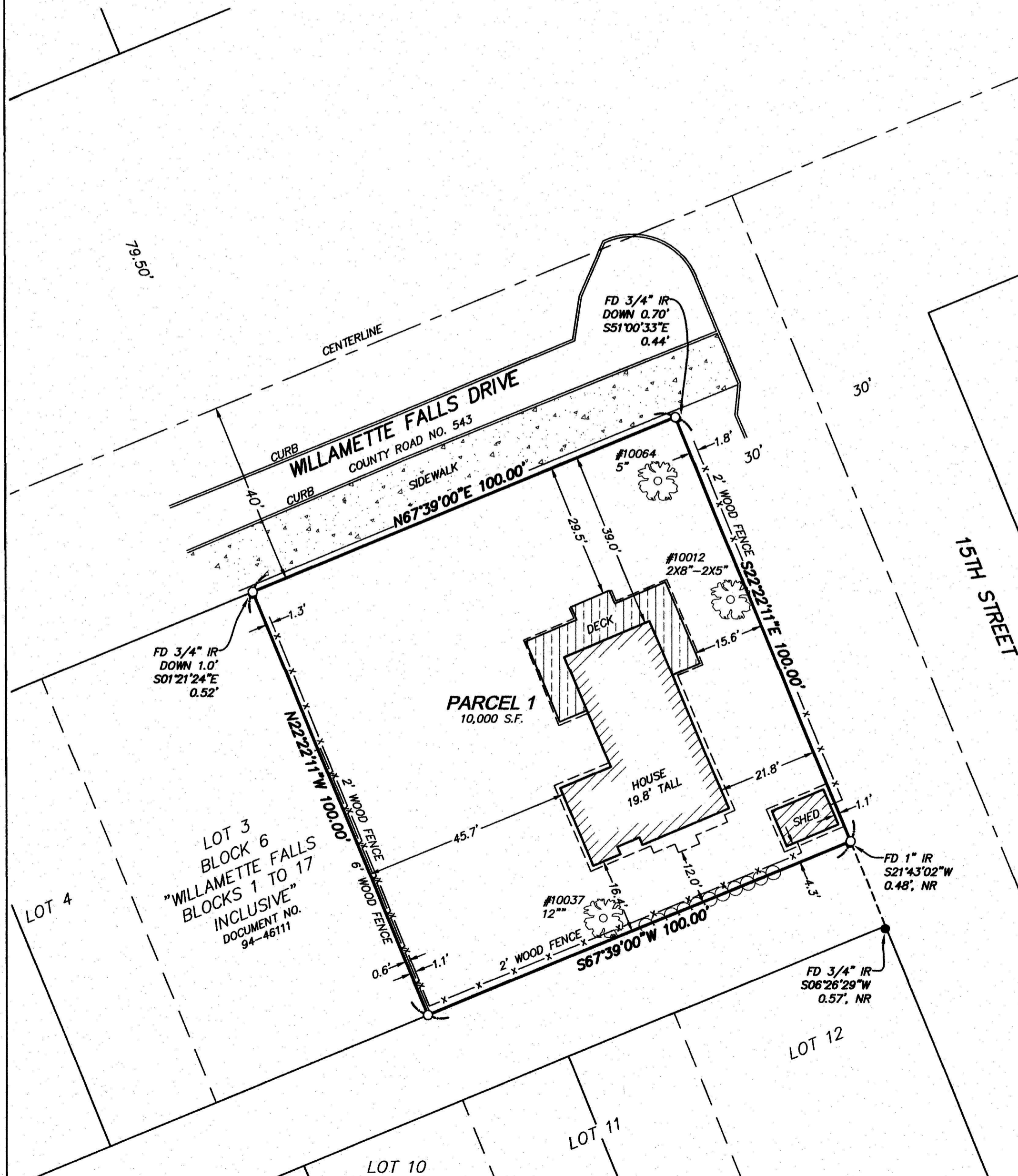
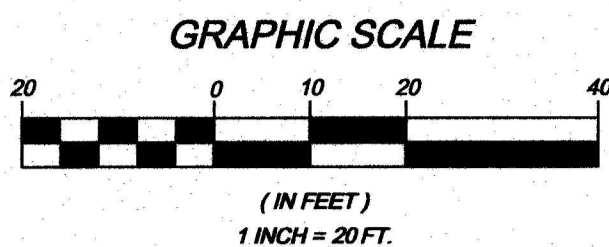
SIGNED ON: OSMARZI
REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS
RENEWS: DECEMBER 31, 2021

CENTERLINE CONCEPTS
LAND SURVEYING, INC.
19376 MOLALLA AVE., SUITE 120
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

PLOTTED: M:\PROJECTS\VON TAGEN-WILLAMETTE FALLS DR-1593\DWG\PRELIM-C3D.dwg

SUPPLEMENTAL MAP

LOTS 1 AND 2, BLOCK 6, "WILLAMETTE FALLS
BLOCKS 1 TO 17 INCLUSIVE", PLAT NO. 121, LOCATED
IN THE N.W. 1/4 SECTION 2, T.3S., R.1E., W.M.
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON
MARCH 2, 2021 SCALE 1"=20'



SURVEY NOTES:

THE DATUM FOR THIS SURVEY IS BASED UPON AN ASSUMED ELEVATION OF 5000.00'. NO BENCHMARK WAS LOCATED OR TIED FOR THE PERFORMANCE OF THIS SURVEY.

A TRIMBLE S6-SERIES ROBOTIC INSTRUMENT WAS USED TO COMPLETE A CLOSED LOOP FIELD TRAVERSE.

THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND AND HELD PER RECORD OF SURVEY RECORDED UNDER PRIVATE SURVEY NUMBER 29756, RECORDS OF CLACKAMAS COUNTY.

THE PURPOSE OF THIS SURVEY IS TO RESOLVE AND DETERMINE THE PERIMETER BOUNDARY OF THE SUBJECT PROPERTY, AND TO SHOW THE LOCATION OF EXISTING STRUCTURES RELATIVE TO THE PROPERTY LINES. NO PROPERTY CORNERS WERE SET IN THIS SURVEY.

NO WARRANTIES ARE MADE AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE, ETC.

NO TITLE REPORT WAS SUPPLIED OR USED IN THE PREPARATION OF THIS MAP.

LEGEND:

Some Symbols shown may not be used on map

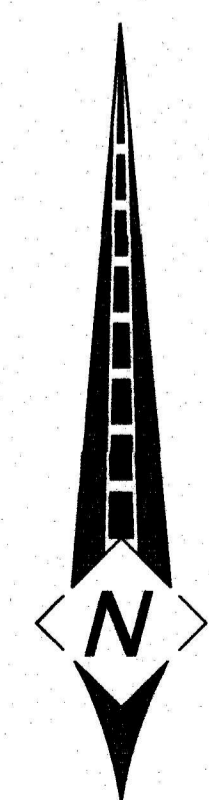
- | | |
|------------------------------|-------------------------|
| 12" DECIDUOUS TREE | SCP TRAFFIC SIGNAL POLE |
| 24" EVERGREEN TREE | UP UTILITY POLE |
| DS STORM SEWER MANHOLE | LP LIGHT POLE |
| CB CATCH BASIN | GUY GUY WIRE |
| CI CURB INLET | EB ELECTRIC BOX |
| AD AREA DRAIN | EM ELECTRIC METER |
| DI DITCH INLET | TR TRANSFORMER |
| SSB SANITARY SEWER CLEANOUT | ER ELECTRIC RISER |
| SM SANITARY SEWER MANHOLE | HP HEAT PUMP |
| WM WATER MANHOLE | GP GATE POST |
| WM WATER METER | TVB CABLE TV BOX |
| WV WATER VALVE | CTR CABLE TV RISER |
| HB HOSE BIB | OH OVERHEAD LINE |
| ICV IRRIGATION CONTROL VALVE | G GAS LINE |
| GV GAS VALVE | E ELECTRICAL LINE |
| GM GAS METER | FO COMMUNICATIONS LINE |
| MB MAILBOX | SS SANITARY SEWER LINE |
| UR UTILITY RISER | SD STORM DRAIN LINE |
| UB UTILITY BOX | W WATER LINE |
| TM TELEPHONE MANHOLE | X-X FENCELINE |
| TR TELEPHONE RISER | O HANDRAIL |
| STORM OUTFALL | |
| SIGN | |
| BOLLARD | |
| FOUND MONUMENT | |
| DOWN SPOUT TO STORM SYSTEM | |
| FD = FOUND | |
| IP = IRON PIPE | |
| IR = IRON ROD | |
| YPC = YELLOW PLASTIC CAP | |
| ALC = ALUMINUM CAP | |
| RPC = RED PLASTIC CAP | |

SIGNED ON: *OSWALD*

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: DECEMBER 31, 2021



CENTERLINE CONCEPTS
LAND SURVEYING, INC.
19376 MOLALLA AVE., SUITE 120
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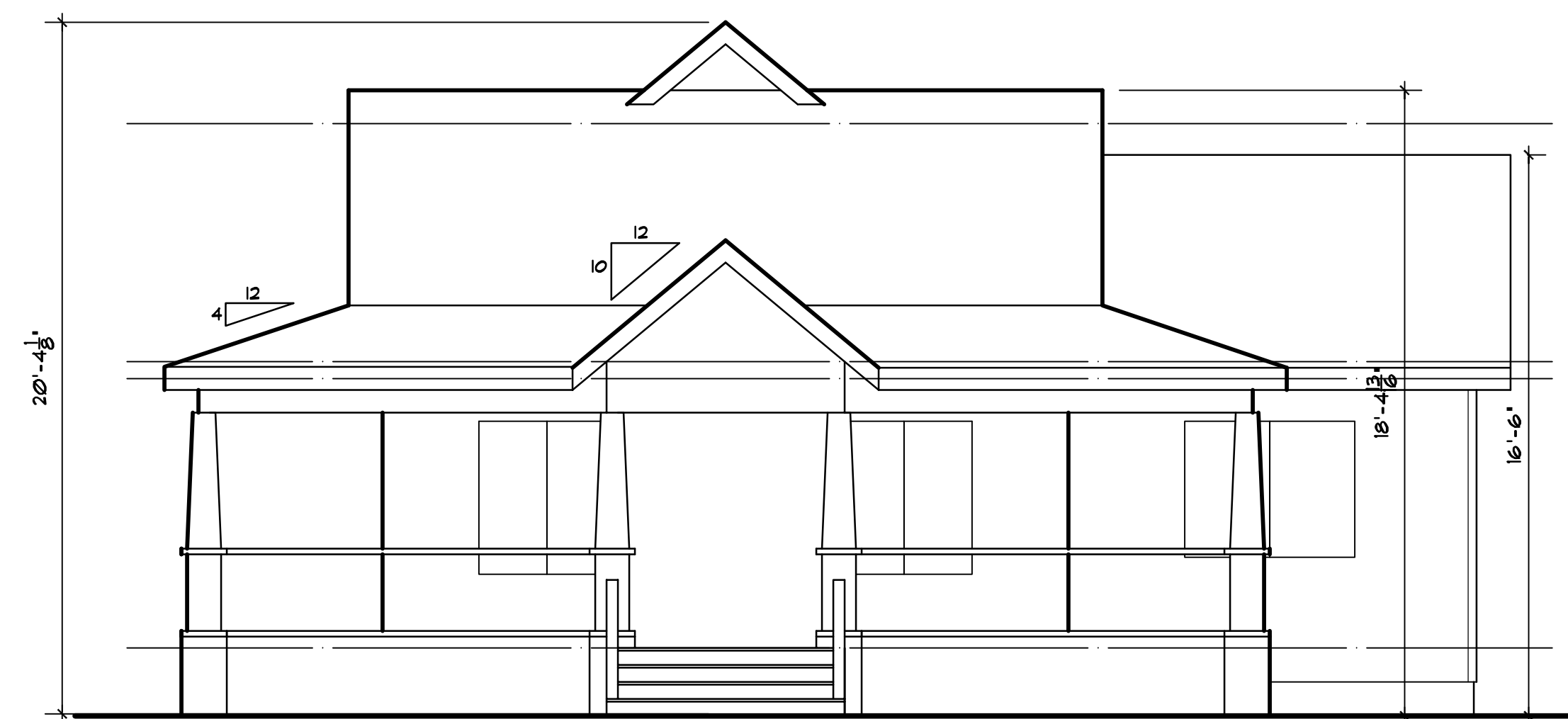
NEW GARAGE	1,176	SQ. FT.
NEW STORAGE BASEMENT	1,176	SQ. FT.

Von Tagen Garage
 1593 WILLAMETTE FALLS DR. IN WEST Linn, OR.
 DESIGNED FOR:
Fritz & Dee Von Tagen
 (971) 219-4915

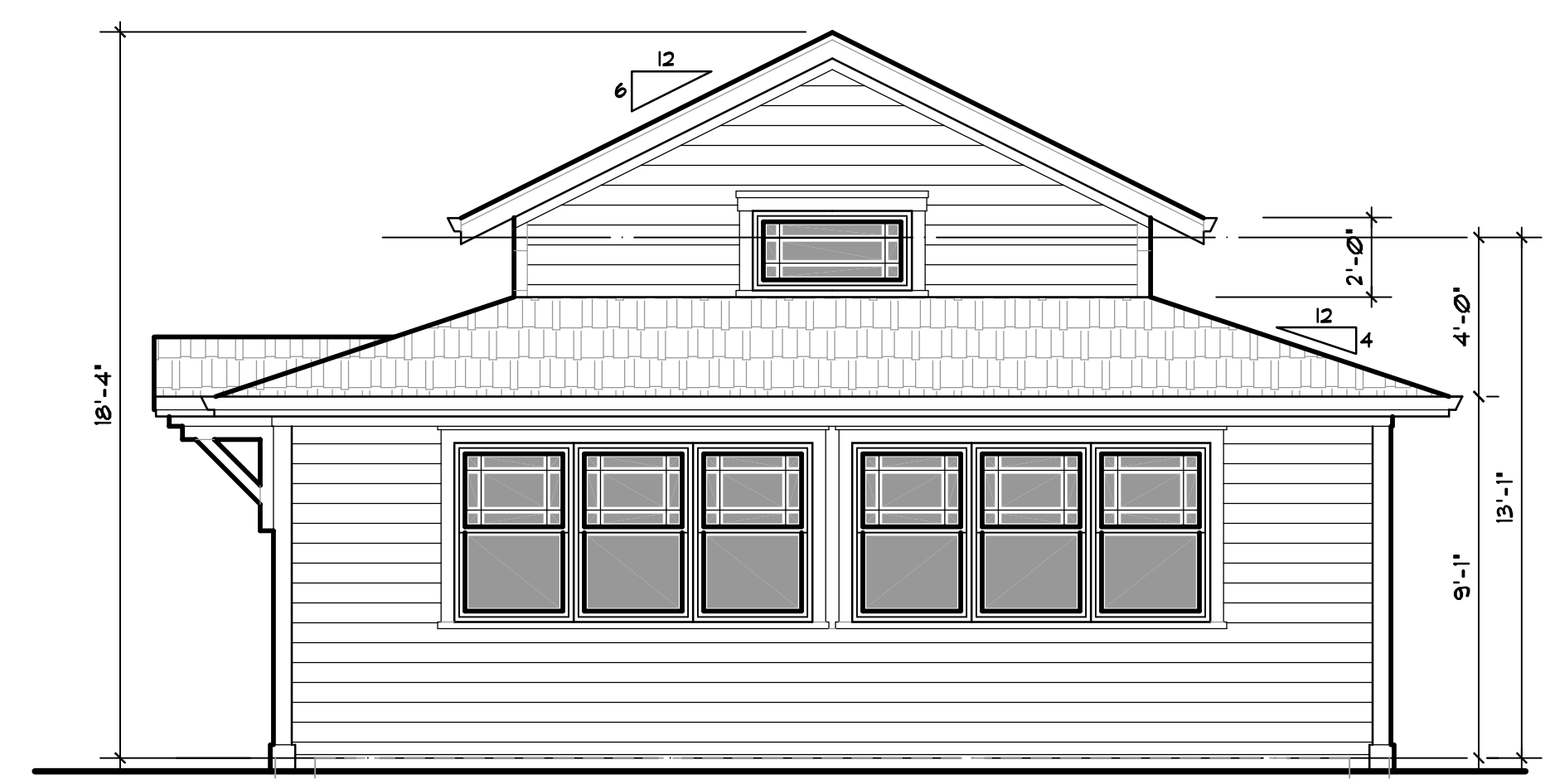
KEITH ABEL
 ESSENTIAL DESIGN LLC
 5757 RIDGETOP CT. LAKE OSWEGO, OR 97035 784-5815
 keithabel@comcast.net

NOT FOR
 BID DRAWINGS
 CONSTRUCTION

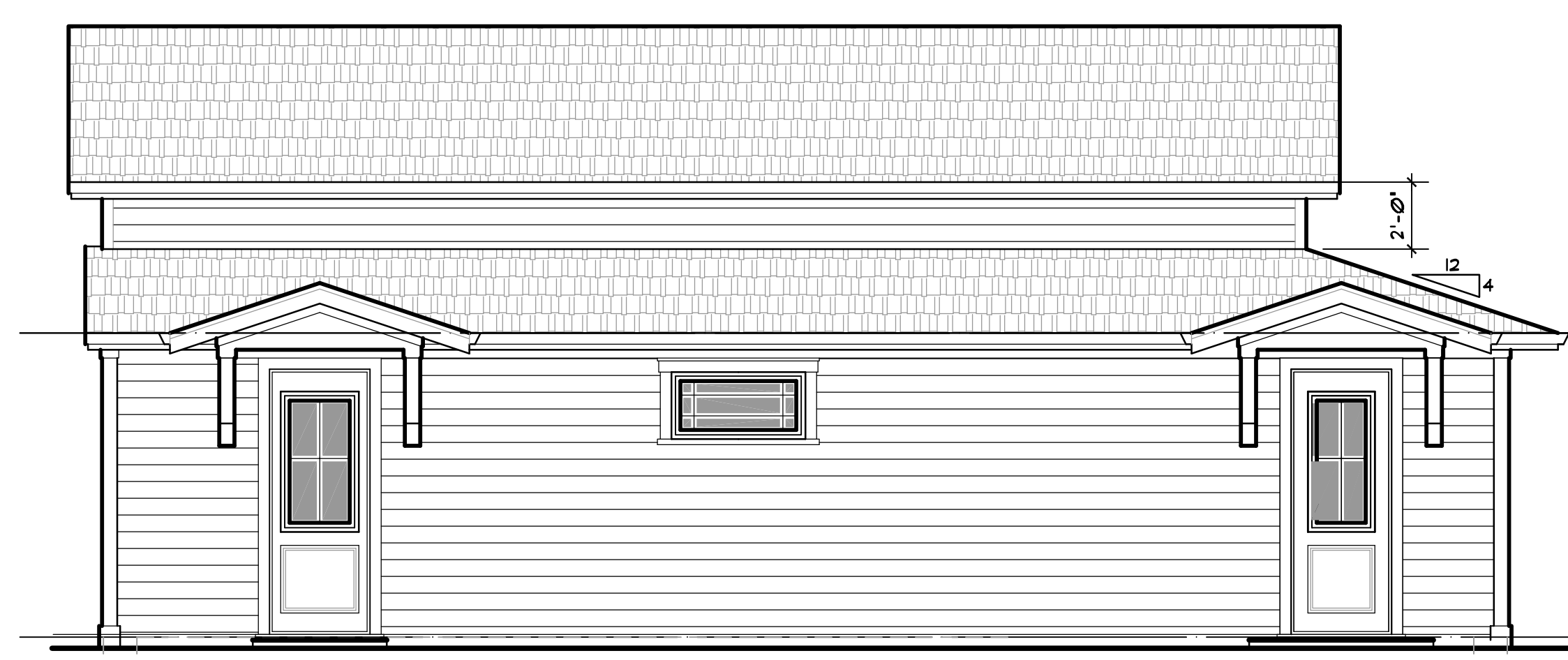
EXISTING HOUSE



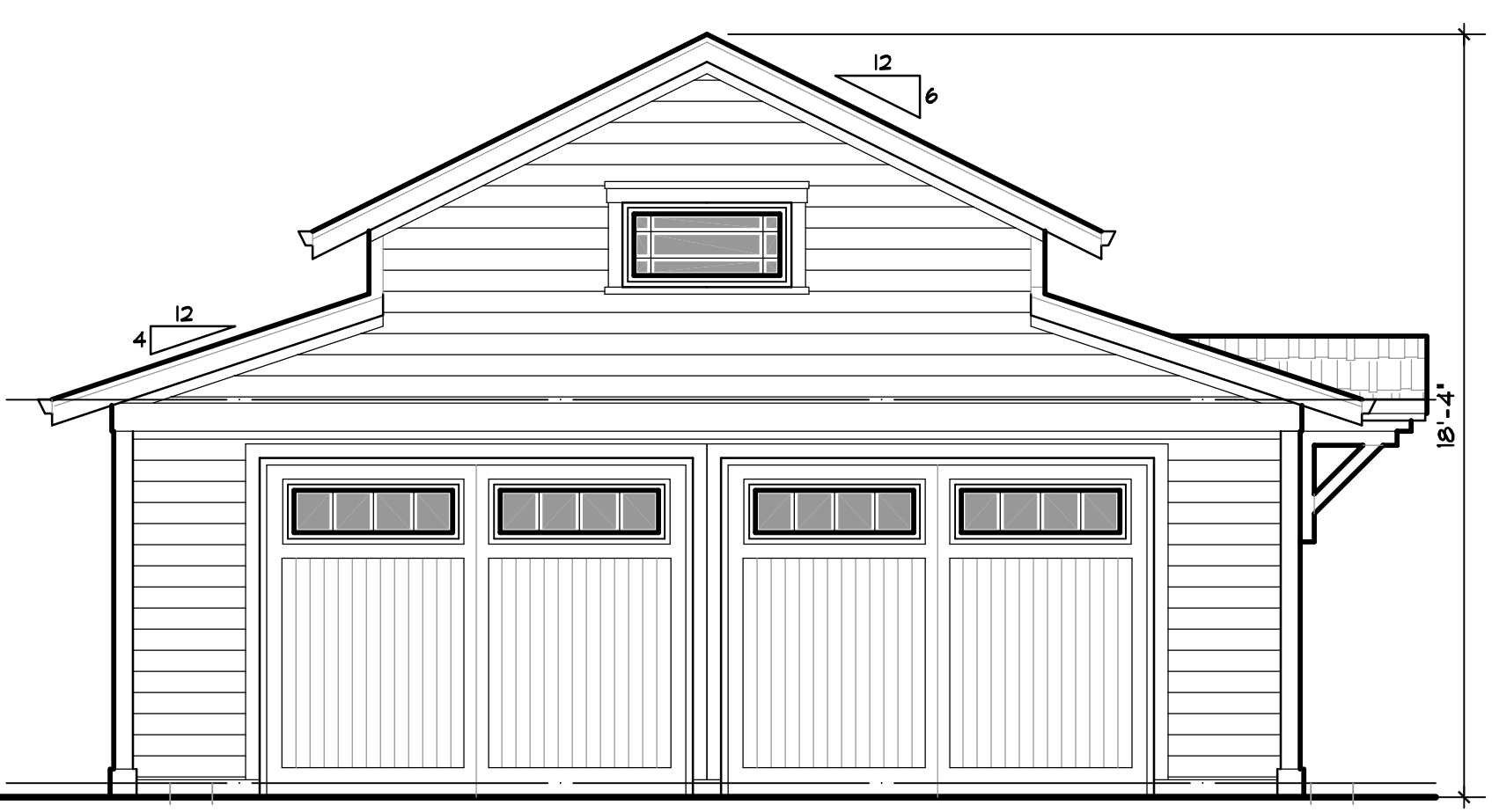
FRONT ELEVATION 1/4"=1'-0"
 EXISTING



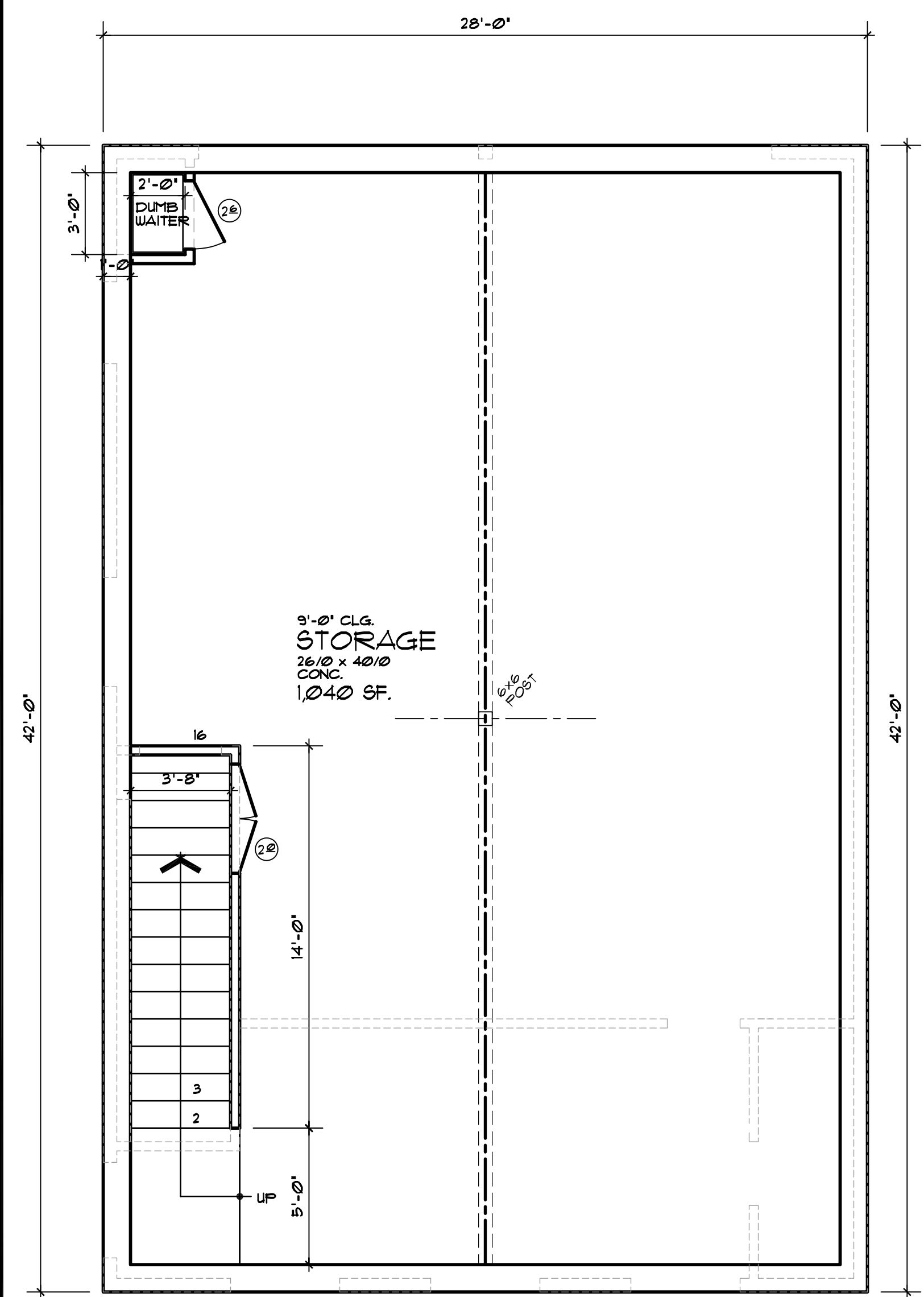
FRONT ELEVATION 1/4"=1'-0"
 NEW 21 Jan. 21



EAST/LEFT SIDE ELEVATION 1/4"=1'-0"
 NEW 21 Jan. 21

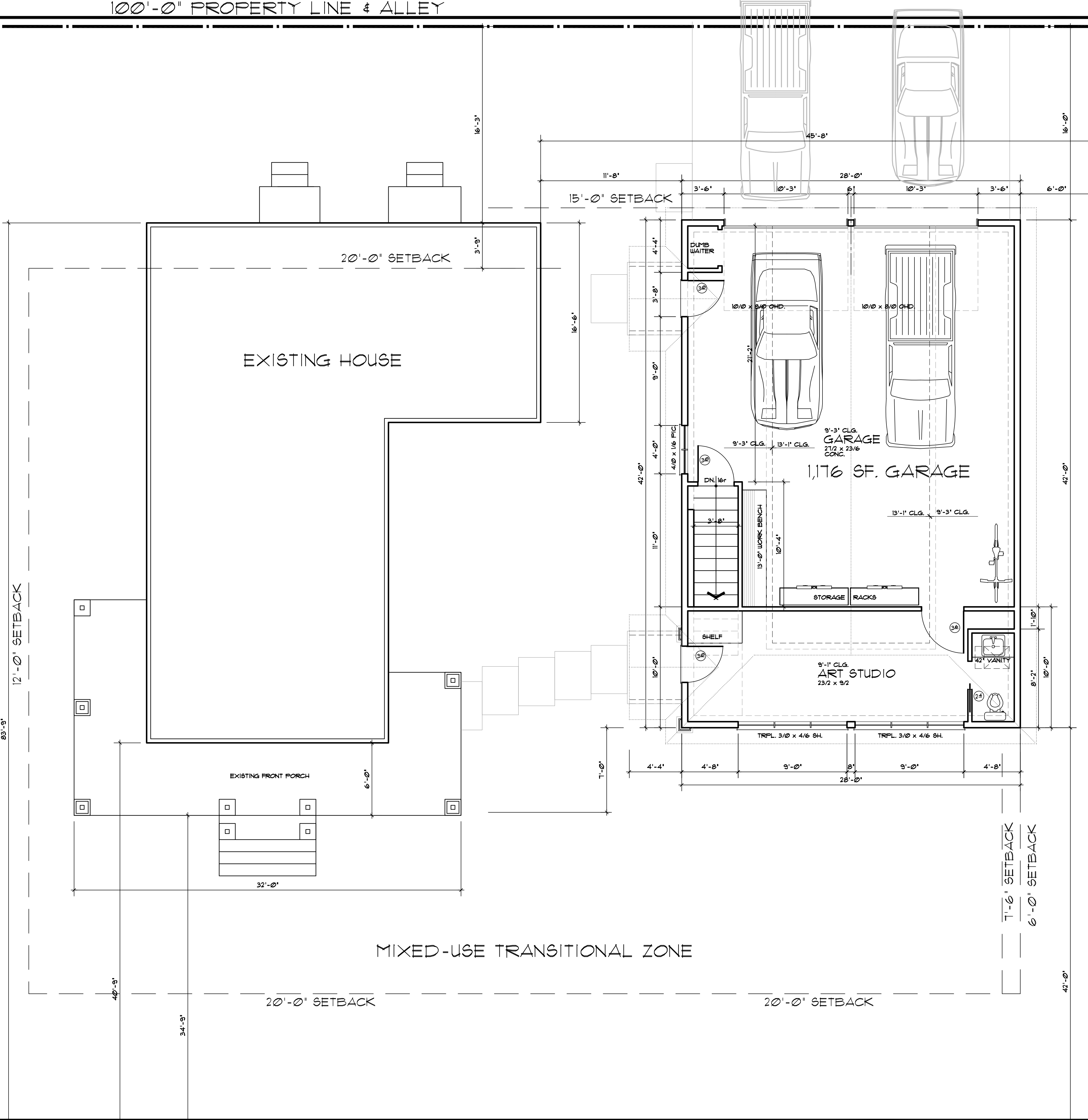


REAR ELEVATION 1/4"=1'-0"
 NEW 21 Jan. 21



100'-0" PROPERTY LINE & ALLEY

100'-0" PROPERTY LINE



21 SEPT. 20
26 MARCH 21

DESIGN
FINAL DESIGN

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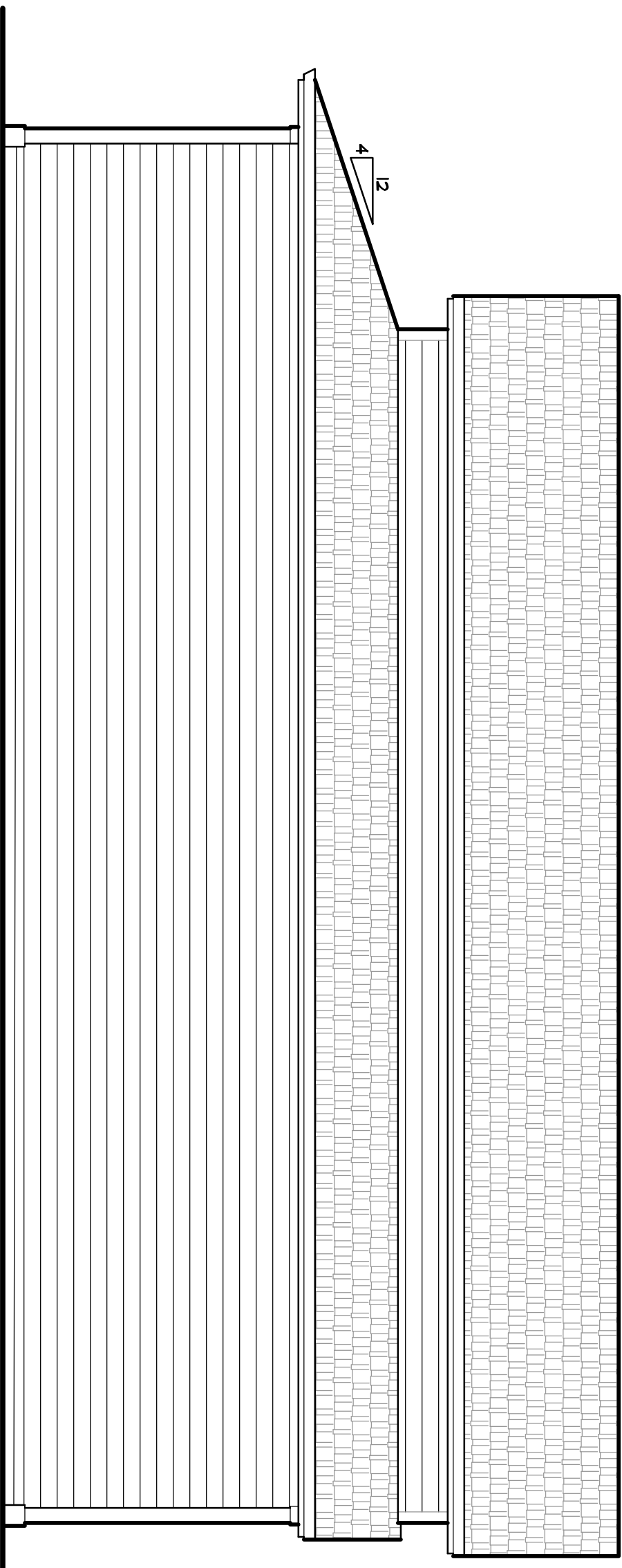
NEW GARAGE	1,176	SQ. FT.
NEW STORAGE BASEMENT	1,176	SQ. FT.

Von Tagen Garage
 1593 WILLAMETTE FALLS DR. IN WEST Linn, OR
 DESIGNED FOR:
Fritz & Dee VonTagen
 (971) 219-4915

KEITH ABEL
 ESSENTIAL DESIGN LLC
 5757 HINCKLEY CT. LAKE OSWEGO, OR 97035 784-5815
 keithabel@comcast.net

NOT FOR
 BID DRAWINGS
 CONSTRUCTION

100'-0" PROPERTY LINE



WEST / RIGHT SIDE ELEVATION

NEW MATCH ALL EXISTING MATERIALS AND FINISHES OF THE EXISTING HOUSE.

PD-2 COMPLETENESS LETTER



CITY OF
West Linn

April 20, 2021

Denise von Tagen
1102 SW Schaeffer Road
West Linn, OR 97068

SUBJECT: DR-21-06/LLA-21-03/VAR-21-02 application to construct a new 1,176 sq. ft. accessory garage that will contain a garage and personal art studio. The application also involves a lot line adjustment to consolidate the two lots into one to accommodate the accessory structure. A Class I Variance would also be needed to reduce the side yard setback from 7.5 feet to 6 feet and a rear yard setback reduction from 20 feet to 16 feet.

Dear Denise:

You submitted this application on March 31, 2021. The Planning Department has reviewed the submitted materials and has deemed the application is **complete**. The city has 120 days to exhaust all local review; that period ends August 18, 2021.

Please be aware that 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 Planning Department to render a decision on your proposal.

Please contact me at 503-742-6057, or by email at bavila@westlinnoregon.gov if you have any questions or comments.

Sincerely,

Betty Avila
Associate Planner

PD-3 AFFADAVIT AND NOTICE PACKET

**AFFIDAVIT OF NOTICE
Type B**

We, the undersigned do hereby certify that, in the interest of the party initiating a proposed land use, the following took place on the dates indicated below:

PROJECT

File No.: **DR-21-06/LLA-21-03/VAR-21-02** Scheduled Decision Date: **Planning Manager Decision no earlier than 5/7/21**
 Applicant's Name: **Denise Von Tagen** Development Name: **1593 Willamette Falls Drive**

MAILED NOTICE

As required by CDC Section 99.080, notices were mailed at least 14 days before the decision date to:

1	Denise Von Tagen, applicant	4/23/21	<i>Lynn Schroder</i>
2	Property owners within 300ft	4/23/21	<i>Lynn Schroder</i>
3	Kathi Halicki, Willamette NA	4/23/21	<i>Lynn Schroder</i>

WEBSITE

Notice was posted on the City's website before the decision date.

4/22/21	<i>Lynn Schroder</i>
----------------	----------------------

SIGN

A sign was posted on the property at least 10 days before the decision date.

4/22/21	<i>Betty Avila</i>
----------------	--------------------

FINAL DECISION

Notice of final decision was mailed to the applicant, all other parties with standing, and posted on the City's website.

5/19/2021	<i>Betty Avila</i>
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CITY OF WEST LINN
NOTICE OF UPCOMING PLANNING MANAGER DECISION
FILE NO. DR-21-06/LLA-21-03/VAR-21-02

The West Linn Planning Manager is considering a request for a Class I Design Review application, Lot Line Adjustment, and Class I Variance to allow for the construction of a two-car garage located at 1593 Willamette Falls Drive.

The decision will be based on the approval criteria in Chapters 48, 55, 59, 75, 85 of the Community Development Code (CDC). The approval criteria from the CDC are available for review at City Hall, at the City Library, and at <http://www.westlinnoregon.gov/cdc>.

You have been notified of this proposal because County records indicate you own property within 300 feet of the subject property (Tax Lot 2000 of Clackamas County Assessor Map 31E 02BC) or as otherwise required by Chapter 99 of the CDC.

The complete application in the above noted file is available for inspection at no cost at City Hall or via the web site <https://westlinnoregon.gov/planning/1593-willamette-falls-drive-class-i-design-review-construction-new-accessory-structure> or copies may be obtained for a minimal charge per page. A public hearing will not be held on this decision.

Anyone wishing to present written testimony for consideration on this matter shall submit all material before 4:00 p.m. on May 7, 2021. Persons interested in party status should submit their letter along with any concerns related to the proposal by the comment deadline. For further information, please contact Betty Avila, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503) 742-6057, bavila@westlinnoregon.gov.

Any appeals to this decision must be filed within 14 days of the final decision date with the Planning Department. **It is important to submit all testimony in response to this notice.** Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes the raising of the issue at a subsequent time on appeal or before the Land Use Board of Appeals.



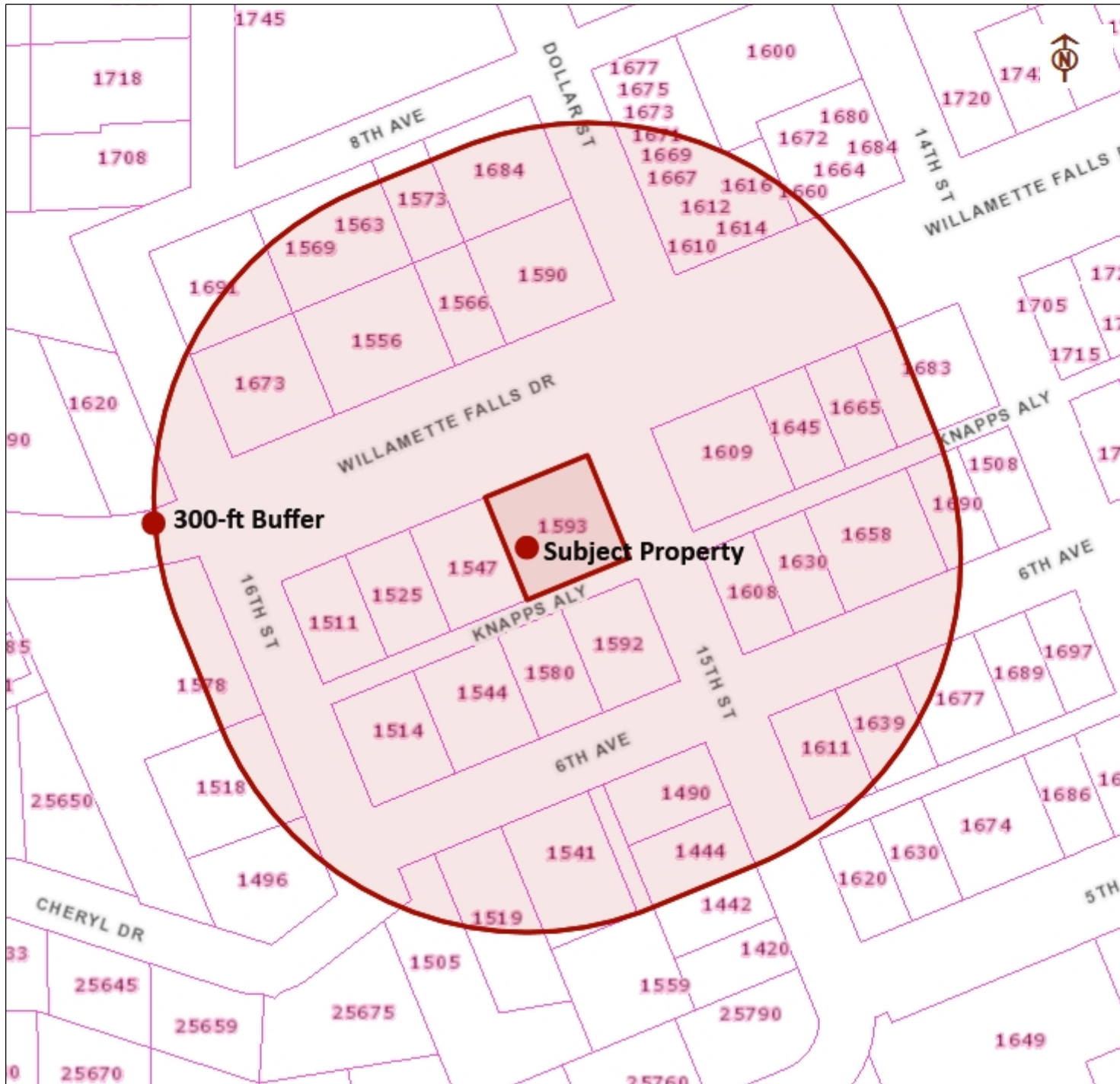
**NOTICE OF UPCOMING
PLANNING MANAGER DECISION**

**PROJECT # DR-21-06/LLA-21-03/VAR-21-02
MAIL: 04/23/2021 TIDINGS: n/a**

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.

DR-21-06 Properties within 300 feet of 1593 Willamette Falls Drive



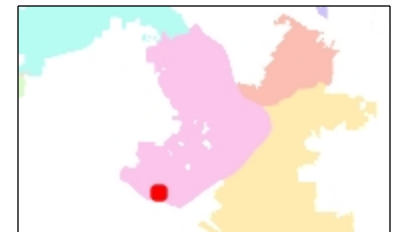
Legend

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

0 0.03 0.06 Miles



1: 2,257



Notes

This map was automatically generated using Geocortex Essentials.