

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT John Floyd	PROJECT NO(S) DR-21-07, DR-21-08, WRG-21-03	PRE-APPLICATION NO. PA-19-18
NON-REFUNDABLE FEE(S) \$0	REFUNDABLE DEPOSIT(S) \$0	TOTAL \$0

Type of Review (Please check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Annexation (ANX)
<input type="checkbox"/> Appeal and Review (AP)
<input type="checkbox"/> Conditional Use (CUP)
<input checked="" type="checkbox"/> Design Review (DR)
<input type="checkbox"/> Easement Vacation
<input type="checkbox"/> Extraterritorial Ext. of Utilities
<input type="checkbox"/> Final Plat or Plan (FP)
<input type="checkbox"/> Flood Management Area
<input type="checkbox"/> Hillside Protection & Erosion Control | <input checked="" type="checkbox"/> Historic Review
<input type="checkbox"/> Legislative Plan or Change
<input type="checkbox"/> Lot Line Adjustment (LLA)
<input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan)
<input type="checkbox"/> Non-Conforming Lots, Uses & Structures
<input type="checkbox"/> Planned Unit Development (PUD)
<input type="checkbox"/> Pre-Application Conference (PA)
<input type="checkbox"/> Street Vacation | <input type="checkbox"/> Subdivision (SUB)
<input type="checkbox"/> Temporary Uses
<input type="checkbox"/> Time Extension
<input type="checkbox"/> Variance (VAR)
<input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP)
<input type="checkbox"/> Water Resource Area Protection/Wetland (WAP)
<input checked="" type="checkbox"/> Willamette & Tualatin River Greenway (WRG)
<input type="checkbox"/> Zone Change |
|---|---|--|

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:

5350 River Street West Linn, OR 97068

Assessor's Map No.: 22E30DB

Tax Lot(s): 1300

Total Land Area: 1.93 acres

Brief Description of Proposal:

Construction of a roofed shelter for events and a small restroom/storage building

Applicant Name: City of West Linn Parks and Recreation, Att: Ken Warner, Director Phone: (503) 742-6047
(please print)

 Address: 22500 Salamo Road
 West Linn, OR 97068

Email: kwarner@westlinnoregon.gov

City State Zip:

Owner Name (required): City of West Linn
(please print)

Phone: (503) 742-6047

Address: 22500 Salamo Road

Email: kwarner@westlinnoregon.gov

City State Zip: West Linn, OR 97068

Consultant Name: Mackenzie, Att: Brian Varricchione
(please print)

Phone: (971) 346-3742

Address: 1515 SE Water Avenue, Suite 100

Email: bvarricchione@mcknze.com

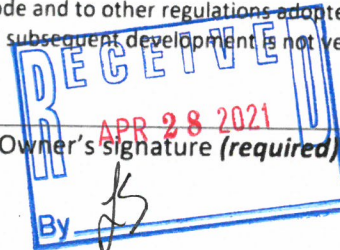
City State Zip: Portland, OR 97214

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A decision may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **One complete hard-copy set of application materials must be submitted with this application.**
One complete digital set of application materials must also be submitted electronically in PDF format.
If large sets of plans are required in application please submit one set.

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

 Applicant's signature **Ken Warner** Date _____

Owner's signature (required) _____ Date _____


Digitally signed by Ken Warner,
 DN: cn=Ken Warner, o=City of West Linn,
 email=kwarner@westlinnoregon.gov,
 Reason: I am approving this document
 with my legally binding signature
 Location:
 Date: 2021.04.28 15:11:51
 File: PhoenixPDF Version: 9.1.0

MACKENZIE.

February 12, 2021

City of West Linn
Planning Division
Attention: Darren Wyss, Planning Manager
22500 Salamo Road
West Linn, OR 97068

Re: **McLean House Park**
Land Use Application Submittal Waiver Request
Project Number 2190435.00

Dear Mr. Wyss:

As part of the West Linn Parks and Recreation application for Class I Parks and Natural Areas Design Review and Class II Historic Design Review for McLean House, we are requesting that the City waive some of the application criteria as allowed per CDC 99.035(B).

Below is a list of items for which the applicant requests a waiver, together with the reason for the request.

1. An engineering noise control plan. The proposed shelter will not generate any more noise than the current tent structure.
2. The location and types of outdoor lighting. No new site lighting is proposed, and the shelter will have some lighting under the roof but this does not fall into the category of outdoor lighting.
3. Geologic Report / Geotechnical report. The shelter is proposed to be constructed over an existing concrete slab, so there is a demonstrated track record that the site can accommodate the proposed small-scale structure without requiring special stabilization measures.
4. A slope contour map. As the shelter will be constructed over the existing concrete pad and the 300-square-foot restroom/storage utility building will be constructed in the level area south of the pad, slope analysis is unnecessary to evaluate the proposal.
5. A grading plan. As the shelter will be constructed over the existing concrete pad and the 300-square-foot restroom/storage utility building will be constructed in the level area south of the pad, the structures can be constructed without the need to prepare a separate grading plan or classify the property based on site characteristics such as slope, drainage, or geologic hazards.
6. An inventory of existing trees and landscaping. No trees are located in the area of disturbance. Following construction, the site will continue to be landscaped and maintained in a professional manner by City Parks and Recreation staff and the Friends of McLean Park and House.
7. A landscape plan. As the shelter will be constructed over the existing concrete pad and the 300-square-foot restroom/storage utility building will be constructed in the level area south of the pad, only limited site



disturbance will occur. Following construction, the site will continue to be landscaped and maintained in a professional manner by City Parks and Recreation staff and the Friends of McLean Park and House.

8. A storm detention and treatment plan and narrative statement. Pursuant to CDC 92.010(E), stormwater designs are not typically required for Type IV lands (this site is classified as Type IV lands per CDC 2.030 since approximately 58% of the site has slopes under 10 percent).

Thank you for your attention in this matter.

Sincerely,



Brian Varricchione
Land Use Planning

- c: Ken Warner – West Linn Parks and Recreation
Ralph Henderson – Mackenzie

MACKENZIE.

DESIGN DRIVEN | CLIENT FOCUSED

CLASS I PARKS AND NATURAL AREA DESIGN REVIEW AND CLASS II HISTORIC DESIGN REVIEW

To
City of West Linn

For
McLean House Park

Dated
February 17, 2021

Project Number
2190435.00



MACKENZIE
Since 1960

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

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- B. Submittal Requirements Waiver Request Letter
- C. Aerial Photo
- D. Slope Map
- E. Floodplain Map
- F. Water Resources Map
- G. Waterways Map
- H. Utility Map
- I. Tree Inventory Map
- J. Plans
 - 1) Cover sheet
 - 2) Proposed site plan
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- 4) Existing floor plan
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- 8) Pavilion elevations
- 9) Enlarged floor plan, restroom/storage building
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- K. Friends of McLean Park and House Narrative
- L. Letters of Support
- M. Pre-Application Conference Meeting Notes
- N. McLean House Vicinity Map provided by City of West Linn GIS



I. PROJECT SUMMARY

Applicant: City of West Linn Parks and Recreation, Attn: Ken Warner, Director
22500 Salamo Road
West Linn, OR 97068
(503) 742-6047
Ken Warner (kwarner@westlinnoregon.gov)

Property Owner: City of West Linn
22500 Salamo Road
West Linn, OR 97068
(503) 742-6047
Ken Warner (kwarner@westlinnoregon.gov)

Contact Person: Mackenzie, Attn: Brian Varricchione
1515 SE Water Avenue, Suite 100
Portland, OR 97214
503-224-9560
bvarricchione@mcknze.com

Site Address: 5350 River Street
West Linn, OR 97068

Assessor Site Acreage: 1.93 acres

Tax Map/Lots: Clackamas County Assessor Tax Lot 22E30DB01300

Comprehensive Plan: Low Density

Zoning: Single-Family Residential Detached (R-10)

Overlay Zones: Landmark Historic Property overlay zone; Flood Management Area overlay zone; Willamette and Tualatin River Protection Area overlay zone

Adjacent Zoning: R-10 to the west, north, and east; Single-Family Residential Detached and Detached/Duplex(R-5) to the south (across I-5)

Existing Structures: Historic residence, gazebo, and tent structure

Request: Class I Parks and Natural Area Design Review and Class II Historic Design Review for construction of a roofed shelter for events and a small restroom/storage building at McLean House Park

II. INTRODUCTION

Description of Request

This application package includes narrative, plans, and additional documentation in support of a proposed replacement roofed shelter for events and a small restroom/storage building at McLean House Park. Currently within the site, northwest of the McLean House, there is an approximately 2,100 square-foot concrete slab with a tensile structure and fabric cover over it for weather protection. The open-frame shelter is proposed at the slab location, replacing the existing fabric cover with a timber frame structure, and adding a small restroom and storage facility just to the southwest.

Per the pre-application conference notes (Exhibit M), the project requires approvals through Class I Parks and Natural Area Design Review and Class II Historic Design Review.

The eastern part of the property, along the Willamette River corridor, is within protective overlays and other regulatory boundaries; however, no proposed improvements or work areas are within those protected areas, making those regulations not applicable to this proposal:

1. The City's Flood Management Area overlay zone applies to an eastern portion of the property that is within the 100-year floodplain as defined by the Federal Emergency Management Agency (FEMA) and also within the approximate extent of the 1996 flood inundation area. The proposed improvements and work area are entirely outside the flood hazard area boundary.
2. The City's Water Resource Area provisions protect the Willamette River as a significant Goal 5 resource. The proposed improvements and work area are entirely outside the part of the property subject to this overlay zone.
3. The City's Willamette and Tualatin River Protection Area overlay zone applies to the site. The southeastern part of the site, closer to the Willamette River, has been classified by Metro as Habitat Conservation Area and is subject to protections in this overlay zone. The proposed improvements and work area are entirely outside the part of the property subject to this overlay zone boundary.¹

The following statements address the development standards of the City of West Linn that apply to this application.

Site & Surrounding Land Use

The McLean House Park is the original site of the historic McLean House, a City-designated significant historic resource that was built in 1927. See Figure 1. The property is now owned by the City of West Linn and used as a public park. For decades, the house and gardens have hosted weddings and other functions, with management provided by the Friends of McLean Park and House. The property is located in the Bolton Neighborhood Association area, near the west bank of the Willamette River immediately west of West Bridge Park.

¹ The scope of this application is based on guidance from staff at a July 2019 pre-application conference for this project. See Exhibit K.



Figure 1: Formal Entrance to McLean House
Image provided by West Linn Parks and Recreation

The Park currently contains the historic 4,100 square-foot McLean House, a shed and parking area northeast of the house, and an approximately 2,100 square-foot concrete slab with a tensile fabric cover northwest of the house. Access is obtained by way of River Street, which terminates adjacent to the property's northeast edge (street frontage).

The northern part of the site, containing the McLean House, shed, parking area, and the existing concrete slab (proposed project area), is generally flat at approximately elevation 72 (see the Proposed Site Plan in Exhibit J). The southeastern part of the site slopes downhill toward the Willamette River; this slope meets ordinary high water offsite at approximately elevation 37. The eastern part of the site slopes downhill less steeply to West Bridge Park, across River Street from McLean House Park. Single-family residences at about the same elevation are located to the north. To the west, significantly uphill from the Park, single-family homes are at approximately elevation 100.

The site is in the R-10 Single-Family Residential Detached zone. The Community Development Code (CDC) classifies parks as permitted community recreation uses in the R-10 zone.



Figure 2. Site Aerial Photo

The southern portion of the property is within the 100-year floodplain as defined by the Federal Emergency Management Agency (FEMA) and the approximate limits of the 1996 flood (see Exhibit E). The City regulates this area with its Flood Management Area overlay zone. As no part of the project's improvements or required work areas encroaches in the flood hazard area, the proposal has no effect on the site's compliance.

The City has identified the Willamette River as a significant Goal 5 resource. The mapped River corridor is subject to the City's Water Resource Area (WRA) provisions (see Exhibit F). As no part of the project's improvements or required work areas encroaches into the WRA, the proposal has no effect on the site's compliance.

The Willamette River Greenway along the southern part of the site has also been classified by the City and Metro as Habitat Conservation Area (HCA). It is subject to the Willamette and Tualatin River Protection Area overlay zone (see Exhibit G). As no part of the project's improvements or required work areas encroaches into the WRA, the proposal has no effect on the site's compliance.

The project area is at an upland, developed location within the site. No wetlands are identified in the vicinity of the proposed improvements or work areas. No regulated trees are proposed to be removed or negatively impacted to accommodate the construction (see Exhibit I).

Proposed Development

The proposed project will: (1) replace an existing tensile structure and fabric cover over an approximately 2,100 square-foot existing concrete slab (see Figure 3), located northwest of the historic McLean House, with a new timber frame structure, and (2) add a small (approximately 300 SF) restroom and storage facility immediately southwest of the new structure, to meet the restroom needs of event attendees and provide a small amount of tool storage for maintenance staff.



Figure 3: Existing Concrete Slab
Image provided by West Linn Parks and Recreation

McLean House Park is described in the March 2019 *20 Year Master Plan for West Linn Parks, Recreation and Open Space* (Parks Master Plan) as a “Community Resource Center ... operated by a non-profit.” [Parks Master Plan, Overview, page 42.] It is also identified in Appendix D of the Parks Master Plan as among “neighborhood facilities [that] provide recreation services throughout the community,” and is described as “a restored residence that is utilized for social gatherings, weddings, special events, corporate functions and other activities by reservation. The house and grounds are operated by the Friends of McLean Park and House.” [Parks Master Plan Appendix D, page D-2 to D-3.] A narrative has been provided by the Friends of McLean Park and House (Exhibit K) to describe the project, and numerous letters of support are attached in Exhibit L.

Because site access and the project area are in the north, well outside the Willamette River corridor in the southern part of the property, no protected sensitive areas will be affected by the proposal.

The proposed open frame wooden timber building design will have concrete foundation piers with decorative surfaces, wooden posts, beams and bracing, and a multi-gable standing-seam green metal

roof. The restroom/storage building is proposed to utilize painted architectural faced concrete masonry-block construction, with decorative doors and a green-colored hip roof, also of standing-seam metal construction. Materials and colors have been selected to complement the setting and surroundings.

No off-site improvements to water, sanitary sewer, or storm sewer are necessary to serve the proposed improvements because the site is currently served by public utilities (see Exhibit H, Utility Map). Within the site, water and sanitary sewer connections to the restroom/storage building will be constructed.

Based on the scope of the project and the project area's location, two land use approvals are necessary:

1. Class I Parks and Natural Area Design Review; and
2. Class II Historic Design Review

III. NARRATIVE & COMPLIANCE

Development applications are required to meet development standards set forth in the West Linn Community Development Code (CDC). The following addresses the specified approval criteria and development guidelines and standards which apply to this application. In the sections below, applicable approval standards are shown in *italics*, while responses are shown in normal font.

Chapter 11 Single Family Residential Detached, R-10

Response: The site is located within the R-10 zone.

11.030 Permitted Uses

The following are uses permitted outright in this zoning district:

...

2. *Community recreation.*

...

Response: The existing park facility will remain in place and falls within the definition of “community recreation.” The park is therefore a permitted use in the R-10 zone. The proposed timber frame shelter cover and restroom/storage utility building will not change the category of use to a non-recreation use. This standard is met.

11.040 Accessory Uses

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

Response: The proposed open-frame shelter structure is integral to the allowed community recreation use of the site; the structure will be subordinate but complementary to the historic McLean House itself. The proposed restroom/utility building will be accessory to the shelter; therefore, the applicant has provided findings of compliance below under the heading for Chapter 34. Please refer to details in that Section.

11.050 Uses and Development Permitted Under Prescribed Conditions

The following uses are allowed in this zone under prescribed conditions.

1. *Home occupations, subject to the provisions of Chapter 37 CDC.*
2. *Sign, subject to the provisions of Chapter 52 CDC.*
3. *Temporary uses, subject to the provisions of Chapter 35 CDC.*
4. *Water-dependent uses, subject to the provisions of Chapters 28 and 34 CDC.*
5. *Agricultural or horticultural use; provided, that no retail or wholesale business sales office is maintained on the premises; and provided, that poultry or livestock shall not be permitted within 100 feet of any residence other than a dwelling on the same lot, nor on a lot of less than one acre, or which has less than 20,000 feet per head of livestock. These uses are subject to the nuisance provisions found in Section 5.400 et seq. of the West Linn Municipal Code.*
6. *Wireless communication facilities, subject to the provisions of Chapter 57 CDC.*

Response: This Section is not applicable because this request does not seek approval based on any of the uses or CDC Chapters specified in it.

11.060 Conditional Uses

The following are conditional uses which may be allowed in this zoning district subject to the provisions of Chapter 60 CDC, Conditional Uses.

1. *Cultural exhibits and library services.*
2. *Lodge, fraternal, community center and civic assembly.*

3. *Public safety facilities.*
4. *Public support facilities.*
5. *Recycle collection center.*
6. *Religious institution.*
7. *Schools.*
8. *Senior center.*
9. *Utilities, major.*
10. *Transportation facilities (Type II). See CDC 60.090 for additional approval criteria.*

Response: This Section is not applicable because this request does not seek approval for any of the activities listed in it.

11.070 Dimensional Requirements, Uses Permitted Outright and Uses Permitted Under Prescribed Conditions

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 lot size shall be 10,000 square feet for a single-family detached unit.*
2. *The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.*
3. *The average minimum lot width shall be 50 feet.*
4. *Repealed by Ord. 1622.*
5. *Except as specified in CDC 25.070(C)(1) through (4) for the Willamette Historic District, the minimum yard dimensions or minimum building setback area from the lot line shall be:*
 - a. *For the front yard, 20 feet; except for steeply sloped lots where the provisions of CDC 41.010 shall apply.*
 - b. *For an interior side yard, seven and one-half feet.*
 - c. *For a side yard abutting a street, 15 feet.*
 - d. *For a rear yard, 20 feet.*
6. *The maximum building height shall be 35 feet, except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.*
7. *The maximum lot coverage shall be 35 percent.*
8. *The minimum width of an accessway to a lot which does not abut a street or a flag lot shall be 15 feet.*
9. *The maximum floor area ratio shall be 0.45. 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.*
10. *The sidewall provisions of Chapter 43 CDC shall apply.*

Response: As illustrated in Exhibit J, the property is located at the end of River Street, with approximately 155 linear feet of street frontage, 50 feet of which is the width of the stub end of the River Street right-of-way. The lot is irregularly shaped, but large enough to fit within it a rectangle measuring over 220 feet generally from southwest to northeast (at the River Road right-of-way), and over 280 feet from southeast to northwest; its dimensions therefore exceed the minimum 50-foot lot width requirement. The setbacks for the existing structure will not change, and the proposed new structures are located farther from the street (front) property line than the McLean House. The proposed open-frame structure will be located over the existing concrete pad, which is set back approximately 20 feet from the rear (west) and 64 feet from the north side property boundaries, all of which comply with the standards stated above. Based on the setback requirements for accessory structures in Section 34.060, the approximately 300 SF restroom/storage utility building is subject to a minimum three-foot side/rear yard setback requirement;

please refer to detailed findings under that heading below. The proposed shelter height of 29 feet at the peak of the gable roof complies with the 35-foot maximum. The footprints of the existing house and shed total approximately 2,400 square feet (SF); adding the proposed open-frame timber shelter cover at approximately 2,900 SF and the restroom/storage utility building at approximately 300 SF produces a total building coverage of approximately 5,600 SF, which equates to a lot coverage of 7% for the 1.93-acre lot, well below the 35% maximum. The site abuts a public street, so the accessway standards do not apply. Based on the floor area of the existing buildings and the proposed new structures (5,600 SF), the property will have a 0.07 floor area ratio, well below the 0.45 maximum. The provisions of Chapter 43 are only applicable to residential construction. These standards are met.

11.080 Dimensional Requirements, Conditional Uses

Except as may otherwise be established by this code, the appropriate lot or parcel size for a conditional use shall be determined by the approval authority at the time of consideration of the application based upon the criteria set forth in CDC 60.070(A) and (B).

Response: This is not applicable because no Conditional Use is proposed.

Chapter 25 Overlay Zones – Historic District

25.020 Use of This Chapter

- A. *Applicability. This chapter shall apply to all properties designated as historic resources as shown on the City’s zoning map and properties listed on the National Register. Specific sections apply as noted in subsections B and C of this section.*
- B. *Hierarchy of regulation. The provisions of this chapter shall supersede any conflicting standards or criteria elsewhere in the CDC. The underlying zoning provisions for the applicable zone still apply.*
 1. *Exemptions. The items listed in CDC 25.040(A), Exemptions from historic design review, are exempt from historic review provided that they comply with any applicable requirements in CDC 25.040(A).*
 2. *Design standards. CDC 25.060, Design standards applicable to historic resources, applies to historic reviews for designated properties, except for CDC 25.060(B), Standards for accessory structures, which applies only to accessory structures on sites containing historic resources.*
 3. *Additional design standards. CDC 25.070, Additional design standards applicable to historic districts, provides additional standards that are applicable to historic design review for historic district properties.*
 - a. *CDC 25.070(A), Standards for alterations and additions, applies only to historic design review in a historic district.*
 - b. *CDC 25.070(B), Standards for new construction, applies only to new development or construction in a historic district beyond alterations and additions, and including accessory structures.*
 - c. *CDC 25.070(C), Willamette Historic District general standards, applies only to alterations and additions, new construction, and accessory structure construction in the Willamette Historic District.*
- C. *Applicability of historic design standards. Development subject to this chapter must comply with applicable historic design review standards unless otherwise approved through the modifications process under CDC 25.080. The “X” in the following chart indicates which standards are applicable to different types of development.*

STANDARDS APPLICABILITY MATRIX						
SECTION	PROPOSED ACTIVITY	ADDITIONS AND ALTERATIONS	ADDITIONS AND ALTERATIONS	NEW CONSTRUCTION	ACCESSORY STRUCTURES	ACCESSORY STRUCTURES
	LOCATION	HISTORIC LANDMARK	HISTORIC DISTRICT	HISTORIC DISTRICT	HISTORIC LANDMARK	HISTORIC DISTRICT
25.060 DESIGN STANDARDS APPLICABLE TO HISTORIC RESOURCES	A. STANDARDS FOR ALTERATIONS AND ADDITIONS	X	X	X	X	X
	B. STANDARDS FOR ACCESSORY STRUCTURES				X	X
25.070 ADDITIONAL DESIGN STANDARDS APPLICABLE TO HISTORIC DISTRICTS	A. STANDARDS FOR ALTERATIONS AND ADDITIONS		X			X
	B. STANDARDS FOR NEW CONSTRUCTION			X		X
	C. WILLAMETTE HISTORIC DISTRICT GENERAL STANDARDS		X	X		X

Response: The subject property McLean House is a designated historic resource. The proposed detached additional structures are new construction subject to the standards in CDC 25.070(B), which are addressed in detail below.

25.030 Permitted Uses

Unless otherwise provided for in this chapter, uses permitted by the base zoning district that are in accordance with the CDC are allowed on sites containing historic resources.

Response: The proposed additional structures will not change the use of the property for community recreation, which is an allowed use in the site’s R-10 zoning. This standard is met.

25.040 Historic Design Review Processes

Proposed changes to historic resources that are not exempted by subsection A of this section, Exemptions from historic design review, are subject to subsection B of this section, Class I historic design review, or subsection C of this section, Class II historic design review. Class I historic design review addresses significant changes that warrant staff review. Class II historic design review addresses major changes including additions and new construction, subject to Historic Review Board approval. The processes for conducting Class I and Class II historic design review are in Chapter 99 CDC.

A. *Exemptions from historic design review. The following are exempt from historic design review: [detailed provisions omitted for brevity]*

Response: These provisions are not applicable because the proposed site improvements are not exempt under this subsection.

- B. *Class I historic design review. The following are subject to Class I historic design review to determine their compliance with the applicable approval standards: [detailed provisions omitted for brevity]*

Response: These provisions are not applicable because the proposed site improvements are instead subject to Class II historic design review under subsection C below.

- C. *Class II historic design review. All proposed new construction, alterations, and additions, not identified as exempt under subsection A of this section, or subject to Class I historic design review under subsection B of this section, are subject to Class II historic design review and must meet the applicable approval standards.*

Response: The proposed site improvements are new construction subject to Class II historic design review. Plans and other evidence submitted by the applicant, and this narrative report, demonstrate compliance with the applicable approval standards.

25.050 Application Requirements

This section provides additional standards that are applicable to properties within a historic district. [detailed provisions omitted for brevity]

Response: The subject property is a designated historic site. Since the site is not in a historic district, proposed actions are instead subject to the standards in Section 25.060; responses to those provisions are below.

25.060 Design Standards Applicable to Historic Resources

The following design standards apply to all changes, including alterations, additions, and new construction proposed on a designated historic resource. These standards are intended to preserve the features that made the resources eligible for historic designation. Development must comply with all applicable standards, or be approved through the modifications process specified in CDC 25.080.

- A. *Standards for alterations and additions. This section applies to historic reviews for alteration of and additions to designated historic resources:*

Response: Although the proposed new buildings are not per se an alteration or addition to the McLean House building itself, they represent additional new construction on the Park site. The applicant has provided responses to the factors of this Section below.

1. *Retention of original construction. The original construction shall be maintained or restored to the greatest extent practicable. Stylistic features of original construction that shall be preserved include, but are not limited to: a line of columns, decorative shingles, projecting bays, other primary structural elements, spatial relationships that characterize the property, examples of skilled craftsmanship that characterize the building, and architectural details defining the structure's character and historic significance.*

Response: The proposed new buildings will not affect the McLean House or its existing tool shed building at all. The new structures will be located about 65 feet away from the McLean House, in the northwestern quadrant of the Park site. As the "front door" or formal entrance to the McLean House faces southeast toward the Willamette River, the northwestern part of the site is perceived as a large, flat back yard enclosed by dense mature tree canopy to the north and an uphill slope to the west. Located 65 feet from the House, the new buildings will be perceived as subordinate to the House. This standard is met.

2. *Retention of historic material. Removal or alteration of historic materials and features shall be avoided during the construction of new additions or exterior alterations. Whenever possible, deteriorated materials and architectural features shall be repaired rather than replaced. In the event replacement of an existing feature is necessary, new*

materials shall, to the extent possible, match those of the original building in terms of composition, design, color, texture, and other visual features.

Response: No removal of any historic materials or features is proposed. This standard is met.

3. *Time period consistency. Buildings shall be recognizable as a physical record of their time and place. Alterations which have no historical basis or which seek to create a false sense of historical development are not allowed.*

Response: No change in the historic restoration and maintenance of the McLean House is proposed. While using compatible forms such as gable roof structures, the proposed new structures use contemporary materials and construction methods to avoid creating a false sense of historical development. This standard is met.

4. *Significance over time. Changes to a property that have acquired historic significance in their own right, and during the period of significance, shall be retained and preserved.*

Response: No change in the historic restoration and maintenance of the McLean House is proposed. The open-frame timber shelter will be located atop the existing on-site concrete pad.

5. *Differentiate old from new. Alterations and additions shall be differentiated from the original buildings and shall be compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property.*

Response: As noted above, no change in the historic restoration and maintenance of the McLean House is proposed. While using compatible forms such as gable roof structures, the proposed new structures are differentiated by the use contemporary materials and construction methods. The roof height of the proposed shelter cover is lower than that of the McLean House, to reinforce the house's primary status. This standard is met.

6. *Reversibility. Additions and alterations shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its context would be unimpaired.*

Response: Removal of the proposed new structures in the future would have no effect on the McLean House. The existing concrete pad could be restored to a flat surface as part of the removal process, subject to removal of any above-ground structural materials for the shelter. This standard is met.

7. *Building additions. Building additions shall be subordinate to the original building, smaller in scale, and attached to the rear or set back along the side. Features of building additions, including the proportions of window and door openings, shall be consistent with those of the existing building. Dimensional and other requirements in the underlying zone, as applicable, shall apply.*

Response: As noted above, no change in the historic restoration and maintenance of the McLean House is proposed, only completely separate structures. The lower roof height of the proposed shelter cover and its location in the rear yard of the property reinforce its subordinate status. All dimensional standards of the underlying zone are met. This standard is met.

8. *Building height and roof pitch. Existing or historic building heights and roof pitch shall be maintained.*

Response: As noted above, the use of a gabled roof form at a lower height for the proposed shelter cover maintains coherence with the McLean House (see Figure 4) while reinforcing the House's superior status. This standard is met.



Figure 4: McLean House

Image provided by West Linn Parks and Recreation

9. *Roof materials. Replacement of a roof or installation of a new roof with materials other than cedar shingles, three tab asphalt shingles, or architectural composition shingles must be demonstrated, using photographic or other evidence, to be in character with those of the original roof, or with materials that are consistent with the original construction.*

Response: No change or replacement of the McLean House roof is proposed. Green metal roofing is proposed for the new structures. The roof color is an earth tone intended to blend well with the sloping earth surface and the mixed deciduous and evergreen tree canopy of the site and surrounding area. Because the structures are set back from the McLean House and any neighboring homes, the location will assure that no significant visual impact occurs. As no change in materials is proposed for the existing roof, no photographic evidence of roof material is merited. This standard is met.

10. *Existing exterior walls and siding. Replacement of the finish materials of existing walls and siding with different material must be demonstrated, using photographic or other evidence, to be in character with those of the original materials, or with materials that are consistent with the original construction.*

Response: No change to the McLean House is proposed. This standard does not apply.

11. *New exterior walls and siding. Wood siding or shingles shall be used unless the applicant demonstrates that an alternative material has a texture and finish typically used on similar style buildings of the era, or the era the building style references. Vinyl or other materials*

that do not match those that were typically used on similar style buildings of the era, or the era the building style references, are not permitted.

Response: No change to the McLean House is proposed. The open-frame timber structure of the shelter cover will not have walls, siding, or windows. The small restroom/storage utility building will be made of concrete masonry block with a decorative exterior surface texture, painted to match or complement the color of the shelter cover roof. This treatment is intended to downplay the significance of the utility building so it will not pull focus from (visually compete with) the McLean House. This standard is met.

12. *Gutters and downspouts. Replacement or new gutters and downspouts shall be rectangular, ogee, or K-shaped and comprised of wood or metal material, or styles and materials that match those that were typically used on similar style buildings of the era, or the era the building style references. Vinyl or other materials and styles that do not match those that were typically used on similar style buildings of the era, or the era the building style references, are not permitted.*

Response: No change is proposed to the McLean House. The proposed separate structures are proposed to have gutters and downspouts. Storm drainage will continue to flow onto the grade surrounding the existing concrete pad, as it has for some time. The proposal is consistent with this standard.

13. *New windows. New windows shall match the appearance of the original windows as closely as possible. Wood window frames and sashes shall be used unless the applicant demonstrates that the non-wood windows are consistent with their wooden counterparts, including profile and proportion of the sash, sill, trim, light patterns, glass color, and profile of mullions and muntins. The window trim and sill shall match the original trim.*

Response: No change to the McLean House is proposed. The open-frame timber structure of the shelter cover will not have enclosing walls, siding, or windows. The small restroom/storage utility building will not have windows either, except some decorative window panes in the two (2) proposed doors. The use of decorative doors is intended to soften the utilitarian construction of the utility building without pulling focus from the McLean House or the open-frame shelter cover. This standard is met.

14. *Storm windows. Storm windows shall be made of painted wood, baked enamel, anodized aluminum, or another material that is consistent with the color, detail, and proportions of the building.*

Response: No storm windows are proposed. This standard is not applicable.

15. *Window replacement. Replacement of windows or window sashes shall be consistent with the original historic appearance, including the profile of the sash, sill, trim, window plane relative to the building wall plane, light pattern, glass color, profile of mullions and muntins, and color.*

Response: No window replacement is proposed. This standard is not applicable.

16. *Doors. Doors shall be painted or stained wood, fiberglass clad, or metal clad, or another material that is consistent with the original historic appearance.*

Response: No change to the McLean House is proposed. The open-frame timber structure of the shelter cover will not have enclosing walls, siding, or doorways. The small restroom/storage utility building will have two door openings, with partially glazed decorative doors. The use of decorative doors softens the utilitarian appearance of the utility building by adding visual references to the

arching forms within the gable-ends of the open-frame shelter cover, without pulling focus from the other buildings. This standard is met.

17. *Porches. Front porches are allowed on new construction. No front porch shall be added to a structure if there was not one originally. Existing front porches shall not be enclosed or enlarged. Alterations to existing front porches and side yard porches that face a street shall:*

- a. *Maintain the shape, width, and spacing of the original columns; and*
- b. *Maintain the height, detail, and spacing of the original balustrade.*

Response: No porch addition is proposed. This standard is not applicable.

18. *Decks. Decks shall be located in rear yard or the portion of the side yard behind the front 50 percent of the primary structure.*

Response: No deck or deck addition is proposed. This standard is not applicable.

19. *Foundations. Repair or construction of a foundation that results in raising or lowering the building elevation must demonstrate that:*

- a. *The proposal is consistent with the original design and, if applicable, is consistent in the context of adjacent and other structures on the block, based on photographic or other evidence; or*
- b. *That it is necessary to satisfy a requirement of the building code and/or floodplain regulations (Chapter 27 CDC).*

Response: No McLean House foundation repair or construction is proposed. Some sub-grade construction of footings for the post-and-beam open frame shelter structure is anticipated, with wooden posts resting on masonry-clad pediments above grade at a height of three or four feet. The at-grade surface of the concrete pad will remain unchanged. This standard is met.

20. *Lighting. Residential lighting shall be shielded to prevent glare and compatible with the architectural character of the building. Blinking, flashing, or moving lighting is not permitted.*

Response: Lighting will be limited to locations under the shelter canopy cover, to illuminate the area beneath it, and within the adjacent restroom/storage utility building. Lighting will be designed to avoid casting glare or stray light beyond the immediate area of the new structures.

B. *Standards for accessory structures. The following standards apply to accessory structures on properties designated as historic resources in addition to the regulations in Chapter 34 CDC:*

1. *All accessory structures.*

a. *Location.*

- 1) *Accessory structures in the Willamette Historic District are subject to the setback requirements of CDC 25.070(C)(1) through (4);*
- 2) *Accessory structures on historic landmark properties must meet the setback requirements of the underlying zone and Chapter 34 CDC;*
- 3) *Detached accessory structures shall be in the rear yard; and*
- 4) *Two-story accessory structures shall be at least 10 feet from the house; and one-story accessory structures shall be at least three feet from the house.*

Response: The subject property is not located in the Willamette Historic District. The proposed location of the restroom/utility building (which falls under the “accessory structure” definition) satisfies the applicable requirements of Chapter 34 CDC, discussed below under that heading. As the McLean House’s formal entrance or front door faces

southeast toward the Willamette River, the proposed structures are located in its rear yard. The new structures are at-grade single-story buildings, and they are located approximately 65 feet from the McLean House. These standards are met.

- b. *Height. Accessory structures in the Willamette Historic District are subject to CDC 25.070(C)(7). Accessory structures on historic landmark properties must meet the height requirements of the underlying zone and Chapter 34 CDC.*

Response: The peak of the roof of the proposed restroom/utility building is approximately 12 feet, in compliance with the 35-foot maximum height allowed in the R-10 zone, which is also referenced by Chapter 34 provisions. The property is not in the Willamette Historic District. This standard is met.

2. *Conversions and additions. Existing detached, unheated structures including, but not limited to, workshops and garages, may be converted into other allowable accessory uses under the following conditions:*

- a. *The structure is located behind the house's front building line;*
 b. *A structure in the front yard cannot be converted to a heated accessory structure;*
 c. *A story may be added to an existing non-contributing garage or similar accessory structure; provided, that the final design meets the setback standards of this chapter for a two story accessory structure (see CDC 25.070(C)(1) through (4)) for the historic district, or the setbacks in Chapter 34 CDC for a historic landmark; and*
 d. *The conversion of an existing structure is not required to meet the design standards in CDC 34.030, but it must conform to all applicable requirements of this chapter.*

Response: This is not a proposal to convert or add onto an existing detached, unheated structure. This standard is not applicable.

25.070 Additional Standards Applicable

This section provides additional standards that are applicable to properties within a historic district.

[detailed provisions omitted for brevity]

Response: The subject property is a designated historic site that is located outside a historic district. Proposed actions are instead subject to the standards in Section 25.060; responses to those provisions are above.

25.080 Modifications to Design Standards

This section provides for deviation from site development standards in this chapter to enable flexibility and innovation consistent with the purposes of this chapter while ensuring that the features that historic designations are intended to preserve are maintained.

[detailed provisions omitted for brevity]

Response: This application does not include a request for modification of any applicable design standard. These provisions are not applicable.

25.090 Designation of a Historic Resource

[detailed provisions omitted for brevity]

Response: This application does not include a request to designate a historic resource. This standard does not apply.

25.100 Removal of Historic Resource Designation

[detailed provisions omitted for brevity]

Response: This application does not include a request to remove a historic resource designation. This standard does not apply.

25.110 Relocation of a Historic Resource

[detailed provisions omitted for brevity]

Response: This application does not include a request to relocate a historic resource. This standard does not apply.

25.120 Demolition of a Historic Resource

[detailed provisions omitted for brevity]

Response: This application does not include a request to demolish a historic resource. This standard does not apply.

Chapter 27 Flood Management Areas**27.020 Applicability**

A flood management area permit is required for all development in the Flood Management Area Overlay Zone. The standards that apply to flood management areas apply in addition to State or federal restrictions governing floodplains or flood hazard areas.

Response: As illustrated in Exhibit E, the southernmost portions of the subject property are within the 1996 flood inundation area and the 1% annual chance (100-year) special flood hazard area identified on Federal Emergency Management Agency (FEMA) flood maps. Those areas are subject to the Flood Management Area Overlay; however, all of the improvements in this proposal are located in the northern portion of the subject property, well outside the Flood Management Area Overlay. No construction, staging, or other activity is necessary or proposed within that Overlay. This proposal therefore does not affect this Overlay and the proposed improvements are not subject to a flood management area permit.

Chapter 28 Willamette and Tualatin River Protection**28.030 Applicability**

A. *The Willamette and Tualatin River Protection Area is an overlay zone. The zone boundaries are identified on the City's zoning map, and include:*

1. *All land within the City of West Linn's Willamette River Greenway Area.*

Response: As illustrated in Exhibit G, almost all of the subject property, including the northern portion where the new structures are proposed, is within the adopted Willamette River Greenway Area boundary. Based on the City's adopted boundaries for the Willamette River Greenway Area, the provisions of Chapter 28 are applicable to the subject property under this subsection.

2. *All land within 200 feet of the ordinary low water mark of the Tualatin River, and all land within the 100-year floodplain of the Tualatin River.*

Response: The subject property is not within 200 feet of the ordinary low water mark of the Tualatin River or the 100-year floodplain of the Tualatin River. Therefore, the provisions of Chapter 28 are not applicable to the subject property under this subsection.

3. *In addition to the Willamette Greenway and Tualatin River Protection Area boundaries, this chapter also relies on the HCA Map to delineate where development should or should*

not occur. Specifically, the intent is to keep out of, or minimize disturbance of, the habitat conservation areas (HCAs). Therefore, if all, or any part, of a lot or parcel is in the Willamette Greenway and Tualatin River Protection Area boundaries, and there are HCAs on the lot or parcel, a Willamette and Tualatin River Protection Area permit shall be required unless the development proposal is exempt per CDC 28.040.

Response: This provision establishes a three-part test to determine whether a Willamette and Tualatin River Protection Area permit is required:

- I. if all, or any part, of a lot or parcel is in the Willamette Greenway and Tualatin River Protection Area boundaries,
AND
- II. there are HCAs on the lot or parcel,
UNLESS
- III. the development proposal is exempt per CDC 28.040.

All three (3) of the threshold criteria must be met for a Willamette and Tualatin River Protection Permit to be required under this subsection. With respect to the three-part test:

- I. The subject site is within the Willamette River Greenway Area boundary (see Exhibit G) and therefore the initial threshold test is met.
- II. A portion of the site is within Habitat Conservation Areas, as depicted on Exhibit G and therefore the second threshold test is met.
- III. The proposed use of the property is not exempt under CDC 28.040, so the third threshold test is also met.

Therefore, because all three (3) threshold requirements are met, a Willamette and Tualatin River Protection Permit is required pursuant to this subsection.

B. At the confluence of a stream or creek with either the Tualatin or Willamette River, the standards of this chapter shall apply only to those portions of the lot or parcel fronting the river. Meanwhile, development in those portions of the property facing or adjacent to the stream or creek shall meet the transition, setbacks and other provisions of Chapter 32 CDC, Water Resource Area Protection.

Response: McLean Creek’s confluence with the Willamette River is located south-southwest of the subject property, on the opposite side of Interstate 205. The subject property has no frontage on McLean Creek and is not located at its confluence with the Willamette River. This provision is not applicable.

C. All uses permitted under the provisions of the underlying base zone and within the Willamette and Tualatin River Protection Area zone are allowed in the manner prescribed by the base zone subject to applying for and obtaining a permit issued under the provisions of this chapter unless specifically exempted per CDC 28.040.

Response: The existing park use is permitted under the R-10 base zone, and the applicant is proposing development consistent with the standards of Chapter 28, subject to permitting under this Chapter. This standard is met.

D. The construction of a structure in the HCA or the expansion of a structure into the HCA when the new intrusion is closer to the protected water feature than the pre-existing structure.

Response: No construction is proposed within the HCA (see Exhibit G). This standard does not apply.

28.040 Exemptions/Uses Permitted Outright

The following development activities do not require a permit under the provisions of this chapter. (Other permits may still be required.)

[detailed provisions omitted for brevity]

Response: The proposal is for two (2) new structures located outside the HCA, which are not exempt. This section is not applicable.

28.090 Submittal Requirements: Application

A. *An application for a protection area permit shall be initiated by the property owner or the owner's authorized agent. Evidence shall be provided to demonstrate that the applicant has the legal right to use the land above the OLW. The property owner's signature is required on the application form.*

Response: This request is submitted by the City of West Linn Parks and Recreation Department and the property is owned by the City of West Linn. This standard is met.

B. *A prerequisite to the filing of an application is a pre-application conference at which time the Planning Director shall explain the provisions of this chapter and provide appropriate forms as set forth in CDC 99.030(B).*

Response: A pre-application meeting was held for this project on July 18, 2019. West Linn Planning Staff has provided guidance to the applicant with respect to the requirements of Chapter 28 (Exhibit M). The applicant has met this prerequisite.

C. *An application for a protection area permit shall include the completed application and:*

1. *Narrative which addresses the approval criteria of CDC 28.110.*
2. *A site plan, with HCA boundaries shown and by low, moderate, high type shown (CDC 28.120).*
3. *A grading plan if applicable (CDC 28.130).*
4. *Architectural drawings if applicable (CDC 28.140).*
5. *A landscape plan if applicable (CDC 28.150).*
6. *A mitigation plan if applicable (CDC 28.160).*
7. *A storm detention and treatment plan and narrative statement pursuant to CDC 92.010(E).*

One original application form must be submitted. One copy at the original scale and one copy reduced to 11 inches by 17 inches or smaller of all drawings and plans must be submitted. One copy of all other items, including the narrative, must be submitted. The applicant shall also submit one copy of the complete application in a digital format acceptable to the city. When the application submittal is determined to be complete, additional copies may be required as determined by the Planning Director.

Response: This narrative and attached Exhibits include the required submittal materials. Exhibit G shows the boundaries of the Willamette River Greenway Overlay as well as the HCA. In the aerial photo base, the location of the existing McLean House is visible, and the location of the proposed open-frame shelter structure matches the visible white fabric temporary canopy cover over the existing concrete pad. Exhibit G is in effect a site plan showing that both structures are located well outside the HCA boundary. Since no development is proposed within the HCA, detailed mapping of low, moderate and high types is unwanted, and grading, landscape, and mitigation plans are not required. The shelter structure will cover an existing paved concrete pad so it will not appreciably increase impervious surface runoff. Pursuant to CDC 92.010(E), stormwater designs are not typically required for Type IV lands (this site is classified as Type IV lands per CDC 2.030 since approximately 58% of the site has slopes under 10 percent). Therefore, no storm detention and treatment plan has been prepared. This standard is met.

D. *The applicant shall pay the requisite fees.*

Response: Payment for the review fee is being submitted to the Planning Department by the Parks and Recreation Department. This standard is met.

E. *The applicant shall be responsible for, and shall apply for, all applicable State and/or federal permits.*

Response: The applicant accepts responsibility for completing applicable state and/or federal permitting, but notes that no aspect of this proposal triggers any known state or federal permitting requirement. This standard will be met.

F. *The applicant shall include a map, approved or acknowledged by DSL, of the preference rights and authorized areas if a water surface structure is proposed.*

Response: No water surface structures are proposed. This standard does not apply.

28.100 Additional Submittal Information Required, Waiver of Submittal Requirements

A. *The Planning Director may require additional information as a part of the application subject to the provisions of CDC 99.035(A).*

B. *The Planning Director may waive any submittal requirement for the application subject to the provisions of CDC 99.035(B) and (C).*

Response: Planning staff has not advised the applicant of additional information submittal requirements. The applicant has submitted a request to waive certain submittal requirements in accordance with CDC 99.035 (see Exhibit B). This standard is met.

28.110 Approval Criteria

No application for development on property within the protection area shall be approved unless the decision-making authority finds that the following standards have been met or can be met by conditions of approval. The development shall comply with the following criteria as applicable:

A. *Development: All sites.*

1. *Sites shall first be reviewed using the HCA Map to determine if the site is buildable or what portion of the site is buildable. HCAs shall be verified by the Planning Director per CDC 28.070 and site visit. Also, "tree canopy only" HCAs shall not constitute a development limitation and may be exempted per CDC 28.070(A). The municipal code protection for trees and Chapters 55 and 85 CDC tree protection shall still apply.*

Response: The southeastern portion of the site contains designated HCA, as shown in Exhibit G, but none of the proposed improvements is located in or near the HCA. All improvements and work areas necessary for construction are in the buildable portion of the property. This standard is met.

2. *HCAs shall be avoided to the greatest degree possible and development activity shall instead be directed to the areas designated "Habitat and Impact Areas Not Designated as HCAs," consistent with subsection (A)(3) of this section.*

Response: The proposed improvements completely avoid impacting the southeasterly subarea of the site that is in the HCA (Exhibit G). This provision is satisfied.

3. *If the subject property contains no lands designated "Habitat and Impact Areas Not Designated as HCAs" and development within HCA land is the only option it shall be directed towards the low HCA areas first, then medium HCA areas and then to high HCA as the last choice. The goal is to, at best, avoid or, at least, minimize disturbance of the HCAs. (Water-dependent uses are exempt from this provision.)*

Response: The proposed improvements completely avoid impacting the southeasterly subarea of the site that is in the HCA (Exhibit G). This provision is satisfied.

4. *All development, including exempted activities of CDC 28.040, shall have approved erosion control measures per Clackamas County Erosion Prevention and Sediment Control Planning and Design Manual, rev. 2008, in place prior to site disturbance and be subject to the requirements of CDC 32.070 and 32.080 as deemed applicable by the Planning Director.*

Response: The applicant will obtain applicable erosion control permits prior to construction. Compliance with this standard can be assured through appropriate condition(s) of approval and/or City permitting practices.

- B. *Single-family or attached residential. Development of single-family homes or attached housing shall be permitted on the following HCA designations and in the following order of preference with "a" being the most appropriate and "d" being the least appropriate:...*

Response: The project does not include residential development. This standard does not apply.

- C. *Setbacks from top of bank.*

1. *Development of single-family homes or attached housing on lands designated as "Habitat and Impact Areas Not Designated as HCAs" shall require a structural setback of 15 feet from any top of bank that represents the edge of the land designated as "Habitat and Impact Areas Not Designated as HCAs."*
2. *At-grade water-permeable patios or decks within 30 inches of grade may encroach into that setback but must keep five feet from top of bank and cannot cantilever over the top of bank or into the five-foot setback area.*
3. *For properties that lack a distinct top of bank the applicant shall identify the boundary of the area designated as "Habitat and Impact Areas Not Designated as HCAs" which is closest to the river. A structural setback of 15 feet is required from that boundary line. That 15-foot measurement extends from the boundary line away from the river. At-grade water-permeable patios or decks within 30 inches of grade may encroach into that setback 10 feet but must keep five feet from the boundary and cannot cantilever into the five-foot setback area. For vacant lots of record that comprise no lands with "Habitat and Impact Areas Not Designated as HCAs" designation or insufficient lands with those designations so that the above setbacks cannot be met, the house shall be set back as far from river as possible to accommodate house as part of the allowed 5,000 square feet of impermeable surfaces.*

Response: The project does not include residential development, patios, or decks. The subject property does not include frontage area along the bank of the Willamette River or any other stream feature. This section does not apply.

- D. *Development of lands designated for industrial, commercial, office, public and other non-residential uses.*

1. *Development of lands designated for industrial, multi-family, mixed use, commercial, office, public and other non-single-family residential uses shall be permitted on the following land designations and in the following order of preference with "a" being the most appropriate for development and "d" being the least appropriate:*
 - a *"Habitat and Impact Areas Not Designated as HCAs"*
 - b *Low HCA*
 - c *Moderate HCA*
 - d *High HCA*

Response: The proposed improvements completely avoid impacting the southeasterly subarea of the site that is in the HCA (Exhibit G). This provision is satisfied.

2. *Developing HCA land.*

- a. *Where non-HCA or areas designated as “Habitat and Impact Areas Not Designated as HCAs” are lacking or are in such limited supply as to render uses allowed by the underlying zone (e.g., general industrial) functionally impractical, the HCA may be utilized and built upon but shall emphasize “b” and “c” designations.*
- b. *Where it is proposed that a “d” or high HCA classification be used, the property owner must demonstrate that the proposed use is clearly a water-dependent use. Proximity to the river for the purpose of views is not valid grounds. However, public interpretive facilities of historic facilities such as the government locks will be permitted as well as wildlife interpretive facilities and ADA-accessible platforms.*

Response: The proposed improvements completely avoid impacting the southeasterly subarea of the site that is in the HCA (Exhibit G). This provision is satisfied.

E. *Hardship provisions and non-conforming structures.*

1. *For the purpose of this chapter, non-conforming structures are existing structures whose building footprint is completely or partially on HCA lands. Any additions, alterations, replacement, or rehabilitation of existing non-conforming non-water-related structures (including decks), roadways, driveways, accessory uses and accessory structures shall avoid encroachment upon the HCAs, especially high HCAs, except that:*
 - a. *A 10-foot lateral extension of an existing building footprint is allowed if the lateral extension does not encroach any further into the HCA or closer to the river or water resource area than the portion of the existing footprint immediately adjacent.*
 - b. *An addition to the existing structure on the side of the structure opposite to the river or water resource area shall be allowed. There will be no square footage limitation in this direction except as described in subsection (E)(1)(c) of this section.*
 - c. *The same allowance for the use of, and construction of, 5,000 square feet of total impervious surface for sites in HCAs per subsections (B)(2) through (4) of this section shall apply to lots in this section.*
 - d. *Vertical additions are permitted including the construction of additional floors.*
 - e. *The provisions of Chapter 66 CDC, Non-conforming Structures, shall not apply.*

Response: All existing structures (McLean House, tool shed) and proposed structures (open-frame timber shelter cover, restroom/storage utility building) are located well outside the designated HCA (Exhibit G). This provision is not applicable.

F. *Access and property rights.*

1. *Private lands within the protection area shall be recognized and respected.*
2. *Where a legal public access to the river or elsewhere in the protection area exists, that legal public right shall be recognized and respected.*
3. *To construct a water-dependent structure such as a dock, ramp, or gangway shall require that all pre-existing legal public access or similar legal rights in the protection area be recognized and respected. Where pre-existing legal public access, such as below the OLW, is to be obstructed by, for example, a ramp, the applicant shall provide a reasonable alternate route around, over or under the obstruction. The alternate route shall be as*

direct as possible. The proposed route, to include appropriate height clearances under ramps/docks and specifications for safe passage over or around ramps and docks, shall be reviewed and approved by the Planning Director for adequacy.

4. *Any public or private water-dependent use or facility shall be within established DSL-authorized areas.*
5. *Legal access to, and along, the riverfront in single-family residential zoned areas shall be encouraged and pursued especially when there are reasonable expectations that a continuous trail system can be facilitated. The City recognizes the potential need for compensation where nexus and proportionality tests are not met. Fee simple ownership by the City shall be preferred. The trail should be dimensioned and designed appropriate to the terrain it traverses and the user group(s) it can reasonably expect to attract. The City shall be responsible for signing the trail and delineating the boundary between private and public lands or access easements.*

Response: The site is not adjacent to the Willamette River or the Tualatin River, and no new path though the property is necessary or feasible to provide river access. This standard does not apply.

G. *Incentives to encourage access in industrial, multi-family, mixed use, commercial, office, public and non-single-family residential zoned areas.*

1. *For all industrial, multi-family, mixed use, commercial, office, public and other non-single-family residential zones, this section encourages the dedication or establishment of access easements to allow legal public access to, and along, the river. Support for access may be found in the Parks Master Plan, a neighborhood plan or any applicable adopted sub-area plans. The emphasis will be upon locating paths where there is a reasonable expectation that the path can be extended to adjacent properties to form a connective trail system in the future, and/or where the trail will provide opportunities for appreciation of, and access to, the river.*
2. *Height or density incentives may be available to developers who provide public access. Specifically, commercial, industrial, multi-family, mixed use, and public projects may be constructed to a height of 60 feet. No variance is required for the 60-foot height allowance regardless of the underlying zone height limitations; however, the following conditions must be met:*
 - a. *Provide a minimum 20-foot-wide all-weather public access path along the project's entire river frontage (reduced dimensions would only be permitted in response to physical site constraints such as rock outcroppings, significant trees, etc.); and*
 - b. *Provide a minimum 10-foot-wide all-weather public access path from an existing public right-of-way to that riverfront path or connect the riverfront path to an existing riverfront path on an adjoining property that accesses a public right-of-way.*
 - c. *Fencing may be required near steep dropoffs or grade changes.*

Response: The site is in a single-family residential zone (R-10) and is not in an industrial, multi-family, mixed use, commercial, office, public, or non-single-family residential zone. This standard does not apply.

H. *Partitions, subdivisions and incentives.*

1. *When dividing a property into lots or parcels, an applicant shall verify the boundaries of the HCA on the property.*
2. *Applicant shall partition or subdivide the site so that all lots or parcels have a buildable site or envelope available for home construction located on non-HCA land or areas designated "Habitat and Impact Areas Not Designated as HCAs" per the HCA Map.*

3. *Development of HCA-dominated lands shall be undertaken as a last resort. A planned unit development (PUD) of Chapter 24 CDC may be required.*
4. *Incentives are available to encourage provision of public access to, and/or along, the river. By these means, planned unit developments shall be able to satisfy the shared outdoor recreation area requirements of CDC 55.100(F). Specifically, for every square foot of riverfront path, the applicant will receive credit for two square feet in calculating the required shared outdoor recreation area square footage. Applicants shall also be eligible for a density bonus under CDC 24.150(B). To be eligible to receive either of these incentives, applicants shall:*
 - a. *Provide a minimum 20-foot-wide all-weather public access path along the project's entire river frontage (reduced dimensions would only be permitted in response to physical site constraints such as rock outcroppings, significant trees, etc.); and*
 - b. *Provide a minimum 10-foot-wide all-weather public access path from an existing public right-of-way to that riverfront path or connect the riverfront path to an existing riverfront path on an adjoining property that accesses a public right-of-way;*
 - c. *Fencing may be required near steep dropoffs or grade changes.*

Response: No land division is proposed and the site has no direct access to or along the Willamette River or the Tualatin River. This standard does not apply.

- I. *Docks and other water-dependent structures.*
[detailed provisions omitted for brevity]

Response: No docks are proposed. This standard does not apply.

- J. *Joint docks.*
[detailed provisions omitted for brevity]

Response: No docks are proposed. This standard does not apply.

- K. *Non-conforming docks and other water-related structures. Pre-existing non-conforming structures, including docks, ramps, boat houses, etc., as defined in this chapter may remain in place. Replacement in kind (e.g., replacement of decking and other materials) will be allowed provided the replacement meets the standards of this chapter. However, if any non-conforming structure that is damaged and destroyed or otherwise to be replaced to the extent that the rebuilding or replacing (including replacement in kind) would exceed 50 percent of the current replacement cost of the entire structure, the owner shall be required to meet all the standards of this chapter.*

Response: The site has no existing docks or other water-related structures on the Willamette River or the Tualatin River. This standard does not apply.

- L. *Roads, driveways, utilities, or passive use recreation facilities. Roads, driveways, utilities, public paths, or passive use recreation facilities may be built in those portions of HCAs that include wetlands, riparian areas, and water resource areas when no other practical alternative exists but shall use water-permeable materials unless City engineering standards do not allow that. Construction to the minimum dimensional standards for roads is required. Full mitigation and revegetation is required, with the applicant to submit a mitigation plan pursuant to CDC 32.070 and a revegetation plan pursuant to CDC 32.080. The maximum disturbance width for utility corridors is as follows:*
 1. *For utility facility connections to utility facilities, no greater than 10 feet wide.*
 2. *For upgrade of existing utility facilities, no greater than 15 feet wide.*

3. *For new underground utility facilities, no greater than 25 feet wide, and disturbance of no more than 200 linear feet of water quality resource area, or 20 percent of the total linear feet of water quality resource area, whichever is greater.*

Response: No construction is proposed within the HCA. This standard is not applicable.

- M. *Structures. All buildings and structures in HCAs and riparian areas, including all exterior mechanical equipment, should be screened, colored, or surfaced so as to blend with the riparian environment. Surfaces shall be non-polished/reflective or at least expected to lose their luster within a year. In addition to the specific standards and criteria applicable to water-dependent uses (docks), all other provisions of this chapter shall apply to water dependent uses, and any structure shall be no larger than necessary to accommodate the use.*

Response: No structures are proposed within the HCA or in riparian areas. This standard is not applicable.

- N. *Water-permeable materials for hardscapes. The use of water-permeable materials for parking lots, driveways, patios, and paths as well as flow-through planters, box filters, bioswales and drought tolerant plants are strongly encouraged in all "a" and "b" land classifications and shall be required in all "c" and "d" land classifications. The only exception in the "c" and "d" classifications would be where it is demonstrated that water-permeable driveways/hardscapes could not structurally support the axle weight of vehicles or equipment/storage load using those areas. Flow through planters, box filters, bioswales, drought tolerant plants and other measures of treating and/or detaining runoff would still be required in these areas.*

Response: No construction is proposed within the HCA. This standard is not applicable.

- O. *Signs and graphics. No sign or graphic display inconsistent with the purposes of the protection area shall have a display surface oriented toward or visible from the Willamette or Tualatin River. A limited number of signs may be allowed to direct public access along legal routes in the protection area.*

Response: The site is not adjacent to the Willamette River or the Tualatin River, but portions of the property are visible from the Willamette River. No signs or graphics are proposed to face the river. This standard is met.

- P. *Lighting. Lighting shall not be focused or oriented onto the surface of the river except as required by the Coast Guard. Lighting elsewhere in the protection area shall be the minimum necessary and shall not create off-site glare or be omni-directional. Screens and covers will be required.*

Response: The site is not adjacent to the Willamette River or the Tualatin River, but portions of the property are visible from the Willamette River. No lighting is proposed within the HCA-designated subarea of the property, and lighting at the shelter cover and restroom/utility building will be designed to avoid casting glare beyond the immediate area. This standard is satisfied.

- Q. *Parking. Parking and unenclosed storage areas located within or adjacent to the protection area boundary shall be screened from the river in accordance with Chapter 46 CDC, Off-Street Parking, Loading and Reservoir Areas. The use of water-permeable material to construct the parking lot is either encouraged or required depending on HCA classification per CDC 28.110(N)(4).*

Response: The site is not adjacent to the Willamette River or the Tualatin River, and no change in existing on-site parking is proposed. No unenclosed storage area is proposed. The proposed improvements will not affect the site's compliance with this standard.

- R. *Views. Significant views of the Willamette and Tualatin Rivers shall be protected as much as possible as seen from the following public viewpoints: Mary S. Young Park, Willamette Park, Cedar*

Oak Park, Burnside Park, Maddox Park, Cedar Island, the Oregon City Bridge, Willamette Park, and Fields Bridge Park.

Where options exist in the placement of ramps and docks, the applicant shall select the least visually intrusive location as seen from a public viewpoint. However, if no options exist, then the ramp, pilings and dock shall be allowed at the originally proposed location.

Response: The applicant has enclosed a copy of the McLean House Vicinity Map provided by City of West Linn GIS (see Exhibit N). On that map, McLean House & Park is identified, as well as West Bridge Park to the south and east, Camassia Natural Area to the west-southwest, and Maddax Woods Park to the Northwest. The proposed structures are located in the secluded northern part of the McLean House Park site, landward of the historic house, which overlooks the Willamette River. At the project's specific location, there is no significant view of the Willamette River or the Tualatin River to be affected. The proposal is consistent with this requirement.

S. *Aggregate deposits. Extraction of aggregate deposits or dredging shall be conducted in a manner designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, noise and safety, and to promote necessary reclamation.*

Response: The site does not contain significant Goal 5 mineral/aggregate resources and no mining is proposed. This provision does not apply.

T. *Changing the landscape/grading.*

1. *Existing predominant topographical features of the bank line and escarpment shall be preserved and maintained except for disturbance necessary for the construction or establishment of a water related or water dependent use. Measures necessary to reduce potential bank and escarpment erosion, landslides, or flood hazard conditions shall also be taken.*

Any construction to stabilize or protect the bank with rip rap, gabions, etc., shall only be allowed where there is clear evidence of erosion or similar hazard and shall be the minimum needed to stop that erosion or to avoid a specific and identifiable hazard. A geotechnical engineer's stamped report shall accompany the application with evidence to support the proposal.

2. *The applicant shall establish to the satisfaction of the approval authority that steps have been taken to minimize the impact of the proposal on the riparian environment (areas between the top of the bank and the low water mark of the river including lower terrace, beach and river edge).*

3. *The applicant shall demonstrate that stabilization measures shall not cause subsequent erosion or deposits on upstream or downstream properties.*

4. *Prior to any grading or development, that portion of the HCA that includes wetlands, creeks, riparian areas and water resource area shall be protected with an anchored chain link fence (or approved equivalent) at its perimeter and shall remain undisturbed except as specifically allowed by an approved Willamette and Tualatin River Protection and/or water resource area (WRA) permit. Such fencing shall be maintained until construction is complete. That portion of the HCA that includes wetlands, creeks, riparian areas and water resource area shall be identified with City-approved permanent markers at all boundary direction changes and at 30- to 50-foot intervals that clearly delineate the extent of the protected area.*

5. *Full erosion control measures shall be in place and approved by the City Engineer prior to any grading, development or site clearing.*

Response: The site is not adjacent to the Willamette River or the Tualatin River. No site grading is proposed in the HCA. Grading will be limited to the minimal work necessary for a slab foundation for the

proposed 300 SF restroom/storage utility building. Compliance with these requirements can be assured through appropriate condition(s) of approval.

- U. *Protect riparian and adjacent vegetation. Vegetative ground cover and trees upon the site shall be preserved, conserved, and maintained according to the following provisions:*
1. *Riparian vegetation below OHW removed during development shall be replaced with indigenous vegetation, which shall be compatible with and enhance the riparian environment and approved by the approval authority as part of the application.*
 2. *Vegetative improvements to areas within the protection area may be required if the site is found to be in an unhealthy or disturbed state by the City Arborist or his designated expert. "Unhealthy or disturbed" includes those sites that have a combination of native trees, shrubs, and groundcover on less than 80 percent of the water resource area and less than 50 percent tree canopy coverage in the primary and secondary habitat conservation area to be preserved. "Vegetative improvements" will be documented by submitting a revegetation plan meeting CDC 28.160 criteria that will result in the primary and secondary habitat conservation area to be preserved having a combination of native trees, shrubs, and groundcover on more than 80 percent of its area, and more than 50 percent tree canopy coverage in its area. The vegetative improvements shall be guaranteed for survival for a minimum of two years. Once approved, the applicant is responsible for implementing the plan prior to final inspection.*
 3. *Tree cutting shall be prohibited in the protection area except that:*
 - a. *Diseased trees or trees in danger of falling may be removed with the City Arborist's approval; and*
 - b. *Tree cutting may be permitted in conjunction with those uses listed in CDC 28.030 with City Arborist approval; to the extent necessary to accommodate the listed uses;*
 - c. *Selective cutting in accordance with the Oregon Forest Practices Act, if applicable, shall be permitted with City Arborist approval within the area between the OHW and the greenway boundary provided the natural scenic qualities of the greenway are maintained.*

Response: The site is not adjacent to the Willamette River or the Tualatin River, and no construction is proposed in any HCA resource area. As the existing concrete pad is outside the HCA and surrounded by lawn and access paths, construction of the proposed new structures will not require removal of significant vegetation. See Exhibit I. The proposal is consistent with these standards.

28.120 Site Plan

- A. *All site plans and maps shall include the name, address and telephone number of the applicant, a lineal scale of the plot plan, a north arrow and a vicinity map.*
- B. *The applicant shall submit a site plan drawn to an appropriate scale (in order of preference: one inch equals 10 feet to one inch equals 30 feet), which contains the following information:*
 1. *Assessor's Map number and tax lot number.*
 2. *The lot or parcel boundaries, dimensions and gross area.*
 3. *The applicant's property and the surrounding property to a distance sufficient to determine the relationship between the applicant's property and proposed development to the adjacent property and development.*
 4. *The location, dimensions, and names of all existing and platted streets and other public ways and easements on adjacent property and on the site.*
 5. *The location, dimensions and setback distances of all:*

- a. Existing structures, improvements, utility facilities and drainageways on site and on adjoining properties;
 - b. Proposed structures or changes to existing structures, improvements, utility facilities and drainageways on the site.
6. All developments shall define and map existing public access rights on, and adjacent to, the subject property.
 7. A slope contour map at minimum two-foot intervals showing slope classifications of zero to 25 percent and greater than 25 percent.
 8. If a wetland on the West Linn Local Wetland Inventory is identified on the property and the proposed activity is expected to encroach within 25 feet of the wetland, a delineation of the precise boundaries of that wetland prepared by a wetland biologist.
 9. The location of the ordinary high water mark and the ordinary low water mark on the property and on abutting properties.
 10. The delineation of areas designated "Habitat and Impact Areas Not Designated as HCAs" and HCA areas by low, medium and high designation shall be mapped based on the HCA Map and any necessary verification shall be done by the Planning Director.

Response: The maps in Exhibits C, D, E, G, H, and I and the plans in Exhibit J provide site information. This standard is met.

28.130 Grading Plan

The grading plan shall be at the same scale as the site plan (CDC 28.120) and shall show or attach:

- 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. Tables and maps identifying acreage, location and type of development constraints due to site characteristics such as slope, drainage and geologic hazards. 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:
 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.
- C. Sufficient factual data to support the conclusions of the plan.
- D. Identification information, including the name and address of the owner, developer, project designer, and the project engineer.

Response: As the shelter will be constructed over the existing concrete pad and the 300-square-foot restroom/storage utility building will be constructed in the level area south of the pad, the structures can be constructed without the need to prepare a separate grading plan or classify the property based on site characteristics such as slope, drainage, or geologic hazards. The applicant has requested a waiver from the requirement to produce a grading plan.

28.140 Architectural Drawings

- A. Architectural drawings shall be submitted at the same scale as the site plan scale, as described in the site plan, showing:

1. *Elevations of structure(s). For additions, the drawings should clearly distinguish between existing structure and proposed addition and show distance from addition and existing structure to the protected water resource.*
2. *The exterior building materials: type, color, and texture.*
3. *For docks, all pilings and their heights shall be shown. The applicant shall indicate the depth from the end of the dock to the river bottom during typical summer months. The applicant shall also provide any available product literature and photographs from the manufacturer or installer.*
4. *For docks, the applicant shall provide a plan view of the structure in relation to the shoreline and river. The plans shall also indicate graphically the OLW and the OHW and the DSL's preference rights and authorized areas.*

Response: The plan set in Exhibit J provides architectural information. No docks or water-dependent uses are proposed. This standard is met.

28.150 Landscape Plan

- A. *The landscape plan shall be prepared per site plan standards (CDC 28.120) and in addition shall show:*
1. *The location, size and type of existing trees and location and type of vegetation to be removed and to be retained;*
 2. *The location and design of landscaped areas;*
 3. *The varieties and sizes of trees and materials to be planted;*
 4. *The location and height of fences and other buffering or screening materials; and*
 5. *The location, materials, dimensions and design of terraces, decks, patios, shelters, footpaths, retaining walls and play areas.*

Response: As the shelter will be constructed over the existing concrete pad and the 300-square-foot restroom/storage utility building will be constructed in the level area south of the pad, only limited site disturbance will occur (see Exhibit I). Following construction, the site will continue to be landscaped and maintained in a professional manner by City Parks and Recreation staff and the Friends of McLean Park and House. The applicant has requested a waiver from the requirement to produce a landscape plan pursuant to CDC 99.035(B).

- B. *Revegetation plan per CDC 32.080.*

Response: Detailed planting and revegetation plans are not required in this case because no impacts are proposed in Habitat Conservation Areas or Water Resource Areas. This standard is not applicable.

28.160 Mitigation Plan

If any HCA is permanently disturbed as a result of the proposed development of any uses or structures, the applicant shall prepare and implement a revegetation and mitigation plan pursuant to the provisions of CDC 32.070 and 32.080.

Response: No mitigation plan is required because no HCA disturbance is proposed. This provision is not applicable.

Chapter 32 Water Resource Area Protection

32.020 Applicability

- A. *This chapter applies to all development, activity or uses within WRAs identified on the WRA Map. It also applies to all verified, unmapped WRAs. The WRA Map shall be amended to include the previously unmapped WRAs.*

Response: No part of the Subject Property is within a mapped WRA. See Figure 5 below and Exhibits F and G. This Chapter is not applicable.

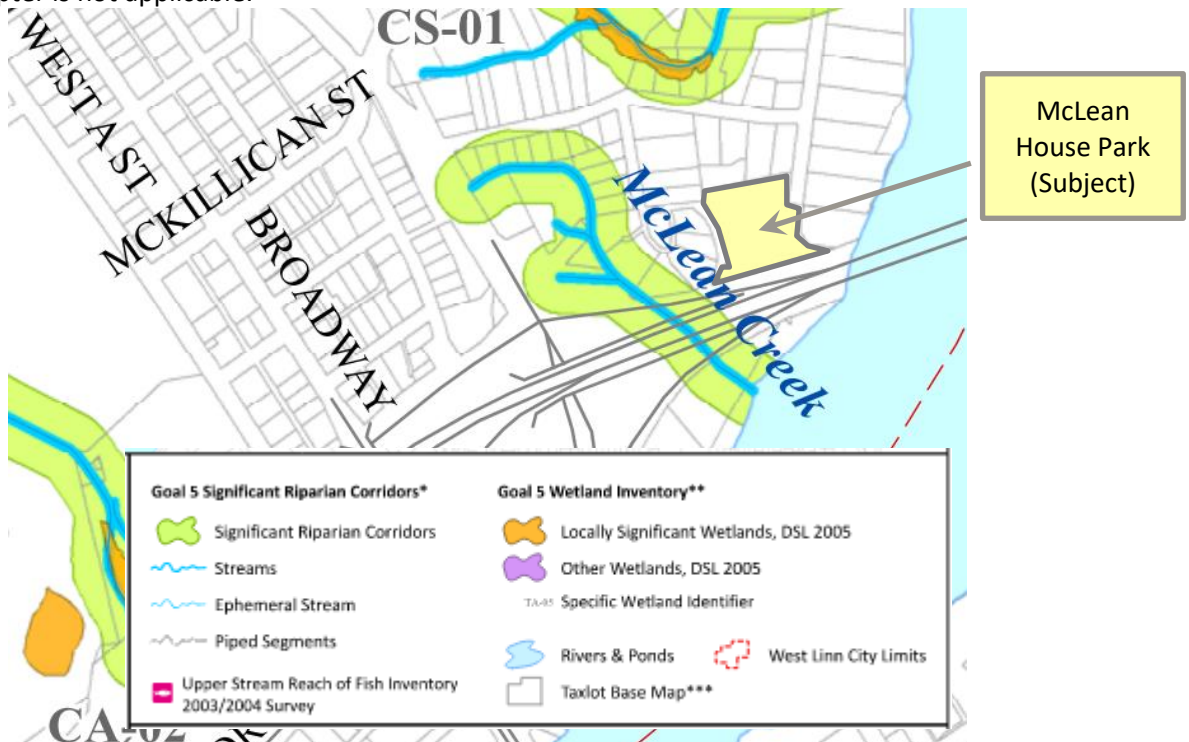


Figure 5 Water Resources Area (WRA) Map (excerpt)

Chapter 34 Accessory Structures

34.020 Accessory Uses

Accessory uses are permitted uses which are customary and incidental to principal uses permitted in the zone and shall be permitted outright, or by prescribed conditions as identified below, and may be either attached or separated from the principal dwelling. Accessory uses on designated historic resources are subject to additional regulations in CDC 25.060(B).

- A. A greenhouse may be a maintained accessory to a dwelling provided the activity does not exceed that which requires a license under Chapter 571 of the Oregon Revised Statutes, Nurseries.
- B. A television disk or satellite dish larger than three feet in diameter, and any other non-commercial antennas over three feet in height (minor utility), may be a maintained accessory to a dwelling provided it is not located within the front yard or side yard abutting a street, it is mounted on the ground, is screened from view, as practical, with landscaping, and otherwise meets the requirements of CDC 34.060. The satellite dish shall not exceed a maximum height of 18 feet.

Where it can be demonstrated that these restrictions impose unreasonable limitations to the extent that the antenna/satellite dish's reception or transmitting capability is significantly reduced, then roof-mounted (provided it is powder-coated with mesh or perforated construction) or alternate locations for the antenna/satellite dish may be allowed.

Response: Chapter 34 provides general regulations for all specific forms of accessory uses and structures and specific regulations for items (A) and (B) above. No greenhouses, television disks, or satellite dishes are proposed. The proposed shelter structure is not attached to the historic McLean House; it is a separate, subordinate structure, but it is functionally integral to the overall recreational use of the property. Based on the definition of accessory structure in CDC 2.030 ("A subordinate structure with a maximum area of 1,500 square feet..."), the proposed shelter is not an accessory structure. By contrast,

the proposed approximately 300 SF restroom/storage utility building adjacent to the open wood-frame shelter falls within the accessory structure definition. This structure is proposed to have a ductless mini-split air handling system for heating and cooling, including an exterior condenser pad south of the utility building. The size and capacity of this air handling system will be small by comparison to systems typical of residences in the vicinity, and is not expected to be a significant noise source. This standard is met.

34.050 Boat Houses and Docks

Only side yard setback requirements apply to boat houses and docks.

Response: No boat house or dock is proposed. This standard does not apply.

34.060 Setback Provisions for Accessory Structures (Non-Dwelling)

A. *Accessory structures shall comply with all requirements for the principal use except as provided in CDC 34.040 and where specifically modified by this code as follows.*

Response: Like the McLean House itself, the proposed open-frame shelter structure and restroom/storage utility building are for community recreation use in compliance with the R-10 zoning provisions, as demonstrated in the responses above to CDC Chapter 11. This standard is met.

B. *A side yard or rear yard requirement may be reduced to three feet for an accessory structure except for a side or rear yard abutting a street, with the exception of alleys platted and dedicated prior to September 30, 1984, as defined in this code; provided, that:*

1. *The structure is erected more than 60 feet from the front lot line;*
2. *The structure does not exceed one story or 15 feet in height;*
3. *The structure does not exceed an area of 500 square feet; and*
4. *The structure does not violate any existing utility easements.*

Response: As noted in the response to CDC 34.020, the restroom/storage utility building qualifies as an accessory building. The plans (Exhibit J) illustrate the conceptual location of the proposed restroom/storage utility building generally to the southwest of the existing concrete pad. With respect to factors 1-4, the utility building's location is far from the front lot line, its height is approximately 12 feet, its area is less than 500 SF, and its location is outside any existing utility easements. The proposed restroom/storage utility building is therefore subject to this provision, allowing a reduction of the applicable minimum rear or side yard setback requirement to three (3) feet. Compliance can be assured through review of plans submitted for construction. This standard is met.

C. *Attached accessory structures. When an accessory structure is attached to the main structure (wall to wall or by any permanent attachment), including via a covered walkway, such accessory structure shall be considered as part of the main structure.*

Response: The proposed restroom/storage utility building will not be attached to the McLean House. This provision does not apply.

Chapter 41 Building Height, Structures on Steep Lots, Exceptions

41.005 Determining Height of Building

A. *For all zoning districts, building height shall be the vertical distance above a reference datum measured to the highest point of a flat roof or to the deck line of a mansard roof or to the highest gable, ridgeline or peak of a pitched or hipped roof, not including projections above roofs such as cupolas, towers, etc. The reference datum shall be selected by either of the following, whichever yields a greater height of building.*

1. *For relatively flat sites where there is less than a 10-foot difference in grade between the front and rear of the building, the height of the building shall be measured from grade five feet out from the exterior wall at the front of the building; or*
2. *For steeper lots where there is more than a 10-foot difference in grade between the front and rear of the building, the height of the building is measured from grade at a point five feet out from the exterior wall on the lowest side (front or rear) of the building. One then measures vertically to the peak or ridgeline of the roof to determine the height.*
3. *Buildings on cross slopes or side slopes are measured at either the front or rear of the building using methods described in subsections (A)(1) and (2) of this definition only.*

Even if the cross slope creates a tall elevation on the side, the method of determining height is not modified. Also see CDC 41.020, Height Exceptions.

Response: The proposed open-frame timber shelter cover structure and adjacent restroom/storage utility building are located in a level area of the property, where a concrete pad is already in place. Height measurement under subparagraph 1 is appropriate. Neither of the proposed structures exceeds the applicable 35-foot height limit in the subject property's R-10 zone (see Exhibit J).

41.020 Height Exceptions

[detailed provisions omitted for brevity]

Response: The proposed structures are located in a relatively flat area, so the applicant is not requesting approval based on a Height Exception. These provisions are not applicable.

41.030 Projections Not Used for Human Habitation

Projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flag poles, and other similar objects not used for human occupancy are not subject to the building height limitations of this code.

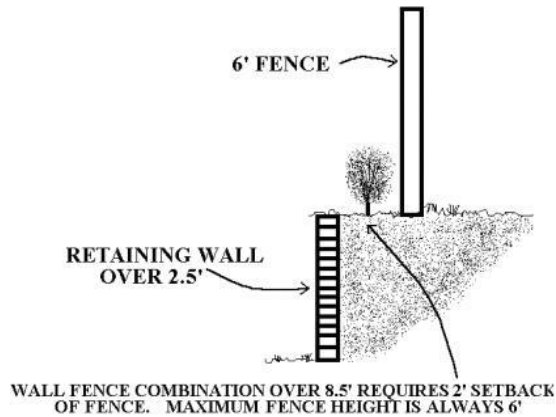
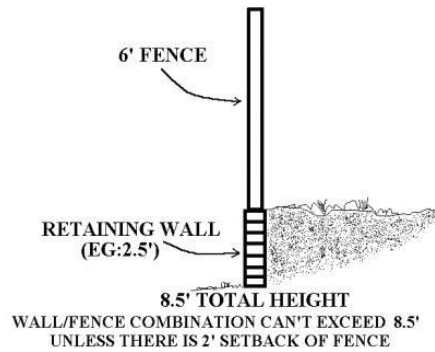
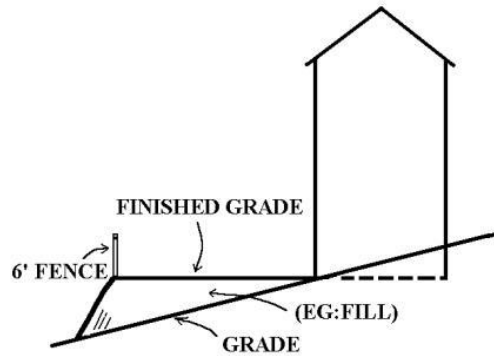
Response: The proposed structures do not include any of the listed projections and the applicant is not requesting approval based on this provision. This provision is not applicable.

Chapter 44 Fences

44.020 Sight-Obscuring Fence; Setback and Height Limitations

- A. *A sight- or non-sight-obscuring fence may be located on the property line or in a yard setback area subject to the following:*
 1. *The fence is located within:*
 - a. *A required front yard area, and it does not exceed three feet, except pillars and driveway entry features subject to the requirements of Chapter 42 CDC, Clear Vision Areas, and approval by the Planning Director;*
 - b. *A required side yard which abuts a street and it is within that portion of the side yard which is also part of the front yard setback area and it does not exceed three feet;*
 - c. *A required side yard which abuts a street and it is within that portion of the side yard which is not also a portion of the front yard setback area and it does not exceed six feet provided the provisions of Chapter 42 CDC are met;*
 - d. *A required rear yard which abuts a street and it does not exceed six feet; or*
 - e. *A required side yard area which does not abut a street or a rear yard and it does not exceed six feet.*
- B. *Fence or wall on a retaining wall. When a fence is built on a retaining wall or an artificial berm, the following standards shall apply:*
 1. *When the retaining wall or artificial berm is 30 inches or less in height from finished grade, the maximum fence or wall height on top of the retaining wall shall be six feet.*

2. When the retaining wall or earth berm is greater than 30 inches in height, the combined height of the retaining wall and fence or wall from finished grade shall not exceed eight and one-half feet.
3. Fences or walls located on top of retaining walls or earth berms in excess of 30 inches above finished grade may exceed the total allowed combined height of eight and one-half feet; provided, that the fence or wall is located a minimum of two feet from the retaining wall and the fence or wall height shall not exceed six feet.



Response: This proposal does not include installation of fencing. Any future fence installation will be required to comply with these provisions.

Chapter 54 Landscaping

54.020 Approval Criteria

- A. *Every development proposal requires inventorying existing site conditions which include trees and landscaping. In designing the new project, every reasonable attempt should be made to preserve and protect existing trees and to incorporate them into the new landscape plan. Similarly, significant landscaping (e.g., bushes, shrubs) should be integrated. The rationale is that saving a 30-foot-tall mature tree helps maintain the continuity of the site, they are qualitatively superior to two or three two-inch caliper street trees, they provide immediate micro-climate benefits (e.g., shade), they soften views of the street, and they can increase the attractiveness, marketability, and value of the development.*

Response: As the shelter will be constructed over the existing concrete pad and the 300-square-foot restroom/storage utility building will be constructed in the level area south of the pad, only limited site disturbance will occur. Following construction, the site will continue to be landscaped and maintained in a professional manner by City Parks and Recreation staff and the Friends of McLean Park and House. The applicant has requested a waiver from the requirement to inventory site conditions and produce a landscape plan pursuant to CDC 99.035(B).

- B. *To encourage tree preservation, the parking requirement may be reduced by one space for every significant tree that is preserved in the parking lot area for a maximum reduction of 10 percent of the required parking. The City Parks Supervisor or Arborist shall determine the significance of the tree and/or landscaping to determine eligibility for these reductions.*

Response: No reduction in parking has been requested by the applicant. This standard does not apply.

- C. *Developers must also comply with the municipal code chapter on tree protection.*

Response: No regulated trees are proposed to be removed, and the construction area will not cause negative impacts on trees (see Exhibit I). This standard is met.

- D. *Heritage trees. Heritage trees are trees which, because of their age, type, notability, or historical association, are of special importance. Heritage trees are trees designated by the City Council following review of a nomination. A heritage tree may not be removed without a public hearing at least 30 days prior to the proposed date of removal. Development proposals involving land with heritage tree(s) shall be required to protect and save the tree(s). Further discussion of heritage trees is found in the municipal code.*

Response: According to the Parks and Recreation Director, the site does not have any Heritage Trees. This standard does not apply.

- E. *Landscaping – By type, location and amount.*

2. *Non-residential uses. A minimum of 20 percent of the gross site area shall be landscaped. Parking lot landscaping may be counted in the percentage.*

Response: The subject site is a park, and it is almost entirely landscaped with natural vegetation with the exception of the historic McLean House, a tool shed, and the public parking area. This standard is met.

3. *All uses (residential uses (non-single-family) and non-residential uses):*

- a. *The landscaping shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area. There shall be one shade tree planted for every eight parking spaces. These trees shall be evenly distributed throughout the parking lot to provide shade. Parking lots with over 20 spaces shall have a minimum 10 percent of the interior of the parking lot devoted to*

landscaping. Pedestrian walkways in the landscaped areas are not to be counted in the percentage. The perimeter landscaping, explained in subsection (E)(3)(d) of this section, shall not be included in the 10 percent figure. Parking lots with 10 to 20 spaces shall have a minimum five percent of the interior of the parking lot devoted to landscaping. The perimeter landscaping, as explained above, shall not be included in the five percent. Parking lots with fewer than 10 spaces shall have the standard perimeter landscaping and at least two shade trees. Non-residential parking areas paved with a permeable parking surface may reduce the required minimum interior landscaping by one-third for the area with the permeable parking surface only.

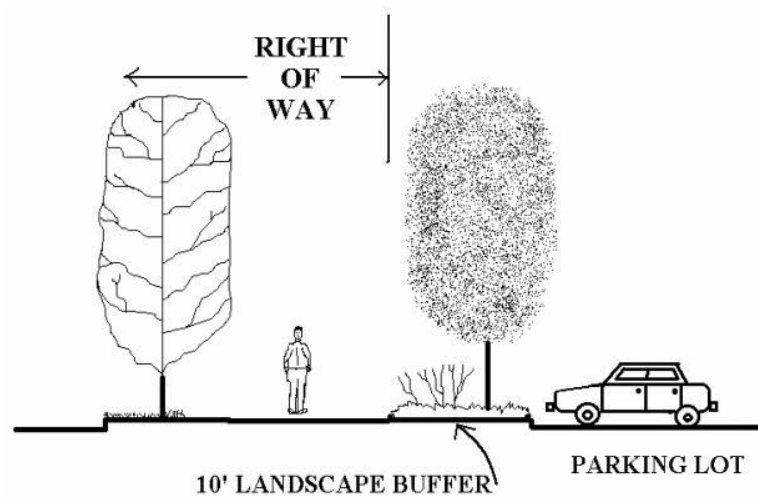
b. The landscaped areas shall not have a width of less than five feet.

Response: No additional on-site parking is proposed, and no change is proposed in the park’s existing parking and circulation area.

c. The soils, site, proposed soil amendments, and proposed irrigation system shall be appropriate for the healthy and long-term maintenance of the proposed plant species.

Response: The site has an existing irrigation system, and the soils are capable of supporting the existing landscaping, which will remain. Following construction, the site will continue to be landscaped and maintained in a professional manner by City Parks and Recreation staff and the Friends of McLean Park and House, with soil amendments added if necessary during the course of gardening. This standard is met.

d. A parking, loading, or service area which abuts a street shall be set back from the right-of-way line by perimeter landscaping in the form of a landscaped strip at least 10 feet in width. When a parking, loading, or service area or driveway is contiguous to an adjoining lot or parcel, there shall be an intervening five-foot-wide landscape strip. The landscaped area shall contain:



- 1) Street trees spaced as appropriate to the species, not to exceed 50 feet apart on the average;
- 2) Shrubs, not to reach a height greater than three feet, six inches, spaced no more than five feet apart on the average; or
- 3) Vegetative ground cover such as grass, wildflowers, or other landscape material to cover 100 percent of the exposed ground within two growing

seasons. No bark mulch shall be allowed except under the canopy of low level shrubs.

- e. *If over 50 percent of the lineal frontage of the main street or arterial adjacent to the development site comprises parking lot, the landscape strip between the right-of-way and parking lot shall be increased to 15 feet in width and shall include terrain variations (e.g., one-foot-high berm) plus landscaping. This extra requirement only applies to one street frontage.*
- f. *A parking, loading, or service area which abuts a property line shall be separated from the property line by a landscaped area at least five feet in width and which shall act as a screen and noise buffer, and the adequacy of the screen and buffer shall be determined by the criteria set forth in CDC 55.100(C) and (D), except where shared parking is approved under CDC 46.050.*
- g. *All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.*
- h. *The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation.*

Response: No additional on-site parking is proposed, and no change is proposed in the park's existing parking and circulation area.

- i. *Outdoor storage areas, service areas (loading docks, refuse deposits, and delivery areas), and above-ground utility facilities shall be buffered and screened to obscure their view from adjoining properties and to reduce noise levels to acceptable levels at the property line. The adequacy of the buffer and screening shall be determined by the criteria set forth in CDC 55.100(C)(1).*

Response: None of the listed types of activity areas or facilities is proposed.

- j. *Crime prevention shall be considered and plant materials shall not be located in a manner which prohibits surveillance of public and semi-public areas (shared or common areas).*

Response: The one-way loop that serves the parking area provides partial views into the open area in the northern part of the park, including the location of the proposed new structures. No plantings that would impede surveillance are proposed.

- k. *Irrigation facilities shall be located so that landscaped areas can be properly maintained and so that the facilities do not interfere with vehicular or pedestrian circulation.*

Response: This site has an existing irrigation system. The project does not propose installation of new irrigation facilities.

- l. *For commercial, office, multi-family, and other sites, the developer shall select trees that possess the following characteristics:*
 - 1) *Provide generous "spreading" canopy for shade.*
 - 2) *Roots do not break up adjacent paving.*
 - 3) *Tree canopy spread starts at least six feet up from grade in, or adjacent to, parking lots, roads, or sidewalks unless the tree is columnar in nature.*
 - 4) *No sticky leaves or sap-dripping trees (no honey-dew excretion).*
 - 5) *No seed pods or fruit-bearing trees (flowering trees are acceptable).*
 - 6) *Disease-resistant.*
 - 7) *Compatible with planter size.*
 - 8) *Drought-tolerant unless irrigation is provided.*

9) *Attractive foliage or form all seasons.*

Response: No trees are proposed. This standard does not apply.

m. *Plant materials (shrubs, ground cover, etc.) shall be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage, staggered flowering periods, and avoidance of nuisance plants (Scotch broom, etc.).*

Response: Following construction, the site will continue to be landscaped and maintained in a professional manner by City Parks and Recreation staff and the Friends of McLean Park and House. Continuing in the existing tradition, any new plantings will be selected to be appropriate for the site context near the historic landmark. This standard is met.

G. *Landscaping requirements in water resource areas (WRAs). Pursuant to CDC 32.110(E)(3) the requirements of this chapter relating to total site landscaping, landscaping buffers, landscaping around parking lots, and landscaping the parking lot interior may be waived or reduced in a WRA application without a variance being required.*

Response: As noted above, the site (which meets the requirements for overall landscaping percentage) is not located in a WRA. This standard is not applicable.

54.040 Installation

- A. *All landscaping shall be installed according to accepted planting procedures.*
- B. *The soil and plant materials shall be of good quality.*
- C. *Landscaping shall be installed in accordance with the provisions of this code.*
- D. *Certificates of occupancy shall not be issued unless the landscaping requirements have been met other arrangements have been made and approved by the City such as the posting of a bond.*

Response: The site soils are capable of supporting the existing landscaping, which will remain. Following construction, the site will continue to be landscaped and maintained in a professional manner by City Parks and Recreation staff and the Friends of McLean Park and House, with soil amendments added if necessary during the course of gardening. This standard is met.

54.070 Specification Summary

Area/Location	Landscaping Req'd.
1. <i>Between parking lot and R-O-W. CDC 54.020(E)(3)(d).</i>	10 ft.
2. <i>Between parking lot and other lot. CDC 54.020(E)(3)(b).</i>	5 ft.
3. <i>Between parking lot and R-O-W if parking lot comprises more than 50 percent of main R-O-W frontage. CDC 54.020(E)(3)(e).</i>	15 ft.
4. <i>Percentage of residential/multi-family site to be landscaped. CDC 54.020(E)(1).</i>	25%
5. <i>Percentage of non-residential (commercial/industrial/office) site to be landscaped. CDC 54.020(E)(2).</i>	20%
6. <i>Percentage of 10 – 20 car parking lot to be landscaped (excluding perimeter). CDC 54.020(E)(3)(a).</i>	5%
7. <i>Percentage of 1 – 9 car parking lot to be landscaped (excluding perimeter). CDC 54.020(E)(3)(a).</i>	0%
8. <i>Percentage of 20+ car parking lot to be landscaped (excluding perimeter). CDC 54.020(E)(3)(a).</i>	10%

Response: No changes to parking are proposed as part of this project, and the site is neither a residential nor a multi-family site. This standard does not apply.

Chapter 56 Parks and Natural Area Design Review

56.015 Categories of Parks and Natural Resource Facilities

There are eight categories of park and natural resource facilities as established in the Parks Master Plan.

The categories are:

1. *Active-oriented parks.*
2. *Passive-oriented parks.*
3. *Special use parks.*
4. *Linear parks/open space.*
5. *City beautification areas.*
6. *Pathways and trails.*
7. *Natural resource areas.*
8. *Multi-use parks.*

Active-oriented parks. Active-oriented parks are developed sites that support recreation opportunities including sports and play with facilities, often featuring restrooms, picnic shelters and tables.

Passive-oriented parks. Passive-oriented parks are more natural sites that provide trail-related recreation opportunities and passive outdoor activities such as wildlife watching, nature interpretation and picnicking. Several sites also provide river views or river access.

Special use parks. Special use parks are single-purpose developed sites that include specialized facilities such as a community center, boat ramp, or fishing dock or other unique use.

Linear parks/Open space. Linear parks are open space areas that often bring together patchworks of City-owned lands, stream corridors, and rights-of-way to create a linear facility whose primary goal is to provide a passive recreation experience.

Limited facilities such as benches and picnic tables may be provided, but these parks are primarily designed as corridors for trails, bike and pedestrian paths. The TPR is often well served by these bike and pedestrian paths. Linear parks also provide important visual relief from the built environment. Given their physical and visual accessibility, and the fact that they can extend long distances through the community and be used by many neighborhoods, linear parks can be one of the best investments that cities can make. Ideally, they will be at least 100 to 200 feet wide; however, critical linkages in the system can be as narrow as 10 to 20 feet if that is what it takes to make the connection. Trailheads at the termini of the park are helpful as are trailheads at regular intervals along the length of the linear park.

City beautification areas and public spaces. City beautification areas are intended to provide for the aesthetic needs of the residents. Rather than a physical experience, these areas provide a visual experience. They can take the form of landscaped entryways to the City, landscaped medians, or street corners. Expanding beyond that definition and the expectations of the Parks Master Plan, this park category shall also include public spaces, such as plazas and squares, where the emphasis is on outdoor concerts, farmers' markets, street fairs, and socialization.

Pathways and trails. Pathways and trails may be incorporated into park facilities, but may also be stand-alone facilities in open space. Communities provide urban paths and trails for their recreational value as well as their value as part of a community's commitment to the TPR. Trails and paths should be developed to provide linkages between schools, parks, neighborhoods, and the community and even integrate with regional trail systems. An example would be the trails and paths that crisscross the Tanner Basin neighborhood of West Linn and make it possible for children to access school on foot or bicycle in relative

safety. Rudimentary gravel foot trails can be three to six feet wide. Paths in high use areas should be in the four- to 10-foot width range and paved. In neighborhoods that are built up with limited space to accommodate the paths or trails, reduced widths and non-traditional designs are encouraged if the alternative is no trail or path at all. Emphasis on providing routes that follow the cognitive patterns of residents is important. Surveillance potential and defensible space are also important considerations.

Natural resource areas. The primary focus is on the long-term protection of natural areas. These natural areas can come in the form of natural drainageways, creeks, wetlands, river greenway areas, habitat protection areas, steep hillsides, significant tree clusters or plant materials, or where the preservation of an open space area provides a visual relief from the images of the built and urbanized environment.

Since the emphasis is upon the protection of the resource, the facilities should be limited. Typically, these facilities include interpretive centers, restrooms, trails, vehicular access, and parking lots. Active recreation facilities, such as organized playing fields, are discouraged. They should only be accommodated if the park is large enough and there is adequate separation between the activity area and the natural resource. At all times, the central philosophy is deference to the natural resource over human needs.

Multi-use parks. Multi-use parks mix developed and natural areas and offer both active and passive recreation opportunities, ranging from active sports to quiet nature strolls. Several of these parks also have amenities and facilities to support large group gatherings and events.

Response: The March 2019 Parks Master Plan identifies the McLean House as an indoor “Community Resource Center” that is operated by a non-profit (p.42). Appendix D to that Master Plan refers to McLean House as a “neighborhood facility.” These characteristics are consistent with the definition of a “special use park.” Community recreation facilities, including special use parks, are permitted uses in the R-10 zone. This standard is met.

56.020 Categories of Parks and Natural Resource Facilities

A. *This chapter applies to the development of all new parks and natural resource areas. It also applies to changes including the introduction of new facilities and major repairs at existing parks and natural resource areas. No work, except as exempted in CDC 56.025, may take place in these parks and natural resource areas without first obtaining a permit through this chapter and through the appropriate decision-making body. Chapter 55 CDC, Design Review, shall not apply to park development or structures or facilities in parks. Unless specifically exempted by this chapter, all relevant CDC chapters shall apply.*

Response: The applicant is seeking approval to construct an open-frame timber structure shelter cover over an existing concrete pad in the northwestern part of McLean House Park, and a 300 square-foot restroom/storage utility building adjacent to it. Compliance with applicable portions of CDC is demonstrated through this narrative and supporting documents. This standard is met.

B. *There are two classes of Park Design Review – Class I and Class II. Class I park design review applies to minor changes to park facilities. It is reasonable and appropriate that a simpler but more focused set of standards shall apply. Class II park design review applies to the development of any new park or significant changes to an existing park or natural area. The specific submittal standards and approval criteria are explained in CDC 56.070 through 56.100.*

Response: Based on a review of the proposed site alterations and discussion at the July 18, 2019 pre-application meeting (PA-19-18), staff has advised the applicant that this project requires Class I Park Design Review.

C. *Class I design review. The following is a non-exclusive list of Class I design review activities or facilities.*

1. *New sidewalks, if over 200 feet long (see CDC 56.025).*
2. *New trails, if over 200 feet long (see CDC 56.025).*
3. *New paths, if over 200 feet long (see CDC 56.025).*
4. *Additional recreation amenities or facilities including playground equipment, picnic shelters, and playing fields so long as those facilities are consistent with the program established for the park and the impacts are expected to be minor. (An example of program consistency would be Class I design review of a proposal to add two more swing sets at an active-oriented park; conversely, it would be a Class II if the proposal would add swing sets in a natural resource area.)*
5. *Fences and walls, over 200 feet long (see CDC 56.025).*
6. *Addition or reduction of less than 10 percent of total square footage of an existing building so long as there is no encroachment towards a resource area.*
7. *Minor road realignment under 200 feet long. Realignment must not come closer to any existing resource area than it currently is.*
8. *Ten percent additions or reduction of parking stalls so long as required minimum number of spaces is still met.*
9. *Major modification of a landscape plan (including water features, ponds, pergolas, arbors, artwork, sculptures, etc.). Replacement of one type of flowers with another or tree planting would not have to go through review.*
10. *Minor modifications and/or minor upgrades or repairs of public or private utilities in the park or resource area. Any proposed excavation or grading within a drainageway will require Class I review and will be covered with a natural drainageway permit. Emergency repairs, authorized by the City Manager, would be exempt from this chapter per CDC 56.025. Post-emergency site restoration or mitigation would, however, be required.*
11. *Americans with Disability Act (ADA) compliance (e.g., ramps and paths) is exempt when the improvement is outside of a natural resource area per CDC 56.025. Construction of ADA-accessible interpretive paths and related facilities in natural resource areas shall go through Class I design review.*
12. *Freestanding art and statuary under five feet tall.*
13. *The addition or removal of a park or natural open space facility or site feature. This could involve, for example, the elimination of a softball diamond.*
14. *Other land uses and activities may be added if the Planning Director makes written findings that the activity/use will not increase impacts to any nearby resource area or abutting residential property, does not conflict with the program established for the specific park or natural resource area/open space, and is consistent with the type and/or scale of activities/uses listed above.*

Response: This project proposes a permanent shelter cover over the existing concrete slab in McLean House Park, with a gable-roofed open frame timber structure, and a small (300 SF) adjacent restroom/storage utility building. The proposed structures are consistent with subparagraph 4, “[a]dditional recreation amenities or facilities including playground equipment, picnic shelters, and playing fields so long as those facilities are consistent with the program established for the park and the impacts are expected to be minor.” For many years, McLean House Park has been operated as a special occasion gathering facility by the non-profit Friends of McLean Park and House, for gatherings and events such as weddings. The proposed shelter cover will replace a fabric-covered canopy structure that has been used for weather protection over the existing concrete slab within the park for several years, improving the quality of facilities but continuing to support the same uses and activities. The small, adjacent restroom/storage utility building will also improve the quality of facilities, but will not significantly add to the scope or level of activities at the McLean House Park. The project is therefore eligible for Class I design review approval.

56.025 Exemptions

[detailed provisions omitted for brevity]

Response: The proposal is not subject to an exemption under this Section. These provisions do not apply.

56.070 Submittal Requirements

- A. *The design review application shall be initiated by the Parks Director.*
- B. *A pre-application conference shall be a prerequisite to the filing of an application.*
 - 1. *The Planning Director shall explain the applicable policies, ordinance provisions, opportunities and constraints which may be applicable to the site and type of proposed development. The Planning Director shall determine which class of park design review is required.*
 - 2. *The following subjects shall be reviewed at the pre-application conference:*
 - a. *Identification of the proposed park classification (e.g., active- or passive-oriented park).*
 - b. *The appropriate facilities and programs that should be provided according to the park classification.*
 - c. *The physical and visual accessibility of the site.*
 - d. *The property's location and size, the Comprehensive Plan, zoning, and other possible and applicable ordinance provisions.*
 - e. *Consideration of buffers, screening, or direction of lighting.*
 - f. *The natural features on the site: topography, drainage courses, microclimate vegetation, and soil conditions and stability.*
 - g. *The availability of utilities (on site and off site).*
 - h. *Vehicular access, trip generation, and potential traffic problems.*
 - i. *The availability of transit, capacity of the road system, and existence of plans for bicycle and pedestrian ways.*
 - j. *Conditions placed on previous applications.*
 - k. *Review submittal requirements.*
 - l. *Preferred architectural design and building orientation.*
 - m. *Location of planned activity areas to satisfy functional needs of the park.*
 - 3. *A prerequisite to the filing of an application for a new park or resource area/open space under Class II parks design review is that the Parks Director must demonstrate that the adopted community planning process for parks has been followed. Alternately, the Parks Director will hold a meeting with the respective City-recognized neighborhood association, per CDC 99.038, at which time the Parks Director will present the proposal and receive comments. No neighborhood meeting is required for a Class I design review.*
 - 4. *The applicant shall submit a completed application form.*
 - 5. *The applicant shall provide the submittal for either a Class I or II park design review as explained in CDC 56.075 or 56.080.*

Response: The applicant for this project is the Parks and Recreation Director. A pre-application meeting was held on July 18, 2019 and staff determined that the project would be subject to Class I Parks and Natural Area Design Review. This standard is met. The required items are provided with this application, except where waivers have been requested per CDC 99.035(B). These standards are met.

56.075 Submittal Standards for Class I Parks and Design Review

- A. *The application for a Class I parks design review shall contain the following elements:*
 - 1. *A site analysis (per CDC 56.110) only if the site is undeveloped.*
 - 2. *A site plan (per CDC 56.120) is required.*

3. *Architectural drawings, including building envelopes and all elevations (per CDC 56.140), but only if architectural work is proposed.*
4. *Pursuant to CDC 56.085, additional submittal material may be required.*
5. *One copy at the original scale and one copy reduced to 11 inches by 17 inches or smaller of all drawings and plans must be submitted. One copy of all other items must be submitted. The applicant shall also submit one copy of the complete application in a digital format acceptable to the City. When the application submittal is determined to be complete, additional copies may be required as determined by the Community Development Department.*

Response: Since the site is developed, no site analysis is required. The other items are provided with this submittal except where waivers have been requested per CDC 99.035(B). This standard is met.

56.085 Additional Information Required and Waiver of Requirements

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

Response: The applicant has not been advised by Planning staff of any additional information needs. Waivers of some submittal requirements have been requested waivers per CDC 99.035(B). See Exhibit B. This provision is met.

56.090 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 56.100(C)(1) through (5), Relationship to the natural physical environment, shall apply except in those cases where the proposed development site is substantially developed and built out with no natural physical features that would be impacted.*
 2. *CDC 56.100(D), Facility design and relationship to the human environment, shall only apply in those cases that involve exterior architectural construction, remodeling, or changes.*
 3. *Pursuant to CDC 56.085, the Director may require additional information and responses to additional sections of the approval criteria of this section depending upon the type of application.*
- B. *The Planning Director shall determine the applicability of the approval criteria in subsection A of this section.*

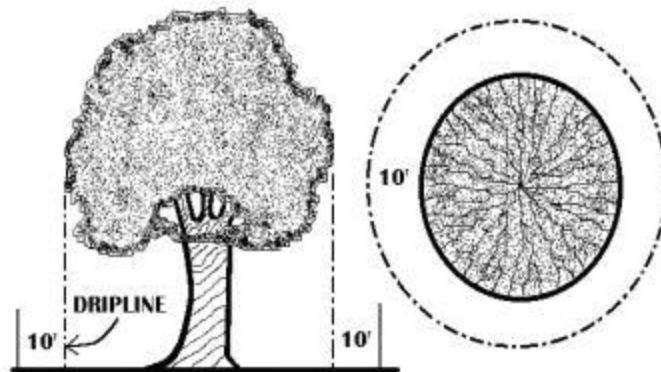
Response: The applicant has provided detailed responses to CDC 56.100(C)(1) through (5) and CDC 56.100(D) below.

56.100 Approval Standards – Class II Design Review

- C. *Relationship to the natural 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 the direction of the City Manager.*
 2. *All heritage trees, as defined in the municipal code, and 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, either individually or in consultation with certified arborists or similarly qualified professionals, based on accepted arboricultural standards including consideration of their size, type, location, health, long term survivability, and/or numbers, shall be protected*

pursuant to the criteria of CDC 55.100(B)(2). It is important to acknowledge that all trees are not significant.

- a. Areas of the park that include non-Type I and II lands shall protect all heritage trees and all significant trees through the careful layout of streets, building pads, playing fields, and utilities. The method for delineating the protected trees or tree clusters (“dripline + 10 feet”) is explained in CDC 55.100(B)(2)(a) and in subsection (C)(2)(b) of this section.



- b. Areas of the park that include Type I and II lands shall protect all heritage, significant and non-significant trees. Groundcover, bushes, etc., shall be protected and may only be disturbed to allow the construction of trails or accessing and repairing utilities. Exemptions permitted under CDC 55.100(B)(2)(c) through (f) shall apply.

Response: The proposed new structures are located in the flat, open northwestern part of the McLean House Park property. No heritage tree is located where the structures are proposed, or near enough to be affected by construction activities. See Exhibit I. This standard is met.

3. In the case of natural resource areas, the topography shall be preserved to the greatest degree possible. Conversely, in non-natural resource areas, it is recognized that in order to accommodate level playing fields in an active-oriented park, extensive grading may be required, and the topography may be modified.

Response: The site is not a natural resource area. The proposed structures and associated construction are located in a flat area where an existing concrete slab will remain in place with the new cover over it. The proposed 300 square foot restroom/storage utility building is immediately adjacent to the southwest of the concrete slab, also on flat ground. According to the Parks and Recreation Director, no existing significant tree(s) or vegetation will be affected by the construction. See Exhibit I. This standard is 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.

Response: The subject property is shown in Figure 6; visible with it are the McLean House and storage shed at the east, and the rectangular concrete slab/fabric cover at the west. The base map is overlaid by mapping of steep slopes. The rectangular pad/shelter cover area is not within a steep-slope area, nor is the immediate area to its south, where the 300-SF restroom/storage utility building is proposed. Furthermore, information from the Oregon Department of Geology and Minerals does not depict the proposed construction area as the location of a slide. This requirement is met.

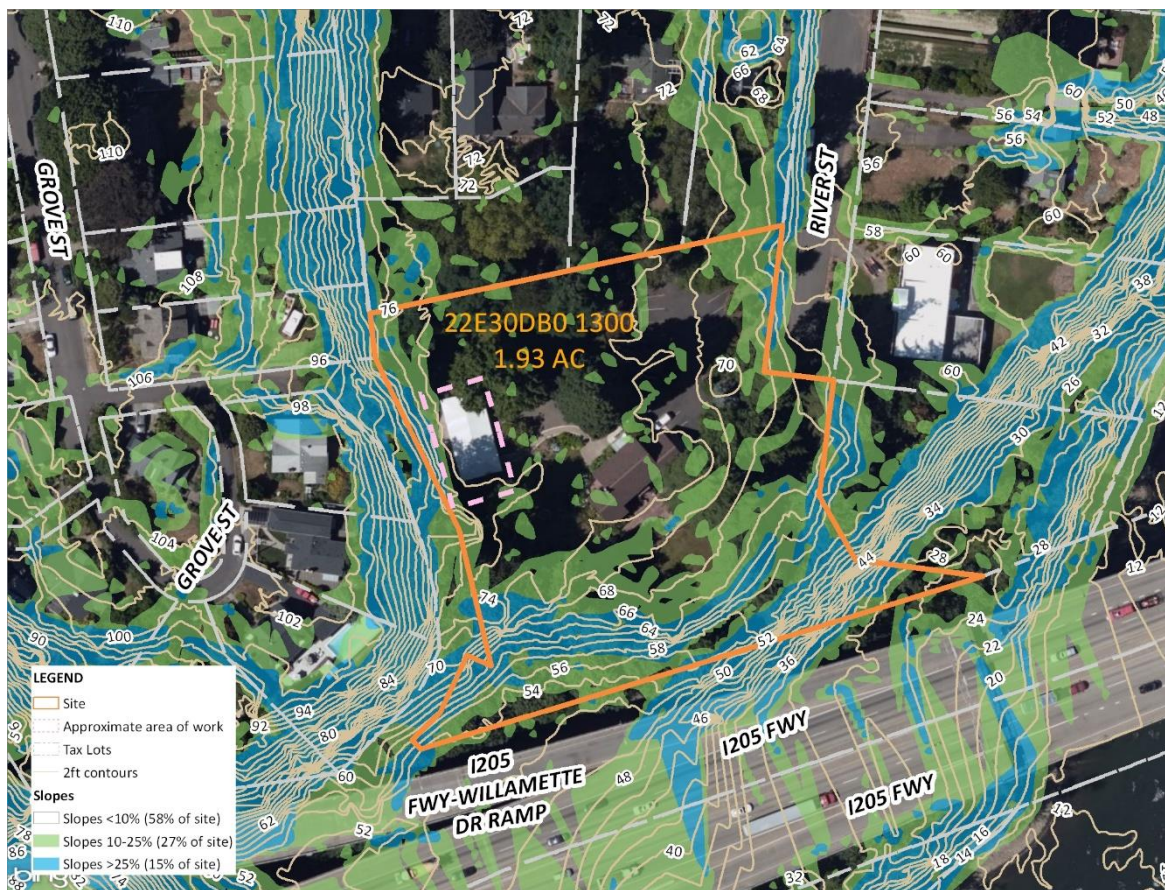


Figure 6 Slope Map

5. *The park shall be designed in such a way as to take advantage of scenic views and vistas from the park site, as long as such views can be obtained without eliminating significant trees or other natural vegetated areas.*

Response: The McLean House is sited with its formal entrance facing southeast, toward the Willamette River corridor, which is the site's scenic view opportunity. The proposed shelter cover and restroom/utility building are northwest of the McLean House, surrounded by dense tree canopy around the site's perimeter and in neighboring homes' yards, and a hillside that rises to the west. No regulated trees are proposed for removal (see Exhibit I). The proposed development is consistent with maintaining the site's best view opportunities.

D. *Facility design and relationship to the human environment.*

1. *Architecture. Whereas most park buildings are small in size and compatible with existing structure(s) on site and on adjoining sites, the possibility of larger facilities exists. Larger buildings are defined as those over 1,000 square feet and under 10,000 square feet in size. In those cases, contextual design is required. "Contextual design" means respecting and incorporating prominent architectural styles, building lines, roof forms, rhythm of windows, building scale and massing, materials and colors of surrounding buildings in the proposed structure. Also important is breaking the larger building into smaller visual components so that the mass of the building is not so apparent. This is especially relevant when the building is near the perimeter of the park. However, certain uses, by virtue of their functional and spatial requirements, are large and can never be made visually equal or even compatible with nearby homes. Such uses shall not be prohibited from locating at*

active-oriented park facilities on architectural grounds so long as the applicant's architect has broken down the building's horizontal plane into smaller visual components and stepped down the building at the end closest to the off-site structure(s). "Smaller visual components" shall be defined as changes in the horizontal plane every 100 feet created by indentations or pop-outs at least three feet in depth. "Stepping down" shall be defined as bringing the park building's end section that is closest to off-site dwellings to half the distance between the highest ridgeline of the park structure and the highest ridgeline of the nearest off-site structure. In those cases where visual component breakdown or stepping down is not feasible, the applicant may rely on transitions in terms of distance as reasonable mitigation between on- and off-site buildings. An appropriate minimum distance to achieve mitigation shall be either 150 feet or an existing public right-of-way.

Response: The proposed shelter structure will cover the existing approximately 2,100 square foot concrete slab. Although it will not be closed to weather, having no walls, windows, or doors, its size and proportions are similar in scale to an approximately 2,100 square foot building with a gable roof structure; it can therefore be deemed to be a "larger building" for purposes of this provision. The proposed structure satisfies "contextual design" requirements in the following specific ways:

- The multiple-gable-roof form and open-frame timber construction of the shelter structure reflect traditional northwest vernacular building forms;
- The new structures are smaller and shorter than the gable-roofed historic McLean House, ensuring they will be perceived as subordinate to it within the site;
- The new buildings use contemporary materials and do not attempt a contrived historicism;
- Decorative elements add visual interest while striking a balance between a stripped-down, unadorned utilitarianism or a fussy Rococo- or Victorian-era decorative style;
- The location of the proposed structures is distant from neighboring residences, and significantly lower than the nearest homes (atop the hill to the immediate west); this setting reduces their prominence as well as their potential to affect the surrounding area.

At 300 SF, the restroom/utility building is below the threshold that requires compliance with this standard. For the above reasons, the proposal complies with these requirements.

2. *Material. Park structures shall emphasize natural materials such as exposed timbers, wood with brick and stone detail. Colors are subdued earth tones: grays, brown, off-whites, black, slate, and greens.*

Response: Specified materials include open-frame timber construction, column supports with decorative facing treatment, and green roof to complement the surrounding natural colors of forest-like tree canopy and hillsides. This standard is met.

3. *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 (e.g., average range of human perception). For large buildings, defined as over 1,000 square feet and less than 10,000 square feet in size, human scale shall be accommodated by, for example, multi-light windows that are broken up into numerous panes, intimately scaled entryways, visual breaks (exaggerated eaves, indentations, belly boards, ledges, cornices, awnings, engaged columns, etc.) in the facades of buildings, both vertically and horizontally, but particularly within the first 10 to 15 feet as measured vertically.*

Response: Lacking walls, windows, or doors, the shelter cover structure uses its roofing and timber structures to establish human scale in a way that is compatible with, and conducive to, the tradition of hosting special occasions at McLean House Park. While the main gable roof form is

aligned north-south, extending the full length of the concrete slab, it is complemented by a pair of small gable-ends facing east (toward the McLean House and parking lot) and a central gable-end facing west to extend over the arc-shaped western side of the concrete slab. As the open-frame structure will not have a ceiling, the space beneath the cover will rise nearly to the full 29-foot height at the peak of the ridge beam, and the eave height at 14 feet above grade is taller than that of a typical residential structure. These relatively tall proportions enhance the perception that the “place” the building encloses is significant, contributing to a sense of importance or solemnity for social gatherings such as wedding parties. See Exhibit J. At 300 SF, the restroom/utility building is below the threshold that requires compliance with this standard. This standard is met.

4. *Transparency. For all enclosed buildings in the park, with the exception of public restrooms, storage and utility buildings, the main/front building elevation shall provide at least 60 percent windows or transparency at the pedestrian level to create a more interesting building elevation, allow natural/ambient interior lighting and enhance defensible space. One side elevation shall provide at least 30 percent transparency. Transparency on other elevations is optional. The transparency is measured in lineal fashion. For example, a 100-foot long 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 a building elevation(s), the square footage of transparency that would ordinarily be required by the above formula shall be installed on the remaining elevations in addition to any transparency required by a side elevation, and vice versa. The transferred transparency is not required to be at pedestrian level and may be incorporated into clerestories or dormers. The rear of the building is not required to include transparency. The transparency must be flush with the building elevation.*

Response: Lacking walls, windows, or doors, the shelter cover structure will be by nature open to view from all sides at grade level, consistent with this provision. The restroom/utility building is specifically exempted from this standard.

56.110 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.*
- 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:*
 1. *The lot or parcel 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. *The location and width of adjoining streets.*
 4. *The drainage patterns and drainage courses on the site and on adjacent lands.*
 5. *Potential natural hazard areas including:*
 - a. *Floodplain areas;*
 - b. *Areas subject to a high water table;*
 - c. *Landslide areas; and*
 - d. *Areas having a high erosion potential.*
 6. *Resource areas including marsh and wetland areas.*

7. *The site features including:

 - a. *Large rock outcroppings;*
 - b. *Areas having unique views; and*
 - c. *Streams and stream corridors.**
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. *The location of trees having a six-inch caliper at five feet and where the site is heavily wooded, an aerial photograph at the same scale as the site analysis may be submitted and only those trees that will be affected by the proposed development need be sited accurately (e.g., construction activity within the dripline of the trees). All significant trees and tree clusters identified by the City Arborist using the criteria of CDC 56.100(C)(2) and all heritage trees shall be delineated.*
10. *Identification information including the name and address of the owner, developer, and project designer and a lineal scale and north arrow.*

Response: The maps in Exhibits C, D, E, G, H, and I and the plans in Exhibit J provide site information. Extensive site analysis is not warranted for this proposal because it is based on the existing location of a concrete slab with a fabric shelter cover where social gatherings have been taking place for many years. This standard is met.

56.120 The Site Plan

The site plan shall be at the same scale as the site analysis (CDC 56.110) and shall show:

- A. *The applicant's entire property and the surrounding property to a distance sufficient to determine the relationship between the applicant's property and proposed development and adjacent property and development.*
- B. *Boundary lines and dimensions for the perimeter of the property and the dimensions for all proposed lot lines, section lines, corners, and monuments.*
- C. *Streams and stream corridors.*
- D. *Identification information, including the name and address of the owner/applicant and project designer and a lineal scale and north arrow.*
- E. *The location, dimensions, and names of all:

 1. *Existing and platted streets and other public ways and easements on adjacent property and on the site;*
 2. *Proposed streets or other public ways, easements, on the site.**
- F. *The location, dimensions, and setback distances of all:

 1. *Existing structures, improvements, and utility facilities on adjoining properties;*
 2. *Existing structures, improvements, and utility facilities to remain on the site;*
 3. *Proposed structures, improvements, and utility facilities on the site.**
- G. *The location and dimensions of:

 1. *The entrances and exits to the site;*
 2. *The parking and circulation areas;*
 3. *Loading and service areas for waste disposal, loading, and delivery;*
 4. *Pedestrian and bicycle circulation areas;*
 5. *All utilities; and*
 6. *Sign locations.**
- H. *The location of areas to be landscaped.*
- I. *The location and type of outdoor light with specific consideration given to crime prevention.*
- J. *Submit an engineering noise control plan by a licensed acoustical engineer to satisfy the noise standards as identified in CDC 55.100(D), in cases where proposed land use can reasonably be*

expected to generate noise. A reasonable alternative to commissioning a noise study to determine the noise levels of, for example, a children's soccer league, would be to either locate the potential noise source away from residential properties, to limit activity hours and/or not to provide illuminated playing fields or ball courts.

Response: The maps in Exhibits C, D, E, G, H, and I and the plans in Exhibit J provide site information. Extensive site documentation is not warranted for this proposal because it is based on the existing location of a concrete slab with a fabric shelter cover where social gatherings have been taking place for many years. This standard is met.

56.130 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 the same scale as the site analysis (CDC 56.110), and a statement that demonstrates:

- 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. *Repealed by Ord. 1622.*
- C. *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, there will be no adverse off-site impacts caused by the development (including impacts from increased intensity of runoff downstream or constrictions causing ponding upstream), and there is sufficient factual data to support the conclusions of the plan.*
- 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. *Tables and maps identifying acreage, location and type of development constraints due to site characteristics such as slope, drainage and geologic hazards. 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:*
 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.*

Response: The site is classified as Type IV lands per CDC 2.030 because approximately 58% of the site has slopes under 10 percent, as derived from the RLIS topography GIS layer, depicted graphically in Exhibit D (Type IV lands must have slopes 10 percent or under on more than 50 percent of the site). Therefore, this section does not require a civil engineer to prepare a grading plan and a storm detention and treatment plan. The proposed construction is to replace a temporary shelter cover over the existing concrete slab. The storm runoff characteristics of the new structure will not differ substantially from existing conditions. There will be new impervious surface area associated with gable roofs and the proposed restroom/storage utility building adjacent to the existing slab, but the small impact does not necessitate engineered site

storm drainage design and construction. The applicant requests a waiver of this submittal requirement pursuant to CDC 99.035(B) and CDC 92.010(E)(5). This standard is met.

56.140 Architectural Drawings

Architectural drawings shall be submitted showing:

- A. *Building elevations and sections;*
- B. *Building materials: color and type;*
- C. *The name of the architect or designer.*

Response: Exhibit J contains architectural plans prepared by the Friends of McLean Park and House. This standard is met.

56.150 Landscape Plan

A. *The landscape plan shall include the following:*

- 1. *Existing trees, shrubs, plants and groundcover that will be retained as well as an indication of those trees and landscaping that will be removed.*
- 2. *Generalized landscape plan showing areas to be landscaped in the new park plan. Showing that an area will be planted with shrubs or evergreen groundcover is sufficient. (It is not necessary to provide plant detail; for example, five-gallon ferns at four feet on center, etc.)*
- 3. *Statement that the landscaping will be irrigated.*
- 4. *The location of buffering or screening materials (e.g., fences).*
- 5. *The location of playing fields (identify type of activity, if known), picnic shelters, play areas, etc.*
- 6. *Building and pavement outlines.*

Response: As the shelter will be constructed over the existing concrete pad and the 300-square-foot restroom/storage utility building will be constructed in the level area south of the pad, only limited site disturbance will occur. Following construction, the site will continue to be landscaped and maintained in a professional manner by City Parks and Recreation staff and the Friends of McLean Park and House. The applicant has requested a waiver from the requirement to produce a landscape plan pursuant to CDC 99.035(B).

B. *The landscape plan shall be accompanied by:*

- 1. *Planting schedule.*
- 2. *Supplemental information as required by the Planning Director or City Arborist.*

Response: Considering the limited scale and potential impacts of the proposed improvements, the applicant requests a waiver of this submittal requirement pursuant to CDC 99.035(B).

56.170 Exceptions to Underlying Parking and Provisions

The Planning Director may grant up to a 50 percent exception to the off-street parking dimensional and minimum number of space requirements in the applicable zone so long as one of the following criteria is met:

- A. *There is an opportunity for shared parking and there is written evidence that the property owners are willing to enter into a legal agreement; or*
- B. *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.*

Response: No change in the parking at McLean House Park is proposed. This is in the public interest because expanding parking would reduce the park's open space area and detract from the existing features of the historic house and grounds. Furthermore, as the proposed open-frame shelter is merely

replacing the existing fabric cover, it does not increase parking demand beyond that which already exists. Similarly, the proposed restroom/storage utility building does not increase parking demand.

Chapter 92 Required Improvements

92.010 Public Improvements for All Development

- E. *Storm detention and treatment. For Type I, II and III lands (refer to definitions in Chapter 02 CDC), a registered civil engineer must prepare a storm detention and treatment plan, at a scale sufficient to evaluate all aspects of the proposal, and a statement that demonstrates:*
1. *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.*
 2. *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.*
 3. *There will be no adverse off-site impacts, including impacts from increased intensity of runoff downstream or constrictions causing ponding upstream.*
 4. *There is sufficient factual data to support the conclusions of the plan.*
 5. *Per CDC 99.035, the Planning Director may require the information in subsections (E)(1), (2), (3) and (4) of this section for Type IV lands if the information is needed to properly evaluate the proposed site plan.*

Response: The site is classified as Type IV lands per CDC 2.030 because approximately 58% of the site has slopes under 10 percent, as derived from the RLIS topography GIS layer, depicted graphically in Exhibit D (Type IV lands must have slopes 10 percent or under on more than 50 percent of the site). Therefore, this section does not require a civil engineer to prepare a grading plan and a storm detention and treatment plan. The proposed construction is to replace a temporary shelter cover over the existing concrete slab. The storm runoff characteristics of the new structure will not differ substantially from existing conditions. The shelter structure will cover an existing paved concrete pad so it will not appreciably increase impervious surface runoff. Pursuant to CDC 92.010(E), stormwater designs are not typically required for Type IV lands. Therefore, no storm detention and treatment plan has been prepared. The applicant requests a waiver of this submittal requirement pursuant to CDC 99.035(B). This standard is met.

Chapter 99 Procedures for Decision Making: Quasi-Judicial

99.035 Additional Information Required, Waiver of Requirements and Report Required

- A. *The Planning Director may require information in addition to that required by a specific chapter in the Community Development Code; provided, that:*
1. *The chapter expressly authorizes that additional information may be required;*
 2. *The information is needed to properly evaluate the proposed site plan or proposal; and*
 3. *The need can be justified on the basis of a special or unforeseen circumstance.*

Response: The applicant has not received a request for additional information from the Planning Director. This provision is not applicable.

- B. *The Planning Director may waive a specific requirement for information or a requirement to address a certain approval standard subject to the provisions of subsection C of this section provided:*
1. *The Planning Director finds that specific information is not necessary to properly evaluate the application; or*

2. *The Planning Director finds that a specific approval standard is not applicable to the application.*

Response: Due to the limited scale and impacts of the proposed additions to facilities at McLean House Park, the applicant has requested that the Planning Director waive certain submittal requirements, such as detailed site inventory/analysis, landscape planting plans, grading and other engineering plans, as more specifically identified in Exhibit B. The level location and existing conditions where the structures are proposed indicates that no significant impacts requiring such planning are necessary to determine that the project is feasible.

- C. *Where a requirement is waived, the Planning Director shall cite in the staff report on the application the specific requirements waived and the reasons for the waiver. The decision of the Planning Director to waive the requirement is subject to review and denial by the approval authority or the appeal authority.*

Response: This provides direction to the Planning Director and requires no action from the applicant.

99.038 Neighborhood Contact Required for Certain Applications

Prior to submittal of an application for any subdivision, conditional use permit, multi-family project, planned unit development of four or more lots, non-residential buildings over 1,500 square feet, or a zone change that requires a Comprehensive Plan amendment, the applicant shall contact and discuss the proposed development with any affected neighborhood as provided in this section. Although not required for other or smaller projects, contact with neighbors is highly recommended. The Planning Director may require neighborhood contact pursuant to this section prior to the filing of an application for any other development permit if the Director deems neighborhood contact to be beneficial.

Response: The proposed open-frame shelter cover is not a type of development requiring a pre-submittal neighborhood contact as it merely replaces the existing fabric structure. At 300 square feet in area, the proposed restroom/storage utility building is not a “non-residential building over 1,500 square feet.” Neighborhood contact is therefore not a pre-submittal requirement.

99.070 Consolidation of Proceedings

- A. *When an applicant requests more than one approval, and more than one approval authority is required to decide the applications, the proceedings shall be consolidated so that one approval authority shall decide all applications in one proceeding. In such cases, the hearings shall be held by the approval authority having original jurisdiction over one of the applications under CDC 99.060, in the following order of preference: City Council, Planning Commission or Historic Review Board, or the Planning Director.*
 1. *However, expedited land division applications shall be processed as described in Chapter 197 ORS, regardless of the number of approvals requested.*

Response: The applicant requests consolidated processing of the land use actions requested in this application package.

- B. *When an applicant requests to undertake preliminary work, for site preparation or analysis, the Director may allow decisions within the Director’s authority to precede the subsequent decision required for review by the decision-making body.*





Response: This application does not include a request to undertake preliminary work prior to obtaining all necessary land use approvals.

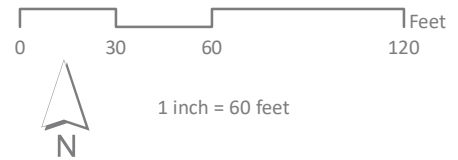
IV. CONCLUSION

Based on the information presented and discussed in this narrative and the attached supporting plans and documentation, this application meets applicable standards necessary for land use approval. The proposed development complies with applicable standards of the West Linn Community Development Code and furthers the City's objectives of promoting recreational facilities and highlighting a civic resource, namely, the historic McLean House. The applicant respectfully requests approval by the City.

MCLEAN HOUSE
5350 River Street
West Linn, Oregon
Aerial Map

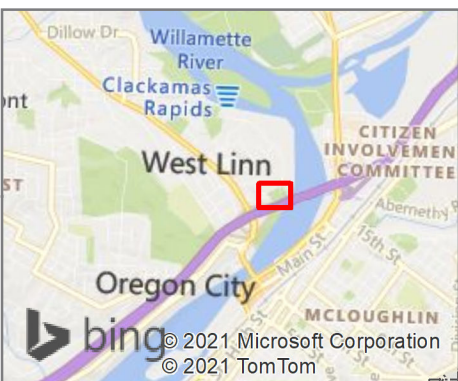
LEGEND

-  Site
-  Approximate area of work
-  Tax Lots
-  Trails



SOURCE DATA: Metro RLIS Lite Base Data, April 2020
 GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic

Date: 2/12/2021 Map Created By: BJV
 File: McLeanHouseAerialMap Project No: 2190399.00







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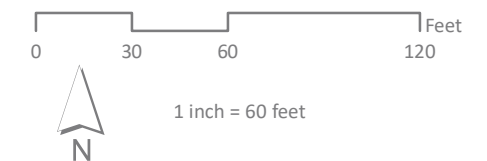
MCLEAN HOUSE
5350 River Street
West Linn, Oregon
Slope Map

LEGEND

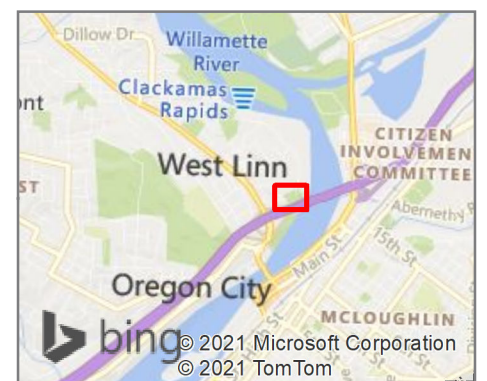
-  Site
-  Approximate area of work
-  Tax Lots
-  2ft contours

Slopes

-  Slopes <10% (58% of site)
-  Slopes 10-25% (27% of site)
-  Slopes >25% (15% of site)

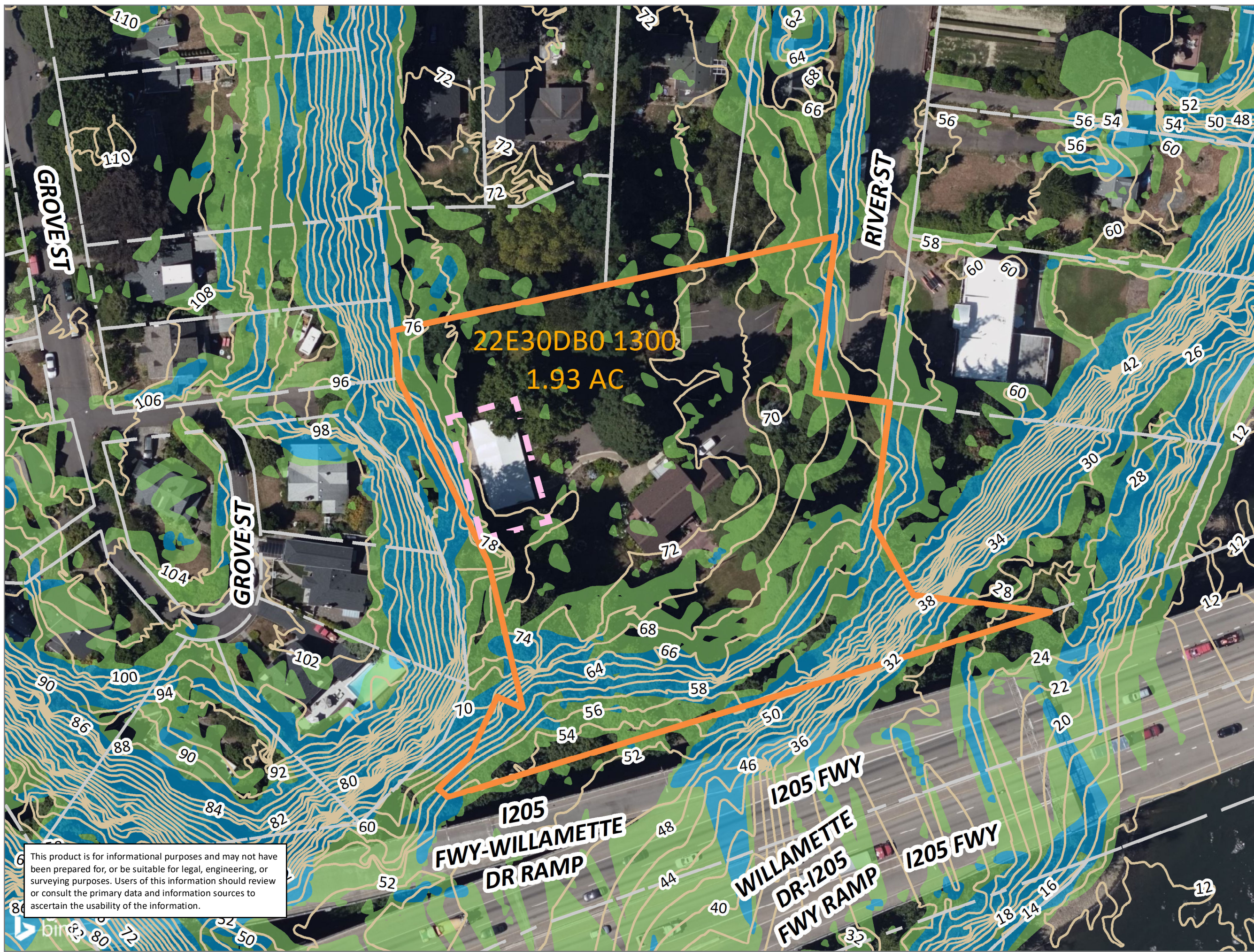


SOURCE DATA: Metro RLIS Lite Base Data, April 2020
 GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic
 Date: 2/12/2021
 File: McLeanHouseSlope
 Map Created By: BJV
 Project No: 2190399.00



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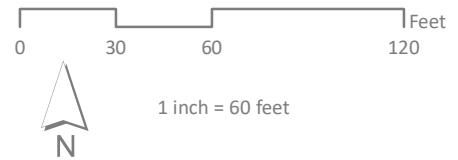


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MCLEAN HOUSE
5350 River Street
West Linn, Oregon
Flood Map

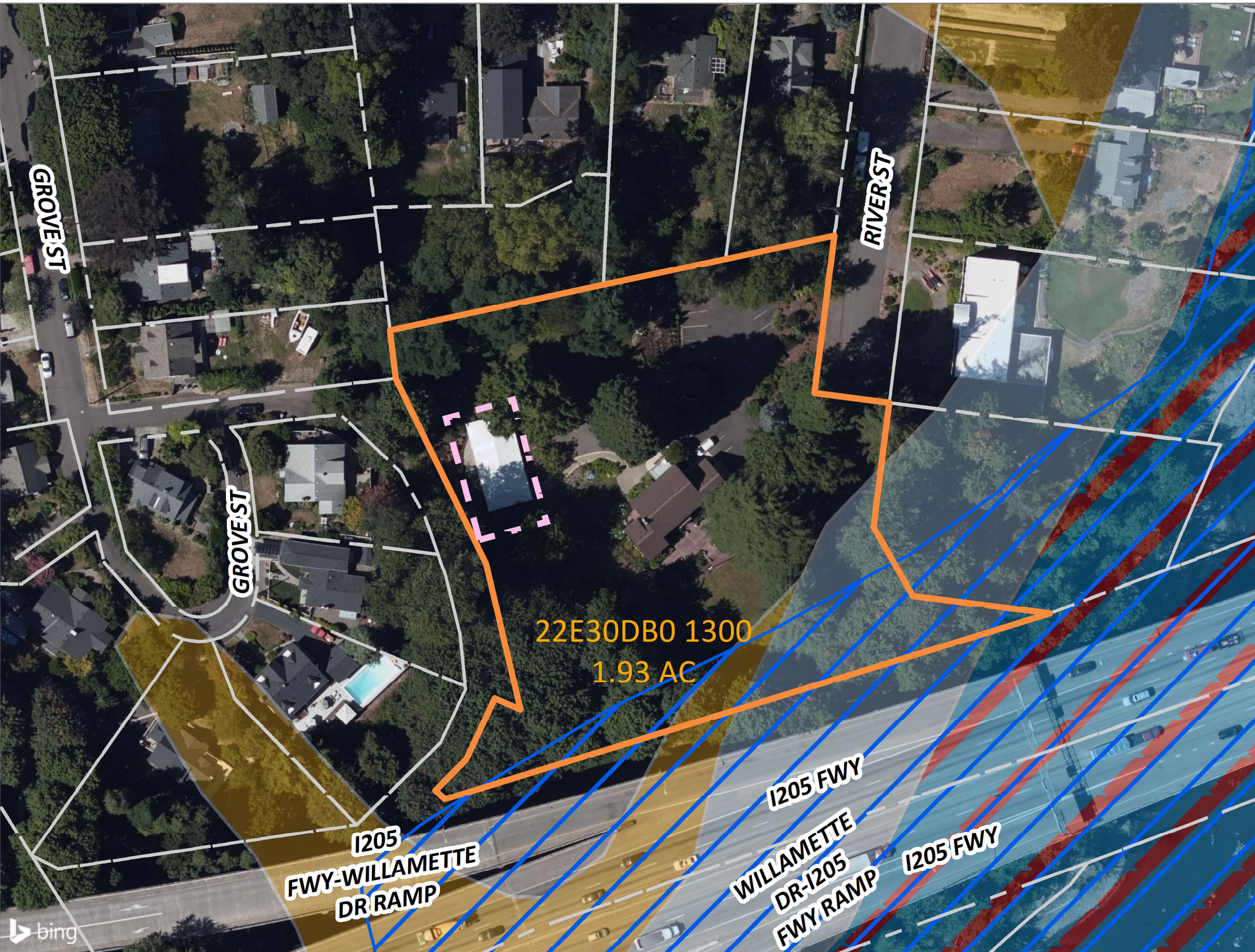
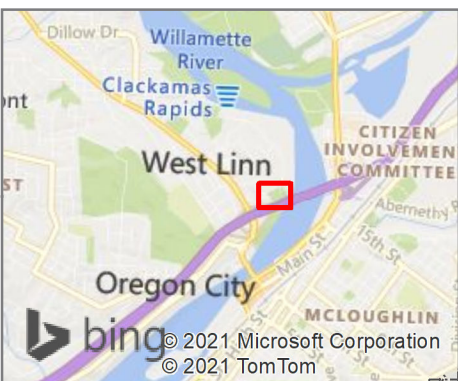
LEGEND

-  Site
 -  Approximate area of work
 -  Tax Lots
 -  1996 Flood Inundation Area
- Flood Plains (FEMA)**
-  1% Annual Chance Flood Hazard
 -  Regulatory Floodway
 -  0.2% Annual Chance Flood Hazard



SOURCE DATA: Metro RLIS Lite Base Data, April 2020
 GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic

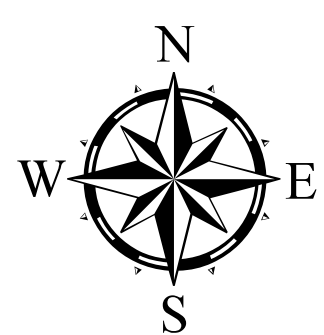
Date: 2/12/2021 Map Created By: BJV
 File: McLeanHouseFloodplainMap Project No: 2190399.00



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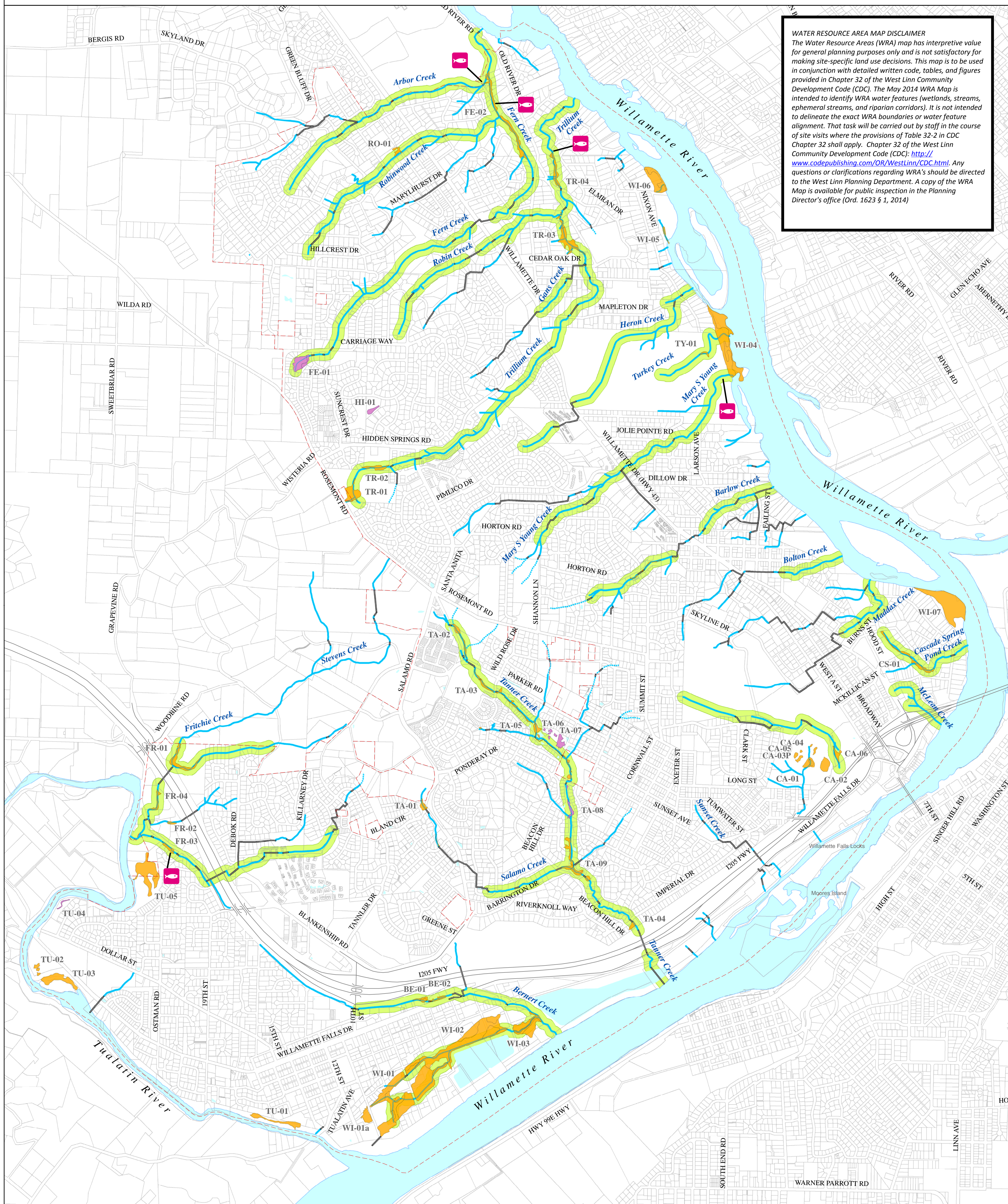
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Water Resource Area (WRA) Map

WATER RESOURCE AREA MAP DISCLAIMER
 The Water Resource Areas (WRA) map has interpretive value for general planning purposes only and is not satisfactory for making site-specific land use decisions. This map is to be used in conjunction with detailed written code, tables, and figures provided in Chapter 32 of the West Linn Community Development Code (CDC). The May 2014 WRA Map is intended to identify WRA water features (wetlands, streams, ephemeral streams, and riparian corridors). It is not intended to delineate the exact WRA boundaries or water feature alignment. That task will be carried out by staff in the course of site visits where the provisions of Table 32-2 in CDC Chapter 32 shall apply. Chapter 32 of the West Linn Community Development Code (CDC) is: <http://www.codepublishing.com/OR/WestLinn/CDC.html>. Any questions or clarifications regarding WRA's should be directed to the West Linn Planning Department. A copy of the WRA Map is available for public inspection in the Planning Director's office (Ord. 1623 § 1, 2014)



Map Developed by West Linn Planning Department and GIS

MAP OVERLAYS:
 *Streams, Pipe Segments, Other Open Ditches, and Significant Riparian Corridors
 Map Source: "Significant Riparian Corridors West Linn Goal 5 Inventory, January 2007"
 Map publication date: 1/2/2007.
 Modified Streams and added Ephemeral Streams, April 2013, July 2013, September 2013

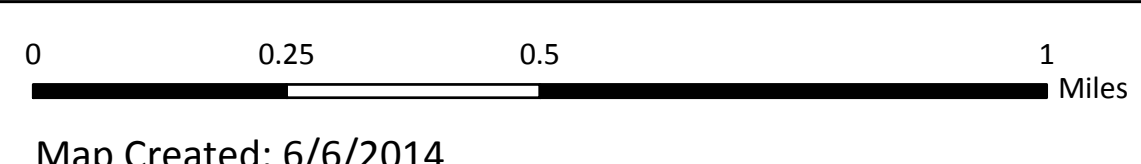
****Locally Significant Wetlands and Other Wetlands**
 Map Source: "Local Wetland Inventory, West Linn Goal 5 Inventory, January 2005"
 Map publication date: 6/5/2006.

*****Taxlot Base Map provided by Clackamas County GIS, 2013**

WETLANDS/GOAL 5 DISCLAIMER (DSL STANDARD):
 Information shown on this map is for planning purposes only and wetland information is subject to change. There may be unmapped wetlands subject to regulation and all wetland boundary mapping is approximate. In all cases, actual field conditions determine wetland boundaries. You are advised to contact the Oregon Division of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

- | | |
|--|--|
| <p>Goal 5 Significant Riparian Corridors*</p> <ul style="list-style-type: none"> Significant Riparian Corridors Streams Ephemeral Stream Piped Segments Upper Stream Reach of Fish Inventory 2003/2004 Survey | <p>Goal 5 Wetland Inventory**</p> <ul style="list-style-type: none"> Locally Significant Wetlands, DSL 2005 Other Wetlands, DSL 2005 TA-05 Specific Wetland Identifier Rivers & Ponds West Linn City Limits Taxlot Base Map*** |
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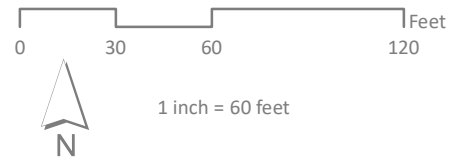
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 VERSION 5 TO VERSION 6: REMOVED "PROPOSED" FROM MAP TITLE



MCLEAN HOUSE
5350 River Street
West Linn, Oregon
Waterways Map

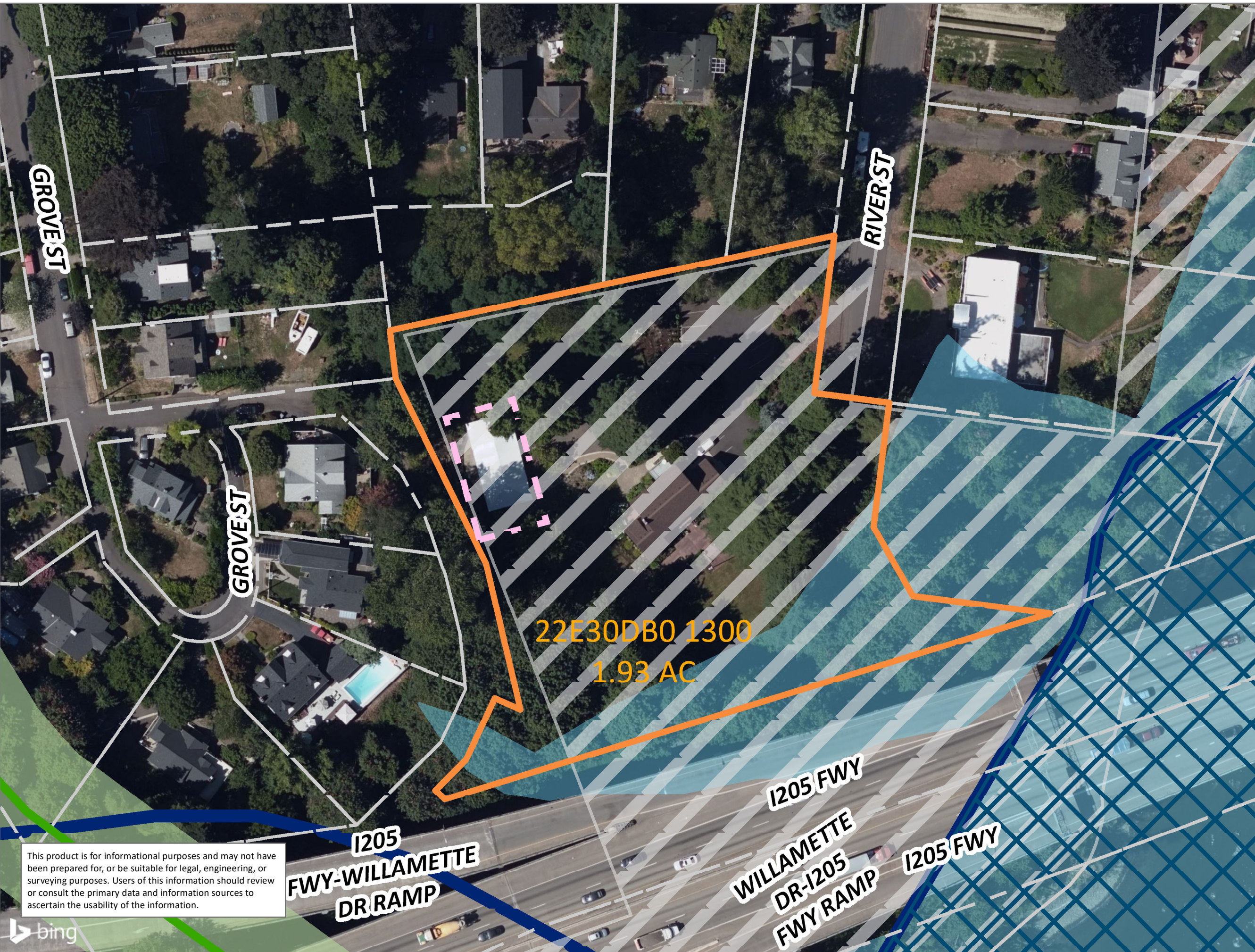
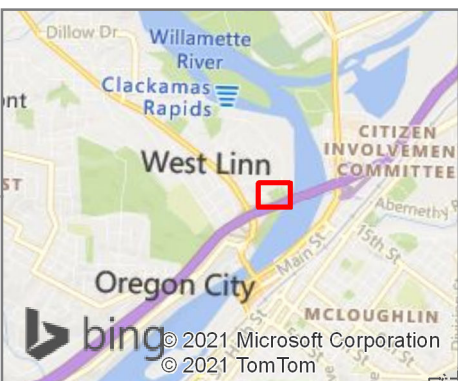
LEGEND

-  Site
-  Approximate area of work
-  Tax Lots
-  Willamette River
-  Willamette River Greenway
-  Metro Streams
-  Habitat Conservation Area
-  City Streams/Ditches
-  Water Resource Area



SOURCE DATA: Metro RLIS Lite Base Data, April 2020
 GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic

Date: 2/12/2021 Map Created By: BJV
 File: McLeanHouseWetlandMap2 Project No: 2190399.00



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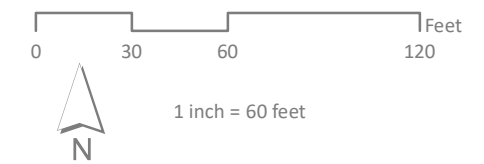
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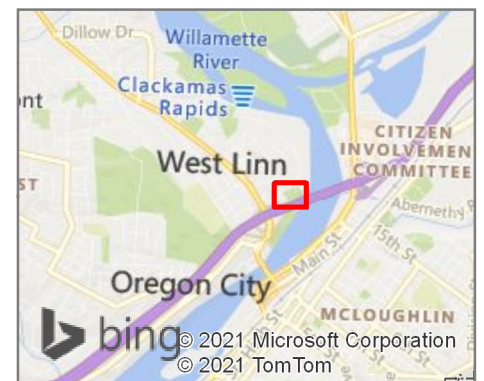
MCLEAN HOUSE
5350 River Street
West Linn, Oregon
Public Utility Map

LEGEND

-  Site
-  Approximate area of work
-  Tax Lots
-  Water Main
-  Sanitary Sewer Line
-  Sanitary Sewer Structure
-  Storm Line/Ditch
-  Storm Structure



SOURCE DATA: Metro RLIS Lite Base Data, April 2020
 GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic
 Date: 2/12/2021 Map Created By: BJV
 File: McLeanHouseUtilities Project No: 2190399.00






This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

MACKENZIE.

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

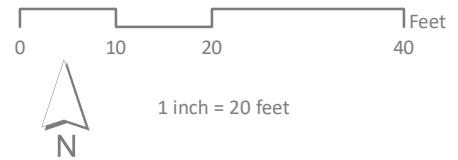
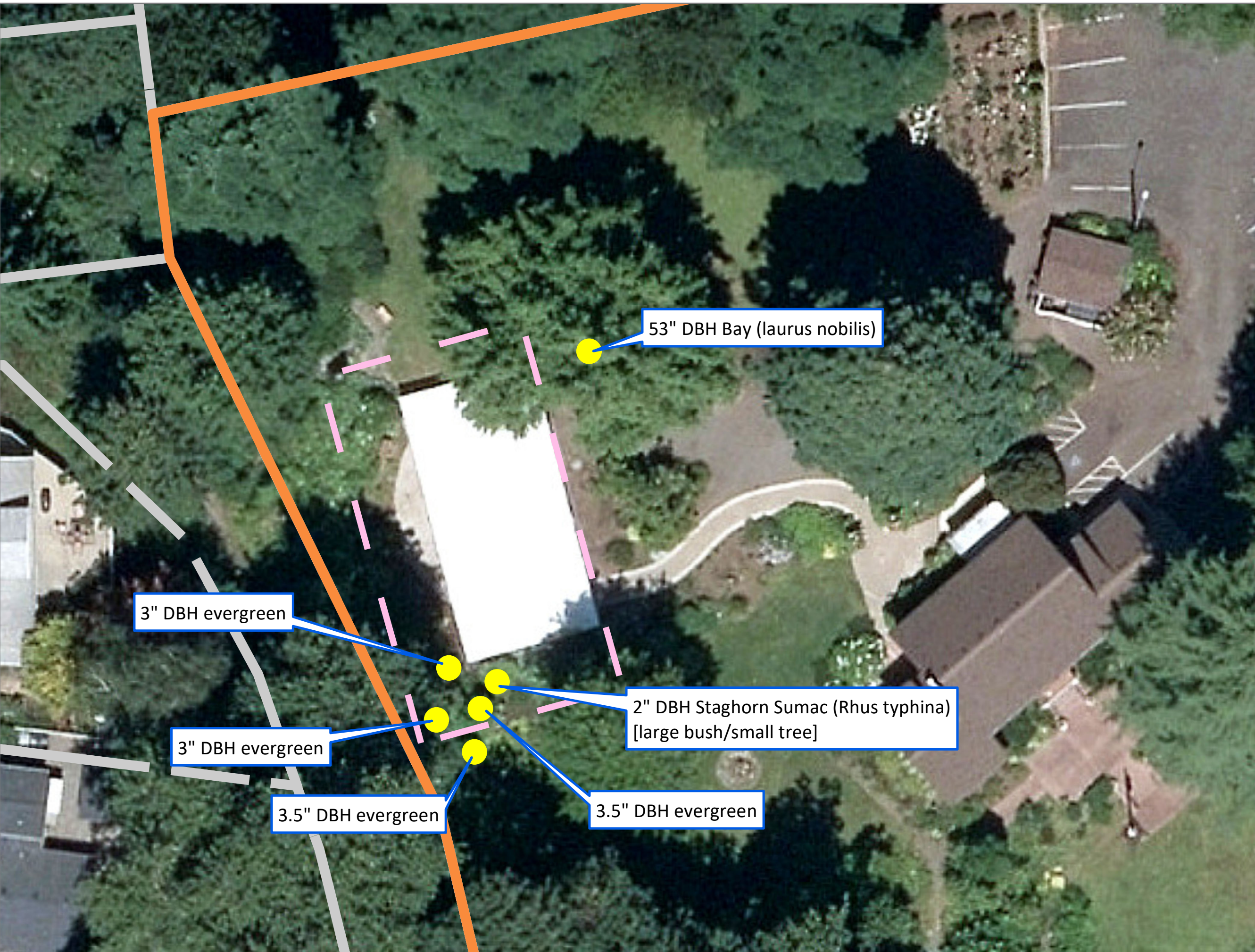
MCLEAN HOUSE
5350 River Street
West Linn, Oregon
Tree Inventory

LEGEND

-  Site
-  Approximate area of work
-  Tax Lots

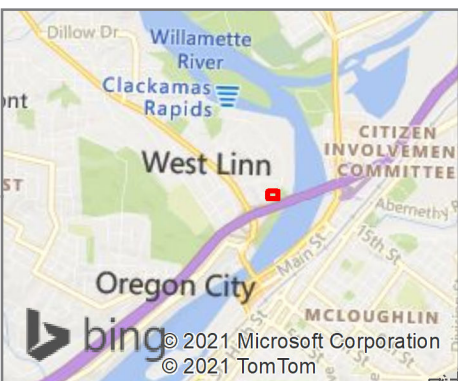
Notes:

- DBH = Diameter at Breast Height
- West Linn Municipal Code 8.510 regulates only those trees over 6" DBH or 12" DBH (depending on species)
- Within and near the area of work, only the 53" Bay tree falls under this regulation



SOURCE DATA: Metro RLIS Lite Base Data, April 2020
GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic

Date: 2/12/2021 File: McLeanHouseTrees Map Created By: BJV Project No: 2190399.00



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Portland, Oregon • Vancouver, Washington • Seattle, Washington

Property Information:

Tax Lot = 22E30DB01300

Acres = 1.93

Zoned = R10

Classified = Special Use Park

Neighborhood = Bolton

Noise Study Area = 8

Day Avg = 46, Night Avg = 49

Development supports:

2019 - 20 year Parks Master Plan

Goal 2, 3, 4

Bolton Neighborhood

Goal #2 - Policy:

#4.2 - Preserve and enhance Bolton's Natural Area Parks

#5.3 - Make use of City owned properties for community use

Code Compliance:

Day Use - Non-Habitable Space

Contacts:

Owner:

City of West Linn

22500 Salamo Road

West Linn, OR 97068

Ken Warner

503-742-6047

kwarner@westlinnoregon.gov

Property:

Friends of McLean House and Park

5350 River Street

West Linn, OR 97068

Mike Watters

503-891-4665

McLean Park and House Outdoor Pavilion

Description:

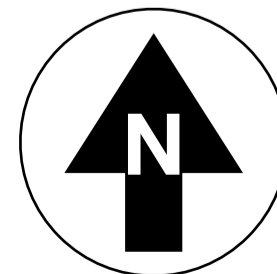
The Friends of McLean House and Park are proposing to further develop the 1.93 acre City park by proposing a new accessory recreational structure to compliment the Historic House. Proposal includes a 2,925 SF impervious area which includes a 2,100 SF timber frame open air outdoor pavilion, a 300 SF CMU support building, and 511 SF of additional slab and gables. The structure is to be placed at the existing concrete slab which is adjacent to the Historic Home and currently houses a tent during the summer months. No work on the historic house is proposed.



**Conceptual
Design**

McLean Park & House

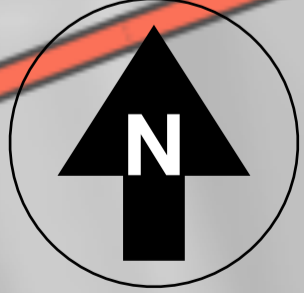
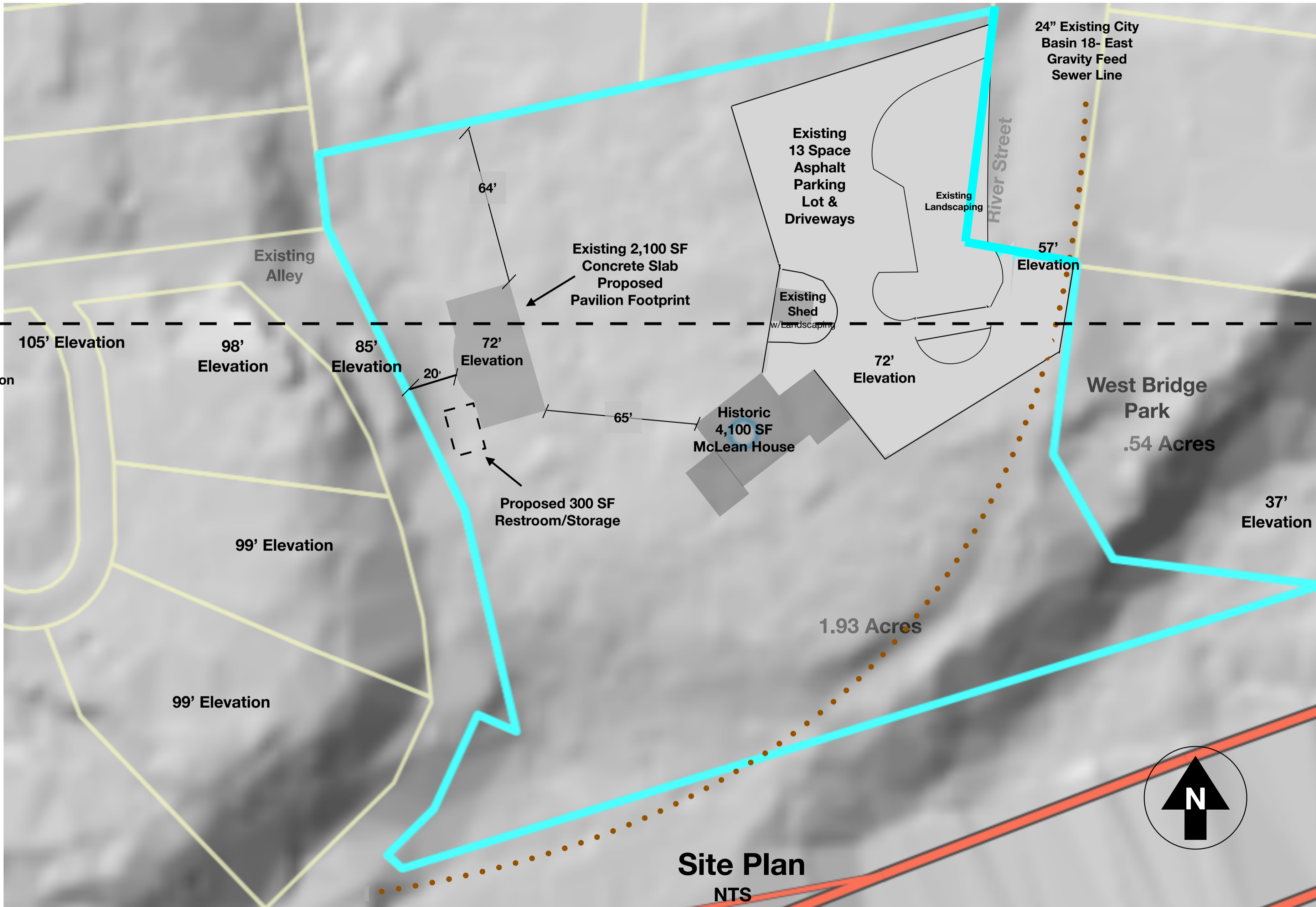
**5350 River Street
West Linn, OR 97068**



Scale = NTS

1/27/21

G 0.0



Conceptual Design

McLean Park & House

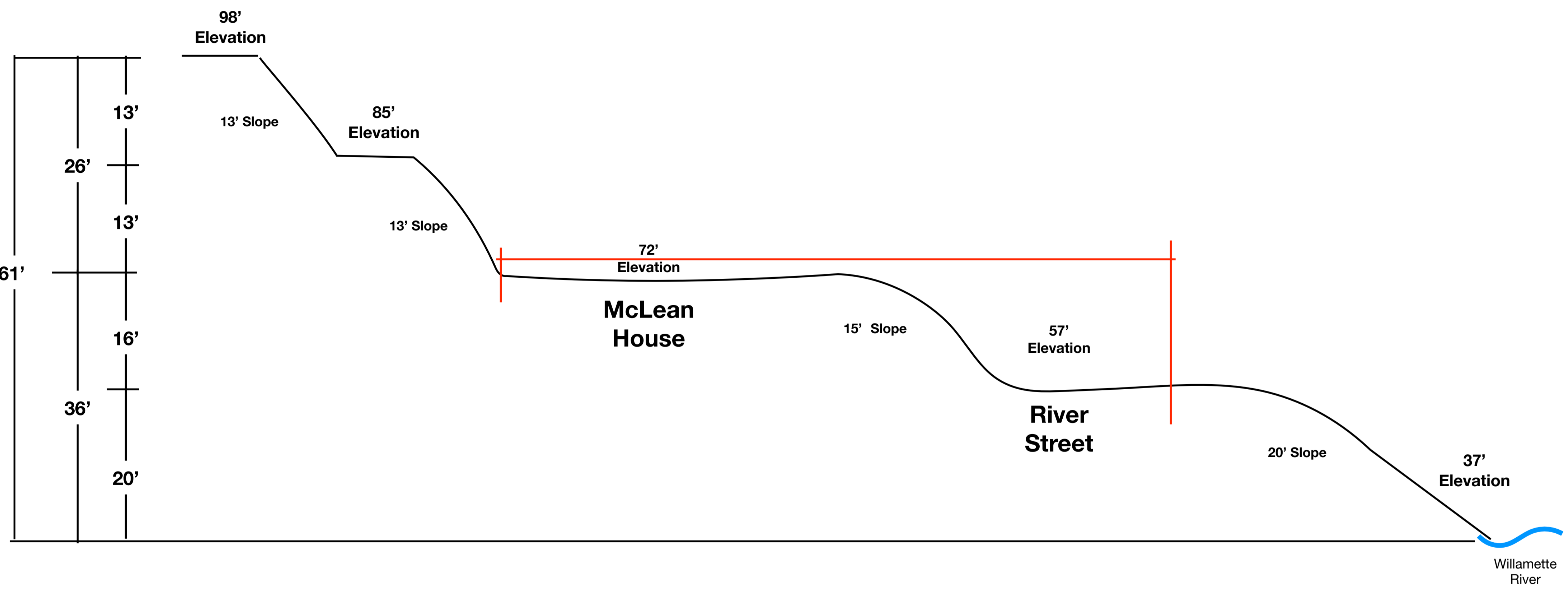
5350 River Street
West Linn, OR 97068

1/27/21

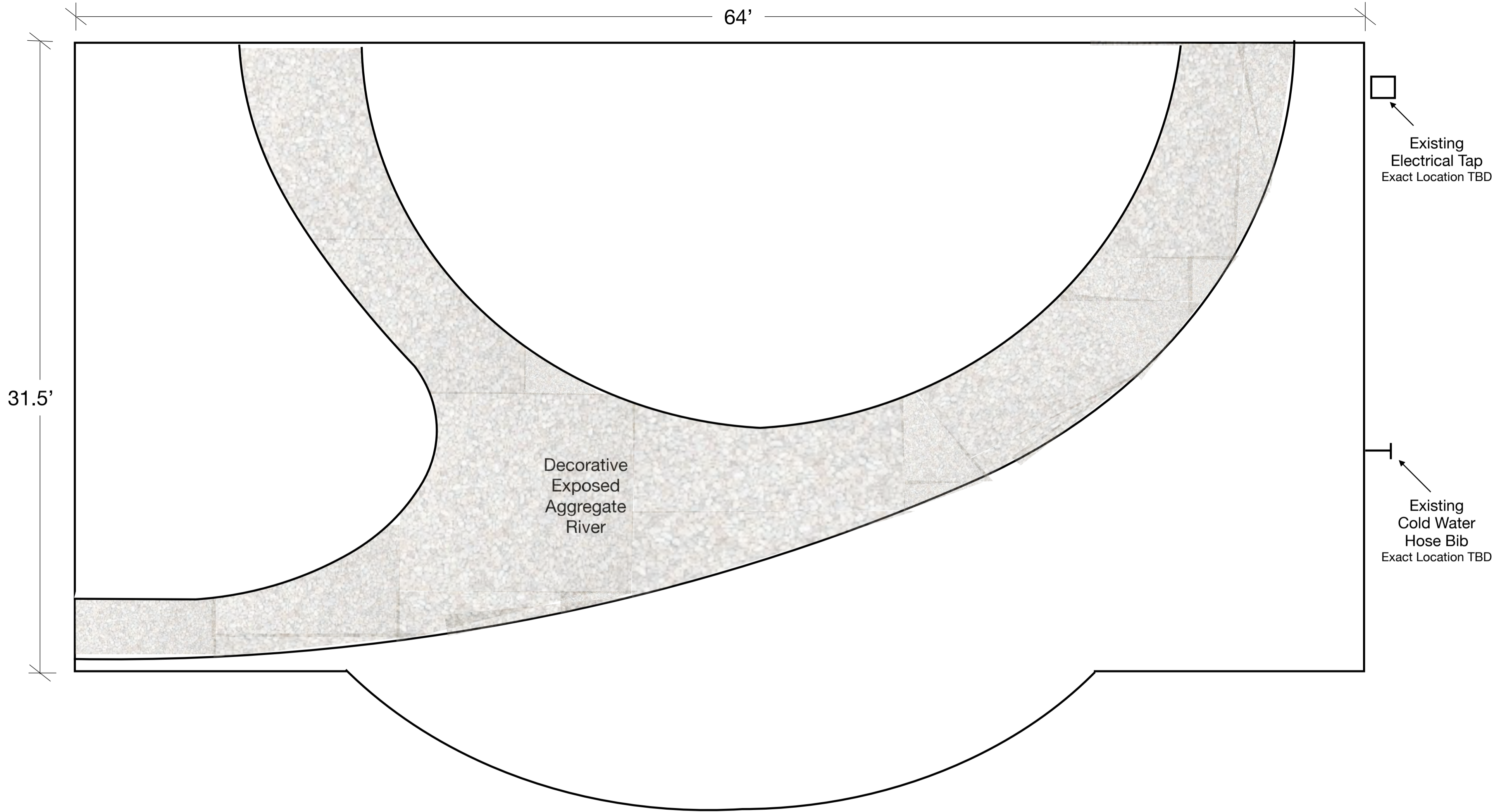
Proposed

Site

Plan

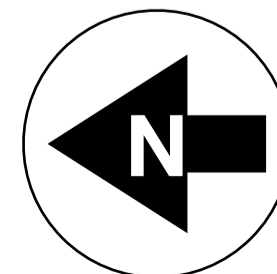


Section A
 Study Only
 NTS



Existing Concrete Slab

Scale: 1' = 3/16"

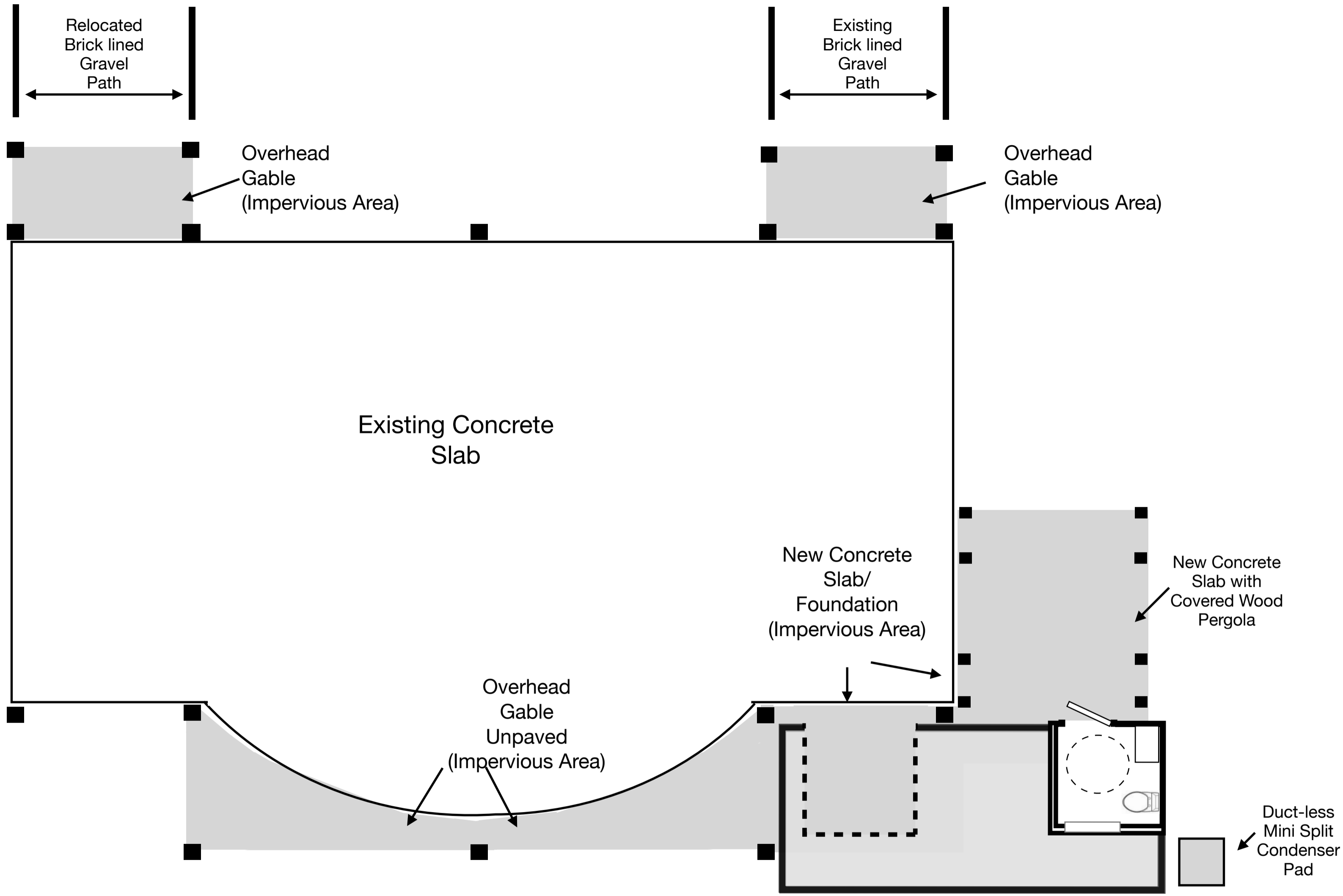


Conceptual Design

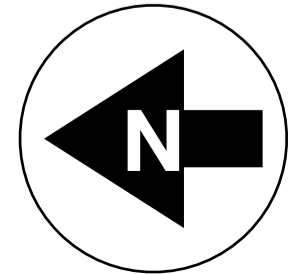
McLean Park & House
 5350 River Street
 West Linn, OR 97068

1/27/21

Existing Floor Plan



Proposed Floor Plan
 Scale: 1' = 1/8"

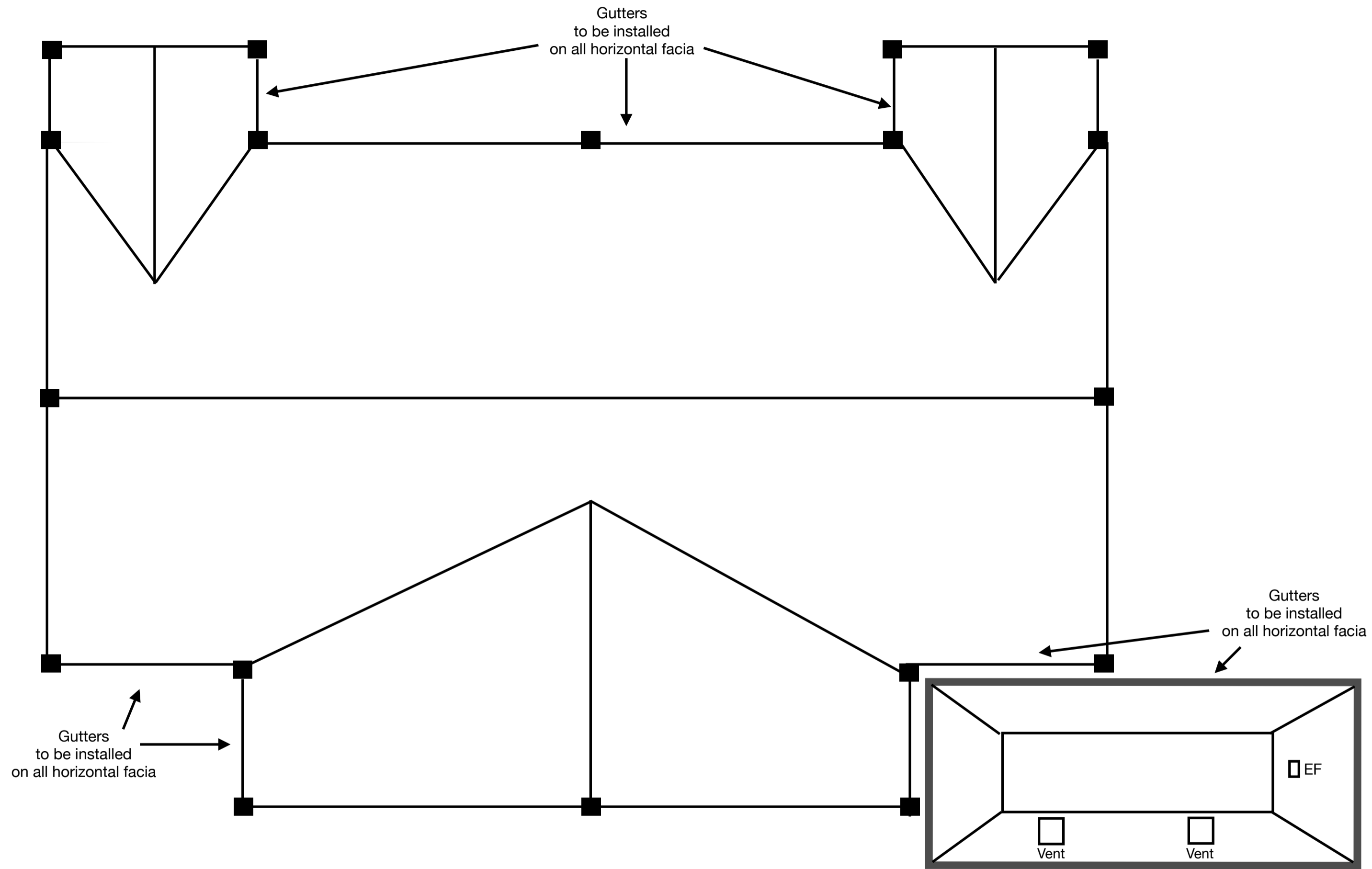


Conceptual Design

McLean Park & House
 5350 River Street
 West Linn, OR 97068

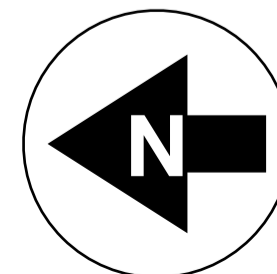
1/27/21

Proposed Floor Plan



Roof Plan

Scale = 1' = 1/8"

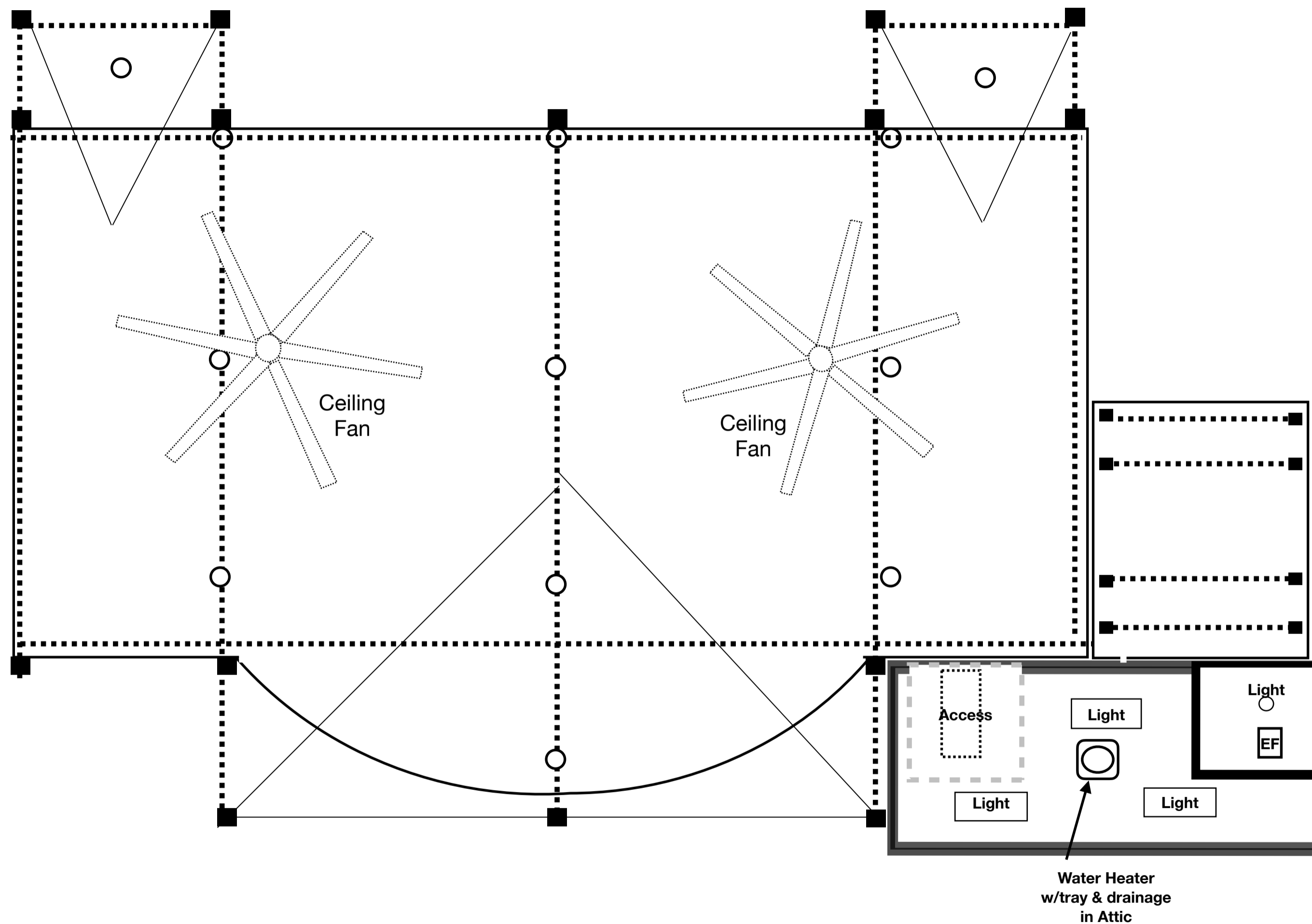


**Conceptual
Design**

McLean Park & House
 5350 River Street
 West Linn, OR 97068

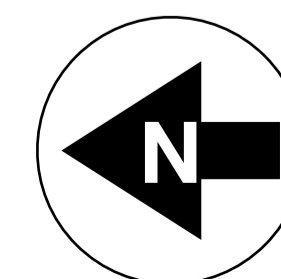
1/27/21

**Proposed
Roof Plan**



Ceiling Plan

Scale = 1' = 1/8"

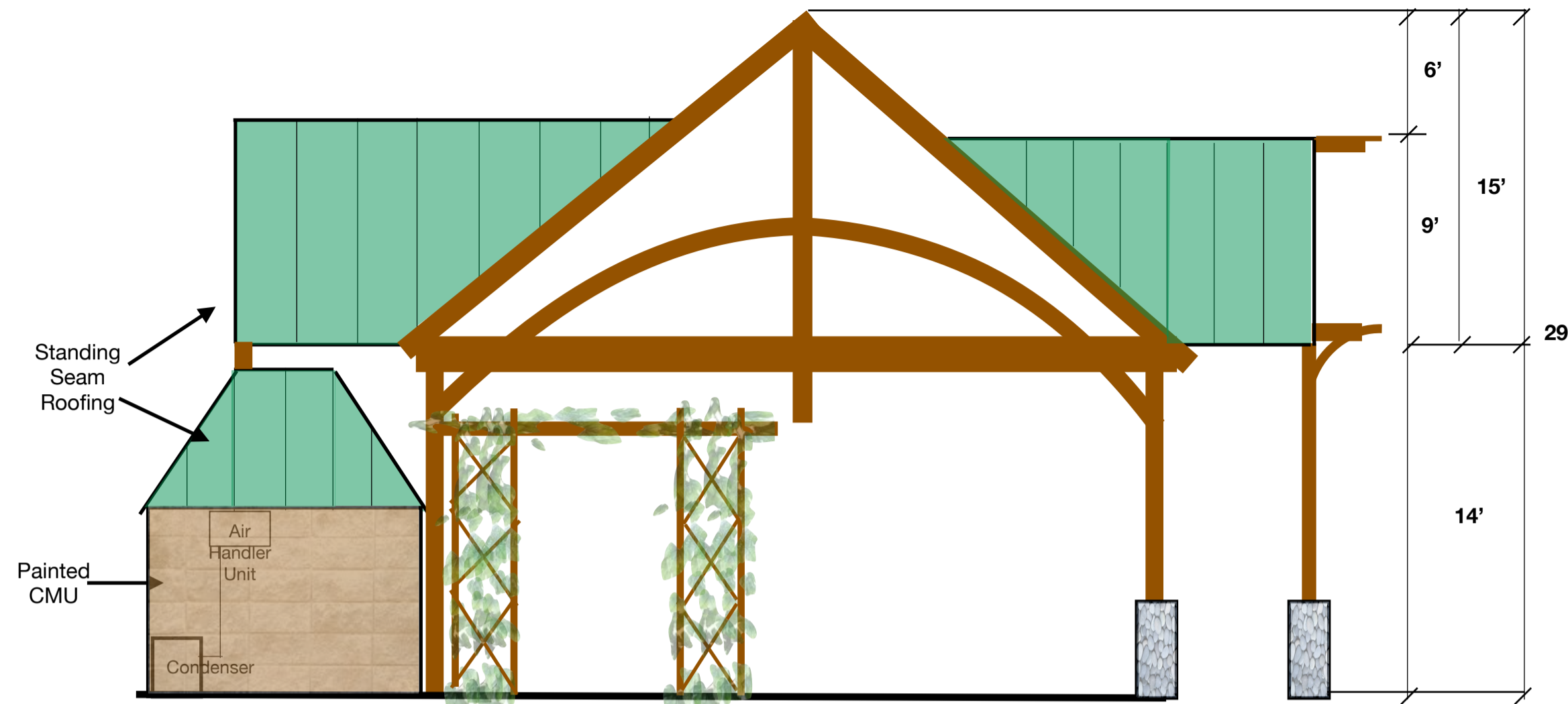


**Conceptual
Design**

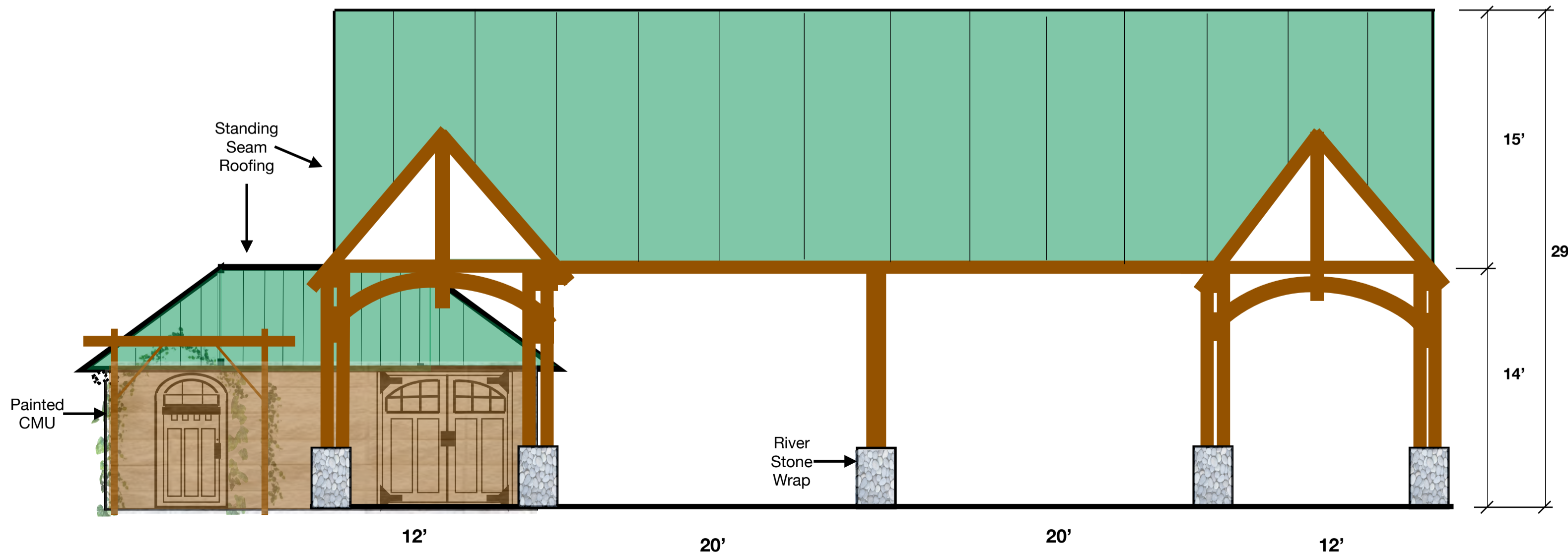
McLean Park & House
5350 River Street
West Linn, OR 97068

1/27/21

**Proposed
Ceiling Plan**



South Elevation



East Elevation

Scale = 1' = 1/8"

**Conceptual
Design**

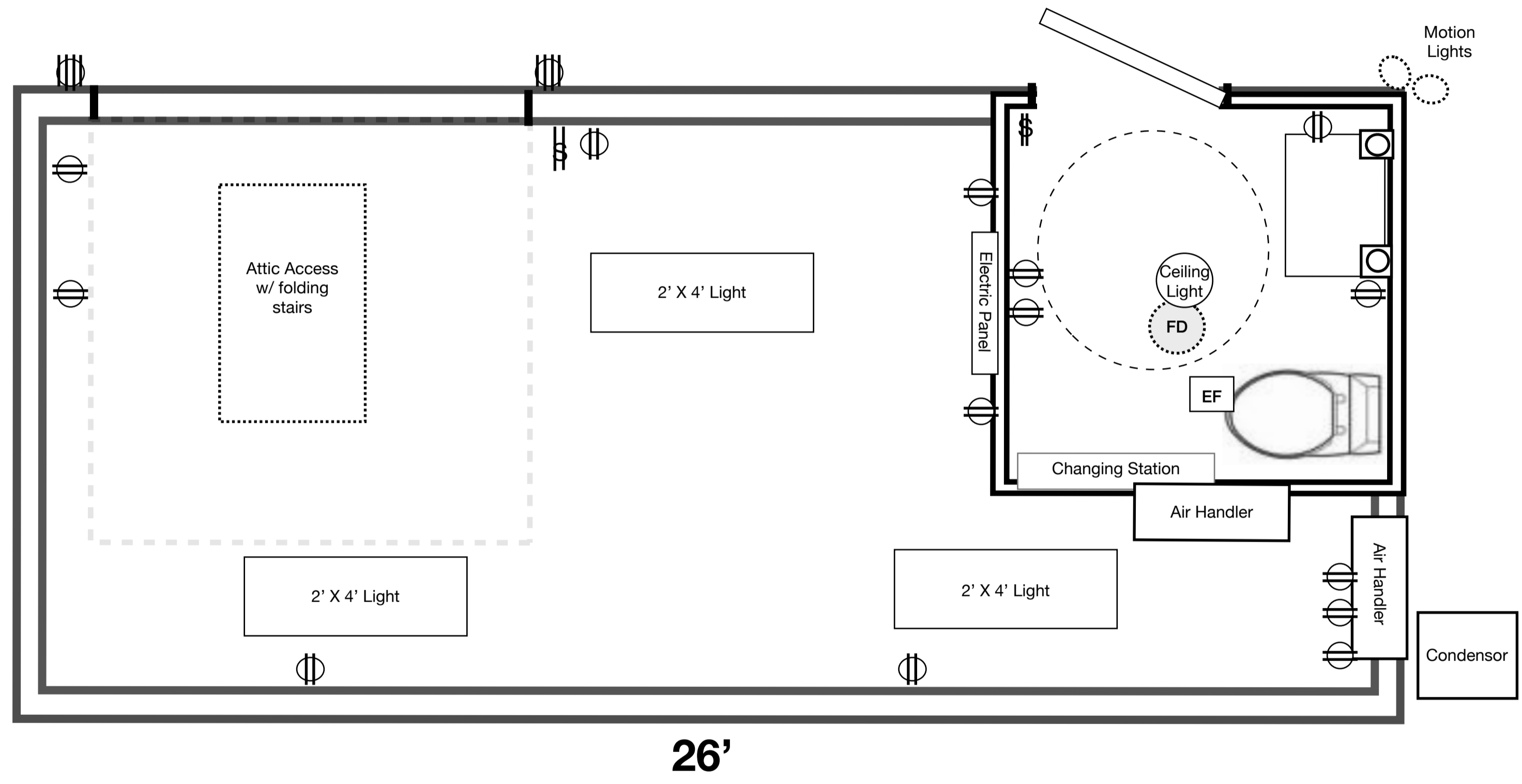
McLean Park & House
5350 River Street
West Linn, OR 97068

1/27/21

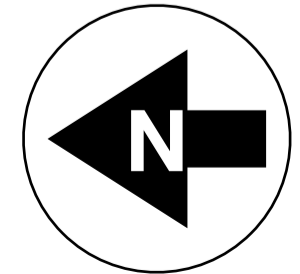
Pavilion

Elevations

**Conceptual
Design**



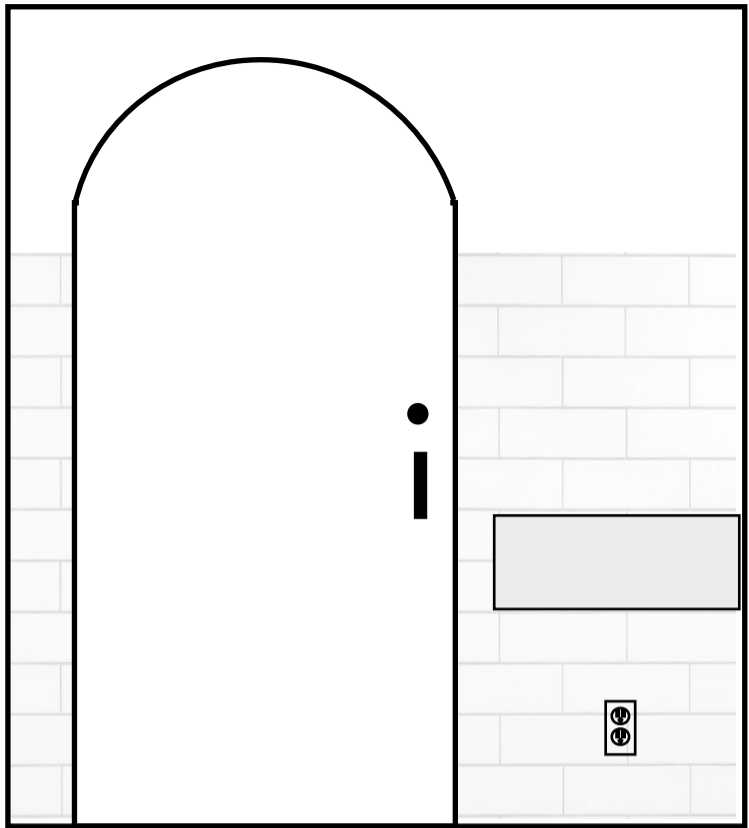
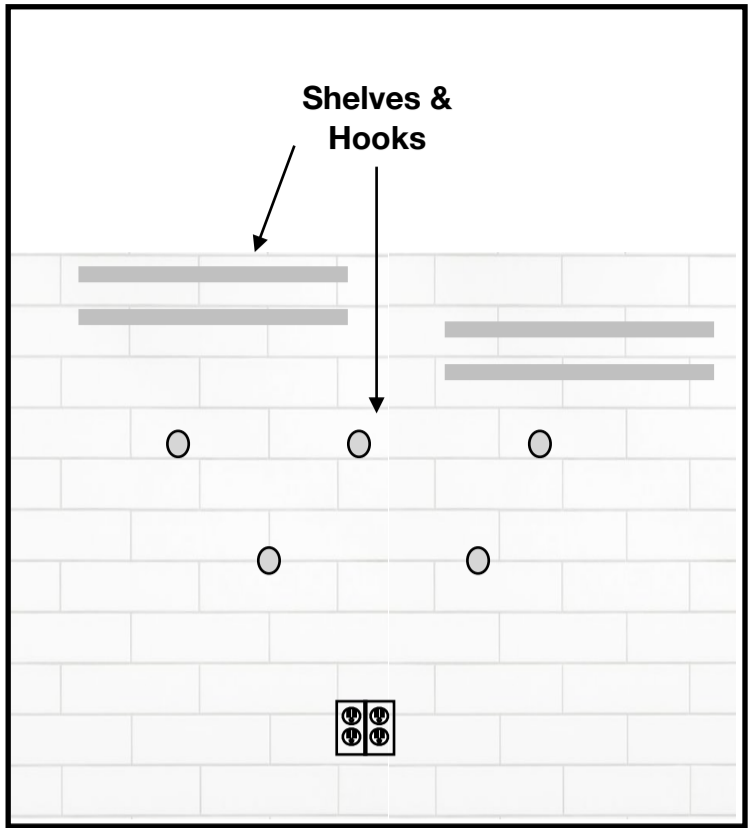
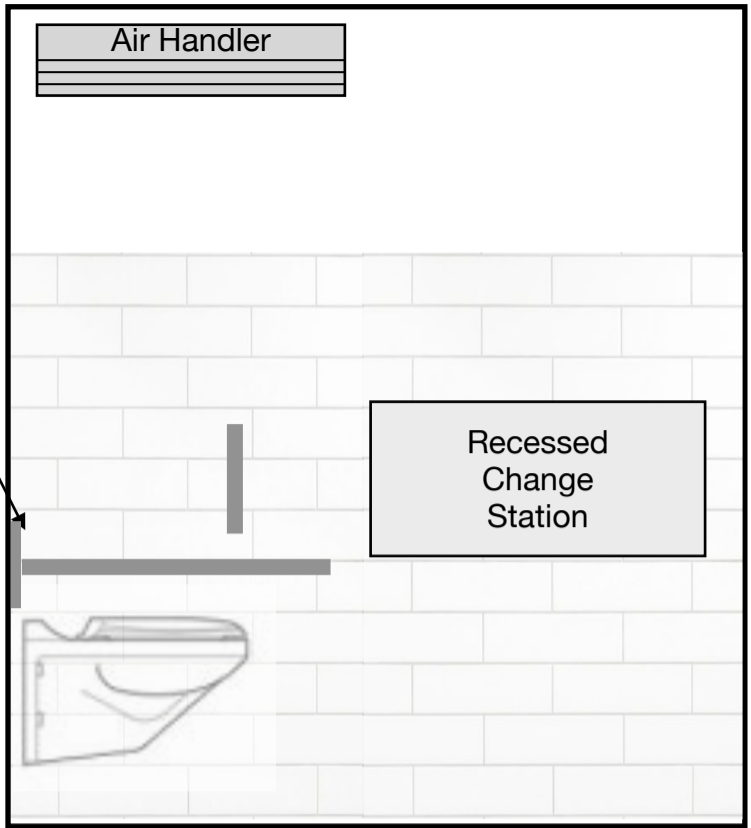
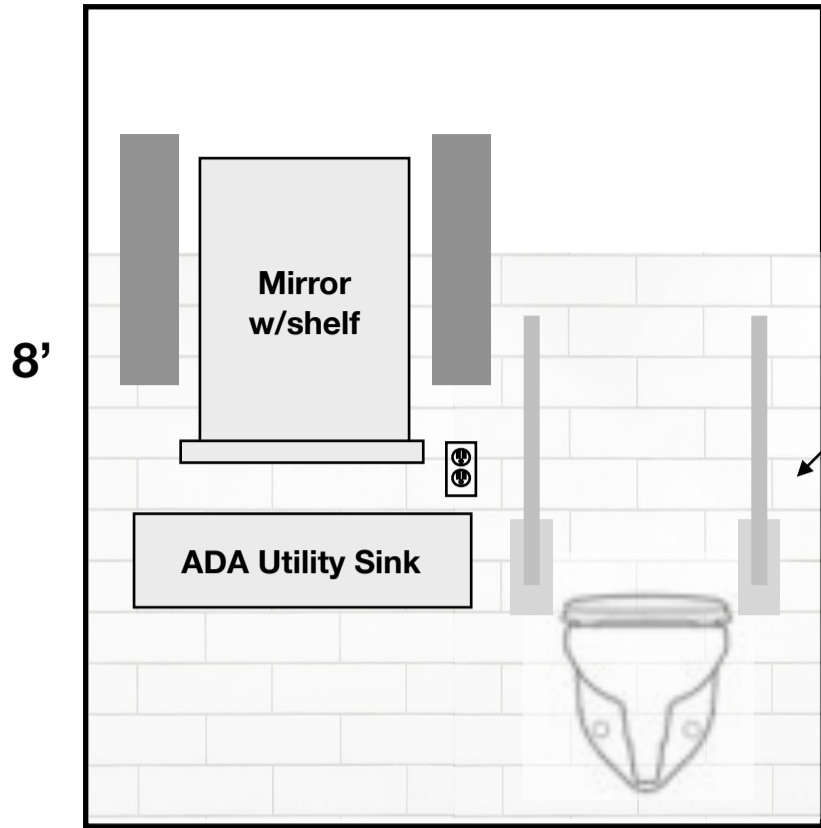
**Enlarged
Restroom/Storage Building**
Scale = 1' = 3/8"



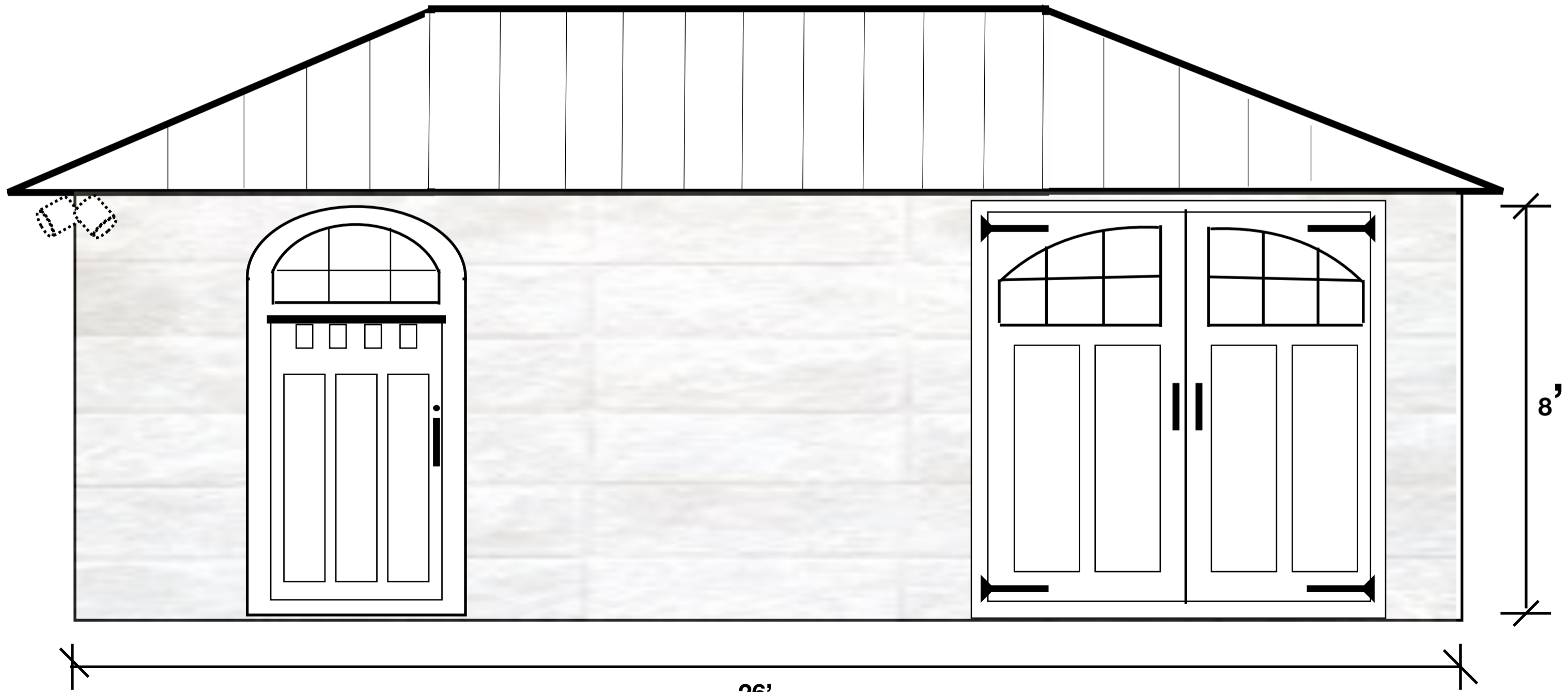
McLean Park & House
5350 River Street
West Linn, OR 97068

1/27/21

**Enlarged
Floor Plan**



ADA Restroom Elevations



East Elevation Scale = 1' = 3/8"

Conceptual Design

McLean Park & House
 5350 River Street
 West Linn, OR 97068

1/27/21

Elevations

February 1, 2021

TO: City of West Linn, Historic Review Board

RE: Project Narrative for McLean Park and House outdoor Pavilion at 5350 River Street West Linn, OR

Located on a plateau downstream from the base of Willamette Falls, in the middle of a curve in the Willamette River where River Street ends, are two city parks. The McLean Park adjoins West Bridge Park and combined, this area has a long, diverse, and rich history as a critical link between the land and river. This history of the property has evolved from the early days as a dense forest that rose up to meet the volcanic breccia cliffs. This site was home to a thriving Chinookan fishing village and gathering location for numerous tribes until the arrival of the wagon trains carrying settlers in the 1840's.

In 1842, Irish immigrant Hugh Burns filed a land claim for 320 acres which included the present-day McLean Park. After the opening of the Oregon City Arch Bridge in 1922, Dr. Edward H. McLean, a Clackamas County doctor, purchased 4.5 acres of this land. The 4,500 square foot house was built under the guidance of Dr. McLean, while his wife Anne created and maintained a substantial herb and vegetable garden in addition to her prized rose garden. Dr. McLean is remembered for his involvement in the formulation of the first physician sponsored, prepaid medical plan in the U.S., as well as his extensive work in the field of communicable diseases.

Before the Abernathy Bridge was completed (1970), the City of West Linn purchased the West Bridge property in 1967 from Oregon's Department of Transportation. In 1969, the City purchased Dr. McLean's property to serve as a West Linn park. The Friends of McLean Park and House was established in 1981, dedicated to the preservation of the house and grounds while celebrating its historical significance. The McLean House is listed by the West Linn Historic Review Board as a designated historical landmark to be protected and celebrated as a valuable public resource. After a decade of studies, ideas, and discussions, the Friends are pleased to present a plan to begin the next 40 years of stewardship assisting the city's park masterplan.

The McLean House is significant due to its formal symmetrical exterior and interior design which is a main feature and beautiful example of its colonial architecture. The centered front porch is flanked by two stories of soldier windows standing at full attention. The garage on the east and the sunroom on the west jut out at an equal

depth creating a juxtaposition, which softens the main house's rigidity while maintaining the symmetrical story. The whole structure is further softened by the graciously draped curve of the storybook roof which is a rarity, especially in the Northwest. Together, these elements create a beautifully detailed English colonial style home.

Every year, thousands of visitors enjoy the McLean Park and House, however, this activity takes a toll on the historic home. Visitors opening and closing the original wood doors, walking the hardwood floors and climbing the stairs, touching the woodwork details and using the restrooms, lead to the quickened deterioration of the home and causes significant maintenance issues. In an attempt to preserve the historical house, the Friends purchased a temporary 30' x 60' tent to accommodate outdoor events and relieve some of the wear-and-tear on the structure.

The Friends have worked diligently to provide a design for a permanent open-air Pavilion that could be used either separately, or in conjunction with, the existing house. An exterior structure would serve the community, schools and organizations with a space for a wide variety of activities. Historical reenactments, art fairs, environmental education programs, science exhibits and cultural celebrations are just a few of the opportunities the Pavilion will provide space.

How do you create a structure that does not fight with an existing landmark, especially one as beloved at the McLean House? A previous study from 2012 proposed a support structure that matched the existing colonial architecture. However, one risk of repeating the colonial details could be to minimize the existing structure rather than compliment it. Secondly, repeating architecture types does not recognize or pay homage to the site's full history. In order to meet their substantial goal, the Friends took another look at numerous architectural styles from baroque to modern, and everything in between. The Friends decided to propose a permanent open-air timber frame structure to be built over the existing concrete pad at the far west end of the property.

Why a timber framed structure? Timber frame goes back to being one of the earliest construction methods in America, mainly due to timber being such a readily available resource. Native Americans used it to build their long houses, pioneers used timber frame to build their log cabins, and today it remains a popular construction type for residential homes.

In the late 1800's, Victorian architecture was the rage and its extensive decorative gingerbread accents, vivid paint colors, and asymmetric structures were seen

everywhere, even in West Linn. In England, a revival of arts and crafts style began as a counter-point to the Victorian aesthetic. And at the 1907 World's Fair hosted by Portland, Oregon, several timber framed structures were erected to show off Oregon's massive timbers and variety of lumber available for construction. This intrigued fair attendees and resulted in the combination of timber frame with the budding arts and crafts movement to create the Craftsmen architectural style here in the United States. West Linn is full of original craftsmen bungalows built in the 1920's and 1930's, which means both timber frame as well as craftsmen style architecture would have been a option when the McLean House was built and finished in 1927

Another advantage to constructing a timber frame building is that the design would provide flexibility. With the structure's full weight carried by the substantial timber element, the individual bays created between the supports have the potential to be partially or completely infilled at some point in the future.

With the type of construction decided, the final question was how to make the differing architectural styles compliment, versus fight, each other. The answer was scale. The Friends studied models and looked at different options in order for the structure to be in scale with the existing colonial house. Scale is the reason the Pavilion has two smaller gables on either end versus one large one in the middle, which is the most common element on modern timber framed kit buildings. The Pavilion's two entrance gables correspond to the two gables on the back, or north elevation, of the house. This is the elevation that will face and interact with the Pavilion.

The other scale element was the defining gable roof of each structure. With the house creating a vertical line due to it having three stories and the Pavilion creating a horizontal line as a single story, the roofs were brought into scale by placing the Pavilion's bottom roof edge at 14', which is a height between the two differing bottom roof edges on the colonial house. The overall height of the Pavilion's gable roof was designed at 30' which is lower than the 45' height of the house. This is to ensure that the Pavilion does not interfere or fight with, the front, or south elevation, of the McLean house. The Pavilion is tucked behind the house and interacts only with the rear north elevation of the historic structure.

Since you cannot compete with a storybook roof, a standing seam metal roof is proposed for the Pavilion. This was both an aesthetic and sustainability decision in order to provide a structure with a roof designed to last 50 years with little to no roof maintenance. The green roof color on the Pavilion provides separation from the historic

building while allowing the new structure to blend into the wooded landscape, green foliage and vegetation found on the property.

The Pavilion's location was decided by the existing concrete pad located at the west end of the property which includes an exposed concrete symbolic river flowing through it. A 2003 archeological study determined that a long house once existed in the southwest corner of the park property, making the existing pad a perfect location. The concrete pad is 65' from the historic structure which provides a nice separation between the existing and new buildings. This allows the buildings to be viewed and enjoyed separately, or together, at certain perspective throughout the property.

The design of the Pavilion includes a separate support structure designed to further ease the burden on the historic home by providing both storage and an exterior ADA-compliant restroom. A storage room for tables and chairs lessens the wear-and-tear on the house and places equipment and supplies closer to where they will be used. The support building's footprint is minimized on the site. Craftsman style doors will be used at the auxiliary spaces which fit in with the craftsman style of many historic West Linn homes.

It is our hope that the proposed design meets the Review Board's standards and can be approved. We remain open to all suggestions, ideas, and comments to further improve the design and appreciate any and all input you might have for us.

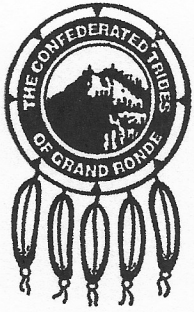
We welcome your questions and want to thank you for your time, commitment to the history of West Linn, and for your civic participation.

Thank you,

Friends of McLean Park and House

Mike Watters, President 503 891 4665

The Friends are Celebrating 40 years(1981-2021) of preserving our historical landmark



The Confederated Tribes of the Grand Ronde Community of Oregon
Umpqua Molalla Rogue River Kalapuya Chasta

Tribal Council
Phone (503) 879-2301
Fax (503) 879-5964

1-800-422-0232
9615 Grand Ronde Road
Grand Ronde, OR 97347

January 13, 2021

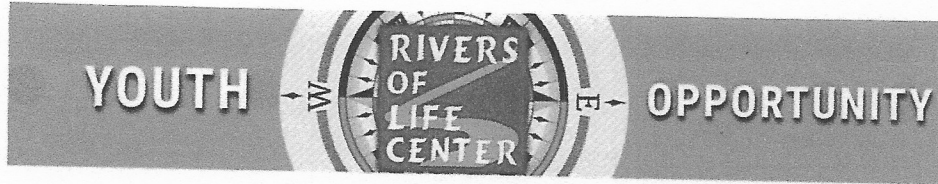
City of West Linn
West Linn Historic Review Board
22500 Salamo Road
West Linn, OR 97068

Dear Historic Review Board,

On behalf of the Confederated Tribes of the Grand Ronde Community of Oregon ("Grand Ronde" or "Tribe"), I write to express our strong support for a special pavilion at the McLean Park. The Confederated Tribes of Grand Ronde has a long standing relationship with the McLean House. We have conducted our tribal cultural event, the "First Fish Celebration" for many years there. Mr. Mike Watters and his staff have always been gracious hosts to accommodate our tribal people. The new pavilion will enhance the opportunities for people to gather and celebrate.

hayu-masi (Many thanks),

Jon A. George
Tribal Council Secretary



Friends of McLean House and Park and City of West Linn Review staff: 1/14/2021

Dear Advocates and Staff:

Rivers of Life Center is a 501 C-3 Federally sanctioned Education and Training for Youth. We helped initially construct the grounds improvements at McLean House and Park a decade or more ago. We are very interested in seeing the continued evolution of this 2.4 acre site and the people behind it, including West Linn Parks that give this great gift to the community. The site has ample room for facilities and improvements and the "Pavilion Project" would allow for far more community uses of this significant Riverside Park. It would further protect the Historic McLean House from damage from overuse by visitors and citizens.

We hope your processes can expedite a timely approval of the Pavilion Project for the benefit of so many that use this West Linn facility.

Sincerely,

Gerald W. Herrmann

President

G.W.H.



West Linn Historical Society
P.O. Box 604
West Linn, OR 97068

West Linn Historic Review Board
City of West Linn
22500 Salamo Road
West Linn, OR 97068

Re: Friends of the McLean Park and House Pavilion Project

January 19, 2021

The West Linn Historical Society fully supports the Friends of the McLean Park and House's proposal for a pavilion to be built in McLean Park. The pavilion will greatly enhance the Friend's mission to preserve this historic landmark and provide a benefit to the community through a variety of events.

The West Linn Historical Society is dedicated to the preservation and interpretation of the history of the West Linn, Oregon area by creating knowledge of the past and presenting it in diverse educational formats. We engage in advocacy, research, understanding, celebration and conservancy of our collective past. Not having a museum in West Linn, we have created a History without Walls program where we bring history out into the community. The proposed pavilion identified by the Friends of the McLean Park and House's proposal would create an inviting venue for many of our activities, including our Voices from the Past and History is Childs Play events.

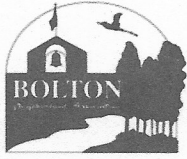
The West Linn Historical Society has identified McLean Park and adjoining Westbridge Park as areas to interpret the rich Native American history at the Willamette Falls, as well as the Hugh Burns donation land claim and his contribution to early West Linn heritage. Working with the Friends of the McLean Park and House, the proposed pavilion will enhance this effort.

The West Linn Historical Society supports the Friends of the McLean Park and House's pavilion project and believe it will create a showcase of the natural and historical value of the area.

Sincerely,

A handwritten signature in black ink that reads "Roger Shepherd". The signature is written in a cursive style with a large, sweeping initial "R" and "S".

Roger Shepherd, President
West Linn Historical Society



BOLTON NEIGHBORHOOD ASSOCIATION

January 19, 2021

To the West Linn Historic Review Board

One of the Bolton Neighborhood Association organizational purposes is to maintain and improve the quality of life of its residents. The historic Dr. McLean house, located in the Bolton neighborhood, was sold to the city in 1969 after the completion of the Highway 205 Abernathy Bridge.

The Bolton Neighborhood Association supports the construction of a wooden pavilion project on the grounds of the McLean House and Park as an asset to the community. As a Bolton neighborhood park, the McLean Park pavilion would greatly add to our resources for community gatherings, honor and recognize our culture and history, and create new memories through special events and activities. This would meet our purpose for enhancing the quality of life for our residents.

Over many years, the Bolton Neighborhood Association has supported the work and services of the Friends of McLean Park and House with donations and shared volunteer services. We acknowledge and appreciate their continued work over the 40 years to preserve, restore and maintain the historic house and property.

We look forward to seeing this pavilion project move ahead as soon as possible.

Sincerely yours,

Bolton Neighborhood Association Board Members

Robert McCarthy, President
Erich Kunrath, Vice President
Walter Swan Treasurer
Janet McCarthy, Secretary

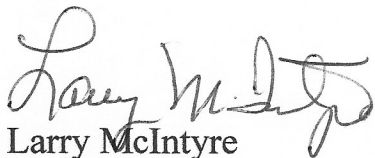
January 23, 2021

To: The City of West Linn, Historic Review Board
Re: Outdoor Pavilion

As a resident of West Linn since 1975, I have had the opportunity to watch the development of the McLean House over the years. During that time I have seen the house go from a somewhat run down residential rental to a true gem of our community.

The transformation is truly remarkable and is the results of the efforts of the combination of the City of West Linn and the Friends of The McLean Park & House. Thank you both for developing such a gift to our community.

Which brings me to the reason for this letter. I totally support the proposed concept of the Outdoor Pavilion, including the restroom and storage facility. The proposed design is in my estimation a perfect fit for this site.

A handwritten signature in cursive script, appearing to read "Larry McIntyre".

Larry McIntyre

Former West Linn Mayor 1983-86



January 24, 2021

Historic Review Board
City of West Linn
City Hall
22500 Salamo Road
West Linn, OR 97068

Members of the Historic Review Board:

The Clackamas County Heritage Council has reviewed the proposed addition to the historic McLean House and Park in West Linn, and we support the plan to build a Pavilion on the property.

Our board has considered the need for a place to hold large events at the McLean House which will not directly impact the House itself. It also recognizes the value of additional income for the maintenance and improvement of the House and property. Proceeds from rental of the Pavilion appear necessary for the continuing preservation of the McLean House. Such income would encourage the long-term survival of this building and site, a stated goal of the Heritage Council.

It further seems more appropriate to hold such events in an open-air timbered structure with restroom and storage than in tents which are a part of the landscape viewed by visitors to the site.

We thank you for your consideration of our letter.

Very sincerely,

A handwritten signature in blue ink that reads "Elaine L. Butler". The signature is written in a cursive, flowing style.

Elaine Butler, Chair, Clackamas County Heritage Council

cc: Diane Harju, General Manager, Friends of McLean House and Park,
info@mcleanhouse.org

Mike Watters, President, Friends of McLean House and Park via email to
mike7529@gmail.com .



Thanks for keeping history alive in Clackamas County!

Elaine Butler, President 503-341-7256

Clackamas County Heritage Council is a 501(c)3 nonprofit organization

<https://clackamasheritage.org>

January 25, 2021

Dear West Linn Historic Review Board,

We live 1 backyard away from the McLean House and Park and fully support the addition of a Pavilion. This addition would bring great value to the area as the Mclean House is a cornerstone of engagement and community. This would improve and expand the possibilities for groups and activities in all seasons. This area currently lacks outdoor covered spaces which have become invaluable during a pandemic to be able to safely distance in all weather.

We do not believe that the addition of a Pavilion will detract from the historic nature of the property and will instead encourage additional visitation, engagement, and prestige. I especially appreciate the inclusion of an ADA-compliant restroom to the property.

Thank you very much for your careful consideration of this matter and I hope that after seeing all the benefits with few if any drawbacks, you will also support the addition of the Pavilion to the McLean Park.

Sincerely,

Jacqueline and Jack Austin

Serres Greenhouse & Farm

Dan & Patti Serres
14620 Forsythe Road
Oregon City, OR 97045
503-655-0938

Friends of McLean Park and House
3530 River Street
West Linn, Oregon 96068

Attn: Mike Watters, President

Dear Mike,

We would like to show our tremendous support for the McLean Park Pavilion Project. This project would make a huge impact on the West Linn community. We would like to support with annual flowers, perennials, shrubs, and roses from Serres Greenhouse and Farm and will reach out to other local Garden Centers for support of planting material. We are also willing to show our support financially.

Sincerely,



Dan & Patti Serres
Serres Greenhouse & Farm



West Linn Public Library

1595 Burns St. West Linn Oregon 97068 • Telephone: (503) 656-7853 fax: (503) 656-2746

February 1, 2021

West Linn Historic Review Board
City of West Linn
22500 Salamo Rd
West Linn, Oregon
97068

Dear West Linn Historic Review Board Members,

It is my pleasure to write a letter of support for the Friends of the Mclean House in their pursuit of an outdoor Pavilion space. The Library and the Mclean House have been collaborative partners in many activities over the years. From Harry Potter Day to Poetry readings and many other things along the way. The close proximity is a big draw, but it is our joint vision in providing meaningful programs to West Linn, with an emphasis on community building, historical accuracy, and representation for all of West Linn, from the vocal to the underrepresented.

The McLean House is uniquely positioned and serves as a visual reminder of our link to the river, our neighbors, and those who came before us, and all the traditions, and rites that accompany such a place. It is beautiful, sacred, and a place where learning, and appreciation can blossom. Adding a pavilion that represents both the architecture, the symbolism, heritage, and beauty of this facility will allow for four seasons of education and gathering.

The West Linn Library enthusiastically endorses this chance for our community. To provide a place which we can use collaboratively, and enjoy as a resource for opportunity, good will, friendship, and community conversation.

Sincerely,

Library Director
West Linn Public Library

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
July 18, 2019

SUBJECT: Proposed construction of a new fieldhouse-style event shelter on an existing concrete pad at 5350 River Street.

FILE: PA-19-18

ATTENDEES: Applicant/Consultants: Ken Warner (COWL Parks)
Staff: Jennifer Arnold, Associate Planner
Others in Attendance: Mike Watters & Lonny Jochim

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

Site Information

Site Address: 5350 River Street
Site Area: 84,157 square feet (1.93 ac)
Neighborhood: Bolton
Comp. Plan: Commercial
Zoning: R-10 (Single-family Residential)
Overlays: Landmark Historic Property

Proposal: The applicant proposes to build a new fieldhouse-style event shelter in the location of an existing concrete pad and temporary event tent. The proposed location is outside of environmental overlays such as floodplain, water resource area protection and habitat conservation.

Engineering Comments: contact Amy Pepper at apecpper@westlinnoregon.gov

Tualatin Valley Fire and Rescue contact: Jason Arn at jason.arn@tvfr.com.

Process

A Class II Historic Design Review application is required because of the landmark historic structure on the property (The McLean House). For the Class II Design Review, address the submittal requirements and responses to the criteria of 25. This application is also considered a Class I Parks and Recreation Design Review. Due to conflicting decision body authority, Planning Staff has asked the City Attorney for clarification. The applicant will be notified of the process once Staff has the requested information.

N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Manager and must identify the specific grounds for that waiver.

A neighborhood meeting is not required per 99.038.

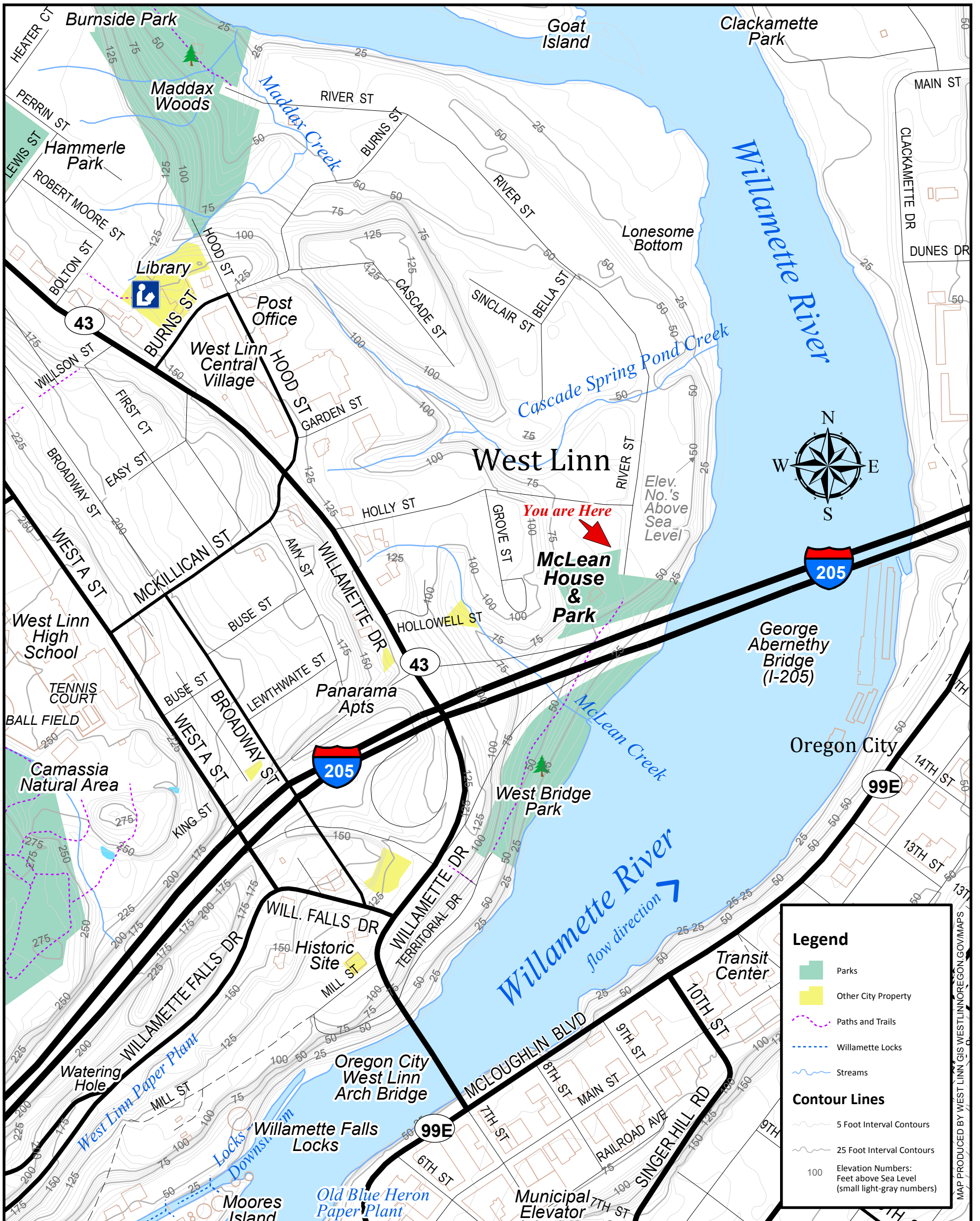
Once the application is submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided.

Once the submittal is declared complete, staff will schedule the Historic Review Board (HRB) hearing for recommendation to the Planning Commission. After the HRB hearing, an additional hearing before the Planning Commission will be scheduled for a final decision. A 14 day appeal period of the Planning Commission decision applies. If no appeal has been received by the close of the appeal period, the Planning Commission's decision becomes final and the applicant may move forward with the development of their proposal.

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

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

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application ***or provide any assurance of potential outcomes.*** Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. ***A new pre-application conference would have to be scheduled one that period lapses and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.***



Legend

- Parks
- Other City Property
- Paths and Trails
- Willamette Locks
- Streams

Contour Lines

- 5 Foot Interval Contours
- 25 Foot Interval Contours
- 100 Elevation Numbers: Feet above Sea Level (small light-gray numbers)

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